



# Insurance Department

## State of Utah Title & Escrow Commission Meeting Meeting Information

State of Utah

GARY R. HERBERT  
Governor  
SPENCER J. COX  
Lieutenant Governor  
TODD E. KISER  
Commissioner

**Date:** February 11, 2019

**Time:** 9:00 AM

**Place:** East Building, Copper Room  
or by telephone: **1-877-820-7831**  
passcode: **827555#**

### ATTENDEES

#### TITLE & ESCROW COMMISSION

Chair, James Swan (*Insurer, Salt Lake County*) Nancy Frandsen (*Insurer, Salt Lake County*)  
Vice Chair, Alison McCoy (*Agency, Tooele County*) David Moore (*Agency, Salt Lake County*)  
Randy Smart (*Public Member, Salt Lake County*) Perri Babalis, *AG Counsel - TEC*

#### DEPARTMENT STAFF

Todd Kiser, *Ins. Commissioner* Reed Stringham, *Deputy Comm.* Tracy Klausmeier, *P&C Dir.*  
Randy Overstreet, *Licensing Dir.* Michael Covington, *CE Specialist* Steve Gooch, *PIO Recorder*

### AGENDA

#### General Session: (Open to the Public)

- **Welcome** / James Swan, Chair
- **Telephone Roll Call**
- **Adopt Minutes of Previous Meeting**
- **Concurrence Reports** / Reed
  - Licenses
- **Board Duties & Responsibilities** / Perri
- **Update on 2019 Goals**
  - ULTA report / James
  - Real Estate Commission report / Nancy
- **New Business**
- **Old Business**
- **Other Business**
  - Legislative update / Reed
- **Hot Topics**
  - SB 121: Controlled Business in Title Insurance Repeal / James

#### Executive Session (None)

- **Adjourn**
- **Next Meeting:** **March 11**, 2019 — Copper Room

#### 2019 Meeting Schedule in Copper Room\*

Jan 14	Feb 11	Mar 11	Apr 15	May 13	Jun 10
Jul 8	Aug 12	Sept 9	Oct 21	Nov 18	Dec 16

\* as currently scheduled; may change after Legislative Session

## **2019 Goals**

1. Continue making sure testing is relevant
2. Continue working with the Real Estate Commission
3. Continue working with the ULTA as a liaison
4. Increase awareness of wire fraud's effect on consumers and agencies

**Title Agency Licensing  
January 2019**

**New Licenses:**

<b>Agency ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expire Date</b>	<b>LOA</b>
189886	FIRST INTEGRITY TITLE INSURANCE AGENCY LLC	28-Jan-19	31-Jan-21	TE
189886	FIRST INTEGRITY TITLE INSURANCE AGENCY LLC	28-Jan-19	31-Jan-21	TMR
189886	FIRST INTEGRITY TITLE INSURANCE AGENCY LLC	28-Jan-19	31-Jan-21	TS
189875	STEED TITLE INSURANCE AGENCY	4-Jan-19	31-Jan-21	TE
189875	STEED TITLE INSURANCE AGENCY	4-Jan-19	31-Jan-21	TS
189918	TRULY TITLE, INC.	15-Jan-19	31-Jan-21	TE
189918	TRULY TITLE, INC.	15-Jan-19	31-Jan-21	TS

**Renewed Licenses:**

<b>Agency ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expire Date</b>	<b>LOA</b>
9486	COTTONWOOD TITLE INSURANCE AGENCY	24-Jan-01	31-Jan-21	TE
9486	COTTONWOOD TITLE INSURANCE AGENCY	13-Mar-07	31-Jan-21	TMR
9486	COTTONWOOD TITLE INSURANCE AGENCY	13-Mar-07	31-Jan-21	TS
16243	CROSSLAND TITLE LLC	2-Jan-07	31-Jan-21	TE
16243	CROSSLAND TITLE LLC	2-Jan-07	31-Jan-21	TS
177228	PROFESSIONAL TITLE LLC	14-Jan-15	31-Jan-21	TE
177228	PROFESSIONAL TITLE LLC	14-Jan-15	31-Jan-21	TS
6644	SURETY TITLE AGENCY	20-Jan-83	31-Jan-21	TE
6644	SURETY TITLE AGENCY	20-Jan-83	31-Jan-21	TS

**Lapsed Licenses:**

<b>Agency ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expired Date</b>	<b>LOA</b>
(none)				

**Reinstated Licenses:**

<b>Agency ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expire Date</b>	<b>Reinstated Date</b>	<b>LOA</b>
(none)					

