



State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Insurance Department

JONATHAN T. PIKE
Insurance Commissioner

Title & Escrow Commission Meeting

(<https://insurance.utah.gov/licensee/title/tec>)

Date: **May 9, 2022**

Time: **9:00 AM**

Place: **In Person**

Taylorsville SOB
4315 S. 2700 W.
Big Cottonwood Room
Taylorsville, UT 84129

Virtual

Google Meet
meet.google.com/chb-tchs-wif
978-539-7117 Phone
391 515 675# Password

ATTENDEES

TITLE & ESCROW COMMISSION

Chair, Kim Holbrook (*Insurer, Davis County*) Darla Milovich (*Agency, Salt Lake County*)
Vice Chair, Chase Phillips (*Agency, Weber County*) Cal Robinson (*Agency, Iron County*)
Jeff Mathews (*Public Member, Morgan County*) Perri Babalis, *AG Counsel - TEC*

DEPARTMENT STAFF

Jon Pike, *Insurance Commissioner* Reed Stringham, *Deputy Comm.* Tracy Klausmeier, *P&C Dir.*
Randy Overstreet, *Licensing Dir.* Patrick Lee, *Finance Dir.* Adam Martin, *MC Examiner*
Michael Covington, *CE Specialist* Steve Gooch, *PIO Recorder*

AGENDA

General Session: (*Open to the Public*)

- **Welcome** / Kim Holbrook, Chair
- **Telephone Roll Call**
- **Adopt Minutes of Previous Meeting**
 - April 11 TEC meeting
 - April 11 TEC/REC meeting
- **Concurrence Reports** / Kim
 - Licenses
 - Penalties
 - Paradise Settlement Services LLC (Docket #2022-4387)
 - Continuing education
- **Board Duties & Responsibilities** / Perri
- **Update on 2022 Goals**
 - ULTA report / Chase
- **New Business**
- **Old Business**
- **Other Business**
 - In-person meeting schedule / Steve
- **Hot Topics**
 - Escrow service charges and 31A-19a-209 / Kim
 - Proposed R592-18 / Reed

Executive Session (None)

- **Adjourn**
- **Next Meeting: June 13, 2022** — Big Cottonwood Room, Taylorsville State Office Building

2022 Meeting Schedule

Jan 10	Feb 14	Mar 14	Apr 11	May 9	Jun 13
Jul 11	Aug 15	Sept 12	Oct 17*	Nov 14	Dec 19

*Proposed TEC/REC meeting immediately following

2022 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
5. Increase awareness of affiliated business arrangements (ABA)

**Title Agency Licensing
April 2022**

New Licenses:

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

Renewed Licenses:

163424	GATEWAY TITLE INSURANCE AGENCY LLC	4/27/2010	4/30/2024	TE
163424	GATEWAY TITLE INSURANCE AGENCY LLC	4/27/2010	4/30/2024	TX
157856	HERITAGE WEST TITLE INSURANCE AGENCY OF BOX ELDER COUNTY LLC	4/9/2008	4/30/2024	TE
157856	HERITAGE WEST TITLE INSURANCE AGENCY OF BOX ELDER COUNTY LLC	4/9/2008	4/30/2024	TX
6429	WEBER TITLE COMPANY	4/22/1982	4/30/2024	TE
6429	WEBER TITLE COMPANY	4/22/1982	4/30/2024	TX

Lapsed License:

Agency ID	Name	Orig. Issue Date	Expired Date	LOA
(none)				

Reinstated License:

Agency ID	Name	Orig. Issue Date	Expire Date	Reinstated	LOA
7161	TOOELE TITLE COMPANY	3/30/1984	3/31/2024	4/4/2022	TE
7161	TOOELE TITLE COMPANY	3/30/1984	3/31/2024	4/4/2022	TX

