



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/licensees/title/tec/>)

Date: **August 18, 2025**

Place: **In Person**

Virtual

Time: **9:00 AM**

Taylorsville SOB

Google Meet

4315 S. 2700 W.

meet.google.com/ubd-pzpq-tcw

Flaming Gorge Room

573-621-2430

Phone

Taylorsville, UT 84129

594 064 849#

Password

ATTENDEES

TITLE & ESCROW COMMISSION

Chair, Nathan Sprague (*Insurer, Utah County*)

Kim Cruz (*Insurer, Salt Lake County*)

Vice Chair, Kevin Parke (*Agency, Salt Lake County*)

Jeff Mathews (*Public, Morgan County*)

Doug Newell (*Agency, Carbon County*)

DEPARTMENT STAFF

Jon Pike, *Insurance Commissioner*

Reed Stringham, *Deputy Comm.*

Tracy Klausmeier, *P&C Dir.*

Randy Overstreet, *Licensing Mgr.*

Michael Covington, *CE Specialist*

Patrick Lee, *Finance Dir.*

Steve Gooch, *PIO Recorder*

AGENDA

General Session: (Open to the Public)

- **Welcome** / Nathan Sprague, Chair
- **Telephone Roll Call**
- **Adopt Minutes of Previous Meeting**
- **Concurrence Reports** / Nathan
 - Licenses
 - Penalties
 - Summit Escrow & Title Insurance Agency, Docket #2025-4819
 - REI Title LLC, Docket #2025-4825
- **Update on 2025 Goals**
 - ULTA report
 - New ULTA liaison
- **Marketing Questions** / Tracy
 - Q1: Are title sales reps allowed to give a shout out to agents on social media?
 - Q2: Did R592-6 change to allow stickers on self-promotional items?
 - Q3: Can a title company sponsor a breakfast for an event that does not include CE?
- **New Business**
 - Proposal: Title insurers monitor agency producers / Reed
 - Need for requirement to maintain a physical office - [31A-23a-406\(2\)\(i\)](#) / Reed
 - Five-year review of R592-1 / Steve
- **Old Business**

- **Other Business**
 - Status of construction money rule / Matt/Cort
- **Hot Topics**

Executive Session (None)

- **Adjourn**
- **Next Meeting: September 8, 2025** — Flaming Gorge Room, Taylorsville State Office Building

2025 Meeting Schedule

Jan 13** ONLINE	Feb 10** ONLINE	Mar 10 Flaming Gorge	Apr 14 Flaming Gorge	May 12* Flaming Gorge	Jun 9 Flaming Gorge
Jul 14 Flaming Gorge	Aug 18 Flaming Gorge	Sep 8 Flaming Gorge	Oct 20* Flaming Gorge	Nov 10 Flaming Gorge	Dec 8** ONLINE

*Proposed TEC/REC meeting immediately following

**Online only

2025 Goals

1. Continue making sure continuing education and testing are 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)
6. Increase consumer awareness of the role a title insurance company plays in a real estate transaction
7. Increase industry's awareness of the marketing rule and how to ask questions