**Title Agent Licensing  
January 2019**

**New Licenses:**

<b>Indiv ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expire Date</b>	<b>LOA</b>
1800544	ALLRED, HEIDI	17-Jan-19	31-Aug-21	TE
30972	BRYNER, RICHARD	9-May-96	30-Nov-21	TS
30972	BRYNER, RICHARD	17-Sep-07	30-Nov-21	TE
1804486	CHRISTENSEN, ELIZABETH	28-Jan-19	31-Jul-21	TE
1661196	HARDY, ALVINA	3-Jan-19	31-Mar-21	TE
1802775	HUDDLESTON, ADAM	15-Jan-19	30-Sep-21	TE
1803528	JEANSELME, BRETT	28-Jan-19	31-Oct-21	TE
1798454	MADDOX, TRAVIS	15-Jan-19	31-May-21	TE
1801815	PAPPAS, BRIEONA	11-Jan-19	31-Dec-21	TMR
1801713	ROACH, CARLA	4-Jan-19	30-Apr-21	TS
1791428	SAXTON, MELISSA	25-Jan-19	31-May-21	TE
1802106	SUMMERHAYS, NICKOLAS	15-Jan-19	30-Nov-21	TE

**Renewed Licenses:**

<b>Indiv ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expire Date</b>	<b>LOA</b>
35420	Allen-Howell, Charice	14-Jun-94	31-Jan-21	TE
81524	BAUGH, GIFFORD	19-Sep-02	31-Jan-21	TE
1465193	BEHLING, TRACY	11-Apr-12	31-Jan-21	TE
1465193	BEHLING, TRACY	25-Jun-13	31-Jan-21	TS
107648	BLACKMON, LEANNE	16-Nov-04	31-Jan-21	TS
28574	BODE, LORRIE	6-Jan-94	31-Jan-21	TS
36375	BOWLER, EDWARD	1-Jan-75	31-Jan-21	TS
36375	BOWLER, EDWARD	1-Jan-75	31-Jan-21	TE
1601951	CARTER-JENSEN, SHANELL	29-Jan-15	31-Jan-21	TMR
1601951	CARTER-JENSEN, SHANELL	29-Nov-18	31-Jan-21	TE
43969	CASTAGNO, ALVIN	1-Sep-98	31-Jan-21	TS
30312	CHRISTOFFERSEN, KERRI	7-Apr-98	31-Jan-21	TE
1571880	DYER, ROBERTA	29-Jul-14	31-Jan-21	TE
26250	EDWARDS, MARVA	1-Jun-94	31-Jan-21	TE

**Renewed Licenses:**

<b>Indiv ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expire Date</b>	<b>LOA</b>
101503	FORSBERG, STACEY	3-May-05	31-Jan-21	TE
101503	FORSBERG, STACEY	27-Nov-17	31-Jan-21	TS
101503	FORSBERG, STACEY	11-May-04	31-Jan-21	TMR
51904	FOSTER, TONI	2-Jul-96	31-Jan-21	TE
28018	GALLEGOS, SUSAN	3-Jun-94	31-Jan-21	TE
62608	GEORGE, TONI	4-Dec-00	31-Jan-21	TE
145420	HANSEN, AMY	10-Mar-16	31-Jan-21	TE
85803	HENDRY, MICHAEL	10-Jan-03	31-Jan-21	TE
44542	HUTCHINSON, NATALIE	15-Aug-00	31-Jan-21	TE
32422	IVINS, MICHAEL	21-Jan-03	31-Jan-21	TE
105543	JENSEN, SAMUEL	21-Jan-09	31-Jan-21	TE
105543	JENSEN, SAMUEL	9-Sep-04	31-Jan-21	TS
39624	JESSEE, GORDON	13-Sep-90	31-Jan-21	TS
45374	JOHNSON, GAYLE	2-Jun-86	31-Jan-21	TE
31056	JOHNSON, SPRING	22-Oct-96	31-Jan-21	TE
30202	LABRUM, SANDRA	21-May-90	31-Jan-21	TS
38185	LANCASTER, JANE	24-Jan-95	31-Jan-21	TE
38185	LANCASTER, JANE	24-Jan-95	31-Jan-21	TS
38563	LOEHR, DANETTE	16-Dec-92	31-Jan-21	TE
128861	MICHEL, TRENT	19-May-06	31-Jan-21	TS
128861	MICHEL, TRENT	25-Jun-12	31-Jan-21	TE
1356406	MOREHOUSE, JESSICA	1-Apr-08	31-Jan-21	TS
1356406	MOREHOUSE, JESSICA	22-Jul-13	31-Jan-21	TE
12185	MULLALY, PATRICK	13-Mar-86	31-Jan-21	TS
12185	MULLALY, PATRICK	1-Apr-88	31-Jan-21	TE
1652567	NELSEN, COURTNEY	7-Mar-16	31-Jan-21	TE
36753	OMANA, FARHAD	24-Oct-03	31-Jan-21	TE
1558145	ORULLIAN, MICHAEL	19-Mar-14	31-Jan-21	TE
40131	PAULSEN, DANIEL	23-Mar-94	31-Jan-21	TMR
106626	PENTZ, KELLEY	13-Oct-04	31-Jan-21	TE
10981	PULLIN, ANNETTE	16-Sep-16	31-Jan-21	TS
10981	PULLIN, ANNETTE	16-Sep-16	31-Jan-21	TE