**Title Agent Licensing
April 2022**

New Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	LOA
2024452	ANDERSON	AMANDA	4/14/2022	5/31/2024	TE
2023373	BOND	ALLISON	4/13/2022	1/31/2025	TE
2017508	DURAN	LACIE	4/4/2022	5/31/2024	TMR
2021387	DUTDUT	LISA	4/4/2022	5/31/2024	TE
2021390	EDMAN	BRANDON	4/4/2022	7/31/2024	TX
2024206	FINLAYSON	KAITLYN	4/20/2022	7/31/2024	TE
1962405	FULLMER	KEVIN	4/15/2022	6/30/2024	TMR
2022814	HADLEY	MCKADE	4/11/2022	9/30/2024	TMR
2022814	HADLEY	MCKADE	4/11/2022	9/30/2024	TX
2015104	HILLYARD	TEXIE	4/4/2022	7/31/2024	TE
1804113	IBRAHIMOVIC	EMINA	4/15/2022	10/31/2024	TE
2018743	JONES	MAKAYLA	4/27/2022	5/31/2024	TE
2021059	KEITH	KAROLEE	4/13/2022	8/31/2024	TE
2019394	MORRIS	SHELLY	4/14/2022	4/30/2024	TE
1799387	NIELSEN	TARA	4/29/2022	2/28/2025	TE
2022815	NINO	JULIO	4/19/2022	11/30/2024	TE
2025310	SHEIDLER	AYLEEN	4/19/2022	7/31/2024	TE
1916970	WILLIAMS	KAYLI	4/18/2022	8/31/2024	TE
2024714	YEARSLEY	JENNIFER	4/18/2022	12/31/2024	TE

Renewed Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	LOA
137008	ATKINS	GREGORY	11/21/2006	4/30/2024	TX
137008	ATKINS	GREGORY	12/1/2014	4/30/2024	TE
45559	BACK	DOUGLAS	6/14/1985	4/30/2024	TX
1451806	BACK	DARRELL	6/20/2011	4/30/2024	TE
45559	BACK	DOUGLAS	6/14/1985	4/30/2024	TE
36241	BALL	J	8/12/1988	4/30/2024	TX
36241	BALL	J	8/12/1988	4/30/2024	TE
1754323	BATE	STEVEN	4/5/2018	4/30/2024	TE
98582	BAXTER	JUSTIN	3/5/2004	4/30/2024	TX
125874	BLOOD	KIELY	3/3/2006	4/30/2024	TE
39180	BOLDT	ALLAN	12/15/1993	4/30/2024	TE
39180	BOLDT	ALLAN	12/27/1993	4/30/2024	TX
14520	BROWN	RON	4/29/1996	4/30/2024	TX
1484234	Bussari	Hailey	4/19/2012	4/30/2024	TE
1624187	CHADAZ	KEVIN	10/9/2015	4/30/2024	TE
1651766	CHAVEZ	NANCY	2/29/2016	4/30/2024	TE
35739	CHILDS	RANDALL	4/8/1986	4/30/2024	TE
35739	CHILDS	RANDALL	4/8/1986	4/30/2024	TX
100088	CHRISTENSEN	TROY	3/22/2004	4/30/2024	TX
40755	CHRISTENSEN	TODD	3/27/1995	4/30/2024	TX
137793	CHU	MAILE	4/4/2008	4/30/2024	TE
39315	CRANDALL	STERLING	6/19/1995	4/30/2024	TX

