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**BEFORE THE UTAH INSURANCE COMMISSIONER**

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UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

Juab Title & Abstract Company  
240 North Main  
Nephi UT 84648-0246  
[marylou@juabtitle.com](mailto:marylou@juabtitle.com).

Respondent.

NOTICE OF AGENCY ACTION AND  
ORDER

Docket No. 2018-4009

Lisa Watts Baskin  
Presiding Officer

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**NOTICE OF AGENCY ACTION**

The Utah Insurance Department (“the Department”) commences this agency action against Juab Title & Abstract Company (“Respondent”) pursuant to Utah Code §31A-2-201 and 63G-4-201 through 203 and to Utah Admin. Code R590-160.

This agency action is based on the facts and law set forth in the attached Declaration and is designated as an informal adjudicative proceeding pursuant to Utah Code §63G-4-202(1) and Utah Admin Code R590-160-4 and 7.

**ORDER**

Based on the facts and the law set forth in the attached Declaration, and good cause appearing, the Utah Insurance Commissioner orders as follows:

1. Respondent shall forfeit to the Department the amount of \$1500.00.


2. Pursuant to Utah Code §63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be deemed closed, and this Order shall become final and take full effect, 15 days after this Notice of Agency Action and Order is emailed to Respondent unless a request for a hearing on this matter is received from Respondent prior to that date.

3. A request for a hearing shall be sent by email to [uidadmincases@utah.gov](mailto:uidadmincases@utah.gov) or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 3110 State Office Building, Salt Lake City, UT 84114. The request for hearing shall be signed by the person making the request and shall state the basis for the relief requested.

4. If you fail to request a hearing you will be bound by this Order. Failure to request a hearing will be deemed a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

DATED this 5<sup>th</sup> day of July 2018.

TODD E. KISER  
Utah Insurance Commissioner

  
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LISA WATTS BASKIN  
Presiding Officer  
Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114  
801-538-3800  
[uidadmincases@utah.gov](mailto:uidadmincases@utah.gov)

**NOTICE REGARDING ENFORCEMENT OF THE ORDER**

Failure to obey the Order may subject you to further penalties that include forfeitures of up to \$2,500 per violation, license suspension or revocation, further enforcement action before the Utah District Court where forfeitures of up to \$10,000 may be imposed. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.

## DECLARATION

Under criminal penalty of Utah law, I, Adam Martin, declare the following:

1. I am currently employed as a Market Conduct Examiner with the Utah Insurance Department where my responsibilities include investigating and enforcing Utah insurance laws.

2. I submit this Declaration as the basis for issuing the Notice of Agency Action and Order against Juab Title & Escrow Company to which this Declaration is attached.

3. Based on my personal knowledge and/or based on the facts appearing in the Department's records and files, the following facts are true:

a. Respondent's license lapsed on March 31, 2018 with a reinstatement date of April 4, 2018. Respondent conducted 6 closings and issued 12 insurance policies on behalf of the insurer without an active license or an active association with a licensed producer.

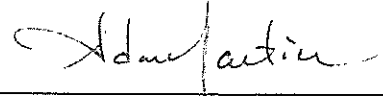
4. The above declared facts demonstrate that the following Utah insurance law(s) were not complied with:

a. In order to conduct escrow or issue title insurance on behalf of a title insurer the agency title insurance producer must have a valid license issued under Utah Code §31A-23a-103.

b. In order to conduct escrow or issue title insurance on behalf of a title insurer the agency title insurance producer must have at least one producer associated with proper line of authority under Utah Code §31A-23a-302.

5. Based on Utah Code §31A-2-308 and similar enforcement cases, the proper forfeiture for the violation(s) should be \$1500 per violation.

DATED this 26 day of June 2018.

A handwritten signature in cursive script that reads "Adam Martin". The signature is written in black ink and is positioned above a horizontal line.

Adam Martin, Market Conduct Examiner  
Utah Insurance Department

**COMMISSION RESPONSE TO REQUEST FOR  
CONCURRENCE WITH PENALTY**

By a vote of 4 to 0, taken in an open meeting on this date, the Title and Escrow

Commission

X concurs

\_\_\_\_\_ does not concur

with the penalty imposed by the Commissioner.

DATED this 10<sup>th</sup> day of December, 2018.

  
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JAMES SWAN, Chair  
Title and Escrow Commission