



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: July 10, 2023

Time: 9:00 AM

Place: In Person

Taylorsville SOB
4315 S. 2700 W.
Flaming Gorge Room
Taylorsville, UT 84129

Virtual

Google Meet
meet.google.com/qhh-xode-gqz
515-442-5922 Phone
358 556 952# Password

ATTENDEES

TITLE & ESCROW COMMISSION

Chair, Kim Holbrook (*Insurer, Davis County*) Darla Milovich (*Agency, Salt Lake County*)
Vice Chair, Chase Phillips (*Agency, Weber County*) VACANT (*Agency*)
Jeff Mathews (*Public Member, Morgan County*)

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**
- **Swear in New Commission Members**
 - Kevin Parke
 - Nathan Sprague
 - Tina Williams
- **Thank Darla, Chase & Cal for Service** / Reed
- **Board Duties & Responsibilities** / Perri
 - Annual board member training
- **Adopt Minutes of Previous Meeting**
 - June 12 TEC meeting
 - June 12 TEC/REC meeting
- **Concurrence Reports** / Kim
 - Licenses
- **Update on 2023 Goals**
 - ULTA report / Kim
- **New Business**
- **Old Business**
 - Addition of capital requirements to 31A-23a-204 / Kim

- **Other Business**
 - Elect chair and vice chair
 - R592-6 subcommittee
- **Hot Topics**

Executive Session (None)

- **Adjourn**
- **Next Meeting: August 21, 2023** — Flaming Gorge Room, Taylorsville State Office Building

2023 Meeting Schedule

Jan 9 Canceled	Feb 13 Big Cottonwood	Mar 13 Big Cottonwood	Apr 10* Canceled	May 8 Big Cottonwood	Jun 12 Big Cottonwood
Jul 10 Flaming Gorge	Aug 21 Flaming Gorge	Sep 18 Flaming Gorge	Oct 16* Flaming Gorge	Nov 13 TBD	Dec 11 TBD

*Proposed TEC/REC meeting immediately following

2023 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 cyber and wire fraud's effect on consumers and agencies
5. Increase awareness of affiliated business arrangements (ABA)



Open and Public Meetings Act

A Summary of Key Provisions for Legislators | April 26, 2023

The Open and Public Meetings Act (OPMA) requires that members of a public body be “provided with annual training on the requirements of [the Open and Public Meetings Act]” (Section [52-4-104](#)). This document is intended to facilitate compliance with that requirement and to help legislators understand OPMA. This summary is intended for a state legislative audience and does not attempt to explain or address requirements for other public bodies. Key terms are defined at the end of the document.

OPMA’s stated goal is to ensure that the state, its agencies, and its political subdivisions deliberate and take action openly (Section [52-4-102](#)).

Public Notice

(Section [52-4-202](#))

A public body is required to provide public notice of a meeting at least 24 hours before the meeting. The public notice is required to:

- specify the date, time, and place of the meeting;
- include an agenda that specifies the topics the public body will consider; and
- be posted on the Utah Public Notice Website and on the public body’s official website.

A public body may discuss an item raised by the public that is not listed on the agenda but may not take final action on the item at the meeting.

Minutes and Recordings

(Section [52-4-203](#))

- A public body is required to keep written minutes and a recording of all meetings unless the meeting is a site visit or traveling tour where no vote or action is taken.
- A recording of the open portions of the meeting must be posted on the Utah Public Notice Website within three business days after the public meeting.
- Draft minutes are required to be made available to the public within 30 days after the meeting.
- The approved minutes and any public materials distributed at the meeting must, within three business days after their approval, be:
 - posted on the Utah Public Notice Website; and
 - made available at the public body's office.

2023 Amendments to OPMA

- [H.B. 21](#) requires a local school board holding an open meeting to allow a reasonable opportunity for the public to provide verbal comments at the meeting and requires a local school board to comment in a public meeting.
- [S.B. 43](#) removes the requirement for certain public bodies to post written notice of a public meeting at the principal office of the public body and removes the requirement to provide notice to a newspaper or local media correspondent.
- [S.B. 289](#) authorizes the Point of the Mountain State Land Authority board to hold a closed meeting for a specified purpose.

