

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 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.

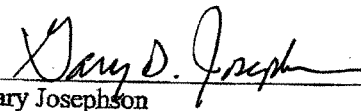
10. The persons signing this Stipulation on behalf of the named parties hereby affirm

that they are authorized to sign and bind the parties.

Dated this 22nd day of January, 2015.



PROVO LAND TITLE COMPANY
Douglas Pinder, President

January 23rd, 2015 

Gary Josephson
Assistant Attorney General
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 October 7, 2014, the Department compiled a list of all title producers who had renewed their licenses during the month of September 2014. After reviewing the list and SIRCON licensing, it was determined that the license of Douglas Pinder, President and Qualifying Active Officer for Respondent, had lapsed on August 31, 2014, which also terminated Douglas Pinder's association to Respondent. Pinder's license was re-instated on September 11, 2014. His association to Respondent was re-instated on October 22, 2014.
2. On October 21, 2014, the Department requested from Respondent a narrative statement of all title business conducted by Douglas Pinder from August 31, 2014 through September 11, 2014.
3. On October 22, 2014, Douglas Pinder, President of Respondent, responded with a

written reply and stated that he had signed 53 commitments on behalf of the insurer from August 31, 2014 through September 11, 2014.

4. Respondent has a prior violation of record, Enforcement Case #3241, wherein it was determined Respondent had failed to renew the agency license and conducted title and escrow services during the time the license was lapsed. The Commission's Order in that matter included a forfeiture of \$1,500.00.

5. Respondent was cooperative and helpful during the subject investigation, and took full responsibility for the lapse in licensing and association.

6. Respondent has agreed to an administrative forfeiture of \$3,000.00, in part based upon this being a repeat violation of licensing 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 allowing Douglas Pinder to sign 53 commitments on its behalf during the period his license and association were lapsed.

4. The proposed administrative forfeiture of \$3,000.00 is appropriate in this matter.

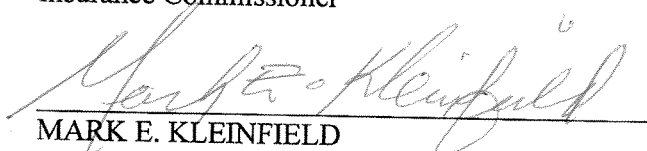
RECOMMENDED ORDER

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

Respondent, Provo Land Title Company, shall be assessed an administrative forfeiture in the amount of \$3,000.00 to be paid to the Department within 30 days of the date of the Commission's Order.

DATED this 23 day of January, 2015.


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 5 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 9 day of February, 2015.


JEFFREY D. WEINER, 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.

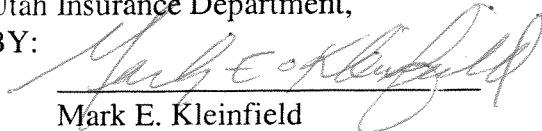
COMMISSIONER CONCURRENCE

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 9 day of February, 2015.

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



Mark E. Kleinfield
Administrative Law Judge