Title Agency Licensing
Jul 2025

New licenses

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

Renewal Licenses

Agency ID	Name	Orig. Issue Date	Expire Date	LOA
7701	ASPEN TITLE INSURANCE AGENCY, LLC.	1999-07-26	2027-07-31	TE
7701	ASPEN TITLE INSURANCE AGENCY, LLC.	1999-07-26	2027-07-31	TS
6938	BACKMAN TITLE SERVICES, LTD	1989-07-28	2027-07-31	TE
6938	BACKMAN TITLE SERVICES, LTD	1989-07-28	2027-07-31	TMR
6938	BACKMAN TITLE SERVICES, LTD	1989-07-28	2027-07-31	TS
203529	COPPER TITLE & ESCROW, LLC	2023-07-07	2027-07-31	TE
203529	COPPER TITLE & ESCROW, LLC	2023-07-07	2027-07-31	TS
203585	EMPOWER TITLE, LLC	2023-07-19	2027-07-31	TE
203585	EMPOWER TITLE, LLC	2023-07-19	2027-07-31	TS
185617	NATIONWIDE TITLE INSURANCE AGENCY, INC.	2017-07-26	2027-07-31	TE
185617	NATIONWIDE TITLE INSURANCE AGENCY, INC.	2017-07-26	2027-07-31	TS
191305	TITLE GUARANTEE SETTLEMENT SERVICES, A TITLE INSURANCE AGENCY, LLC	2019-07-11	2027-07-31	TE
191305	TITLE GUARANTEE SETTLEMENT SERVICES, A TITLE INSURANCE AGENCY, LLC	2019-07-11	2027-07-31	TS
198123	TRAVIS COUNTY TITLE COMPANY	2021-07-09	2027-07-31	TE
198123	TRAVIS COUNTY TITLE COMPANY	2021-07-09	2027-07-31	TS
172439	VANTAGE TITLE INSURANCE AGENCY, LLC	2013-07-25	2027-07-31	TE
172439	VANTAGE TITLE INSURANCE AGENCY, LLC	2013-07-25	2027-07-31	TS

Lapsed Licenses

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

Reinstated Licenses

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

Title Agent Licensing
Jul 2025

New Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	LOA
2183213	NEWBERRY, SANDRA	2025-07-17	2028-05-31	TS
2183206	OWEN, DEBRA	2025-07-17	2028-05-31	TS
2183012	TIPPETTS, MALLORY	2025-08-01	2027-12-31	TE
2182581	TULLIUS, AMBER RAYNE	2025-07-18	2027-11-30	TMR
2183686	WILSON, ERIC	2025-07-29	2028-04-30	TS

Renewed Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	LOA
2085751	BAGNATO, JULIE	2023-05-10	2027-07-31	TS
1814295	BECKER, WILLIAM	2019-04-08	2027-07-31	TS
115645	BOWEN, JENNIFER	2014-10-02	2027-07-31	TE
115645	BOWEN, JENNIFER	2005-07-07	2027-07-31	TMR
1700968	BUCKNER, CORY	2017-03-23	2027-07-31	TS
1700968	BUCKNER, CORY	2023-11-16	2027-07-31	TE
1442547	CARLSON, PEARL	2011-02-14	2027-07-31	TE
79845	CHOLODOWSKI, RYSZARD	2002-08-06	2027-07-31	TS
79845	CHOLODOWSKI, RYSZARD	2008-06-26	2027-07-31	TE
1780411	COLBY, ASHLEE	2018-08-31	2027-07-31	TE
1780411	COLBY, ASHLEE	2025-05-13	2027-07-31	TS
1779526	COWDIN, MEGAN	2018-09-10	2027-07-31	TE
30863	DAY, SANDY	1962-12-27	2027-07-31	TE
45407	DOMIRE, ROLLIN	2000-07-10	2027-07-31	TS
1681472	DREDGE, ALEXUS	2017-02-23	2027-07-31	TMR
1614811	Dellos, Cori	2015-05-18	2027-07-31	TE
1946609	ENNIS, BRETT	2021-04-28	2027-07-31	TS
111347	FELT, TROY	2012-07-05	2027-07-31	TE
111347	FELT, TROY	2005-03-14	2027-07-31	TMR
35376	FOSTER, KIM	1999-01-11	2027-07-31	TE
35376	FOSTER, KIM	2005-12-16	2027-07-31	TS
1784394	GARDINER, ROGER	2018-11-01	2027-07-31	TMR
44630	GATES, RICK	2004-08-30	2027-07-31	TMR
44630	GATES, RICK	2021-01-01	2027-07-31	TE
1373383	GATES, CELESTE	2008-09-16	2027-07-31	TMR
141978	GEHRING, PAUL	2007-05-16	2027-07-31	TS
141978	GEHRING, PAUL	2012-08-24	2027-07-31	TE
31831	GILLIS, BLAKE	1995-02-02	2027-07-31	TS
31831	GILLIS, BLAKE	2006-11-09	2027-07-31	TE
37680	GULL, JANETTE	1983-03-14	2027-07-31	TS
37680	GULL, JANETTE	1983-03-14	2027-07-31	TE
37666	GULL, JANENE	1983-03-14	2027-07-31	TE
37666	GULL, JANENE	1983-03-14	2027-07-31	TS

