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M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, Fifth Floor
PO Box 140874
Salt Lake City, UT 84114
Telephone: 801-366-0375
Facsimile: 801-366-0378

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

<p>COMPLAINANT:</p> <p>UTAH INSURANCE DEPARTMENT</p> <p>RESPONDENT:</p> <p>BARTLETT TITLE INSURANCE AGENCY, INC. 1993 North State Street Provo, UT 84604 License No. 103332</p>	<p>STIPULATION AND ORDER</p> <p>Docket No. 2012-147 PC</p> <p>Enf. Case No. 3193</p>
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STIPULATION

1. Respondent, Bartlett Title Insurance Agency Inc. ("Agency"), is a licensed title agency in the State of Utah, holding License 103332.
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;
- c. 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.

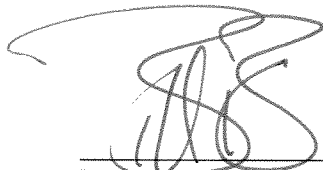
3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

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 8 day of August, 2012.



BARTLETT TITLE INSURANCE AGENCY, INC.
Bruce Bartlett, 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 April 11, 2012, the Department created a list of all title producers who had renewed or reinstated their licenses during the month of March, 2012. After reviewing the list, it was determined that Respondent's license had lapsed on September 30, 2011 and was not reinstated until March 28, 2012.

2. A SIRCON screen review indicated that Respondent's association with its title and escrow producers terminated on September 30, 2011. The producers were re-associated with Respondent on March 29, 2012.

3. On May 8, 2012, a letter from the Department was sent to Bruce Bartlett, president of the Agency requesting a narrative statement regarding any title insurance business conducted from September 30, 2011 through March 28, 2012.

4. On May 30, 2012, Bartlett responded with a written reply stating that one hundred forty (140) closings had been conducted during the period when the Respondent's license was expired..

5. Bruce Bartlett, president of the Agency, has been licensed since February 11, 1991 and has had no complaints or action taken against him. He was cooperative and responded promptly during the investigation.

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

CONCLUSIONS OF LAW

1. Utah Code Ann. § 31A-23a-103(1)(a) states as follows:

(1) (a) Unless exempted from the licensing requirement under Section **31A-23a-201** or **31A-23a-207**, a person may not perform, offer to perform, or advertise any service as a producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary in Utah, without a valid individual or agency license issued under this chapter.

2. Utah Code Ann. Section 31A-23a-302 (1) mandates the following:

An agency shall designate an individual that has an individual producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary license to act on the agency's behalf in order for the licensee to do business for the agency in this state.

3. Respondent violated of the above statutes when it conducted one hundred forty (140) closings between October 1, 2011 and March 29, 2012, the period when its license was lapsed and its producers were not designated to it.

4. An administrative forfeiture in the amount of \$3,000.00 is appropriate in this matter.

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

RECOMMENDED ORDER

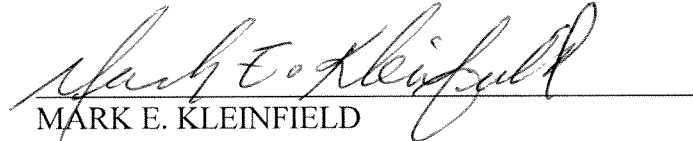
IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE FOLLOWING PENALTY:

1. Respondent, Bartlett Title Insurance Agency Inc., be assessed an administrative forfeiture in the amount of \$3,000.00, to be paid within 30 days of the imposition of the penalty

by the Title and Escrow Commission.

DATED this 14th day of August, 2012.

NEAL T. GOOCH
Insurance Commissioner



MARK E. KLEINFELD
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 4 to 0, 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.

DATED this 10th day of September, 2012.



UTAH TITLE AND ESCROW COMMISSION
Larry Blake, Chairman

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 10th day of September, 20 .

NEAL T. GOOCH
INSURANCE COMMISSIONER


MARK E. KLEINFELD
Administrative Law Judge

CERTIFICATE OF MAILING

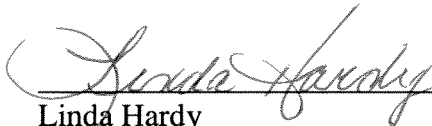
I do hereby certify that on this date I mailed, by regular mail postage prepaid, a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

Bartlett Title Insurance Agency, Inc.
Bruce Bartlett
1993 North State Street
Provo, UT 84604

DATED this 10th day September, 2012



Linda Hardy
Market Conduct
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901
801-538-3860

**UTAH
Invoice**

Printed Date: September 10, 2012

Invoice Date: September 10, 2012
Balance Due: \$3,000.00
Due Date: October 10, 2012
Invoice ID: 598771

BARTLETT TITLE INSURANCE AGENCY INC
1993 NORTH STATE STREET
PROVO UT 84604

Item Description	Amount
Monetary Penalty Agency	\$3,000.00
Original Amount Due	<u>\$3,000.00</u>
Payments Received	
	<u>Balance Due</u>

**UTAH
Invoice**

Printed Date: September 10, 2012

Invoice Date: September 10, 2012
Balance Due: \$3,000.00
Due Date: October 10, 2012
Invoice ID: 598771

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901