Closed Meetings

(Sections [52-4-204](#) and [52-4-205](#))

A public body may hold a closed meeting only for certain purposes, including to discuss:

- a person’s character, competence, or health;
- pending or imminent litigation;
- certain matters regarding acquisition or sale of real property, including water rights or shares;
- the deployment of security personnel, devices, or systems;
- an investigation of alleged criminal conduct;
- the receipt or review of an ethics complaint, if the public body is the Independent Legislative Ethics Commission;
- certain matters under the jurisdiction of a legislative ethics committee;



- certain deliberations and decision making involved in the procurement process; and
- A discussion of the board of the Point of the Mountain State Land Authority regarding the potential tenant of point of the mountain state land.

A public body may close a meeting only by a two-thirds vote with a quorum present, except that a majority vote is sufficient for closing a meeting of:

- the Health and Human Services Interim Committee to review a fatality review report;
- the Child Welfare Legislative Oversight Panel to review a fatality review report or review and discuss an individual case; or
- an ethics committee of the Legislature to receive legal advice or deliberate on a complaint.

No vote is required to close a meeting of the Independent Legislative Ethics Commission to review an ethics complaint if the publicly distributed an agenda for the meeting states that the meeting will be closed.

A public body that closes a meeting is required to announce and record in the minutes the reasons for closing the meeting.

A public body may not close a meeting to discuss filling a midterm vacancy or temporary absence for an elected position, or to discuss a person whose name was submitted to fill a midterm vacancy or temporary absence for an elected position.

A public body may not take a vote in a closed meeting, except for a vote on a motion to end the closed portion of the meeting.

Emergency Meetings

(Section [52-4-202](#))

A public body may hold an emergency meeting and is not required to give 24-hour notice if unforeseen circumstances arise that require the public body to consider matters of an emergency or urgent nature. However, a public body may not hold an emergency meeting unless it attempts to notify all members of the public body and a majority of its members approve the meeting.

Any member of a legislative public body may attend an emergency electronic meeting by electronic means and the public body may conduct an emergency

electronic meeting of the legislative public body remotely by electronic means.

Electronic Meetings

(Section [52-4-207](#) and [JR1-4-402](#))

A public body may not convene or conduct a meeting by electronic means unless it has adopted procedures to govern electronic meetings, including how a remote member will be included in calculating a quorum. Electronic meetings shall comply with OPMA, including posting written notice of the meeting at the anchor location, unless the meeting is being held without an anchor location.

A public body may conduct an electronic meeting without an anchor location if the chair of the public body:

- makes a determination that conducting the meeting with an anchor location presents a substantial risk to the health or safety of those who may be present at the anchor location;
- states the facts upon which the determination was made; and
- includes in the public notice for the meeting information on how the public may view or make comment at the meeting.

If an electronic meeting is held without an anchor location, a public body shall provide means by which the public can view and hear the open portions of the meeting and provide comments electronically.

A member of a legislative body may attend a meeting remotely by electronic means only if the member has a specified reason and notifies the chair of the public body.

When a member of a legislative public body attends a meeting of the legislative public body by electronic means, the member's attire and appearance shall be consistent with the attire and appearance that would be expected if the member were attending the meeting in person. The member's location should also reflect the dignity of the meeting, particularly if the member is attending via video conference.



A member of a legislative public body may not attend a meeting by electronic means while engaging in any activity that would be abnormal or prohibited if the member were attending the meeting in person, including operating a motor vehicle.

Penalties

(Sections [52-4-302](#) and [52-4-305](#))

Open Meetings – Any final action taken in a meeting that is in violation of certain open-meeting provisions of OPMA is voidable by a court.