Renewed Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	LOA
39915	HENNING, NATALIE	1993-06-09	2027-07-31	TE
64224	HOLLEY, JOEL	2001-03-22	2027-07-31	TMR
136340	JENSEN, STACY	2006-10-30	2027-07-31	TE
1702363	JEPPESEN, KAMIE	2017-04-14	2027-07-31	TE
1880774	JOHNSTON, JAMIE	2021-03-02	2027-07-31	TE
39287	JONES, JANYCE	1992-09-02	2027-07-31	TE
1932927	KRAMMER, KRISTINE	2021-03-18	2027-07-31	TE
1446747	KRUSHENSKY, JULIE	2010-12-29	2027-07-31	TMR
1953054	LANE, JANA	2021-05-27	2027-07-31	TE
1566020	LEAVITT, KARIANN	2015-01-26	2027-07-31	TE
134940	LUNT, JANET	2007-05-01	2027-07-31	TE
43868	Ludlow, Meggi	1993-06-18	2027-07-31	TE
43868	Ludlow, Meggi	2003-04-28	2027-07-31	TMR
144857	MAUGHAN, BRANDON	2007-05-25	2027-07-31	TS
994	MC PHIE, JOSEPH	1995-04-11	2027-07-31	TS
994	MC PHIE, JOSEPH	1995-04-11	2027-07-31	TE
1821770	MOWER, MADISON	2019-06-03	2027-07-31	TE
137010	NELSON, JENNIE	2013-12-26	2027-07-31	TE
135103	NIELSON, JENS	2006-10-04	2027-07-31	TE
135103	NIELSON, JENS	2006-10-04	2027-07-31	TS
84024	PATTERSON, BRANDON	2002-11-19	2027-07-31	TS
1525890	PILI, BEAU	2013-06-03	2027-07-31	TE
1452831	QUINN, NANETTE	2011-05-09	2027-07-31	TE
1452831	QUINN, NANETTE	2011-03-29	2027-07-31	TMR
146689	REED, DANIEL	2008-02-28	2027-07-31	TE
146689	REED, DANIEL	2008-02-28	2027-07-31	TS
2079149	RIGBY, ANNETTE	2023-03-30	2027-07-31	TE
1820758	ROBINS, REGAN	2019-06-07	2027-07-31	TE
2087836	SACHS, ANGELA	2023-06-26	2027-07-31	TE
2066044	SEGURA, JOSE	2022-11-16	2027-07-31	TMR
1811072	SHARP, KYLIE	2021-10-25	2027-07-31	TE
1929136	SICKLER, MADISON	2021-05-10	2027-07-31	TE
1528689	STAGGE, MADDI	2013-06-17	2027-07-31	TE
43967	SWARTZ, SHALIE	1996-01-19	2027-07-31	TE
2048081	TAFILI, BROOKE	2022-08-05	2027-07-31	TE
87159	TAYLOR, DEANN	2003-02-26	2027-07-31	TE
1695556	UNG, TIFFANY	2017-02-10	2027-07-31	TE
140133	WESTOVER, SCOTT	2007-02-23	2027-07-31	TS
90401	WORTH, BETH	2003-05-21	2027-07-31	TE
137619	Washington, Julie	2006-12-12	2027-07-31	TE
44706	YAMAMOTO, CAROL	1995-05-10	2027-07-31	TE
1658609	ZONDERVON, MARGO	2018-11-20	2027-07-31	TE

