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

UTAH INSURANCE DEPARTMENT,

Complainant,

v.

SUTHERLAND TITLE COMPANY
License # 4641
920 East Oak Wood Lane, Suite 100
Salt Lake City, UT 84117

Respondent.

STIPULATION AND ORDER

Docket No. 2014-100 LC

Enf. Case No. 3534

Mark E. Kleinfield
Administrative Law Judge

STIPULATION

The Utah Insurance Department (“Department”), by and through its legal counsel, and Sutherland Title Company, a Utah licensed title insurance agency (“Respondent”), hereby stipulate and agree as follows:

1. Respondent is an active Utah licensed title insurance agency authorized to do business in the state of Utah under License No. 4641. Respondent’s business address is 920 East Oak Wood Lane, Suite 100, Salt Lake City, UT 84117.

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-4-201; 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 its 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 both the Commissioner and the Title and Escrow Commission, along with any 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 evidence that would support the Findings of Fact presented below; therefore, the Findings of Fact and Conclusions of Law presented below are accepted by the parties.

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

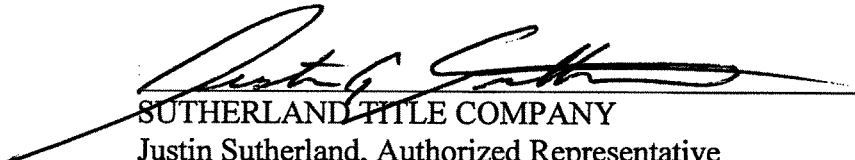
8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

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 22 day of September, 2014.


SUTHERLAND TITLE COMPANY
Justin Sutherland, Authorized Representative

Sept. 29, 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 April 4, 2014, the Department compiled a list of all title producers who had renewed their licenses during the month of March 2014. After reviewing the list and SIRCON licensing, it was determined that Respondent's license had lapsed on February 28, 2014 and was reinstated March 7, 2014. Respondent's producers were re-associated on March 12, 2014.
2. On June 10, 2014, the Department investigator requested from Respondent a narrative statement of all title business conducted between February 28, 2014 and March 7, 2014.
3. On June 30, 2014, Justin Sutherland replied and stated that the company conducted 11 closings and issued four commitments on behalf of the insurer between February 28, 2014 and March 7, 2014.

4. Respondent was cooperative and helpful during the investigation, and took full responsibility for the lapse.

5. Respondent has agreed an administrative forfeiture of \$1,500.00. In addition, Respondent will prepare and submit a comprehensive business plan that outlines specific policies and procedures to be put in place to ensure future compliance with license renewal requirements.

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

CONCLUSIONS OF LAW

1. Utah Code Section 31A-23a-103 requires every insurance producer to have an active license to conduct any title business in Utah.

2. Utah Code Section 31A-23a-302 requires an agency to designate with the Department any individual acting on the agency's behalf.

3. Respondent violated the above statutes in conducting title business during the period when its license was lapsed.

4. The proposed administrative forfeiture of \$1,500.00, and the requirement that Respondent submit to the Department a comprehensive business plan outlining procedures and policies ensuring future compliance with Utah law and Department rules are appropriate in this matter.

RECOMMENDED ORDER

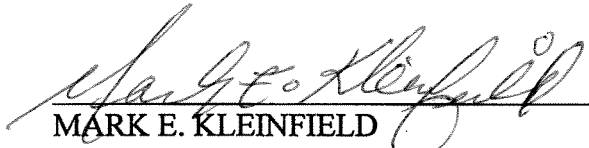
IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE FOLLOWING PENALTY:

1. Respondent, Sutherland Title Company shall be assessed an administrative forfeiture in the amount of \$1,500.00 to be paid to the Department within 30 days of the date of the Commission's Order.

2. Within 90 days of the full signing of this Order, Respondent shall submit a comprehensive business plan outlining specific procedures and policies it shall put in place regarding its license renewals and associations ensuring future compliance with Utah statutes and Department rules.

DATED this 29th day of September, 2014.


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 above.

DATED this 20 day of October, 2014.


JEFFERY D. WIENER, Chairman
Title and Escrow Commission

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 20 day of October, 2011.

TODD E. KISER,
Commissioner,
Utah Insurance Department,

BY:


Mark E. Kleinfeld
Administrative Law Judge

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.