

State of Utah
Administrative Rule Analysis
 Revised May 2020

NOTICE OF PROPOSED RULE		
TYPE OF RULE: New ___; Amendment _x_; Repeal ___; Repeal and Reenact ___		
Title No. - Rule No. - Section No.		
Utah Admin. Code Ref (R no.):	R592-6	Filing No. (Office Use Only)
Changed to Admin. Code Ref. (R no.):	R	

Agency Information

1. Department:	Insurance	
Agency:	Title and Escrow Commission	
Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S. 2700 W.	
City, state:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Unfair Inducements and Marketing Practices in Obtaining Title Insurance Business.
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The current provisions prohibit and authorize certain conduct, but do so in a confusing and inconsistent way. The amendment eliminates those problems.
The Title and Escrow Commission voted at its March 8 meeting to amend this rule by a margin of 5-0.
4. Summary of the new rule or change:
The current rule contains a list of prohibited conduct, with exceptions, and list of authorized conduct, with exceptions. It then states that those lists of prohibitions and authorizations serve as exceptions to each other. This created confusion for the department and for the title insurance industry. In fact, the language of the rule made it logically impossible in some situations to determine whether a prohibition or an authorization applied.
The amendments: (1) eliminate the statement that the prohibitions and authorizations are exceptions to each other; (2) plainly state what is prohibited conduct; (3) plainly state what is authorized conduct; and (4) state that in the event of a conflict between the prohibitions and the authorizations, the authorizations are controlling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The changes merely clarify existing regulations and do not make or remove any requirements.
B) Local governments:
There is no anticipated cost or savings to local governments. The changes merely clarify existing regulations and do not make or remove any requirements.
C) Small businesses ("small business" means a business employing 1-49 persons):

There is no anticipated cost or savings to small businesses. The changes merely clarify existing regulations and do not make or remove any requirements.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no anticipated cost or savings to non-small businesses. The changes merely clarify existing regulations and do not make or remove any requirements.

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 changes merely clarify existing regulations and do not make or remove any requirements.

F) Compliance costs for affected persons:

There are no compliance costs for any affected persons. The changes merely clarify existing regulations and do not make or remove any requirements.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The head of the Insurance Department, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Jonathan T. Pike, Insurance Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 31A-2-404		

Incorporations by Reference Information

(If this rule incorporates more than two items by reference, please include additional tables.)

8. A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

	First Incorporation
Official Title of Materials Incorporated (from title page)	
Publisher	
Date Issued	
Issue, or version	

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

	Second Incorporation
Official Title of Materials Incorporated (from title page)	
Publisher	
Date Issued	
Issue, or version	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until (mm/dd/yyyy): 05/17/2021

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):	At (hh:mm AM/PM):	At (place):

10. This rule change MAY become effective on (mm/dd/yyyy): 05/24/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, 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 (mm/dd/yyyy):	03/22/2021
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R592. Insurance, Title and Escrow Commission.

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

R592-6-1. Authority.

This rule is promulgated pursuant to Section 31A-2-404(2), which authorizes the Title and Escrow Commission ("the Commission") to make rules for the administration of the Insurance Code related to title insurance, including rules related to standards of conduct for a title insurer, agency title insurance producer, or individual title insurance producer.

R592-6-2. Purpose and Scope.

(1) ~~[The purpose of this rule is to identify certain practices, which the Commission finds creates unfair inducements for the placement of title insurance business and as such constitute unfair methods of competition. These practices include the payment of expenses that are considered normal, customary, reasonable and recurring in the operation of a client of a title producer.] This rule identifies practices that constitute unfair methods of competition because the practices create unfair inducements for the placement of title insurance business.~~

(2) This rule applies to ~~[all title producers and all employees, representatives, and any other party working for or on behalf of said entities whether as a full time or part time employee or as an independent contractor]~~ any person identified in 31A-23a-402(2)(a).

R592-6-3. Definitions.

~~[For the purpose of this rule the Commission adopts]~~ This rule incorporates the definitions ~~[as]~~ set forth in Sections 31A-1-301 and 31A-2-402, and adopts the following:

(1) "Bona fide real estate transaction" means:

(a) a preliminary title report is issued to a seller or listing agent in conjunction with the listing of a property; or

(b) a commitment for title insurance is ordered, issued, or distributed in a purchase and sale transaction showing the name of the proposed buyer and the sales price, or in a loan transaction showing the proposed lender and loan amount.

