



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: August 22, 2022

Place: In Person

Virtual

Time: 9:00 AM

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

Google Meet
meet.google.com/urp-hwnf-mwj
650-667-3539 Phone
473 948 783# 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*
Shelley Coudreaut, *AG Counsel - UID* 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**
- **Concurrence Reports** / Kim
 - Licenses
 - Continuing education
- **Board Duties & Responsibilities** / Perri
- **Update on 2022 Goals**
 - ULTA report / Kim
- **New Business**
 - Discussion of whether to move forward with new rule R592-18 and repeal of R592-15 / Kim
 - Changes to R592-18 / Reed
- **Old Business**
- **Other Business**
 - Title assessment due August 31 / Adam
 - Five-year review of R592-5 / Steve
- **Hot Topics**

Executive Session (None)

- **Adjourn**

- **Next Meeting: September 12, 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 [Canceled]	Aug 22	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
June 2022**

New Licenses:

Agency ID	Name	Orig. Issue Date	Expire Date	LOA
201122	SELENE TITLE OF UTAH LLC	6/8/2022	6/30/2024	TE
201122	SELENE TITLE OF UTAH LLC	6/8/2022	6/30/2024	TMR
201122	SELENE TITLE OF UTAH LLC	6/8/2022	6/30/2024	TX

Renewed Licenses:

Agency ID	Name	Orig. Issue Date	Expire Date	LOA
14929	ABSOLUTE TITLE INSURANCE AGENCY	11/10/2005	1/31/2024	TE
14929	ABSOLUTE TITLE INSURANCE AGENCY	11/10/2005	1/31/2024	TX
6481	ACTION TITLE COMPANY INC	6/8/1982	6/30/2024	TE
6481	ACTION TITLE COMPANY INC	6/8/1982	6/30/2024	TX
6473	HIGH COUNTRY TITLE	3/24/1982	6/30/2024	TE
6473	HIGH COUNTRY TITLE	3/24/1982	6/30/2024	TX
11437	LINCOLN TITLE INSURANCE AGENCY	6/3/2002	6/30/2024	TE
11437	LINCOLN TITLE INSURANCE AGENCY	6/3/2002	6/30/2024	TX

Lapsed Licenses:

Agency ID	Name	Orig. Issue Date	Expired Date	LOA
175585	BAY NATIONAL TITLE AGENCY OF UTAH INC	6/24/2014	6/30/2022	TE
175585	BAY NATIONAL TITLE AGENCY OF UTAH INC	6/24/2014	6/30/2022	TMR
175585	BAY NATIONAL TITLE AGENCY OF UTAH INC	6/24/2014	6/30/2022	TX

Reinstated Licenses:

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

**Title Agent Licensing
June 2022**

New Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	LOA
2033232	FORSTER	HAYDEN	6/14/2022	8/31/2024	TMR
2030471	GONZALES	CHRISTINA	6/3/2022	11/30/2024	TMR
2037020	HUDSON	JENNIFER	6/22/2022	5/31/2025	TMR
2029850	LEON	AMARILIS	6/22/2022	1/31/2025	TE
2029073	LOVELL	REBECCA	6/17/2022	1/31/2025	TE
2035905	PLOUZEK	BRENA	6/27/2022	2/28/2025	TE
2032879	ROBERT	ALISA	6/9/2022	6/30/2024	TX
2033984	ROBERTS	BRITTANY	6/10/2022	11/30/2024	TE
2032826	SHEAR	DARILYN	6/9/2022	9/30/2024	TMR
1704059	SMITH	JOSHUA	6/17/2022	2/28/2025	TX
2036833	WILSON	JULIA	6/21/2022	1/31/2025	TE

