

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-210; acknowledges that this Stipulation and Order is part of 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 voluntarily chosen not to do so.

5. This signed Stipulation and the signed and adopted Order by both the Commissioner and the Title and Escrow Commission, along with the Findings of Fact and 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 addressed in the Findings of Fact and Conclusions of Law.

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

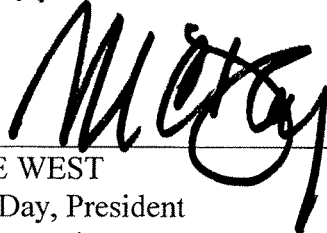
9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

10. The persons signing this Stipulation of behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

11. If the Order is not signed and fully adopted by both the Administrative law Judge

and the Title and Escrow Commission, this Stipulation will be void and of no effect.

Dated this 18 day of April, 2014.



TITLE WEST
Mark Day, President

Dated this 23rd day of April, 2014.



UTAH INSURANCE DEPARTMENT
Gary D. Josephson, Assistant Attorney General

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

FINDINGS OF FACT

1. On November 8, 2013, the Department compiled a list of all title producers who had reinstated their license during the month of October 2013. A review of the list and SIRCON licensing revealed that Respondent's license had lapsed on September 30, 2013 and was reinstated on October 8, 2013. In addition, according to SIRCON, all Respondent's title producer associations terminated on September 30, 2013. Respondent's title producers were re-associated on November 18, 2013.

2. On December 2, 2013, a Department letter was sent to Respondent's president, Mark Day, requesting a narrative statement regarding any and all title insurance business conducted between September 30, 2013 and October 8, 2013.

3. On December 24, 2013, Mr Day responded with a written reply stating that Respondent had conducted thirty-seven (37) closings and had issued thirty-six (36) search commitments between September 30, 2013 and October 8, 2013. Mr. Day was cooperative during the investigation

4. On February 3, 2014, via letter, the Department offered a stipulated resolution of this matter to Respondent. On February 24, 2013, Respondent's president agreed to imposition of an administrative penalty and forfeiture in the amount of \$1,500.00 to resolve this matter.

Based upon the foregoing Stipulation and Findings of Fact, the following conclusions of law are entered:

CONCLUSIONS OF LAW

1. Utah Code Ann. § 31A-23a-103 states that authorization to conduct insurance business in this state requires an individual or agency to hold an active license.

2. Utah Code Ann. § 31A-23a-302 requires an agency to designate an individual or individuals who have individual producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary licenses to act on the agency's behalf in order for the licensee to do business in Utah.

3. Respondent was in violation of the above provisions during the period the agency license and designations were lapsed.

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

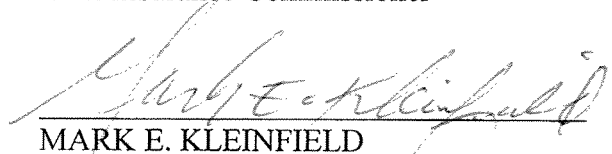
RECOMMENDED ORDER

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 Title West is assessed an administrative forfeiture in the amount of \$1,500.00 to be paid to the Department within thirty days of the order's issuance.

DATED this 23rd day of April, 2014.

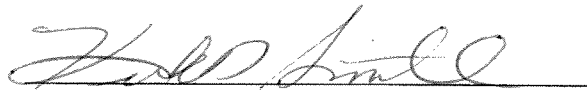
Todd E. Kiser
Utah Insurance Commissioner


MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department

ADOPTION OF RECOMMENDED ORDER, WITH PENALTY

By a vote of 3 to 0, taken in open meeting on this date, the Utah Title and Escrow Commission hereby adopts the recommended order of the presiding officer and imposes the recommended penalty.

Dated this 9th day of June, 2014.


Kirk D. Smith, Chairman
Title and Escrow Commission

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey any order of the Commission 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.

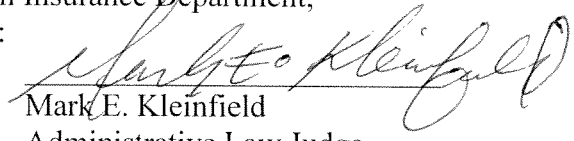
COMMISSIONER CONCURRENCE

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 9th day of June, 2011.

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


Mark E. Kleinfeld
Administrative Law Judge