Lapsed Licenses

Agent ID	Name	Orig. Issue Date	Expired Date	LOA
104261	CHRISTENSEN, LORRAINE	2004-07-14	2025-06-30	TE
31971	CHRISTENSEN, GARY	1996-09-09	2025-06-30	TS
104261	CHRISTENSEN, LORRAINE	2005-09-02	2025-06-30	TS
31971	CHRISTENSEN, GARY	1996-09-09	2025-06-30	TE
44853	MATICH, TORRI	2000-07-10	2025-06-30	TMR
44853	MATICH, TORRI	2008-09-16	2025-06-30	TE
2081835	MULLINS, CAROLE	2023-04-21	2025-06-30	TE
1759004	NIELSEN, NICHOLAS	2019-03-11	2025-06-30	TS
1759004	NIELSEN, NICHOLAS	2019-03-11	2025-06-30	TE
1759004	NIELSEN, NICHOLAS	2018-08-31	2025-06-30	TMR
1912807	TERRY, ALISA	2020-12-22	2025-06-30	TE
85973	WALTON, KIRK	2003-01-22	2025-06-30	TE
106263	WILSON, JOEEN	2004-10-04	2025-06-30	TE

Reinstated Licenses

Agent ID	Name	Orig. Issue Date	Expire Date	Reinstated	LOA
2044730	BROWNING, SARAH	2022-07-27	2027-06-30	2025-07-09	TE
1810416	MUIR, CHAYLEE	2019-05-24	2027-06-30	2025-07-08	TE

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Email: hfrohlich@agutah.gov

BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. SUMMIT ESCROW & TITLE INSURANCE AGENCY, LLC, Respondent.	NOTICE OF AGENCY ACTION AND ORDER Docket No. 2025-4819 Donald H. Hansen Administrative Law Judge/Presiding Officer
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NOTICE OF AGENCY ACTION

The Utah Insurance Department (the “Department”) commences this agency action as an informal adjudicative proceeding against Respondent Summit Escrow & Title Insurance Agency, 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 -7.

ORDER

Based on the facts and the law set forth in the attached Declaration, and good cause appearing, the Utah Insurance Commissioner (“Commissioner”) orders as follows:

1. Respondent shall forfeit to the Department the amount of \$250.00.
2. Respondent shall pay the forfeiture in full no later than 30 days after the Title and Escrow Commission concurs with the forfeiture and the Commissioner imposes the forfeiture.
3. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be 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.
4. 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., Taylorsville, UT 84129.
5. The request for hearing shall state the basis for the relief requested.
6. If you fail to request a hearing you will be bound by this Order. Failure to request a hearing is a failure to exhaust administrative remedies and precludes any further administrative or judicial review or appeal of this matter.

DATED this 17th day of July 2025.

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 the 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 to those jurisdictions.

DECLARATION

Under criminal penalty of Utah law, I, Tracy Klausmeier, declare the following:

1. I am currently employed as a Director of the Property and Casualty Division 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 Summit Escrow & Title Insurance Agency, 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 resident producer organization holding title examination and title escrow lines of authority and authorized to do the business of insurance in Utah under license number 90558.
- b. Pursuant to Utah Code § 31A-23a-413 and Utah Admin. Code R592-11, by May 1 of each year, agency title insurance producers are required to file a verified statement of the agency title insurance producer’s financial condition, transactions, and affairs (the “Title Insurance Producer’s Annual Report”), as of the end of the preceding calendar year.
- c. Respondent failed to file its 2024 Title Insurance Producer’s Annual Report by May 1, 2025.
- d. Respondent filed its 2024 Title Insurance Producer’s Annual Report on May 7, 2025, after the Department notified Respondent of the outstanding filing.

4. The above declared facts demonstrate that Respondent violated Utah Code § 31A-23a-413 and Utah Admin. Code R592-11 by failing to file its 2024 Title Insurance Producer's Annual Report by May 1, 2025.