Renewed Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	LOA
77818	ANDERSEN	MELINDA	6/4/2002	6/30/2024	TE
1477295	ANDERSON	JASON	2/21/2012	6/30/2024	TX
100959	ANDERSON	BRIAN	4/26/2004	6/30/2024	TX
6190	ANTHONY	SUE	5/31/1994	6/30/2024	TE
34187	BARNES	JEFFREY	3/9/2005	6/30/2024	TE
34187	BARNES	JEFFREY	9/27/1999	6/30/2024	TX
1732762	BENTON	KENZIE	11/2/2017	6/30/2024	TE
69611	BLANCO	NANCY	9/10/2001	6/30/2024	TX
1568553	BOWLES	TIFFANY	5/13/2014	6/30/2024	TE
1732599	BRASK	MALORIE	10/26/2017	6/30/2024	TE
38697	BROWN	LONNY	3/31/1995	6/30/2024	TE
38697	BROWN	LONNY	2/24/1994	6/30/2024	TX
1569857	CASTILLO	KASSANDRA	11/12/2019	6/30/2024	TE
1855742	CHANG	ALAN	12/19/2019	6/30/2024	TE
74754	CHILD	ALAN	6/19/2003	6/30/2024	TE
74754	CHILD	ALAN	3/7/2002	6/30/2024	TMR
74754	CHILD	ALAN	12/22/2004	6/30/2024	TX
34017	DAVIS	REBECCA	2/12/1998	6/30/2024	TE
37409	DAY	MARK	4/22/1982	6/30/2024	TE
37409	DAY	MARK	4/22/1982	6/30/2024	TX
45853	DECARIA	DOUGLAS	2/29/1984	6/30/2024	TE
45853	DECARIA	DOUGLAS	2/29/1984	6/30/2024	TX
125664	DECKER	JAMI	2/14/2006	6/30/2024	TE
6723	DENUNZIO	PATTIE	1/29/2004	6/30/2024	TE
6723	DENUNZIO	PATTIE	7/26/1993	6/30/2024	TMR
32855	EDWARDS	LADAWN	6/16/1993	6/30/2024	TE
68166	EGAN	MERI	7/27/2001	6/30/2024	TE
36747	FRY	SHELLY	4/27/1990	6/30/2024	TE

Renewed Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	LOA
43972	GILES	STEPHEN	10/13/1999	6/30/2024	TE
130627	GORE	CHANEL	6/16/2006	6/30/2024	TE
1572805	HALVORSEN	COLTON	4/15/2016	6/30/2024	TE
1796623	HAYMOND	MEGAN	11/20/2019	6/30/2024	TE
1796623	HAYMOND	MEGAN	11/20/2019	6/30/2024	TX
122146	HIATT	JENNA	5/18/2006	6/30/2024	TE
122146	HIATT	JENNA	12/16/2005	6/30/2024	TX
36219	HICKMAN	STACEY	2/10/2005	6/30/2024	TE
36219	HICKMAN	STACEY	6/17/1998	6/30/2024	TMR
45020	HOUGHTON	SUSAN	5/19/2004	6/30/2024	TE
45020	HOUGHTON	SUSAN	10/14/1993	6/30/2024	TX
130679	HUNTER	TIFFANY	6/27/2006	6/30/2024	TE
32281	IVERSON	ERIC	4/8/1994	6/30/2024	TE
1827551	JARRETT	BETH	7/12/2019	6/30/2024	TE
76978	JOHNSON	KIRK	5/21/2009	6/30/2024	TE
76978	JOHNSON	KIRK	5/8/2002	6/30/2024	TMR
34177	JOHNSON	SHAUNA	4/8/1994	6/30/2024	TX
37633	Knowlden	Jodie	12/22/1995	6/30/2024	TE
1723417	LANCASTER	SETH	9/6/2017	6/30/2024	TE
1723417	LANCASTER	SETH	9/28/2018	6/30/2024	TX
1415104	Landolfi	Amber	3/12/2018	6/30/2024	TE
1361261	MCCLEERY	BRIGGETT	5/15/2008	6/30/2024	TE
101657	MCCOY	ALISON	5/13/2004	6/30/2024	TE
101657	MCCOY	ALISON	9/7/2004	6/30/2024	TX
1554094	MILNE	CONNOR	2/6/2014	6/30/2024	TX
40936	MONEY	SHAUNA	7/9/1998	6/30/2024	TE
40936	MONEY	SHAUNA	3/5/1998	6/30/2024	TMR
42851	MURPHY	MICHAEL	11/10/2003	6/30/2024	TE
42851	MURPHY	MICHAEL	1/6/2000	6/30/2024	TX
32820	McQueen	Sunnie	4/11/1996	6/30/2024	TE
35992	NEWELL	SEAN	5/1/1995	6/30/2024	TX
1547192	NEWMAN	RODNEY	11/21/2013	6/30/2024	TE
1547192	NEWMAN	RODNEY	3/27/2017	6/30/2024	TX
42886	PATTILLO	JEREMY	11/6/2019	6/30/2024	TE
42886	PATTILLO	JEREMY	11/4/1996	6/30/2024	TX
1491759	PECZUH	TAMIE	8/22/2013	6/30/2024	TE
130855	PETERSEN	CODY	6/29/2006	6/30/2024	TE
31223	PINDER	KEVIN	12/9/1994	6/30/2024	TE
122006	PLEWE	JARED	12/1/2005	6/30/2024	TE
122006	PLEWE	JARED	1/7/2022	6/30/2024	TX
16697	ROBINS	VICKY	9/13/1999	6/30/2024	TE
130674	ROBINSON	RANDI	6/23/2006	6/30/2024	TE
38004	SIMPSON	BRETT	8/8/1989	6/30/2024	TE
117304	STANTON	TRUDY	8/19/2005	6/30/2024	TX
55193	Schiffman	Nikole	3/19/1999	6/30/2024	TX

