



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: **March 11**, 2019

Time: **9:00 AM**

Place: East Building, Copper Room

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
 - Penalties
 - ServiceLink Title Insurance Agency of Utah LLC (Docket #2019-4074)
 - Amrock Utah Inc. (Docket #2019-4077)
- **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 (1st Sub) / James

Executive Session (None)

- **Adjourn**
- **Next Meeting:** **April 15**, 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
February 2019**

New Licenses:

Agency ID	Name	Orig Issue Date	Expire Date	LOA
(none)				

Renewed Licenses:

Agency ID	Name	Orig Issue Date	Expire Date	LOA
165734	1st LIBERTY TITLE, LC	28-Feb-11	28-Feb-21	TE
165734	1st LIBERTY TITLE, LC	28-Feb-11	28-Feb-21	TMR
165734	1st LIBERTY TITLE, LC	28-Feb-11	28-Feb-21	TS
165563	CALATLANTIC TITLE, LLC	7-Feb-11	28-Feb-21	TE
165563	CALATLANTIC TITLE, LLC	7-Feb-11	28-Feb-21	TMR
165563	CALATLANTIC TITLE, LLC	7-Feb-11	28-Feb-21	TS
177227	MOUNTAINLAND TITLE INSURANCE AGENCY, LLC	5-Feb-15	28-Feb-21	TE
177227	MOUNTAINLAND TITLE INSURANCE AGENCY, LLC	5-Feb-15	28-Feb-21	TS

Lapsed Licenses:

Agency ID	Name	Orig Issue Date	Expire Date	LOA
(none)				

Reinstated Licenses:

Agency ID	Name	Orig Issue Date	Expire Date	Reinstated Date	LOA
(none)					

**Title Agent Licensing
February 2019**

New Licenses:

Indiv ID	Name	Orig Issue Date	Expire Date	LOA
1807337	ARTEAGA, XIOMAIRA	19-Feb-19	31-Jul-21	TE
1805368	BARNEY, JESSICA	5-Feb-19	31-Jul-21	TE
1806161	DROZDIBOB, JENNIFER	7-Feb-19	31-Jan-22	TS
1806135	FRAYSIER, VALERIE	7-Feb-19	30-Nov-21	TS
1807041	HARMON, KAYLA	15-Feb-19	31-Jul-21	TE
1776159	KUESER, DERRICK	7-Feb-19	28-Feb-21	TE
1800583	PHILBROOK, WENDI	22-Feb-19	31-Jul-21	TE
1806723	ROWLAND, TARA	12-Feb-19	30-Apr-21	TS
1806154	SMITH, LINDA	7-Feb-19	31-Aug-21	TS
1806190	SMITH, THOMAS	7-Feb-19	31-Dec-21	TS
1807342	WARD, DARREN	25-Feb-19	31-May-21	TMR

Renewed Licenses:

Indiv ID	Name	Orig Issue Date	Expire Date	LOA
40399	ACOR, DAVID	8-Jan-96	28-Feb-21	TE
40399	ACOR, DAVID	1-Aug-94	28-Feb-21	TS
1605396	ANDRIAMANANTOA, DOMINIQUE	23-Feb-15	28-Feb-21	TS
1605396	ANDRIAMANANTOA, DOMINIQUE	29-Jun-15	28-Feb-21	TE
39313	BALLANTYNE, J	18-Mar-98	28-Feb-21	TMR
27308	BARTLETT, BRUCE	11-Feb-91	28-Feb-21	TE
27308	BARTLETT, BRUCE	29-Sep-82	28-Feb-21	TS
135404	BORGET, STEVEN	30-Oct-06	28-Feb-21	TS
135404	BORGET, STEVEN	12-Oct-06	28-Feb-21	TE
104463	BOWLER, BRET	29-Jul-04	28-Feb-21	TS
34505	BRADY, DEL	13-Jul-82	28-Feb-21	TE
34505	BRADY, DEL	23-Sep-81	28-Feb-21	TS
31939	BRIDGEFORTH, S	27-Dec-90	28-Feb-21	TS
31939	BRIDGEFORTH, S	22-Aug-06	28-Feb-21	TE
1662648	BROADHEAD, BRETT	23-May-16	28-Feb-21	TE
131315	CHERRY, CHRISTOPHER	13-Jul-06	28-Feb-21	TS
131315	CHERRY, CHRISTOPHER	9-Aug-07	28-Feb-21	TE