5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the proper forfeiture for the violation(s) should be \$250.00.

Signed on this 16th day of July 2025 in Salt Lake City, Salt Lake County, State of Utah.

/s/ Tracy Klausmeier
Tracy Klausmeier, Director
Property & Casualty Division
Utah Insurance Department

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Attorney General
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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. REI TITLE, LLC, Respondent.	NOTICE OF AGENCY ACTION Docket No. 2025-4825 Donald H. Hansen Administrative Law Judge/Presiding Officer
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The Utah Insurance Department (“Department”) commences this agency action as an informal adjudicative proceeding for entry of Findings of Fact, Conclusions of Law, and Order to which the Department and Respondent REI Title, LLC, have stipulated. Filed contemporaneously with this Notice of Agency Action are the parties’ Stipulation and their proposed Findings of Fact, Conclusions of Law, and Order.

The legal authority and jurisdiction under which the proceeding is maintained is

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Utah Code §§ 31A-2-201 and 63G-4-201 through 203 and Utah Admin. Code R590-160.

DATED this 23rd day of July 2025.

JONATHAN T. PIKE
Utah Insurance Commissioner

/s/ Donald H. Hansen
Donald H. Hansen
Administrative Law Judge/Presiding Officer
Utah Insurance Department
4315 South 2700 West, Suite 2300
Taylorsville, UT 84129
Telephone: 801-957-9321
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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. REI TITLE, LLC, Respondent.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2025-4825 Donald H. Hansen Administrative Law Judge/Presiding Officer
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Complainant, Utah Insurance Department ("Department") and Respondent, REI Title, LLC, ("Respondent") 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 Utah license number 787300.
2. Respondent's mailing address is 8341 S. 700 E., Sandy, UT 84070.
3. Pursuant to Utah Code § 31A-23a-413 and Utah Admin. Code R592-11, by May 1 of each year, agency title insurance producers are required to file a verified statement of the agency

title insurance producer's financial condition, transactions, and affairs (the "Title Insurance Producer's Annual Report"), as of the end of the preceding calendar year.

4. Respondent failed to file its 2024 Title Insurance Producer's Annual Report by May 1, 2025.

5. During its investigation, the Department determined that Respondent had failed to maintain a valid business email address on file with the Department.

6. The Department and Respondent have agreed to an administrative forfeiture of \$500.00

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 pursuant to Utah Code § 31A-2-308.

3. Respondent violated Utah Code § 31A-23a-413 and Utah Admin. Code R592-11 by failing to file its 2024 Title Insurance Producer's Annual Report by May 1, 2025.

4. Respondent violated Utah Code § 31A-23a-412 and Utah Admin. Code R590-258 by failing to maintain a valid business email address on file with the Commissioner.

5. As a penalty for the violations in this case, the Respondent should be ordered to pay a forfeiture of \$500.00.

ORDER

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

1. Respondent shall pay a forfeiture of \$500.00 for the violations described in the

Conclusions of Law.

2. The forfeiture shall be paid in full to the Department no later than 30 days after this order is signed.
3. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 23rd day of July 2025.

JONATHAN T. PIKE
Utah Insurance Commissioner

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

NOTICE TO RESPONDENT

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 being 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.

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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. REI TITLE, LLC, Respondent.	STIPULATION Docket No. 2025-4825 Donald H. Hansen Administrative Law Judge/Presiding Officer
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The Utah Insurance Department (“Department”) and Respondent REI Title, LLC, (“Respondent”), stipulate as follows:

1. The Presiding Officer may enter the Findings of Fact, Conclusions of Law, and Order filed herewith.
2. The Findings of Fact, Conclusions of Law, and Order shall not be subject to reconsideration, modification, hearing, agency review or appeal.
3. The issuance of the signed and adopted Order is solely for the purpose of disposing of the specific matter entitled therein. Only promises, agreements, and understandings that the parties have regarding this matter are contained in the Findings of Fact, Conclusions of Law, and Order.