Renewed Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	LOA
1756546	THURMAN	BRYCE	4/9/2018	6/30/2024	TMR
35995	WEBSTER	JAMI	2/21/1996	6/30/2024	TE
1852449	WEST	KASSIE	11/26/2019	6/30/2024	TE
93017	WILSON	JUSTIN	8/7/2003	6/30/2024	TMR
93017	WILSON	JUSTIN	7/13/2015	6/30/2024	TX

Lapsed Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expired Date	LOA
45188	ADAIR	J	12/3/1993	5/31/2022	TX
45188	ADAIR	J	11/6/1991	5/31/2022	TE
95155	BURRIDGE	TIMOTHY	10/15/2003	5/31/2022	TX
95155	BURRIDGE	TIMOTHY	10/15/2003	5/31/2022	TE
1732267	CARNES	SYDNEY	10/27/2017	5/31/2022	TE
53946	HORNSBY	NANETTE	12/27/1991	5/31/2022	TE
120484	LUNDQUIST	DALLAS	10/27/2005	5/31/2022	TMR
71646	MCLACHLAN	SHELLI	11/21/2001	5/31/2022	TE
121975	MOHLMAN	FRANK	1/27/2006	5/31/2022	TE
121975	MOHLMAN	FRANK	11/22/2005	5/31/2022	TX
1650283	RIVERA	JOSEP	4/4/2016	5/31/2022	TE

Reinstated Licenses:

Individual ID	Last Name	First Name	Orig. Issue Date	Expire Date	Reinstate	LOA
36006	ABBATIELLO	JACOB	4/11/2019	12/31/2023	6/7/2022	TMR

