

GARY JOSEPHSON #5299
Assistant Attorney General
SEAN D. REYES #7969
Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, Fifth Floor
P.O. Box 140874
Salt Lake City, UT 84114-0874
Telephone (801) 366-0375
Email: gjosephson@utah.gov

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

COALITION TITLE AGENCY,
License No. 4393,
2200 Park Ave Blvd. C, Suite 100,
Park City, UT 84060

Respondent.

**STIPULATION
AND ORDER**

Docket No. 2014-039 PC

Enforcement Case No. 3431

Mark E. Kleinfield
Administrative Law Judge

STIPULATION

The Utah Insurance Department (“Department”), by and through its legal counsel, and Coalition Title Agency (“Respondent”) hereby stipulate and agree as follows:

1. Respondent Coalition Title Agency, is an active Utah licensed title insurance agency authorized to do business in the state of Utah under license number 4393. Respondent’s address is 2200 Park Ave Blvd. C, Suite 100, Park City, UT 84060.

2. The Department has jurisdiction over the parties and subject matter of this

administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-210; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code § 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent knows of the right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation and the signed and adopted Order by the Commissioner and the Title and Escrow Commissioner, along with the Findings of Fact, the Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. If an administrative hearing were held, the Department could offer witnesses and introduce evidence that would support the Findings of Fact presented below; therefore, the Findings of Fact and Conclusions of Law presented below are hereby admitted to.

7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

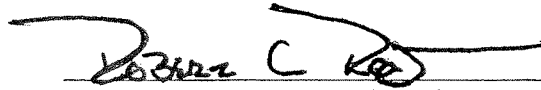
8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

10. The persons signing this Stipulation on behalf of the named parties hereby affirm

that they are authorized to sign and bind the parties.

Dated this 4 day of March, 2014.



COALITION TITLE AGENCY
Robert C. Rodman

Dated this 6th day of March, 2014.



UTAH INSURANCE DEPARTMENT
Gary Josephson,
Attorney for Utah Insurance Department

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

FINDINGS OF FACT

1. On August 8, 2013, the Department created a list of all title producers who had reinstated their licenses during the month of July, 2013. When the list was compared to SIRCON licensing, it was revealed that Respondent's license had lapsed on June 30, 2013 and was reinstated on July 10, 2013. The SIRCON check also indicated that all Respondent's associations were also terminated on June 30, 2013. They were re-associated on August 9, 2013.

2. On September 3, 2013, a letter was sent by the Department to Respondent requesting a narrative statement outlining all title business conducted between June 30, 2013 and

July 10, 2013.

3. On September 24, 2013 Respondent's president and owner, Robert C. Rodman, provided a response and stated that Respondent had conducted thirty-six (36) closings between the license lapse on June 30, 2013 and reinstatement on July 10, 2013.

4. Mr. Rodman was cooperative and helpful during the investigation and acknowledged full responsibility for the lapse in licensure and associations. An agreement on an administrative forfeiture has been reached.

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

Based upon the foregoing Stipulation and Findings of Fact, the following Conclusions of Law are made:

CONCLUSIONS OF LAW

1. Utah Code § 31A-23a-103 requires a title agency to be licensed in order to conduct any title business in Utah.

2. Respondent violated Utah Code § 31A-23a-103 when it conducted thirty six (36) closings during the time its license was lapsed, from June 30, 2013 to July 10, 2013.

3. In order to perform services on behalf of the agency, Utah Code § 31A-23a-302 requires that a title agency's producers and other personnel be associated/designated to it.

4. Respondent violated Utah Code § 31A-23a-302 by using un-associated or un-designated producers during the period between June 30, 2013 to August 9, 2013.

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

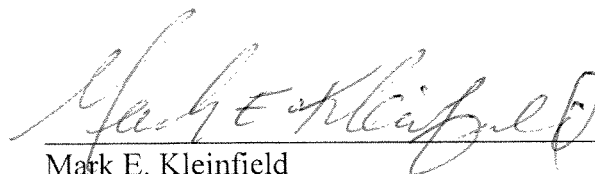
RECOMMENDED ORDER

IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION APPROVE AND ADOPT THE FOLLOWING ORDER, WITH PENALTY:

Based on the Stipulation, Findings of Fact and Conclusions of Law, Respondent, Coalition Title Agency, is 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 Title and Escrow Commission's adoption of the Order.

DATED this 7th day of March, 2014.

Todd E. Kiser
Insurance Commissioner



Mark E. Kleinfeld
Administrative Law Judge
Utah Insurance Department
Room 2110, State Office Building
Salt Lake City, Utah 84114
Telephone (801) 538-3800

ADOPTION OF RECOMMENDED ORDER, WITH PENALTY

By a vote of 4 to 0, taken in open meeting on this date, the Utah Title and Escrow Commission hereby adopts the recommended Order, with Penalty.

DATED this 14th day of April, 2014.



Kirk D. Smith, 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 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.

COMMISSIONER CONCURRENCE

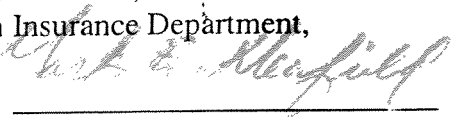
WITH COMMISSION IMPOSED PENALTIES

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 ____ day of APR 14 2014, 201__.

TODD E. KISER,
Commissioner,
Utah Insurance Department,

BY:



Mark E. Kleinfield
Administrative Law Judge