4. The parties enter into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

DATED: July 8, 2025

/s/ Whitney Druce
Whitney Druce
President
REI Title Insurance, LLC

DATED: July 8, 2025

/s/ Helen A. Frohlich
Helen A. Frohlich
Assistant Utah Attorney General
Attorney for Utah Insurance Department

Marketing Question #1 –

Are title sales reps allowed to give a shout out to agents on social media?. For example," Bill is an amazing agent, I really appreciate him for trusting us and for being so solid"

Marketing Question #2 –

Can you tell me whether Rule R-592 for Title Insurance Companies changed from having a permanent marking on a self promotional item to now allowing just a sticker placed on the self promotional item with the title companies name.

Marketing Question #3 –

Can a title company sponsor a breakfast for a WCR event that does not include CE? It's a pickleball networking event held at the Picklr facility.

Utah Insurance Department
Proposal: Title Insurers Monitor Agency Producers

In the months after the Ryan Goodrich/Synergy Title matter was publicized, a legislator suggested that title insurers should be required to monitor their agency producers in handling escrow funds. In response, the industry stated that there was no need for such a requirement because the title insurers already do so.

Since then, the Department has become aware of other cases in which an agency producer stole escrow funds. The Department is now considering whether to propose legislation that would require title insurers to engage in some kind of monitoring of producers escrow activity to help prevent future thefts. We believe that title insurers may also have an interest in monitoring because they can be responsible under Section 407 for losses caused by their appointed producers.

The Department seeks the title insurance industry's view on this proposal. To start the discussion, please consider the following amendments to Section 31A-23a-407 and offer your thoughts:

31A-23a-407

- (1) Subject to the other provisions in this section, a title insurer that has a contract with or appoints an individual title insurance producer or an agency title insurance producer is liable to a buyer, seller, borrower, lender, or third party that deposits money with the individual title insurance producer or agency title insurance producer for the receipt and disbursement of money deposited with the individual title insurance producer or agency title insurance producer for a transaction when a commitment for a policy of title insurance of that title insurer is ordered, issued, or distributed or a title insurance policy of that title insurer is issued, except that once a title insurer is named in an issued commitment only that title insurer is liable as a title insurer under this section.
- (2) The liability of a title insurer under Subsection (1) and the liability of an individual title insurance producer or agency title insurance producer for the receipt and disbursement of money deposited with the individual title insurance producer or agency title insurance producer is limited to the amount of money received and disbursed, not to exceed the amount of proposed insurance set forth in the commitment or title insurance policy described in Subsection (1) plus 10% of the amount of the proposed insurance.
- (3) The liability described in Subsection (1) does not modify, mitigate, impair, or affect the contractual obligations between an individual title insurance producer or agency title insurance producer and the title insurer.
- (4) The liability of a title insurer with respect to the condition of title to the real property that is the subject of a title insurance policy or a title insurance commitment for a title insurance policy

is limited to the terms, conditions, and stipulations contained in the title insurance policy or title commitment.

(5) To assess and mitigate potential risk of liability under this Section, a title insurer shall:

(a) establish a plan to monitor monthly the escrow and trust accounts of an appointed agency title insurance producer for compliance with Section 31A-23a-406(5);

(b) implement the plan;

(c) report and provide evidence of noncompliance to the commissioner within seven days of discovery;

(e) report the title insurer's activities under the plan in the annual report required by Section 31A-23a-413.

(6) A title insurer and its agency title insurance producers shall share equally in the cost of compliance with Subsection (5).

(7) (a) A title insurer and an agency title insurance producer may apply to the commissioner for reimbursement of all or a portion of the start-up costs of complying with Subsection (5).

(b) The commissioner may grant an application in an amount not to exceed \$X.