Close Meetings – It is a class B misdemeanor to knowingly or intentionally violate the closed meeting provisions of OPMA.

Definitions (Sections [52-4-103](#) and [JR1-4-401](#))

Meeting means a convening of a public body with a quorum present to discuss, receive public comment about, or act upon a matter over which the public body has jurisdiction or advisory power.

Meeting does not mean a chance or social gathering or a convening of a public body that has both legislative and executive responsibilities in certain circumstances.

Legislative Public Body means a public body that is governed by legislative rules.

Public Body means an administrative, advisory, executive, or legislative body of the state or its political subdivisions that:

- is created by the Utah Constitution, state statute, rule, ordinance, or resolution;
- expends, disburses, or is supported in whole or in part by tax revenue; and
- is vested with the authority to make decisions regarding the public's business.

Public Body does not include a political party, political group, or political caucus, or a conference committee, rules committee, or sifting committee of the Legislature.

Specified Reason means:

- illness or injury of a member or a member's relative;
- health or safety concerns of a member or a member's relative;
- emergency travel;
- an emergency work related issue;
- an emergency child care related issue;
- a mandatory action day or a special circumstance day; or
- a circumstance similar to the circumstances described above.

**Title Agency Licensing
June 2023**

New licenses

Agency ID	Name	Orig. Issue Date	Expire Date	LOA
203338	CHICAGO TITLE AGENCY OF UTAH, LLC	2023-06-14	2025-06-30	TS

Renewal Licenses

Agency ID	Name	Orig. Issue Date	Expire Date	LOA
16790	COVIUS TITLE INSURANCE AGENCY OF UTAH LLC	2007-06-20	2025-06-30	TE
16790	COVIUS TITLE INSURANCE AGENCY OF UTAH LLC	2007-06-20	2025-06-30	TS
166570	EAGLE GATE TITLE INSURANCE AGENCY, INC.	2011-06-15	2025-06-30	TE
166570	EAGLE GATE TITLE INSURANCE AGENCY, INC.	2011-06-15	2025-06-30	TMR
166570	EAGLE GATE TITLE INSURANCE AGENCY, INC.	2011-06-15	2025-06-30	TS
6030	FARM AND HOME TITLE INSURANCE AGENCY INC	1997-06-06	2025-06-30	TE
6030	FARM AND HOME TITLE INSURANCE AGENCY INC	1997-06-05	2025-06-30	TS
178484	INVICTUS TITLE INSURANCE AGENCY, LLC	2015-06-15	2025-06-30	TE
178484	INVICTUS TITLE INSURANCE AGENCY, LLC	2015-06-15	2025-06-30	TS
178387	NOVATION TITLE INSURANCE AGENCY	2015-06-04	2025-06-30	TE
178387	NOVATION TITLE INSURANCE AGENCY	2018-01-02	2025-06-30	TS
197823	PROSPECT TITLE INSURANCE AGENCY, LLC	2021-06-28	2025-06-30	TE
197823	PROSPECT TITLE INSURANCE AGENCY, LLC	2021-06-28	2025-06-30	TS

Lapsed Licenses

Agency ID	Name	Orig. Issue Date	Expired Date	LOA
6933	COALITION TITLE AGENCY	1989-06-21	2023-06-30	TS
161179	KEYSTONE TITLE INSURANCE AGENCY LLC	2009-06-11	2023-06-30	TE
161179	KEYSTONE TITLE INSURANCE AGENCY LLC	2009-06-11	2023-06-30	TS

Reinstated Licenses

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

**Title Agent Licensing
June 2023**

New Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	LOA
2043813	MADISON, GORDON	2023-06-01	2026-01-31	TS
2090972	OLSEN, AARON	2023-06-29	2026-03-31	TE
2087836	SACHS, ANGELA	2023-06-26	2025-07-31	TE

