

State of Utah
Administrative Rule Analysis
Revised May 2026

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment	Filing ID: OFFICE USE ONLY
Rule or section number:	R592-6-4
Date of previous publication (only for CPRs):	

1. Agency Information

Title catchline:	Insurance, Title and Escrow Commission
Building:	Taylorsville State Office Building
Street address:	4315 S. 2700 W.
City, state:	Taylorsville, UT
Mailing address:	PO Box 146901
City, state and zip:	Salt Lake City, UT 84114-6901

2. Contact Persons

Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:
R592-6-4. Prohibited Unfair Methods of Competition
B. Purpose of the new rule or reason for the change:
The Title & Escrow Commission discovered a provision that should have been removed during a previous amendment to this rule but was not. The Title & Escrow Commission approved this amendment by a vote of 3-0 during its April 13, 2026 meeting.
C. Summary of the new rule or change:
The filing removes the phrase "or its trade association" from subsection R592-6-4(5).

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are not because of legislative action.
B. If yes, any bill number and session:	

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
There is no anticipated cost or savings to the state budget. The change allows a title insurance producer to furnish space to a trade association free of charge and does not involve the state in any way.
B. Local governments:
There is no anticipated cost or savings to local governments. The change allows a title insurance producer to furnish space to a trade association free of charge and does not involve a local government in any way.
C. Small businesses ("small business" means a business employing 1-49 persons):
Small businesses, specifically title insurance producers, may see a small decrease in revenue only if they regularly charge trade associations to use their space. Upon this amendment becoming effective, they will be able to provide space free of charge if they choose. This decrease is not a true cost or savings because providing space for a fee is an optional activity that a title producer may offer at their discretion.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

Non-small businesses, specifically larger title insurance producers, may see a small decrease in revenue only if they regularly charge trade associations to use their space. Upon this amendment becoming effective, they will be able to provide space free of charge if they choose. This decrease is not a true cost or savings because providing space for a fee is an optional activity that a title producer may offer at their discretion.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no anticipated cost or savings to any other persons. The change allows a title insurance producer to furnish space to a trade association free of charge and does not involve other persons in any way.

F. Compliance costs for affected persons:

There are no compliance costs for any affected persons. The change merely allows a title insurance producer to furnish space to a trade association free of charge at their discretion.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "\$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

7. Regulatory Impact Analysis Approval

The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:

B. Summary of reasonable alternatives or modifications:

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 31A-2-404(2)		

10. Incorporation by Reference Information

Incorporation by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated

by reference must be submitted to the Office of Administrative Rules. <i>If none, leave blank</i>):	
Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. <i>If none, leave blank</i>):	
Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	06/16/2026
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B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):

Date:	Time (hh:mm AM/PM):	Place (physical address or URL):

To the agency: If more than one hearing is planned to take place, continue to add rows.

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	06/23/2026
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13. Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	05/01/2026
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R592. Insurance, Title and Escrow Commission.

R592-6. Unfair Inducements and Marketing Practices in Obtaining Title Insurance Business.

R592-6-4. Prohibited Unfair Methods of Competition.

A person identified in Section R592-6-2 who provides or offers to provide, directly or indirectly, any of the following benefits to any client has violated Section 31A-23a-402 and has engaged in an unfair method of competition.

- (1) Waiving any charge, premium, or rate for insurance or services otherwise due and payable.
- (2) Furnishing services not related to a bona fide title insurance, escrow, settlement, or closing transaction without receiving fair market payment for the services provided.
- (3) Paying for, furnishing, or waiving all or any part of the rental or lease charge for space that is occupied by a client.
- (4) Renting or leasing space from a client at a rate that is excessive or inadequate when compared with rental or lease charges for comparable space in the same geographic area, or paying rental or lease charges based in whole or in part on the volume of business generated by the client.
- (5) Furnishing any part of a title producer's facilities, including conference rooms or meeting rooms, to a client [~~or its trade association~~], for anything other than providing escrow or title services, or related meetings, without receiving a fair rental or lease charge comparable to other rental or lease charges for facilities in the same geographic area.
- (6) Furnishing all or any part of the time or productive effort of any employee of the title producer, including a secretary, clerk, messenger, or escrow officer, to any client when such time or productive effort is not reasonably related to a bona fide title insurance, escrow, settlement, or closing transaction.
- (7) Paying a client or an employee of a client for a referral of business.
- (8)(a) Payment or pre-payment of the following:

- (i) fees or charges of a professional, including an appraiser, surveyor, engineer, or attorney, whose services are required by any party or client to structure or complete a particular transaction; or
- (ii) fees or charges of a client or party to the transaction, for example, subordination, loan, or HOA payoff request fees, that are required by any party or client to structure or complete a particular transaction.
- (b) Subsection (8)(a) does not prohibit pre-payment of overnight mail and delivery fees.
- (9)(a) Except as provided in Subsection (9)(b), sponsoring, cosponsoring, subsidizing, contributing fees, prizes, gifts, food, or otherwise providing anything of value for an activity of a client including:
 - (i) an open house at a home or property for sale;
 - (ii) a meeting;
 - (iii) a breakfast, luncheon, or dinner;
 - (iv) a convention;
 - (v) an installation ceremony;
 - (vi) a celebration;
 - (vii) an outing;
 - (viii) a cocktail party;
 - (ix) a hospitality room function;
 - (x) an open house celebration;
 - (xi) a dance;
 - (xii) a sporting event of any kind, including a fishing trip, gambling trip, hunting trip or outing, or golf or ski tournament;
 - (xiii) an artistic performance; or
 - (xiv) an outing in a recreation or entertainment area.
- (b) A title producer may attend an activity of a client if:
 - (i) there is no additional cost to the title producer, other than the title producer's own entry fee, registration fee, and meals; and
 - (ii) the fees in Subsection (9)(b)(i) are not greater than those charged to a client or other person attending the function.
- (10) Sponsoring a trade association event at a cost that is greater than the sponsorships offered to members of the association, affiliates, vendors, or other participants of the event.
 - (11) Furnishing or providing the following, even for a cost:
 - (a) building plans;
 - (b) construction critical path timelines;
 - (c) "For Sale by Owner" lists;
 - (d) surveys;
 - (e) appraisals;
 - (f) credit reports;
 - (g) mortgage leads for loans;
 - (h) rental or apartment lists; or
 - (i) printed labels.
 - (12)(a) Engaging in the following advertising activity:
 - (i) paying for any advertising on behalf of a client;
 - (ii) advertising jointly with a client;
 - (iii) placing an advertisement in a publication, including an internet web page and its links, that is hosted, published, produced for, or distributed by or on behalf of a client;
 - (iv) placing an advertisement that fails to comply with Section 31A-23a-402 and Rule R590-130;
 - (v) placing an advertisement that is in an official trade association publication that does not offer each title producer an equal opportunity to advertise in the publication and at the standard rates other advertisers in the publication are charged;
 - (vi) advertising with free or paid social media services that are not open and available to the general public; or
 - (vii) paying a fee to share, like, respond to, comment on, or increase the visibility, ranking, or distribution of any social media involving a client or a client's social media page.
 - (b) Nothing in Subsection (12)(a) prohibits the following:
 - (i) advertising independently that the title producer has provided title insurance for a particular subdivision or condominium project, but the title producer may not indicate that all future title insurance will be written by that title producer; or
 - (ii)(A) writing or posting on social media services about an event that directly involves the title producer and a client; and
 - (B) referencing or linking to the event on the client's social media page or the client company's social media page.
- (13)(a) Holding more than two self-promotional open houses per calendar year for each owned or occupied facility, including branch offices.
 - (b) Holding a self-promotional open house at a location other than a registered office of the title producer.
 - (14) Making a donation to a charitable organization controlled or managed by a client.
 - (15) Distributing to a client, consumer, or member of the general public a self-promotional item that:
 - (a) has a cost of more than \$25;
 - (b) is edible;
 - (c) does not contain a permanent marking identifying the title producer; or
 - (d) is personalized in the donee's name.
 - (16) Making an expenditure for a business meal or business activity on behalf of any person, whether a client or not, as a method of advertising if:
 - (a) the person representing the title producer is not present during the business meal or business activity;
 - (b) a substantial title insurance business discussion does not occur directly before, during, or after the business meal or business activity;
 - (c) the total cost of the business meal, the business activity, or both exceeds \$100 per person, per day;
 - (d) more than three individuals from an office of a client are provided a business meal or business activity in a single day by an individual title producer; or
 - (e) the entire business meal or business activity takes place on a client's premises.

(17) Conducting education that:

- (a) does not address title insurance, escrow, or a related subject;
- (b) involves expenditure of more than \$20 per anticipated person including the cost of meals and refreshments;
- (c) involves expenditure of more than \$500 for a facility and instructor; or
- (d) is conducted at an individual, physical office location of a client more than once per calendar quarter.

(18)(a) Acknowledging a wedding, a birth or adoption of a child, or a funeral of a client or a member of the client's immediate family with flowers or gifts exceeding \$150.

- (b) Acknowledging any other life event of a client or a member of the client's immediate family with a gift or anything of value.
- (c) A letter or card in these instances is not a thing of value.

KEY: title insurance

Date of Last Change: January 7, 2026

Notice of Continuation: June 10, 2019

Authorizing, and Implemented or Interpreted Law: 31A-2-404