**Title Agency Licensing
July 2022**

New licenses

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

Renewed Licenses

Agency ID	Name	Orig. Issue Date	Expire Date	LOA
6528	DIXIE TITLE COMPANY	1984-06-21	2024-08-31	TE
6528	DIXIE TITLE COMPANY	1984-06-21	2024-08-31	TX
6295	HICKMAN LAND TITLE COMPANY	1976-07-15	2024-07-31	TE
6295	HICKMAN LAND TITLE COMPANY	1976-07-15	2024-07-31	TMR
6295	HICKMAN LAND TITLE COMPANY	1976-07-15	2024-07-31	TX
15687	PLACER TITLE INSURANCE AGENCY OF UTAH INC	2006-07-19	2024-07-31	TE
15687	PLACER TITLE INSURANCE AGENCY OF UTAH INC	2006-07-19	2024-07-31	TX
6556	PROVO ABSTRACT COMPANY, INC	1976-07-14	2024-07-31	TE
6556	PROVO ABSTRACT COMPANY, INC	1976-07-14	2024-07-31	TX
6359	PROVO LAND TITLE COMPANY	1976-07-16	2024-07-31	TE
6359	PROVO LAND TITLE COMPANY	1976-07-16	2024-07-31	TX
194455	REI TITLE, LLC	2020-07-28	2024-07-31	TE
194455	REI TITLE, LLC	2020-07-28	2024-07-31	TX

Lapsed Licenses

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

Reinstated Licenses

Agency ID	Name	Orig. Issue Date	Expire Date	Reinstated	LOA
175585	BAY NATIONAL TITLE AGENCY OF UTAH, INC	2014-06-24	2024-06-30	2022-07-26	TMR
175585	BAY NATIONAL TITLE AGENCY OF UTAH, INC	2014-06-24	2024-06-30	2022-07-26	TX

**Title Agent Licensing
July 2022**

New Licenses

Individual ID	Name	Orig. Issue Date	Expire Date	LOA
2031246	BUI, THU	2022-07-06	2024-12-31	TE
2042429	COLLIVER, DEANA	2022-07-07	2024-10-31	TX
2043758	KIRKHAM, AUTUMN	2022-07-20	2025-02-28	TE
2037034	LY, LISA	2022-07-06	2025-04-30	TE
2042852	ROSE, ALICIA	2022-07-12	2025-03-31	TE
2020803	SCHMILL, PAULA	2022-07-27	2024-12-31	TE

Renewed Licenses

Individual ID	Name	Orig. Issue Date	Expire Date	LOA
30294	AVIS, WILLIAM	1994-02-18	2024-07-31	TE
30294	AVIS, WILLIAM	1994-02-18	2024-07-31	TMR
30294	AVIS, WILLIAM	1994-02-18	2024-07-31	TX
32880	Aubrey, Robin	1998-06-24	2024-07-31	TE
32880	Aubrey, Robin	1998-03-27	2024-07-31	TMR
32880	Aubrey, Robin	2001-01-12	2024-07-31	TX
103099	BAWDEN, JEREMY	2004-06-23	2024-07-31	TE
77953	BOND, CRYSTAL	2004-11-19	2024-07-31	TE
77953	BOND, CRYSTAL	2002-06-07	2024-07-31	TMR
1721582	BOREN, HADLEE	2017-09-19	2024-07-31	TE
39660	CALLAHAN, LAURIE	2004-01-29	2024-07-31	TE
39660	CALLAHAN, LAURIE	2000-01-14	2024-07-31	TX
1608718	DENISON, JAMIE	2018-07-09	2024-07-31	TX
1739829	DURHAM JOLLEY, JAMIE	2017-12-29	2024-07-31	TE
1828461	Defa, Morgan	2019-12-03	2024-07-31	TE
1843382	Donovan, Tim	2019-10-11	2024-07-31	TE
1843382	Donovan, Tim	2019-10-11	2024-07-31	TX
103733	GONZALEZ, GAYLEN	2004-07-13	2024-07-31	TX
93796	GORING, JENNY	2003-08-28	2024-07-31	TE
1712920	Gale, Ali	2018-01-23	2024-07-31	TE
67110	HAFEN, MICHELLE	2001-06-25	2024-07-31	TE
1411774	HARMAN, JACOB	2016-05-11	2024-07-31	TE
1411774	HARMAN, JACOB	2014-09-11	2024-07-31	TMR
101430	HENDRICKS, DAWNA	2004-04-29	2024-07-31	TE
1766586	HUNT, MARTI	2018-06-08	2024-07-31	TE
36424	IVIE, KELI	2000-01-24	2024-07-31	TE
36424	IVIE, KELI	1999-01-28	2024-07-31	TMR
72743	IVORY, FRANKLIN	2002-01-02	2024-07-31	TMR
7460	JACKSON, HEATHER	1998-07-27	2024-07-31	TE
126967	JOHNSON, SYLVIA	2006-06-02	2024-07-31	TE
29108	JONES, DAN	1993-12-03	2024-07-31	TE
29108	JONES, DAN	1994-03-07	2024-07-31	TX
93930	KING, KEVIN	2006-11-14	2024-07-31	TE
93930	KING, KEVIN	2003-09-08	2024-07-31	TX