(2)(a) "Business ~~[A]~~activities" ~~[shall]~~ include sporting events, sporting activities, musical events, and art events.

~~(b) "Business activities" do not include [In no case shall such business activities rise to the level of ceremonies, for example,] awards, banquets, recognition events, or similar activities sponsored by or for clients, or [include] commercial travel [by air, or other commercial transportation].~~

(3)(a) "Business meals" ~~[shall]~~ include breakfast, brunch, lunch, dinner, cocktails, and tips.

~~(b) "Business meals" do not include [In no case shall such business meals raise to the level of ceremonies, for example,] awards, banquets, recognition events, or similar activities sponsored by or for clients.~~

(4)(a) "Client" means any person, or group, who influences, or who may influence, the placement of title insurance business or who is engaged in a business, profession, or occupation of:

(i) buying or selling interests in real property; and

(ii) making loans secured by interests in real property.

(b) "Client" includes real estate agents, real estate brokers, mortgage brokers, lending or financial institutions, builders, developers, subdividers, attorneys, consumers, escrow companies, and the employees, agents, representatives, solicitors, and groups or associations of any of the foregoing.

(5) "Discount" means the furnishing or offering to furnish title insurance, services constituting the business of title insurance, or escrow services for a total charge less than the amounts set forth in the applicable rate schedules filed pursuant to Section 31A-19a-203 or 31A-19a-209.

(6) "Official trade association publication" means:

(a) a membership directory, provided its exclusive purpose is that of providing the distribution of an annual roster of the association's members to the membership and other interested parties; or

(b) an annual, semiannual, quarterly, or monthly publication containing information and topical material for the benefit of the members of the association.

(7) "Title insurance business" means the business of title insurance and the conducting of escrow.

(8) "Title producer" means a title insurer, agency title insurance producer, or individual title insurance producer.

(9) "Trade ~~[A]~~association" means a recognized association of persons, a majority of whom are clients or persons whose primary activity involves real property.

R592-6-4. Prohibited Unfair Methods of Competition~~[, Acts and Practices]~~.

~~[In addition to the acts prohibited under Section 31A-23a-402, the Commission finds that providing or offering to provide any of the following benefits by parties.] A person identified in Subsection R592-6-2 who provides or offers to provide, directly or indirectly, any of the following benefits to any client [either directly or indirectly, except as allowed in Section R592-6-5 below, is a] has violated Sections 31A-23a-402 and 31A-23a-402.5 [material and unfair inducement to obtaining title insurance business and constitutes] and has engaged in an unfair method of competition.~~

(1) ~~[The furnishing of]~~ Furnishing a title insurance commitment when the title producer is aware that no policy is intended to be issued without one of the following:

(a) sufficient evidence in the file of the title producer that a bona fide real estate transaction or listing agreement exists; or

(b) a request from a proposed insured to issue a title insurance commitment together with a payment of a minimum cancellation fee

of \$200.