Renewed Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	LOA
46306	Coleman	Brian	2/11/1994	4/30/2024	TX
46306	Coleman	Brian	2/11/1994	4/30/2024	TE
1710077	DAMMASCHKE	ANDREANA	6/22/2017	4/30/2024	TX
45210	DAY	RANDALL	7/27/1981	4/30/2024	TE
45210	DAY	RANDALL	7/27/1981	4/30/2024	TX
1612550	DEMARCO	EMILIE	5/26/2015	4/30/2024	TE
1646177	Day	Meagan	1/11/2016	4/30/2024	TE
31256	ELLIOTT	KATHRYN	4/27/1990	4/30/2024	TE
31256	ELLIOTT	KATHRYN	7/26/2019	4/30/2024	TX
39357	FELIX	GARTH	6/14/1993	4/30/2024	TE
1712062	GARSDIE	GAVIN	4/9/2018	4/30/2024	TMR
126828	GOODSON	ROBERT	3/27/2006	4/30/2024	TMR
46297	GOURLEY	BECKY	9/10/1993	4/30/2024	TX
46297	GOURLEY	BECKY	11/30/1993	4/30/2024	TE
125827	GREENE	LAWRIE	3/6/2006	4/30/2024	TE
32387	GRUBB	TIMOTHY	2/14/1994	4/30/2024	TX
32387	GRUBB	TIMOTHY	5/27/1999	4/30/2024	TE
1616801	GUTIERREZ	KRISTIE	6/11/2015	4/30/2024	TE
1556768	HANSEN	GREGORY	5/17/2017	4/30/2024	TX
1556768	HANSEN	GREGORY	1/27/2014	4/30/2024	TMR
1556768	HANSEN	GREGORY	7/28/2015	4/30/2024	TE
1720673	HANSON	KYLEE	3/21/2018	4/30/2024	TE
1646534	HAWKES	SYDNEY	1/21/2016	4/30/2024	TX
1646534	HAWKES	SYDNEY	7/31/2019	4/30/2024	TE
36274	HENDRY	MICHAEL	7/11/1978	4/30/2024	TE
36274	HENDRY	MICHAEL	7/11/1978	4/30/2024	TX
1756358	HIRSCHI	CORTNEY	4/17/2018	4/30/2024	TE
40279	JARVIS	MARK	12/16/1998	4/30/2024	TE
1818632	JARVIS	DANIELLE	5/6/2019	4/30/2024	TE
1722153	JENSEN	BRITTANY	8/31/2017	4/30/2024	TMR
1722153	JENSEN	BRITTANY	1/15/2020	4/30/2024	TE
44483	KEYS	CAMILLE	3/1/1986	4/30/2024	TX
116851	KIDMAN	RANDY	8/18/2005	4/30/2024	TE
92780	KINSEY	DEANNA	8/1/2003	4/30/2024	TE
1501647	Kunzler	Laurel	8/17/2015	4/30/2024	TE
44810	LEE	TAMRA	10/24/1997	4/30/2024	TE
37314	LEE	LAURA	1/4/1988	4/30/2024	TE
44810	LEE	TAMRA	2/3/2015	4/30/2024	TX
138429	MACDONALD-RICE	CHRISTIE	3/31/2008	4/30/2024	TE
121970	MEDLEY	WENDY	11/30/2005	4/30/2024	TE
1631739	MERSCH	JENNIFER	8/18/2017	4/30/2024	TE
50273	MILLER	ANNETTE	1/27/1998	4/30/2024	TE
27406	MORTON	TAMARA	6/19/1995	4/30/2024	TX
39513	NANCE	RUSSELL	4/26/1996	4/30/2024	TE
39513	NANCE	RUSSELL	1/14/2021	4/30/2024	TX
39513	NANCE	RUSSELL	11/1/1993	4/30/2024	TMR

Renewed Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	LOA
33393	PARKE	KEVIN	2/2/2018	4/30/2024	TX
33393	PARKE	KEVIN	12/3/1999	4/30/2024	TE
1350604	PHILLIPS	RADONA	2/15/2008	4/30/2024	TE
75663	PICKETT	SHAWN	12/21/2009	4/30/2024	TE
75663	PICKETT	SHAWN	4/2/2002	4/30/2024	TX
39436	RASMUSSEN	KELLY	11/2/1993	4/30/2024	TMR
39436	RASMUSSEN	KELLY	12/16/2014	4/30/2024	TX
39436	RASMUSSEN	KELLY	12/28/2004	4/30/2024	TE
1525884	RICE	RYAN	6/3/2013	4/30/2024	TX
145054	RICHARDS	J.	6/28/2007	4/30/2024	TX
145054	RICHARDS	J.	6/28/2007	4/30/2024	TE
23900	RICHARDS	SCOTT	1/23/1992	4/30/2024	TE
92097	ROSANDER	CHELSEY	10/6/2006	4/30/2024	TE
92097	ROSANDER	CHELSEY	7/10/2003	4/30/2024	TX
1702334	RUSSELL	SHERRI	6/28/2017	4/30/2024	TE
1486729	SCHOW	EINAR	3/22/2018	4/30/2024	TMR
118006	SCOFFIELD	LINCOLN	9/7/2005	4/30/2024	TX
118006	SCOFFIELD	LINCOLN	9/13/2005	4/30/2024	TE
1697608	SEVILLA	CARLOS	10/6/2017	4/30/2024	TE
1861821	SEVY	MEGAN	1/28/2020	4/30/2024	TE
16251	SHELTON	WILLIAM	12/27/1995	4/30/2024	TX
32653	SIMMONS	JONI	12/16/1993	4/30/2024	TE
149518	SPERRY	PAUL	8/20/2007	4/30/2024	TX
149518	SPERRY	PAUL	7/31/2007	4/30/2024	TE
1618932	STONE	NIKOL	7/8/2015	4/30/2024	TE
134637	SUME	STEFANI	3/29/2018	4/30/2024	TE
1357273	TRILLO	CAMILLA	3/17/2008	4/30/2024	TE
1526452	ULIBARRI	LESLEY	6/5/2013	4/30/2024	TE
1369697	WAITE	LAURIE	1/24/2018	4/30/2024	TE
1655837	WAKEFIELD	CHRISTINA	4/5/2016	4/30/2024	TE
116947	WEBB	LACY	8/10/2005	4/30/2024	TMR
30356	WHITE	ALISHA	11/15/1994	4/30/2024	TE
1369567	WILKERSON	TODD	4/16/2010	4/30/2024	TE
1369567	WILKERSON	TODD	4/16/2010	4/30/2024	TX
92447	WILLIAMS	JUDD	7/22/2003	4/30/2024	TE
100940	Welsh	Jackie	4/16/2004	4/30/2024	TE