Renewed Licenses

Individual ID	Name	Orig. Issue Date	Expire Date	LOA
43653	KNOWLES, NINA	1995-02-16	2024-07-31	TE
43653	KNOWLES, NINA	1993-10-25	2024-07-31	TX
53288	LARA, JOHN	1990-05-18	2024-07-31	TE
53288	LARA, JOHN	1990-05-18	2024-07-31	TX
1719892	Lloyd, Misty	2017-08-10	2024-07-31	TX
44931	MCKEE, NATALIE	1996-01-24	2024-07-31	TE
122091	MORGAN, HILLARY	2005-12-13	2024-07-31	TE
122091	MORGAN, HILLARY	2005-12-13	2024-07-31	TX
36195	MUDROCK, JARROD	2004-05-11	2024-07-31	TE
36195	MUDROCK, JARROD	1999-03-15	2024-07-31	TX
128205	Mackert, Brooke	2006-05-03	2024-07-31	TE
44800	Mayeda, Shauna	1978-04-01	2024-07-31	TE
44800	Mayeda, Shauna	1978-04-01	2024-07-31	TX
101339	NEWELL, DOUGLAS	2006-02-06	2024-07-31	TE
101339	NEWELL, DOUGLAS	2004-04-27	2024-07-31	TX
79695	Nelson-Barkey, Kristina	2002-07-31	2024-07-31	TE
35173	OLIVER, GLENNA	1999-10-18	2024-07-31	TE
35173	OLIVER, GLENNA	1999-10-18	2024-07-31	TX
34424	PADOVICH, MELANIE	1999-12-15	2024-07-31	TE
1538158	PARKIN, KIRSTEN	2013-09-12	2024-07-31	TE
1396590	PAULI, CAROL	2013-08-19	2024-07-31	TE
55163	PHILLIPS, ADAM	1999-09-09	2024-07-31	TMR
55163	PHILLIPS, ADAM	2002-01-24	2024-07-31	TE
55163	PHILLIPS, ADAM	2005-06-28	2024-07-31	TX
44930	PINKELMAN, EMILIE	2006-04-06	2024-07-31	TE
84380	REEDER, ASHLEE	2002-11-27	2024-07-31	TE
96853	REEDER, ELIZABETH	2003-12-12	2024-07-31	TE
54186	REES, VONNA	1993-10-05	2024-07-31	TX
30483	SCERBO, DONNA	1994-01-07	2024-07-31	TE
30483	SCERBO, DONNA	1998-12-28	2024-07-31	TX
33612	SHAW, KELLI	1998-02-24	2024-07-31	TE
33612	SHAW, KELLI	2004-07-08	2024-07-31	TX
1636341	SIMON, ANN	2015-10-22	2024-07-31	TMR
1862246	SMITH, JASON	2020-01-29	2024-07-31	TX
34165	SUTTON, LORI	1998-07-28	2024-07-31	TE
42692	THOMPSON, DON	2003-11-25	2024-07-31	TE
42692	THOMPSON, DON	2003-10-06	2024-07-31	TX
100005	UPCHURCH, AMY	2004-04-27	2024-07-31	TE
100005	UPCHURCH, AMY	2004-03-30	2024-07-31	TX
37616	WELLS, JANET	1984-01-30	2024-07-31	TE
30799	WILLIAMS, RONDA	1996-04-04	2024-07-31	TE
41619	WILLIAMS, TINA	1996-01-11	2024-07-31	TE
41619	WILLIAMS, TINA	2003-05-28	2024-07-31	TX