Indiv ID	Name	Orig Issue Date	Expire Date	LOA
133470	CHRISTENSEN, NATHAN	28-Aug-06	28-Feb-21	TMR
35195	COPE, DAVID	1-Oct-80	28-Feb-21	TS
35195	COPE, DAVID	1-Oct-80	28-Feb-21	TE
1695864	CULLEN, JENNA	13-Feb-17	28-Feb-21	TE
1565484	DART, NICKOLAS	22-Apr-14	28-Feb-21	TS
1565484	DART, NICKOLAS	22-Apr-14	28-Feb-21	TE
139774	DOUGLAS, STACY	27-Feb-07	28-Feb-21	TE
40250	DUNN, RACQUEL	19-Jun-98	28-Feb-21	TE
1672745	EDWARDS, SHAE	18-Aug-16	28-Feb-21	TMR
1449470	ENCE, JESSE	3-Mar-16	28-Feb-21	TE
99061	FERGUSON, STEFFANIE	1-Apr-04	28-Feb-21	TE
77611	GEARY, SPENCER	29-May-02	28-Feb-21	TMR
77611	GEARY, SPENCER	6-May-03	28-Feb-21	TE
52727	GREEN, JULIE	29-Sep-00	28-Feb-21	TE
106627	HANSEN, AARON	13-Oct-04	28-Feb-21	TE
1682195	HANSON, GENTRY	20-Oct-16	28-Feb-21	TE
37090	HARDMAN, KEVIN	8-Mar-00	28-Feb-21	TE
138254	HELMS, NATALIE	22-Dec-06	28-Feb-21	TE
1691847	JOHNSON, JAMES	3-Jan-17	28-Feb-21	TS
30309	JORDAN, JOY	18-Nov-96	28-Feb-21	TE
85648	KASPERICK, KAREN	9-Jan-03	28-Feb-21	TE
1674519	LEWIS, WILLIAM	7-Sep-16	28-Feb-21	TS
33757	LIECHTY, LAURA	1-Dec-92	28-Feb-21	TS
95597	MAUSS, JACOB	20-Apr-04	28-Feb-21	TMR
30321	MERRILL, DOROTHY	10-Jan-91	28-Feb-21	TE
78318	MOSLEY, JENNIFER	18-Aug-14	28-Feb-21	TE
30794	NEWMAN, MARK	9-Feb-96	28-Feb-21	TMR
92249	PARR, KIM	15-Jul-03	28-Feb-21	TE
61837	PERKINS, CHETT	24-Jan-01	28-Feb-21	TS
1494548	PETERSON, KATHRYN	7-Aug-12	28-Feb-21	TMR
32163	PIERCE, SHELLY	6-Jul-94	28-Feb-21	TE
30768	RAMMELL, BRIAN	8-Oct-98	28-Feb-21	TS
30768	RAMMELL, BRIAN	26-Dec-03	28-Feb-21	TE
1501385	REYNOLDS-SMITH, LYNETTE	1-Oct-12	28-Feb-21	TE
138544	RIVERA, NURIA	14-Feb-07	28-Feb-21	TE

Indiv ID	Name	Orig Issue Date	Expire Date	LOA
31980	SHEPPARD, DODY	25-Jun-98	28-Feb-21	TMR
31980	SHEPPARD, DODY	19-Mar-99	28-Feb-21	TE
82733	SODERQUIST, CRAIG	28-Nov-06	28-Feb-21	TS
82733	SODERQUIST, CRAIG	18-Oct-02	28-Feb-21	TE
82733	SODERQUIST, CRAIG	18-Oct-02	28-Feb-21	TMR
106703	WHITE, TINA	14-Oct-04	28-Feb-21	TS
106703	WHITE, TINA	22-Sep-06	28-Feb-21	TE
50107	WILLIAMSON, RONDA	29-Jul-94	28-Feb-21	TE
77251	YOUNG, SARA	20-May-02	28-Feb-21	TS

