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UTAH STATE
INSURANCE DEPT.

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

<p>COMPLAINANT:</p> <p>UTAH INSURANCE DEPARTMENT</p> <p>RESPONDENT:</p> <p>WASATCH TITLE INSURANCE AGENCY LLC 1245 East Brickyard Road, Suite 350 Salt lake City, UT 84106 License No. 92379</p>	<p>STIPULATION AND ORDER</p> <p>Docket No. 2013-042 LC</p> <p>Enf. Case No. 3267</p>
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STIPULATION

1. Respondent, Wasatch Title Insurance Agency LLC (“Agency”), is a licensed title insurance agency in the State of Utah, holding License 92379.
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 22 day of March, 2013



WASATCH TITLE INSURANCE AGENCY LLC
David Driggs, 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 November 8, 2012, the Department created a list of all title producers and agencies who had renewed or reinstated their licenses during the month of October, 2012. After reviewing the list and SIRCON licensing, it was determined that Respondent's license had lapsed on September 30, 2012, and was reinstated on October 9, 2012.

2. Respondent's association with its title and escrow producers also terminated on September 30, 2012. The Respondent and its producers were re-associated on November 29, 2012.

3. Meri M. Egan, one of Respondent's producers, had an individual license also lapsed on June 30, 2012, which was reinstated on October 11, 2012.

4. On December 11, 2012, a letter from the Department was sent to Respondent requesting a narrative statement regarding any title insurance business it conducted from September 30, 2012 through October 9, 2012.

5. On December 20, 2012, Respondent's president, David Driggs, replied in writing stating that 49 closings/searches were conducted between the time period of September 30, 2012 and October 9, 2012.

6. The Department had also requested a narrative statement of any title insurance business conducted by Meri M. Egan from June 30, 2012 through October 11, 2012, the period her license was lapsed.

7. A written reply stated that Meri M. Egan had conducted 31 closing between June 30, 2012 and October 11, 2012.

8 David Driggs, Respondent's president, was cooperative and forthcoming during the investigation, although Respondent has had a prior lapse in licensing.

9. Respondent has agreed to an administrative forfeiture in the amount of \$4,500.00.

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. Section 31A-23a-103 requires an agency to be licensed by the Department in order to conduct any insurance business in the state. This statute also prohibits an agency from utilizing an unlicensed individual as a producer if the agency knows or should know the individual is not licensed.

2. Utah Code Ann. § 31A-23a-302 requires an agency to designate with the Department any individual producer, customer services representative, consultant, or managing general agent acting on the agency's behalf.

3. Respondent violated of the above statutes when it conducted 49 closings/searches during the period its license was lapsed and its producers were not designated to it.

4. Respondent's producer, Meri E. Egan, conducted 31 closings for the Respondent during the period her license was lapsed, in violation of the above.

5. An administrative forfeiture in the amount of \$4,500.00 is appropriate in this matter.

RECOMMENDED ORDER

IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE

FOLLOWING PENALTY:

Respondent, Wasatch Title Insurance Agency LLC, be assessed an administrative forfeiture in the amount of \$4,500.00 to be paid to the Department within thirty (30) days of the date of the imposition of the penalty by the Title and Escrow Commission.

DATED this 27th day of March, 2013.


TODD E. KISER
Insurance Commissioner


MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department

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 8th day of April, 2013.


LARRY TURNER BLAKE, Chairman
Title and Escrow Commission

NOTIFICATION TO RESPONDENT

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 \$5,000.00 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 \$10,000.00 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.

COMMISSIONER CONCURRENCE

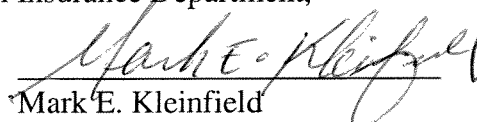
WITH COMMISSION IMPOSED PENALTIES

The Commissioner of the Utah Insurance Department hereby concurs with the above and forgoing Utah Title and Escrow Commission imposed penalties in the present adjudicative proceedings.

Dated this 8th day of April, 2013.

TODD E. KISER,
Commissioner,
Utah Insurance Department,

BY:


Mark E. Kleinfield
Administrative Law Judge