Lapsed Licenses

Individual ID	Name	Orig. Issue Date	Expired Date	LOA
1834205	BLACKHURST, MITCHELL	2019-08-22	2022-06-30	TMR

Lapsed Licenses

Individual ID	Name	Orig. Issue Date	Expired Date	LOA
1751146	BROWN, DEBORAH	2018-03-07	2022-06-30	TE
1751146	BROWN, DEBORAH	2021-09-01	2022-06-30	TX
1733059	CHRISTENSEN, RACHAEL	2017-10-30	2022-06-30	TE
62489	HERRERA, TIMOTHY	2019-08-13	2022-06-30	TMR
62489	HERRERA, TIMOTHY	2001-02-24	2022-06-30	TX
130929	MAUGHAN, PAULA	2006-06-29	2022-06-30	TX
39866	MILLER, LARALI	1993-12-21	2022-06-30	TE
130631	PEARCE, NATASHA	2016-11-28	2022-06-30	TX
130631	PEARCE, NATASHA	2006-06-16	2022-06-30	TE
102929	SMITH, WENDY	2004-06-17	2022-06-30	TE
1863638	UDEAKO, MICHELLE	2020-02-06	2022-06-30	TX

Reinstated Licenses

Individual ID	Name	Orig. Issue Date	Expire Date	Reinstate	LOA
(none)					

Approval Date	2nd Quarter May 2022 - July 2022 Approved Title Courses	Provider Name	Totals	Comments
Apr-22			2	Courses that were not on the previous report
4/27/2022	1031 Tax Deferred Exchanges	Utah Land Title Association		
4/28/2022	Forensics of Wire Fraud	First American Title Ins. Co.		
May-22			7	
5/2/2022	AU - Curbing Confusion and Creating Efficiency	Old Republic National Title Ins. Co		
5/2/2022	Utah Easements, Roads, and Eminent Domain	Halfmoon Education Inc.		
5/4/2022	May 4th Closer Training	Southern Utah Title Company		
5/13/2022	Claims Stories - How to Avoid the Common Scenarios	North American Title Ins. Co		
5/13/2022	Etiquette of Ethics	Fulghum		
5/23/2022	Send Me the Money: Digital Funds Best Practices	American Land Title Association		
5/23/2022	Gone Phishin':Real Estate and Digital Security	Metro National Title		
Jun-22			10	
6/8/2022	What to Watch for in a Spiraling Market	Utah Land Title Association		
6/13/2022	Working with Outside Counsel An Ethics How-To Guide for Title Prof.	Doma Title Insurance Inc.		
6/15/2022	So, You Sell Insurance?	Fulghum		
6/20/2022	Economic Forecast	Utah Land Title Association		
6/20/2022	Legislative News	Utah Land Title Association		
6/20/2022	What is Your Body Language Really Saying?	Utah Land Title Association		Course not approved
6/20/2022	Wire Fraud - What Are The Latest Tricks And How To Stay Ahead	Utah Land Title Association		
6/20/2022	The Next Frontier of Title Insurance Closing in Crypto, Cannabis	Utah Land Title Association		
6/20/2022	Young Professionals Panel: Tough Questions from Your Employees	Utah Land Title Association		
6/28/2022	2022 Strategic Priorities	Utah Land Title Association		
Jul-22			6	
7/1/2022	July 2022 Closer Training	Southern Utah Title Company		
7/7/2022	Water Water Everywhere Water Rights and Title Related	Fulghum		
7/15/2022	Native American Lands - Recent Developments	First American Title Ins. Co		
7/22/2022	RESPA Compliance: Understanding Things of Value and Referral	American Land Title Association		
7/29/2022	AU - Cybercrime in the Real Estate Industry	Old Republic National Title Ins. Co.		
7/31/2022	You are the Shield	Utah Land Title Association		

AMENDED DRAFT

7/27/22

R592. Insurance, Administration.