Lapsed Licenses:

Indiv ID	Name	Orig Issue Date	Expired Date	LOA
1357863	BIGGS, T. ALEXANDRA	4-Apr-08	31-Jan-19	TE
44188	CURLIS, DOUGLAS	1-Mar-74	31-Jan-19	TS
44188	CURLIS, DOUGLAS	1-Mar-74	31-Jan-19	TE
1683653	DEEVER, DAVID	27-Oct-16	31-Jan-19	TMR
77890	FRYE, WILLIAM	8-Oct-02	31-Jan-19	TE
36744	GREENWOOD, BRENT	13-Aug-80	31-Jan-19	TS
36744	GREENWOOD, BRENT	13-Aug-80	31-Jan-19	TE
1356761	HARRIS, TANYA	7-Jul-08	31-Jan-19	TE
38631	MALLOY, GLEN	30-Aug-93	31-Jan-19	TS
1662685	Oaks, Morgan	2-Jun-16	31-Jan-19	TMR
108160	PAULSON, KARL	1-Dec-04	31-Jan-19	TMR
1562266	SHAW, JAIMIE	13-Jan-15	31-Jan-19	TE
138546	VALLE, JOSE	13-Apr-16	31-Jan-19	TMR
1669860	WEBB, CHARLES	8-Aug-16	31-Jan-19	TMR

Reinstated Licenses

Indiv ID	Name	Orig Issue Date	Expire Date	Reinstated Date	LOA
1668716	CESPEDES, ANDREW	28-Jul-16	30-Nov-20	19-Feb-19	TE
1640141	Munoz, Keely	19-Nov-15	29-Feb-20	20-Feb-19	TMR

Respondent.

3. In March 2017, the Department opened an investigation after documentation regarding the original complaint showed that escrow had been processed by someone who was not licensed in Utah and not associated with Respondent.

4. The Department requested several files and a random sampling of 20 files from 2013 to 2017 to review for unlicensed activity.

5. Respondent has one Utah-licensed title insurance producer with an escrow subline of authority. In 14 of the transactions in the sample, escrow was not processed by that producer.

6. In 15 of the transactions in the sample, escrow was processed by persons Respondent had not designated.

7. All 20 transactions involved escrow accounts in Citibank, which does not have an office in Utah. Respondent provided documentation in February 2018 showing updated wiring instructions using Wells Fargo, which has an office in Utah.

8. The Department and Respondent have agreed to an administrative forfeiture of \$7,018.00 and a 24 month probationary period, the terms of which are outlined in the Order.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner (“Commissioner”) has jurisdiction over the parties and this adjudicative proceeding pursuant to Utah Code §§ 31A-1-105 and 31A-2-201.

2. The Commissioner has legal authority to impose penalties on the Department's licensees who violate the Utah Insurance Code. Utah Code § 31A-2-308.

3. Utah Code § 31A-23a-103(1)(a)(b) states that a person cannot perform, offer to perform, or advertise any service as a producer in Utah without a valid individual license. A

valid license includes at least one license type and one line of authority pertaining to that license type. Respondent violated this section by using nonresident unlicensed producers to conduct escrow on Utah properties.

4. Utah Code § 31A-23a-406(1)(g) states that the individual title producer or agency shall maintain a physical office in Utah staffed by a person with an escrow subline of authority who processes the escrow. Respondent violated this section by using nonresident unlicensed producers to process the escrow on Utah properties.

5. Utah Code § 31A-23a-302(1) states that an agency shall designate an individual that has an individual producer license to act on the agency's behalf in order for the licensee to do business for the agency in this state. Respondent violated this section by using unassociated nonresident producers to process the escrow on Utah properties.

6. Utah Code § 31A-23a-409(2)(a)(i) requires trust account funds to be depository institution which has an office in this state. Respondent violated this when trust account funds were deposited in an account with Citibank, which does not have an office in Utah.