- (2) ~~[The paying of]~~ Paying any charges for the cancellation of an existing title insurance commitment issued by a competing organization, unless that commitment discloses a defect ~~[which]~~ that gives rise to a claim on an existing policy.
- (3) Furnishing escrow services pursuant to Section 31A-23a-406:
 - (a) for a charge less than the charge filed pursuant to Section 31A-19a-209(5); or
 - (b) ~~[the furnishing of escrow services,]~~ for a charge ~~[, which are]~~ less than the actual cost of providing the services.
- (4) Waiving all or any part of established fees or charges for services ~~[which]~~ that are not the subject of rates or escrow charges filed with the commissioner.
- (5) Deferring or waiving any payment for insurance or services otherwise due and payable, including a series of real estate transactions for the same parcel of property.
- (6) Furnishing services not reasonably related to a bona fide title insurance, escrow, settlement, or closing transaction, including non-related delivery services, accounting assistance, or legal counseling.
- (7) ~~[The p]~~ Paying for, furnishing, or waiving all or any part of the rental or lease charge for space ~~[which]~~ that is occupied by any client.
- (8) Renting or leasing space from any client, regardless of the purpose, at a rate ~~[which]~~ 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 any client.
- (9) Furnishing any part of a title producer's facilities, ~~[for example,]~~ including conference rooms or meeting rooms, to a client or its trade association, for anything other than ~~[the]~~ providing ~~[of]~~ escrow or title services, or related meetings ~~[related to such]~~, without receiving a fair rental or lease charge comparable to other rental or lease charges for facilities in the same geographic area.
- (10) ~~[The co-habitation or sharing of]~~ Co-habiting or sharing office space with a client of a title producer.
- (11) Furnishing all or any part of the time or productive effort of any employee of the title producer, ~~[for example,]~~ including a secretary, clerk, messenger, or escrow officer, to any client.
- (12) Paying for all or any part of the salary of a client or an employee of any client.
- (13) Paying, or offering to pay, either directly or indirectly, salary, commissions, or any other consideration to any employee who is at the same time licensed as a real estate agent or real estate broker, or as a mortgage lender or mortgage company subject to Section 31A-2-405 and Section R592-5.
- (14)(a) ~~[Paying for the]~~ Payment or prepayment of the following:
 - (i) fees or charges of a professional, ~~[for example,]~~ including an appraiser, surveyor, engineer, or attorney, whose services are required by any party or client to structure or complete a particular transaction; or ~~[or for the pre payment of]~~
 - (ii) fees ~~[and]~~ or charges of a client or party to the transaction, for example, subordination, loan, or HOA payoff request fees, ~~[whose services]~~ that are required by any party or client to structure or complete a particular transaction. ~~[This subsection]~~
- (b) Subsection (a) does not ~~[include the]~~ prohibit pre-payment of overnight ~~[delivery/mail]~~ mail and delivery fees that will be recovered through closing ~~[of]~~ a transaction.
- (15) Sponsoring, cosponsoring, subsidizing, contributing fees, prizes, gifts, food, or otherwise providing anything of value for an activity of a client, except as allowed under Subsection R592-6-5. Activities include open houses at homes or property for sale, meetings, breakfasts, luncheons, dinners, conventions, installation ceremonies, celebrations, outings, cocktail parties, hospitality room functions, open house celebrations, dances, fishing trips, gambling trips, sporting events of all kinds, hunting trips or outings, golf or ski tournaments, artistic performances, and outings in recreation areas or entertainment areas.
- (16) Sponsoring, cosponsoring, subsidizing, supplying prizes or labor, except as allowed under Subsection R592-6-5, or otherwise providing things of value for promotional activities of a client. Title producers may attend activities of a client if there is no additional cost to the title producer, other than their own entry fees, registration fees, and meals; the fees may not be ~~[and provided that these fees are no]~~ greater than those charged to clients or others attending the function.
- (17) Providing gifts or anything of value to a client in connection with social events such as birthdays or job promotions. A letter or card in these instances will not be interpreted as ~~[providing]~~ a thing of value.
- (18) Furnishing or providing access to 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.
- (19) ~~[Newsletters cannot be]~~ Issuing a newsletter that is property specific or ~~[cannot]~~ that highlights specific customers.
- (20) ~~[A title producer cannot provide a client]~~ Providing access to ~~[any]~~ real property information that the title producer pays to produce, develop, or maintain, except ~~[as otherwise permitted by R592-6-5]:~~
 - (a) providing to a client, through any means including copies, a property profile that includes only the following:
 - (i) the last vesting deed of public record;