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. Definitions.

(1) "Counties of the first and second classes" means counties of the first class and counties of the second class under Section 17-50-501.

(2) "Counties of the third, fourth, fifth and sixth classes" means counties of the third class, counties of the fourth class, counties of the fifth class and counties of the second class under Section 17-50-501.

(3) "Residential transaction" means the sale of:

(a) a building or structure, or a portion of a building or structure, occupied as, designed as, or intended for occupancy as a residence for natural persons; or

(b) vacant land that is offered for sale for the construction or location of a building or structure, or a portion of a building or structure, described in Subsection (3)(a).

R592-18-4. Calculating the cost of doing the escrow business under Section 31A-19a-209(3)(a)(ii).

(1)(a) [~~A title insurer, an~~] 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 residential transactions closed in this state for the prior calendar year.

(b)(i) Not later than November 1, 2022, a title insurer shall file with the commissioner a statement of the average residential escrow fee charged by the title insurer for residential transactions closed in this State for the prior calendar year.

(ii) Beginning in 2023, not later than April 30 of each year, a title insurer shall file with the commissioner a statement of the average residential escrow fee charged by the title insurer

for residential transactions closed in this State 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)(i) An [The] industry average residential escrow fee shall be calculated for counties of the first and second classes based on escrow fees submitted by title licensees whose principal place of business is in one of those counties~~[the buyer side and the seller side of a transaction]~~.

(ii) An industry average residential escrow fee shall be calculated for counties of the third, fourth, fifth and sixth classes based on escrow fees submitted by title licensees whose principal place of business is in one of those counties.

(c) The industry average residential escrow fee shall include the sum of the fees charged by a filer for conducting escrow services on any residential 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 December 1, 2022, the commissioner shall issue a bulletin that notifies title insurers and title insurance producers of the industry average residential escrow fee for:

(a) counties of the first and second classes; and

(b) counties of the third, fourth, fifth and sixth classes.

(4) Beginning in 2023, 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:

(a) counties of the first and second classes; and

(b) counties of the third, fourth, fifth and sixth classes~~[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 Title and Escrow Commission determines that the cost of doing the escrow business is not less than 50% of the industry average residential escrow fee ~~[for the buyer side and the seller side]~~ as calculated under Subsection (2).

R592-18-5. 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)**

Questions:

1. Should there be a separate average for refinance transactions?
2. Is a reference to the buyer's and the seller's side of the transaction unnecessary?
3. Is the addition of the term "residential transaction" sufficient to address the concerns with the statutory definition of dwelling?
4. How should the concerns with less-populated counties be addressed?
 - Set a separate average for each grouping of county classes? If so, how should the county classes be grouped?
 - Set one statewide average and allow individual counties to petition to have an average set for their own county? Under this approach, if there is only one licensee in the county, the average may be determined by the petitioner.
 - Set separate average for groupings of counties apart from classes?
 - Other?

5-Year Reviews of Title Insurance Rules

- **R592-5:** Title Insurance Product or Service Approval for a Dual Licensed Title Licensee.

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 22 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 June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R592-5	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Insurance	
Agency:	Title and Escrow Commission	
Room number:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S. 2700 W.	
City, state and zip:	Taylorsville, UT 84129	
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 agency.