7. As penalties for the violations in this case, Respondent should be ordered to pay a forfeiture of \$7018.00 and be placed on probation for a period of two years from the date of the order.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby Ordered that:

1. Respondent shall pay a forfeiture of \$7018.00 for the violations described in the Conclusions of Law.

2. Respondent is placed on probation for a period of 24 months from the date of this order. During the probationary period, the Respondent shall biannually provide the Department with a complete list of closings conducted on Utah properties. Based on that list, the Department will request a random sample of closings and commitments for review. Any additional violations will result in further penalties.

3. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 27th day of February, 2019.

TODD E. KISER
Utah Insurance Commissioner



Lisa Watts Baskin
Presiding Officer
Utah Insurance Department

NOTICE 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.


CERTIFICATE OF SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Order was emailed to:

Eric Evans
Chief Regulatory and Compliance Counsel, Senior Vice President
eric.evans@svclnk.com

Helen A. Frohlich
Assistant Attorney General
hfrohlich@agutah.gov

DATED this 27th day of February, 2019.



Jeanine Couser
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114

HELEN A. FROHLICH #8814
Assistant Utah Attorney General
SEAN D. REYES #7969
Utah Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, 5th Floor
P.O. Box 140874
Salt Lake City, Utah 84114-0874
Telephone: (801) 366-0375
hfrohlich@agutah.gov

BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. AMROCK UTAH INC., Respondent.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2019-4077 Lisa Watts Baskin Presiding Officer
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Complainant, Utah Insurance Department ("Department") and Respondent, Amrock Utah Inc., have stipulated to entry of the following Findings of Fact, Conclusions of Law, and Order. Based upon that stipulation, and good cause appearing, the Presiding Officer makes and enters the following:

FINDINGS OF FACT

1. Respondent is a resident producer organization holding license number 299554.
2. Respondent's mailing address is 6975 Union Park Ave. Ste. 655, Cottonwood Heights, Utah 84047.
3. On November 14, 2018, the Market Conduct Division initiated an audit review of

Respondent and determined that Respondent's trust account was with Flagstar Bank, which does not have an office in Utah.

4. On or about November 26, 2018, Respondent provided a copy of their trust account banking information including a signature card from Chase Bank, however, the account was set up under an incorrect tax ID number.

5. On January 11, 2019, Respondent provided a business signature card from Chase Bank dated January 8, 2019 showing that the trust account is now set up with the correct tax ID number.

6. Based upon the above findings, the Department and Respondent have agreed to an administrative forfeiture of \$5,000.00.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner ("Commissioner") has jurisdiction over the parties and this adjudicative proceeding pursuant to Utah Code §§ 31A-1-105 and 31A-2-201.

2. The Commissioner has legal authority to impose penalties on the Department's licensees who violate the Utah Insurance Code. Utah Code § 31A-2-308.

3. Respondent's conduct violates Utah Code § 31A-23a-409(2)(a)(i) which requires that trust monies be deposited in a federally insured trust account with a qualified depository with an office in this State. Respondent violated this provision when trust account funds were deposited in a trust account maintained by Flagstar Bank, which does not have an office in Utah.

4. Respondent's conduct violates Utah Admin R590-170-4(2) which requires all trust accounts to be established with a federal employer ID number or social security number. Respondent violated this provision when it set up a trust account with an incorrect tax ID

number.

4. As penalties for the violations in this case, Respondent should be ordered to pay a forfeiture of \$5,000.00.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby Ordered that:

1. Respondent shall pay a forfeiture of \$5,000.00 for the violations described in the Conclusions of Law.

2. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 4th day of March, 2019.

TODD E. KISER
Utah Insurance Commissioner



Lisa Watts Baskin
Presiding Officer
Utah Insurance Department

NOTICE 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.

CERTIFICATE OF SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Order was emailed to:

Scott Wakefield
Qualifying Active Agent, Amrock Utah Inc.
ScottWakefield@amrock.com

Helen A. Frohlich
Assistant Attorney General
hfrohlich@agutah.gov

DATED this 4th day of March, 2019.



Jeanine Couser
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114