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UTAH STATE

INSURANCE DEPT

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

RICHLAND TITLE INSURANCE AGENCY, INC.

Attn.: Charity Dodson, President 10714 South Jordan Gateway, Suite 100 South Jordan, UT 84095 License No. 270277

STIPULATION AND ORDER

Docket No. 2012-107 PC

Enf. Case No. 3143

STIPULATION

- 1. Respondent, Richland Title Insurance Agency, Inc., is a licensed title insurance agency in the State of Utah, holding License 270277.
- 2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
 - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;

- b. Respondent admits the Findings of Fact and Conclusions made therefrom;
- Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and
- d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.
- 3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.
- 4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner and Title and Escrow Commission as to all matters herein.
- 5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.
- 6. Respondent acknowledges that the issuance of this Order by the Title and Escrow Commission is solely for purpose of disposition of the matter entitled herein.

DATED this 4 day of June, 2012.

RICHLAND TITLE INSURANCE AGENCY, INC.

Charity Dodson, President

UTAH INSURANCE DEPARTMENT

M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

- 1. On or about January 6, 2012, the Department created a list of all title producers who had renewed or reinstated their licenses during the month of December, 2011. After reviewing the list, it was determinated that Respondent's license had lapsed on November 30, 2011, and was reinstated on December 29, 2011.
- 2. On February 1, 2012, a letter from the Department was sent to Respondent requesting a narrative statement regarding any title insurance business conducted from November 30, 2011, through December 29, 2011. On or about February 16, 2012, Respondent responded with a written reply stating that twenty-two (22) closings had been conducted during that period.
- 4. In 2008, Respondent incurred an administrative forfeiture in the amount of \$1,000.00 for failing to timely renew its agency producer license.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In continuing to act as a title insurance producer when its license had lapsed, Respondent violated Utah Code Ann. § 31A-23a-103(1)(a).

Based upon the forgoing Stipulation, Findings of Fact and Conclusions of Law, the presiding officer now enters the following Recommended Order:

RECOMMENDED ORDER

IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE FOLLOWING PENALTY:

1. Respondent, Richland Title Insurance Agency, Inc. be assessed an administrative forfeiture in the amount of \$1,500.00, to be paid within 30 days of the date of the imposition of the penalty by the Title and Escrow Commission.

DATED this 2/3t day of ______, 2012.

NEAL T. GOOCH Insurance Commissioner

MARK E. KLEINFIELD

Administrative Law Judge

Utah Insurance Department

State Office Building, Room 3110

Salt Lake City, Utah 84114 Telephone: (801) 538-3800

ADOPTION OF RECOMMENDED ORDER AND IMPOSITION OF PENALTY

By a vote of 3 to 6, taken in open meeting on this date, the Title and Escrow Commission hereby adopts the recommended order of the presiding officer and imposes the penalty recommended herein above.

Larry Blake Chairman
Utah Title and Escrow Commission

NOTIFICATION

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CONCURRENCE WITH COMMISSION IMPOSED PENALTY

On behalf of the Commissioner of the Utah Insurance Department I hereby concur with the penalty imposed by the Utah Title and Escrow Commission in the above matter.

DATED this 9 day of 50/4, 20/2.

NEAL T. GOOCH INSURANCE COMMISSIONER

MARK E. KLEINFIELD Administrative Law Judge