(c) Reimbursements shall be paid from the Title Insurance Recovery, Education, and Research Fund established in Chapter 41 of this Title.

5-Year Reviews of Title Insurance Rules

- **R592-1:** Title Insurance Licensing.

Utah statute requires all state agencies to do 5-year reviews of their rules to ensure they continue to make sense in a changing world.

What must be done at the August 18 Title & Escrow Commission meeting is to make a yes-or-no determination of whether the above rules should stay on the books.

Rules cannot be amended as part of a 5-year review, but the need for future amendments can be discussed for inclusion on a future agenda.

State of Utah
Administrative Rule Analysis
Revised May 2025

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R592-1	Filing ID: OFFICE USE ONLY
Effective date:	OFFICE USE ONLY	

Agency Information

1. Title catchline:	Insurance, Title and Escrow Commission	
Building:	Taylorsville State Office Building	
Street address:	4315 S. 2700 W.	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact persons:		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R592-1. Title Insurance Licensing	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 31A-2-404(2)(a)(ii)	Requires the Title and Escrow Commission to write rules related to title insurance.
Subsection 31A-2-404(2)(b)	Requires the concurrence of the Title and Escrow Commission in the issuance and renewal of title licensee licenses.
Subsection 63G-3-301-(2)(a)	An explanation of how this reference authorizes or requires this rule.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
The law requires that the Title and Escrow Commission concur with the Insurance Commissioner in the issuance and renewal of title licenses. The rule sets the procedure to do this. This has been a useful process because it has opened a dialogue between the Department and members of the title industry who know the players, and whether there are issues and concerns that should be addressed regarding licensure. Therefore, this rule should be continued. In addition, the Title & Escrow Commission, which has rulemaking authority over rules in Title R592, Title and Escrow Commission, voted to continue this rule by a vote of [XXX]-0.	

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. The office may return incomplete forms to the agency, possibly delaying publication in the <i>Utah State Bulletin</i> .			
Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	Click or tap to enter a date.
Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.			

R592. Insurance, Title and Escrow Commission.
R592-1. Title Insurance Licensing.
R592-1-1. Authority.

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

R592-1-2. Purpose and Scope.

- (1) The purpose of this rule is to establish the Commission's preliminary concurrence in the commissioner's decision to issue or renew a title license under Subsection 31A-2-404(2)(b).
- (2) This rule applies to a title licensee and an applicant for a title insurance license.

R592-1-3. Definitions.

Terms used in this rule are defined in Sections 31A-1-301 and 31A-2-402.

R592-1-4. Licensing.

The Commission grants preliminary concurrence to the commissioner for the issuing or renewing of title insurance licenses, subject to final concurrence as specified in Section R592-1-5, to an applicant that:

- (1) complies with Sections 31A-23a-104, 31A-23a-105, 31A-23a-106, 31A-23a-107, 31A-23a-108, and 31A-23a-204 for initial application;
- (2) complies with Section 31A-23a-202 for renewal of a license; and
- (3) meets each requirement for the issuance of a license.

R592-1-5. Commission Concurrence with License Issuance or Renewal.

(1) The commissioner will report to the Commission, at an interval and in a format acceptable to the commissioner and the Commission, the name of each title licensee and applicant who is issued:

- (a) an initial license; or
- (b) a renewal license.
- (2) In an open and public meeting, the Commission shall:
 - (a) give final concurrence; or
 - (b) not concur with the licensing decision of the commissioner.

(3) If the Commission does not concur with a licensing decision of the commissioner, the commissioner shall commence an administrative proceeding under the Utah Administrative Procedures Act to deny, revoke, suspend, limit, or place on probation the license.

R592-1-6. Severability.

If any provision of this rule, Rule R592-1, 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.

KEY: title insurance

Date of Enactment or Last Substantive Amendment: August 23, 2021

Notice of Continuation: September 1, 2020

Authorizing, and Implemented or Interpreted Law: 31A-2-402