Renewed Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	LOA
1588880	ANDREWSEN, KURT	2014-11-17	2025-06-30	TE
1588880	ANDREWSEN, KURT	2014-10-10	2025-06-30	TMR
1589381	AOKI, NICOLE	2014-11-18	2025-06-30	TE
97397	ARMSTRONG, MEGAN	2004-01-06	2025-06-30	TE
97397	ARMSTRONG, MEGAN	2016-05-25	2025-06-30	TS
79147	ARVESETH, BRENT	2014-05-08	2025-06-30	TMR
27490	BARTLETT, JON	1984-11-09	2025-06-30	TS
27490	BARTLETT, JON	1984-11-09	2025-06-30	TE
1588349	BETTOLO, SHELLEY	2014-11-17	2025-06-30	TE
1882040	BREMS, LIESL	2020-07-02	2025-06-30	TE
1616636	BUNKER, DANIELLE	2015-06-09	2025-06-30	TE
90776	BUTTERFIELD, VALERIE	2013-09-16	2025-06-30	TE
90776	BUTTERFIELD, VALERIE	2003-06-04	2025-06-30	TS
114453	CESPEDES, JOSE	2005-06-07	2025-06-30	TE
104261	CHRISTENSEN, LORRAINE	2005-09-02	2025-06-30	TS
104261	CHRISTENSEN, LORRAINE	2004-07-14	2025-06-30	TE
31971	CHRISTENSEN, GARY	1996-09-09	2025-06-30	TS
31971	CHRISTENSEN, GARY	1996-09-09	2025-06-30	TE
105542	CRAVENS, SCOTT	2004-09-09	2025-06-30	TS
109933	DEVORE, AMY	2005-01-26	2025-06-30	TS
109933	DEVORE, AMY	2008-02-13	2025-06-30	TE
1348492	DUNFORD, NATHAN	2009-06-02	2025-06-30	TE
53600	GREENING, TAMARA	1994-06-21	2025-06-30	TE
90457	GRESSMEN, CHERRI	2003-05-23	2025-06-30	TMR
39812	GUSTAFSON, DAVID	1992-03-18	2025-06-30	TE
39812	GUSTAFSON, DAVID	1992-03-18	2025-06-30	TS
1617257	HALVORSEN, DALTON	2016-12-22	2025-06-30	TE
1617257	HALVORSEN, DALTON	2015-06-25	2025-06-30	TS
1592762	HATCH, CATHERINE	2014-12-18	2025-06-30	TE
1592762	HATCH, CATHERINE	2014-12-18	2025-06-30	TS
1592762	HATCH, CATHERINE	2014-12-18	2025-06-30	TMR
112174	HILL, SHAUNIE	2005-03-31	2025-06-30	TMR
112174	HILL, SHAUNIE	2019-01-25	2025-06-30	TE
32508	JOHNSON, DAVID	1993-04-07	2025-06-30	TS
32508	JOHNSON, DAVID	1993-05-05	2025-06-30	TE
1704118	KIDMAN, BRANDON	2017-04-10	2025-06-30	TS
1704118	KIDMAN, BRANDON	2017-04-10	2025-06-30	TE
1704118	KIDMAN, BRANDON	2017-04-10	2025-06-30	TMR
36298	LUNDBERG, J	1992-11-25	2025-06-30	TS
36298	LUNDBERG, J	1992-11-25	2025-06-30	TE