General Information

2. Rule catchline:
R592-5. Title Insurance Product or Service Approval for a Dual Licensed Title Licensee
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-404 authorizes the Title and Escrow Commission to make rules regarding title insurance matters in accordance with the Utah Administrative Act, with the concurrence of the insurance commissioner, and with proper notice being given to the Office of Administrative rules and the Real Estate Commission. Section 31A-2-405 authorizes the Title and Escrow Commission to make rules to implement the filing requirements under 31A-2-405(2).
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:
The Department has received no written comments regarding this rule during the past five years.
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 rule sets requirements for a dual licensed title licensee to obtain approval from the Title and Escrow Commission to sell a title insurance product.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> .			
Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	mm/dd/yyyy
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.

R592-5. Title Insurance Product or Service Approval for a Dual Licensed Title Licensee.

R592-5-1. Authority.

This rule is promulgated by the Title and Escrow Commission pursuant to Sections 31A-2-404 and 31A-2-405.

R592-5-2. Purpose and Scope.

- (1) The purpose of this rule is to set forth requirements for a dual licensed title licensee to obtain:
 - (a) approval from the commissioner pursuant to Subsection 31A-2-405(2); or
 - (b) expedited approval from the Commission pursuant to Subsection 31A-2-405(3).
- (2) This rule applies to a dual licensed title licensee and an applicant for a title insurance license or renewal of a title insurance license.

R592-5-3. Definitions.

Terms used in this rule are defined in Sections 31A-1-301 and 31A-2-402. Additional terms are defined as follows:

- (1) "Dual licensed title licensee", as defined in Section 31A-2-402, does not mean:
 - (a) a title licensee who holds an inactive license under Subsections 31A-2-402(3)(b)(i), (ii) or (iii); or
 - (b) a title licensee who holds an education provider certificate.
- (2) "Need for expedited approval" means a significant hardship to the buyer or seller in the transaction.
- (3) "Principal" means a person from whom a dual licensee has received compensation for submitting a transaction under one or more of the licensee's dual licenses. Examples include a mortgage company, a real estate broker, an agency title insurance producer, a builder, or a developer.
- (4) "Title insurance product" means the insuring, guaranteeing, or indemnifying of owners of real or personal property or the holders of liens or encumbrances on that property, or others interested in the property against loss or damage suffered by reason of liens or encumbrances upon, defects in, or the unmarketability of the title to the property, or invalidity or unenforceability of any liens or encumbrances on the property.
- (5) "Title insurance service" has the same meaning as the definition of "escrow" found in Subsection 31A-1-301(61).

R592-5-4. Filing Requirements, Processes and Procedures.

- (1) Only a dual licensed title licensee may file a request for approval for the provision of a title insurance product or service.
- (2) A complete filing consists of a filing fee pursuant to Section 31A-3-103 and:
 - (a) a "Dual Licensee Request for Approval for the Provision of a Title Insurance Product or Service" form; or
 - (b) a "Dual Licensee Request for Expedited Approval for the Provision of a Title Insurance Product or Service" form.
- (3) A filing to request approval of a "Dual Licensee Request for Approval for the Provision of a Title Insurance Product or Service" form must:
 - (a) be sent electronically to the commissioner via email to pcforms.uid@utah.gov; and
 - (b) include credit card information in the payment section of the form.
- (4) An expedited filing to request approval of a "Dual Licensee Request for Expedited Approval for the Provision of a Title Insurance Product or Service" form must:
 - (a) include a completed section 6, explaining the significant hardship to the buyer or seller, on the "Dual Licensee Request for Expedited Approval for the Provision of a Title Insurance Product or Service" form;
 - (b) be sent electronically to the Chair of the Commission via email to pcforms.uid@utah.gov; and
 - (c) include credit card information in the payment section of the form.
- (5) Approval or disapproval will be sent to the filer via return email.

R592-5-5. Severability.

If any provision of this rule, Rule R592-5, 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 dual licensees

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

Notice of Continuation: September 13, 2017

Authorizing, and Implemented or Interpreted Law: 31A-2-404