~~(ii) a plat map reproduction, locator map, or both;~~
~~(iii) tax and property characteristics information from the Treasurer's and Assessor's offices; and~~
~~(iv) covenants, conditions, and restrictions; and~~
~~(b) Providing a client access to closing software that is related to a specific transaction identified in the title commitment.~~
~~(21)(a) [A title producer cannot provide.]Providing title or escrow services on real property where an existing or anticipated investment loan or financing has been or will be provided by [said]the title producer[, including] or its owners or employees.~~
~~(b) Subsection (21)(a) does not apply to [such]transactions involving seller financing.~~
~~(22)(a) Engaging in the following advertising activity:~~
~~(i) [P]paying for any advertising on behalf of a client[-];~~
~~([23]ii) [A]advertising jointly with a client on signs for subdivision or condominium projects [signs, or signs]or for the sale of a lot or lots in a subdivision or units in a condominium project[-];~~
~~(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 Section R590-130;~~
~~(v) placing an advertisement that:~~
~~(A) is not purely self-promotional; or~~
~~(B) is in an official trade association publication that does not offer any 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 22(a) prohibits the following:~~
~~(i) [A title producer may advertise]advertising independently that [it]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.~~
~~([24] Advertisements may not be placed in a publication, including an internet web page and its links, that is hosted, published, produced for, distributed by or on behalf of a client.~~
~~(25) A donation may not be made to a charitable organization created, controlled or managed by a client.~~
~~(26) A direct or indirect benefit, provided to a client which is not specified in Section R592 6 5 below, will be investigated by the department for the purpose of determining whether it should be defined by the Commission as an unfair inducement under Section 31A 23a-402(8).~~
~~(27)[23] [Title producers who have ownership in, or control of,]Using interests in other business entities, including I.R.C. Section 1031 qualified intermediaries and escrow companies[-, may not use those other business entities] to enter into any agreement, arrangement, or understanding, or to pursue any course of conduct[-] designed to avoid the provisions of this rule.~~
~~(24) For self-promotional open houses:~~
~~(a) holding more than two self-promotional open houses per calendar year for each owned or occupied facility, including branch offices;~~
~~(b) spending more than \$15 per guest per self-promotional open house;~~
~~(c) making guest expenditures on items in the form of a gift, gift certificate, or coupon; or~~
~~(d) holding a self-promotional open house on a client's premises.~~
~~(25) Making a donation to a charitable organization created, controlled, or managed by a client.~~
~~(26) Making a charitable donation that:~~
~~(a) is paid in cash;~~
~~(b) is paid by negotiable instrument to a payee other than the charitable organization;~~
~~(c) is distributed to anyone other than the charitable organization; or~~
~~(d) provides a benefit to a client.~~
~~(27) Distributing outside the regular course of business to clients, consumers, and members of the general public, self-promotional items that:~~
~~(a) have a value of more than \$10, including taxes, setup fees, and shipping;~~
~~(b) are edible;~~
~~(c) are personalized in the donee's name; or~~
~~(d) are given to clients or trade associations for redistribution.~~
~~(28) Making expenditures for business meals or business activities 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 \$50 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; or~~
- ~~(e) the entire business meal or business activity takes place on a client's premises.~~
- ~~(29) Conducting a continuing education program that:~~
 - ~~(a) is not approved by the appropriate regulatory agency;~~
 - ~~(b) addresses matters other than title insurance, escrow, or related subjects;~~
 - ~~(c) is less than one hour in duration;~~
 - ~~(d) involves expenditure of more than \$15 per person including the cost of meals and refreshments; or~~
 - ~~(e) is conducted at more than one individual, physical office location of a client per calendar quarter.~~
- ~~(30) Acknowledging a wedding, 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 \$75.~~

R592-6-5. Permitted ~~[Advertising, Business Entertainment, and]~~Methods of Competition.

~~The following are permitted methods of competition. In the event of a conflict between Subsections R592-6-4 and R592-6-5, Subsection R592-6-5 is controlling.~~~~[Except as specifically prohibited in Section R592-6-4 above, the following are permitted:~~

~~(1) In addition to complying with the provisions of 31A-23a-402 and R590-130, Rules Governing Advertisements of Insurance, advertisement by title producers must comply with the following:~~

- ~~(a) the advertisement must be purely self-promotional; and~~
- ~~(b) advertisement in official trade association publications are permissible as long as any title producer has an equal opportunity to advertise in the publication and at the standard rates other advertisers in the publication are charged.~~

~~(2) A title producer may use free or paid social media services to promote its own business as long as such social media services are open and available to the general public. Additionally, the following shall be permitted and are not in violation of R592-6-4(22) and (24):~~

- ~~(a) a title producer may write or post on social media services about an event that directly involves the title producer and a client, and it may reference or link to the client's social media page or the client company's social media page; and~~
- ~~(b) a title producer may share, like, respond to, or comment on a client's social media page, post, or event as long as such action is free of charge. Paying a fee to share, like, respond, or comment on any social media service that involves a client or to increase visibility, ranking, or distribution of any social media involving a client is not an allowed exception to R592-6-4(22) and (24).]~~

