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RECEIVED
MAY 23 2013
UTAH STATE
INSURANCE DEPT.

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

ADVANCED TITLE INSURANCE
AGENCY LC
6965 Union Park Center, Suite 180
Midvale, UT 84047
License No. 90867

STIPULATION AND ORDER

Docket No. 2013-071 PC

Enf. Case No. 3316

STIPULATION

1. Respondent, Advanced Title Insurance Agency LC (“Advanced Title”), is a licensed title agency in the State of Utah, holding License 90867.
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.

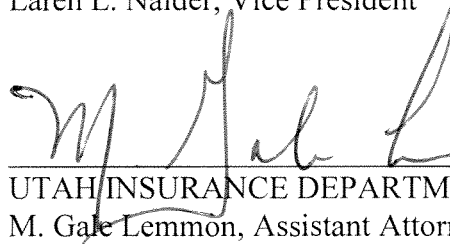
5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

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.

7. In the event the Title and Escrow Commission or the Commissioner does not approve the agreed penalty, this Stipulation will be void and of no effect.

DATED this 22nd day of May, 2013.


ADVANCED TITLE INSURANCE AGENCY LC
Laren L. Nalder, Vice 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 January 8, 2013, the Department created a list of all title producers who had renewed or reinstated their licenses during the month of December 2012. After reviewing the list and SIRCON licensing, it was determined that Advanced Title's Vice President, Laren L. Nalder's license had lapsed on August 31, 2012, and was not reinstated until December 6, 2012.

2. Nalder's association with Advanced Title also terminated on August 31, 2012, and Nalder was not re-associated to Respondent until December 6, 2012.

3. On February 2, 2013, a letter from the Department was sent to Respondent requesting a narrative statement regarding any title insurance business Nalder conducted between August 31, 2012 and December 6, 2012.

4. On February 25, 2013, Nalder, Respondent's Vice President, sent a written reply stating that 34 closings were conducted between August 31, 2012 and December 6, 2012, the time period during which Nalder's license was lapsed.

5. Respondent was forthcoming during the investigation.

6. Respondent has agreed to an administrative forfeiture in the total amount of \$1,500.00.

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 that a title agency utilize the services of a licensed individual to conduct title business in this State. Respondent violated this statutory

mandate when it allowed Laren L. Nalder to conduct 34 closings in its behalf while Nalder's license was lapsed.

2. Utah Code Ann. Section 31A-23a-302 (1) mandates that a licensed individual be designated to the title agency in order to conduct title business on its behalf. Respondent violated this provision by allowing Nalder to conduct 34 closings on its behalf while not being associated to it.

3. An administrative forfeiture in the amount of \$1,500.00 is appropriate in this matter.


RECOMMENDED ORDER

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

1. Respondent, Advanced Title Insurance Agency LC, shall be assessed an administrative forfeiture in the amount of \$1,500.00 to be paid to the Department within thirty (30) days of the date of the Order.

DATED this 4th day of June, 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 10 day of June, 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 10 day of June, 2011.

TODD E. KISER,
Commissioner,
Utah Insurance Department,
BY:


Mark E. Kleinfield
Administrative Law Judge