Lapsed Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expired Date	LOA
41472	CHATWIN	RYAN	11/4/1994	3/31/2022	TE
90603	HEUGLY	DUSTEN	5/31/2019	3/31/2022	TMR
1707974	Manzo	Marlene	5/31/2017	3/31/2022	TE
1862166	SMITH	JADYN	2/19/2020	3/31/2022	TE

Reinstated Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	Reinstated	LOA
111354	MOUSER	DIANE	3/14/2005	4/30/2023	4/5/2022	TMR

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BEFORE THE UTAH INSURANCE COMMISSIONER

<p style="text-align: center;">UTAH INSURANCE DEPARTMENT, Complainant, vs. PARADISE SETTLEMENT SERVICES LLC, Respondent.</p>	<p style="text-align: center;">NOTICE OF AGENCY ACTION AND ORDER</p> <p>Docket No. 2022-4387</p> <p>Donald H. Hansen Administrative Law Judge/Presiding Officer</p>
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NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action as an informal adjudicative proceeding against Paradise Settlement Services, LLC. (“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 -8.

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 \$500.00.
2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-8(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 in writing and sent by email to uidadmincases@utah.gov or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 4315 S. 2700 W., Suite 2300, Taylorsville, UT 84129. 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 13th day of April, 2022.

JONATHAN T. PIKE
Utah Insurance Commissioner

/s/ Donald H. Hansen
DONALD H. HANSEN
Administrative Law Judge/Presiding Officer
Utah Insurance Department
4315 S. 2700 W., Suite 2300
Taylorsville, UT 84129
Telephone: 801-957-9321
Email: uidadmincases@utah.gov

NOTICE REGARDING ENFORCEMENT OF THE ORDER

Failure to obey this Order may subject you to further penalties that include a forfeiture of up to \$5,000 per violation, with each day of the violation constituting a separate violation. Other penalties for failing to obey this Order may include license suspension, probation, refusal to renew, or revocation. Failure to obey this Order may also result in an action taken against you in a court of competent jurisdiction where forfeitures of up to \$10,000 for each day the failure to comply continues until judgment is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding in 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 (“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 Paradise Settlement Services, LLC. (“Respondent”) 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 is a property & casualty title agency domiciled in Texas and authorized to do insurance business in Utah. Respondent’s Utah license number is 636969.

b. Under Utah Code § 31A-2-202(4)(a), Respondent is required to reply promptly in writing or in other designated form to a reasonable written inquiry from the commissioner.

c. Respondent failed to respond to a letter of inquiry sent via email from the Property & Casualty Market Conduct Title & Escrow Division on February 7, 2022, even though the owner, Chris McLucas, acknowledged the request and responded via email that he would “look into this”.

d. Respondent again failed to respond to a letter of inquiry from the Property & Casualty Market Conduct Title & Escrow Division, sent via USPS, on February 18, 2022.

e. Respondent failed to respond to the Department, even after a lengthy phone conversation on March 1, 2022, between Respondent’s Executive Assistant Gale Vavrus

and the Examiner, explaining the importance of responding to letters and emails from the Department.

f. Respondent again failed to respond to a letter of request from the Property & Casualty Market Conduct Title & Escrow Division, mailed via Certified Mail on March 3, 2022.

g. Respondent failed to respond to the Department by the time specified in communications sent to him through multiple mediums.

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

a. Respondent violated Utah Code § 31A-2-202(4)(a), by not replying promptly in writing or in other designated form to a reasonable written inquiry from the commissioner.

5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the proper forfeiture for the violations should be \$500.00.

DATED this 11th day of April, 2022, at Salt Lake City, Salt Lake County, Utah.