**Renewed Licenses:**

<b>Indiv ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expire Date</b>	<b>LOA</b>
30330	RHOADES, NOBALEE	23-Apr-90	31-Jan-21	TE
38916	RICHARDS, JANICE	8-Apr-86	31-Jan-21	TE
31206	ROMERO, MELINDA	17-Apr-96	31-Jan-21	TE
1421393	SHERRATT, ZACHARY	17-Jun-10	31-Jan-21	TS
53727	SPRAGUE, MICHAEL	8-Oct-98	31-Jan-21	TE
27438	THOMPSON, ANTHONY	30-Apr-86	31-Jan-21	TS
73829	TURNER, TYLER	5-Feb-02	31-Jan-21	TS
73829	TURNER, TYLER	5-Feb-02	31-Jan-21	TE
99954	UNG, MEGHAN	30-Mar-04	31-Jan-21	TE
133858	WELCH, SUSAN	7-Sep-06	31-Jan-21	TE
133858	WELCH, SUSAN	9-Jun-08	31-Jan-21	TS

**Lapsed Licenses:**

<b>Indiv ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expired Date</b>	<b>LOA</b>
1673995	AHLMAN, DAVID	24-Oct-16	31-Dec-18	TMR
1483391	BURNETT, DAVID	8-May-12	31-Dec-18	TE
33408	CHASTAIN, NANCY	14-Oct-99	31-Dec-18	TE
37194	DRIGGS, DAVID	1-Oct-99	31-Dec-18	TS
37194	DRIGGS, DAVID	10-Sep-08	31-Dec-18	TE
1586278	DUGGINS, ANDREW	8-Oct-14	31-Dec-18	TE
1652905	LEE, AUTUMN	7-Mar-16	31-Dec-18	TE
1560397	MASSEY, RACHEL	24-Mar-14	31-Dec-18	TE
84856	MCCOY, CURTIS	6-Dec-02	31-Dec-18	TS
84856	MCCOY, CURTIS	8-Jun-07	31-Dec-18	TE
1677596	PETRIK, SHELLEY	14-Sep-16	31-Dec-18	TS
1677596	PETRIK, SHELLEY	14-Sep-16	31-Dec-18	TE
126275	RICHEY, CHERI	9-Mar-06	31-Dec-18	TE
29300	VANDENBERG, KAREN	24-Dec-92	31-Dec-18	TE
40886	WRIGHT, JULIE	8-Sep-94	31-Dec-18	TE

**Reinstated Licenses:**

<b>Indiv ID</b>	<b>Name</b>	<b>Orig Issue Date</b>	<b>Expire Date</b>	<b>Reinstated Date</b>	<b>LOA</b>
1352964	HAWKINS, JULIE	5-Mar-08	31-Dec-20	7-Jan-19	TE
53809	LYNCH, JEFF	4-Jun-98	30-Nov-20	11-Jan-19	TS