Renewed Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	LOA
1795928	MARTIN, KENNALEE	2018-12-18	2025-06-30	TE
1921193	MARTINSON, KENADEE	2020-12-29	2025-06-30	TMR
1921193	MARTINSON, KENADEE	2023-01-06	2025-06-30	TE
44853	MATICH, TORRI	2008-09-16	2025-06-30	TE
44853	MATICH, TORRI	2000-07-10	2025-06-30	TMR
82710	MAUCHLEY, JILL	2003-03-27	2025-06-30	TS
34218	MECHAM, BONNIE	1998-08-31	2025-06-30	TS
1708491	MELTZER, MELISSA	2017-05-19	2025-06-30	TE
45007	MERRILL, MARTIN	1982-06-17	2025-06-30	TE
45007	MERRILL, MARTIN	1982-06-17	2025-06-30	TS
1817198	MILLER, PHILLIP	2019-05-02	2025-06-30	TE
86137	MOTZKUS, RONALD	2003-01-27	2025-06-30	TMR
1810416	MUIR, CHAYLEE	2019-05-24	2025-06-30	TE
1559597	Mitchell, Amanda	2015-03-09	2025-06-30	TE
36659	OGDEN, MERRILL	1985-03-22	2025-06-30	TS
36659	OGDEN, MERRILL	1985-03-22	2025-06-30	TE
42392	OLSEN, DEBRA	1995-03-24	2025-06-30	TS
106103	OSTLER, RYAN	2004-09-28	2025-06-30	TE
81290	PARKER, RAYNEE	2002-09-12	2025-06-30	TE
134358	PUTNAM, EVELYN	2006-09-21	2025-06-30	TE
106205	RENGERS, JAMIE	2004-09-30	2025-06-30	TE
106205	RENGERS, JAMIE	2004-09-30	2025-06-30	TS
36507	SAFFORD, C	2000-01-13	2025-06-30	TMR
44836	SIDDOWAY, DAWN	1986-04-04	2025-06-30	TS
44836	SIDDOWAY, DAWN	1986-04-04	2025-06-30	TE
45595	SMITH, SHELDON	1998-07-23	2025-06-30	TS
108159	SMITH, JOHN	2004-12-01	2025-06-30	TMR
45595	SMITH, SHELDON	2018-05-04	2025-06-30	TE
1942472	SMITH, ALAINA	2022-07-20	2025-06-30	TS
1942472	SMITH, ALAINA	2021-04-09	2025-06-30	TE
114564	SMITH, ASHLIE	2005-06-08	2025-06-30	TE
45330	STANLEY, DOUGLAS	1985-06-20	2025-06-30	TS
1598306	STEED, SPENCER	2015-01-27	2025-06-30	TE
1460825	STEPHENS, CHRISTINE	2011-06-27	2025-06-30	TMR
26587	TAYLOR, WADE	1994-08-18	2025-06-30	TS
26587	TAYLOR, WADE	2003-02-21	2025-06-30	TE
1912807	TERRY, ALISA	2020-12-22	2025-06-30	TE
1389647	UTLEY, RYAN	2010-04-16	2025-06-30	TS
1389647	UTLEY, RYAN	2010-04-16	2025-06-30	TE
137901	VROTNEY, BRITTANY	2006-12-28	2025-06-30	TE
85973	WALTON, KIRK	2003-01-22	2025-06-30	TE
106263	WILSON, JOEEN	2004-10-04	2025-06-30	TE
131305	WOOLSEY, HEATHER	2006-07-12	2025-06-30	TE
1429742	Wilkey, Jacey	2010-10-18	2025-06-30	TE
94360	ZOUMBERAKIS, MARY	2003-09-23	2025-06-30	TE

Lapsed Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	LOA
1896332	CHAVARRIA, ERICK	2020-10-20	2023-05-31	TE

Lapsed Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	LOA
1599156	ERCANBRACK, STEPHANIE	2015-01-29	2023-05-31	TE
1673390	MATTINSON, ANGELIA	2017-02-13	2023-05-31	TE
37139	PACKHAM, TERRI	1993-02-05	2023-05-31	TE
40586	PASSEY, DAVID	2020-12-04	2023-05-31	TMR
133251	QUINN, AMBER	2006-08-25	2023-05-31	TE
1810665	SMITH, MORGAN	2019-03-21	2023-05-31	TE
1933800	TAYLOR, LISA	2021-03-09	2023-05-31	TMR
1807342	WARD, DARREN	2020-08-25	2023-05-31	TE
1807342	WARD, DARREN	2019-02-25	2023-05-31	TMR

Reinstated Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	Reinstated	LOA
(none)					

Effective 5/12/2015

31A-23a-204 Special requirements for title insurance producers and agencies.