/s/ Adam Martin

Adam Martin, Market Conduct Examiner
Utah Insurance Department

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a true and correct copy of the foregoing Notice of Agency Action and Order, with the Declaration attached to it, was emailed to:

Paradise Settlement Services LLC
chris.mclucas@yahoo.com

and

Adam Martin
Utah Insurance Department
gmartin@utah.gov

DATED this 13th day of April, 2022.

/s/ Jeanine Couser

Jeanine Couser
Utah Insurance Department
4315 S. 2700 W., Suite 2300
Taylorsville, UT 84129
801-957-9321

Approval Date	1st Quarter Feb 2022 -April 2022 Approved Title Courses	Provider Name	Totals	Comments
Feb-22			9	
2/6/2022	Condominiums	Utah Land Title Association		
2/6/2022	Water Rights and Title	Utah Land Title Association		
2/6/2022	Wire Fraud Panel	Utah Land Title Association		
2/6/2022	2021 ALTA and Loan Policies	Utah Land Title Association		
2/6/2022	Ethics	Utah Land Title Association		
2/6/2022	Claims	Utah Land Title Association		
2/11/2022	2022 ALTA Springboard	American Land Title Association		
2/21/2022	Money, Bitcoin and Title Insurance: What Could Go Wrong?	First American Title Ins. Co.		
2/28/2022	ALTA Insights: How to Select a RON Provider	American Land Title Association		
Mar-22			7	
3/1/2022	March 2022 Closer Training	Southern Utah Title Company		
3/2/2022	Fraud- What was old is new again	Utah Land Title Association		
3/17/2022	AU - Most Common Title and Escrow Problems	Old Republic National Title Ins Co		
3/17/2022	Bankruptcy Chapters and Their Affect on Title	Fulghum		
3/25/2022	Easements in Real Estate Explained	First American Title Ins. Co.		
3/25/2022	When Good Funds Go Bad (DD)	First American Title Ins. Co.		
3/25/2022	Entity Hijacking	First American Title Ins. Co.		
Apr-22			2	
4/5/2022	Property Tax and Title Insurance	Steed Title Insurance Agency Inc.		
4/21/2022	Leaseholds, Severed Improvements, and Title Insurance	First American Title Ins. Co.		

R592. Insurance, Title and Escrow Commission.

R592-18. Cost of Doing the Escrow Business.

R592-18-1. Authority.

This rule is promulgated by the Title and Escrow Commission pursuant to Section 31A-2-404(2).

R592-18-2. Scope and purpose.

(1) This rule applies to title insurers and title insurance producers.

(2) The purpose of this rule is to establish the standard for determining compliance with Section 31A-19a-209(3)(a)(ii).

R592-18-3. Calculating the cost of doing the escrow business under Section 31A-19a-209(3)(a)(ii).

(1) A title insurer, an agency title insurance producer, or an individual title insurance producer who is not an employee of a title insurer or who is not designated by an agency title insurance producer shall file with the commissioner, to be submitted with its annual report, a certified statement of the average residential escrow fee charged by the filer for the prior calendar year.

(2)(a) The commissioner shall establish an industry average residential escrow fee by calculating the average of the residential escrow fees submitted under Subsection (1).

(b) The industry average residential escrow fee shall be calculated for the buyer side and the seller side of a transaction.

(c) The industry average residential escrow fee shall include the sum of the fees charged by a filer for conducting escrow services on any transaction involving a dwelling as defined in Section 57-21-2.

(d) The industry average residential escrow fee shall exclude any pass-through cost incurred incident to the escrow services or the issuance of the title insurance and separately charged to the consumer.

(3) On June 1 of each year, the commissioner shall issue a bulletin that notifies title insurers and title insurance producers of the industry average residential escrow fee for the buyer side and the seller side of a transaction.

(4) The industry average residential escrow fee calculated under Subsection (2) shall take effect on September 1 following the issuance of the bulletin.

(5) Under Section 31A-19a-209(3) (a) (ii), the cost of doing the escrow business is 50% of the industry average residential escrow fee for the buyer side and the seller side as calculated under Subsection (2).

R592-18-4. Severability.

If any provision of this rule or its application is held invalid, the 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.

KEY: title insurance

Date of Last Change: new rule

Authorizing, and Implemented or Interpreted Law: 31A-2-404(2) (a), (4); 31A-19a-209(2) (a) (ii)