**31A-23a-503 Controlled business in title insurance.**

- (1) As used in this section:
  - (a) "Associate" means any:
    - (i) business organized for profit in which a person who refers title business is a director, officer, partner, or employee;
    - (ii) spouse or relative within the second degree by blood or marriage of a person who refers title business, who is a natural person;
    - (iii) employee of a person who refers title business; or
    - (iv) person with whom a person who refers title business or any associate of that title insurer, individual title insurance producer, or agency title insurance producer has any agreement, arrangement, or understanding, or pursues any course of conduct, designed to avoid the provisions of this chapter.
  - (b) "Controlled business" means that portion of the title insurance business of a title insurer, individual title insurance producer, or agency title insurance producer in this state that is referred to it by all those producers of title business who have a financial interest in the title insurer, individual title insurance producer, or agency title insurance producer and by all associates of those producers. Business is referred if there is influence over the selection of the person with whom the business is placed.
  - (c) "A person who refers title business" includes any person engaged in this state in a business of:
    - (i) buying or selling interests in real property;
    - (ii) making loans secured by interests in real property; or
    - (iii) acting as a representative or employee of a person who buys or sells any interest in real property or who lends or borrows money with interest as security, other than acting as a licensed title insurer, individual title insurance producer, or agency title insurance producer doing the business of title insurance.
  - (d) "Financial interest" means any legal or beneficial interest that together with other interests entitles the holder to more than 1% of the net profits or net worth of the business in which the interest is held.
- (2) A title insurer, individual title insurance producer, or agency title insurance producer or person having a financial interest in a title insurer, individual title insurance producer, or agency title insurance producer may not knowingly be a party to or knowingly permit to continue in any arrangement in which the title insurer, individual title insurance producer, or agency title insurance producer, or person knows or has reason to believe that any person who refers title business has or will have, directly or indirectly, a financial interest in the title insurer, individual title insurance producer, or agency title insurance producer, if it reasonably appears that a substantial factor in the person who refers title business owning or acquiring the financial interest is the expected realization of financial profit or gain derived in whole or in part from controlled business.
- (3) A title insurer may not appoint or knowingly continue its authorization of any individual title insurance producer or agency title insurance producer in which the company knows or has reason to believe that any person who refers title business has or will have, directly or indirectly, a financial interest, if it reasonably appears that a substantial factor in the person who refers title business owning or acquiring the financial interest is the person's expected realization of financial profit or gain derived in whole or part from controlled business.
- (4)
  - (a) If for any calendar quarter, the gross operating revenues of a title insurer, individual title insurance producer, or agency title insurance producer derived from all sources of controlled



business in this state amount to more than 1/3 of its gross operating revenues from all other sources of its business of title insurance in this state, it is presumed that the expected realization of financial profit or gain derived in whole or in part from controlled business was a substantial factor in the ownership of financial interest in the title insurer, individual title insurance producer, or agency title insurance producer.

- (b) The title insurer, individual title insurance producer, or agency title insurance producer has the burden of overcoming the presumption described in Subsection (4)(a).
- (c) This Subsection (4) does not authorize any controlled business if a violation of the standards set forth in Subsection (2) or (3) exists.
- (5) A title insurer, individual title insurance producer, or agency title insurance producer may not accept any order for the business of title insurance that it knows or has reason to believe constitutes controlled business, unless it records and maintains in its permanent records on forms prescribed by the commissioner the facts relating to the transactions.
- (6) An applicant for qualification as a title insurer, individual title insurance producer, or agency title insurance producer may not be granted a license if it reasonably appears that the expected realization of financial profit or gain to be derived in whole or in part from controlled business is or will be a substantial factor in the applicant's plan of operation or in the ownership or acquisition of financial interests in the applicant by any person who refers title business.
- (7) Each title insurer, individual title insurance producer, and agency title insurance producer shall maintain permanent records relating to its controlled business on forms prescribed by the commissioner.
- (8)
  - (a) Each title insurer and agency title insurance producer shall file annually with the commissioner, on forms prescribed by the commissioner, reports setting forth:
    - (i) the names and addresses of any persons owning a financial interest in the title insurer or agency title insurance producer as of the last day of the calendar year, who are known or reasonably believed by the title insurer or agency title insurance producer to be a person who refers title business; and
    - (ii) a summary compiled from the title insurer's or agency title insurance producer's records of the controlled business, sufficient to inform the commissioner and the Title and Escrow Commission as to the proportion of the title insurer's or agency title insurance producer's gross operating revenues attributable to controlled business during the preceding calendar year.
  - (b) The reports shall be filed with the reports required under Section 31A-23a-413 and shall contain the certification of an officer of the title insurer or agency title insurance producer that the information contained in them is true to the best of the officer's knowledge, information, and belief. Upon filing, the reports are public records.
  - (c) A report filed pursuant to Subsection (8)(a) is subject to review by the Title and Escrow Commission.
- (9) An attorney who is also a licensed individual title insurance producer and who issues as producer a policy of title insurance to a client on behalf of whom the attorney is also acting as an attorney and who, in so doing, acts consistently with the applicable ethical standards of the Utah State Bar pertaining to the billing and receipt of legal fees and the receipt of a commission on a policy of title insurance is not, without more, considered to be engaged in controlled business.

Amended by Chapter 319, 2013 General Session