An individual title insurance producer or agency title insurance producer shall be licensed in accordance with this chapter, with the additional requirements listed in this section.

- (1)
 - (a) A person that receives a new license under this title as an agency title insurance producer shall at the time of licensure be owned or managed by at least one individual who is licensed for at least three of the five years immediately preceding the date on which the agency title insurance producer applies for a license with both:
 - (i) a title examination line of authority; and
 - (ii) an escrow line of authority.
 - (b) An agency title insurance producer subject to Subsection (1)(a) may comply with Subsection (1)(a) by having the agency title insurance producer owned or managed by:
 - (i) one or more individuals who are licensed with the title examination line of authority for the time period provided in Subsection (1)(a); and
 - (ii) one or more individuals who are licensed with the escrow line of authority for the time period provided in Subsection (1)(a).
 - (c) A person licensed as an agency title insurance producer shall at all times during the term of licensure be owned or managed by at least one individual who is licensed for at least three years within the preceding five-year period with both:
 - (i) a title examination line of authority; and
 - (ii) an escrow line of authority.
 - (d) The Title and Escrow Commission may by rule, subject to Section 31A-2-404, exempt an attorney with real estate experience from the experience requirements in Subsection (1)(a).
 - (e) An individual who satisfies the requirements of this Subsection (1) is known as a "qualifying licensee." At any given time, an individual may be a qualifying licensee for not more than two agency title insurance producers.
- (2)
 - (a) An individual title insurance producer or agency title insurance producer appointed by an insurer shall maintain:
 - (i) a fidelity bond;
 - (ii) a professional liability insurance policy; or
 - (iii) a financial protection:
 - (A) equivalent to that described in Subsection (2)(a)(i) or (ii); and
 - (B) that the commissioner considers adequate.
 - (b) The bond, insurance, or financial protection required by this Subsection (2):
 - (i) shall be supplied under a contract approved by the commissioner to provide protection against the improper performance of any service in conjunction with the issuance of a contract or policy of title insurance; and
 - (ii) be in a face amount no less than \$250,000.
 - (c) The Title and Escrow Commission may by rule, subject to Section 31A-2-404, exempt individual title insurance producer or agency title insurance producers from the requirements of this Subsection (2) upon a finding that, and only so long as, the required policy or bond is generally unavailable at reasonable rates.
- (3) An individual title insurance producer or agency title insurance producer appointed by an insurer may maintain a reserve fund to the extent money was deposited before July 1, 2008, and not withdrawn to the income of the individual title insurance producer or agency title insurance producer.

- (4) An examination for licensure shall include questions regarding the examination of title to real property.
- (5) An individual title insurance producer may not perform the functions of escrow unless the individual title insurance producer has been examined on the fiduciary duties and procedures involved in those functions.
- (6) The Title and Escrow Commission may adopt rules, establishing an examination for a license that will satisfy this section, subject to Section 31A-2-404, and after consulting with the commissioner's test administrator.
- (7) A license may be issued to an individual title insurance producer or agency title insurance producer who has qualified:
 - (a) to perform only examinations of title as specified in Subsection (4);
 - (b) to handle only escrow arrangements as specified in Subsection (5); or
 - (c) to act as a title marketing representative.
- (8)
 - (a) A person licensed to practice law in Utah is exempt from the requirements of Subsections (2) and (3) if that person issues 12 or less policies in any 12-month period.
 - (b) In determining the number of policies issued by a person licensed to practice law in Utah for purposes of Subsection (8)(a), if the person licensed to practice law in Utah issues a policy to more than one party to the same closing, the person is considered to have issued only one policy.
- (9) A person licensed to practice law in Utah, whether exempt under Subsection (8) or not, shall maintain a trust account separate from a law firm trust account for all title and real estate escrow transactions.

Amended by Chapter 330, 2015 General Session