~~[(3)] A title producer may donate time to serve on a trade association committee and may also serve as an officer for the trade association.~~

~~[(4) A title producer may have two self-promotional open houses per calendar year for each of its owned or occupied facilities, including branch offices. The title producer may not expend more than \$15 per guest per open house. The expenditures per guest may not be in the form of a gift, gift certificate, or coupons. The open house may take place on or off the title producer's premises but may not take place on a client's premises.~~

~~(5) A donation to a charitable organization must:~~

- ~~(a) not be paid in cash;~~
- ~~(b) if paid by a negotiable instrument, be made payable only to the charitable organization;~~
- ~~(c) be distributed directly to the charitable organization; and~~
- ~~(d) not provide any benefit to a client.~~

~~(6) A title producer may distribute self-promotional items having a value of \$10 or less, including taxes, setup fees, shipping, and the like, to clients, consumers and members of the general public. These self-promotional items shall be novelty items which are non-edible and may not be personalized or bear the name of the donee. Self-promotional items may only be distributed in the regular course of business. Self-promotional items may not be given to clients or trade associations for redistribution by these entities.~~

~~(7) A title producer may make expenditures for business meals or business activities on behalf of any person, whether a client or not, as a method of advertising, if the expenditure meets all the following criteria:~~

- ~~(a) the person representing the title producer must be present during the business meal or business activity;~~
- ~~(b) there is a substantial title insurance business discussion directly before, during or after the business meal or business activity;~~
- ~~(c) the total cost of the business meal, the business activity, or both is not more than \$50 per person, per day;~~
- ~~(d) no more than three individuals from an office of a client may be provided a business meal or business activity by a title producer in a single day; and~~
- ~~(e) the entire business meal or business activity may take place on or off the title producer's premises, but may not take place on a client's premises.~~

~~(8) A title producer may conduct continuing education programs that are approved by the appropriate regulatory agency, under the following conditions:~~

- ~~(a) the continuing education program shall address only title insurance, escrow or other topics related thereto;~~
 - ~~(b) the continuing education program must be of at least one hour in duration;~~
 - ~~(c) for each hour of continuing education, \$15 or less per person may be expended, including the cost of meals and refreshments;~~
- ~~and~~

~~(d) no more than one such continuing education program may be conducted at each individual, physical office location of a client per calendar quarter.~~

~~(9) A title producer may acknowledge a wedding, birth or adoption of a child, or funeral of a client or members of the client's immediate family with flowers or gifts not to exceed \$75.~~

~~_____ (10) A title producer may provide a property profile to a client through any means, including copies thereof. The property profile may include not more than the following:~~

~~_____ (a) the last vesting deed of public record;~~

~~_____ (b) a plat map reproduction and/or locator map;~~

~~_____ (c) tax and property characteristics information from the Treasurer's and Assessor's offices; and~~

~~_____ (d) Covenants, Conditions and Restrictions.~~

~~_____ (11)2) A title producer may provide clients access to water, beverages, and edible treats at the title producer's premises.~~

~~_____ ([12]3) A title producer may provide to a client the documents used to produce a title commitment and may provide access to them[-
The title producer may provide access to the documents used to produce the title commitment] through any means[-~~

~~_____ (13) A title producer may provide a client access to closing software as long as the access is related to a specific transaction identified in the title commitment.~~

~~R592-6-6. Enforcement Date.~~

~~_____ The commissioner will begin enforcing the provisions of this rule 45 days from the effective date of the rule].~~

~~R592-6-[7]6. Severability.~~

~~If any provision of this rule, Rule R592-6, or its application to any person or situation is held invalid, such invalidity does not affect any other provision or application of this rule that can be given effect without the invalid provision or application. The remainder of this rule shall be given effect without the invalid provision or application.[If any provision or clause of this rule or its application to any person or situation is held invalid, such invalidity may not affect any other provision or application of this rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable.]~~

KEY: title insurance

Date of Enactment or Last Substantive Amendment: August 11, 2015

Notice of Continuation: June 10, 2019

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