



Insurance Department

State of Utah

GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor
TODD E. KISER
Commissioner

State of Utah Title & Escrow Commission Meeting Meeting Information

Date: September 10, 2018

Time: 9:00 AM

Place: East Building, Copper Room
or by telephone: **1-877-820-7831**
passcode: **827555#**

ATTENDEES

TITLE & ESCROW COMMISSION

Chair, James Swan (<i>Insurer, Salt Lake County</i>)	Nancy Frandsen (<i>Insurer, Salt Lake County</i>)
Vice Chair, Alison McCoy (<i>Agency, Tooele County</i>)	David Moore (<i>Agency, Salt Lake County</i>)
Randy Smart (<i>Public Member, Salt Lake County</i>)	Perri Babalis, <i>AG Counsel - TEC</i>

DEPARTMENT STAFF

Todd Kiser, <i>Ins. Commissioner</i>	Reed Stringham, <i>Deputy Comm.</i>	Tracy Klausmeier, <i>P&C Dir.</i>
Randy Overstreet, <i>Licensing Dir.</i>	Adam Martin, <i>Examiner</i>	Steve Gooch, <i>PIO Recorder</i>

AGENDA

General Session: (Open to the Public)

- **Welcome** / James Swan, Chair
- **Telephone Roll Call**
- **Adopt Minutes of Previous Meeting**
- **Concurrence Reports**
 - Licenses
 - Penalties
 - Attorney exemptions
 - Annual investigations report
 - Continuing education
 - *Quarterly: January / April / July / October*
- **Board Duties & Responsibilities** / Perri
 - Annual training
- **Update on 2018 Goals**
 - ULTA report / Alison
 - Real Estate Commission report / Nancy
- **New Business**
- **Old Business**
 - Changes to R592-10 / David
- **Other Business**
- **Hot Topics**

Executive Session (None)

- **Adjourn**
- **Next Meeting: October 1, 2018** — Copper Room

2018 Meeting Schedule in Copper Room

Jan 8	Feb 12 (<i>Aspen</i>)	Mar 12	Apr 9	May 14	Jun 11
Jul 9	Aug 13	Sept 10	Oct 1	Nov 5	Dec 10

2018 Goals

1. Make sure testing is relevant
2. Find a way to work with the Real Estate Commission
3. Report back on ULTA meetings and work with them as a liaison
4. Address consumer education and things that make the industry vulnerable

Title Agency Licensing

August 2018

New Licenses:

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

Renewed Licenses:

Agency ID	Name	Orig Issue Date	Expr Date	LOA
163523	ARTISAN TITLE INSURANCE AGENCY, INC	24-Aug-10	31-Aug-20	TE
163523	ARTISAN TITLE INSURANCE AGENCY, INC	24-Aug-10	31-Aug-20	TS
6528	DIXIE TITLE COMPANY	21-Jun-84	31-Aug-20	TE
6528	DIXIE TITLE COMPANY	21-Jun-84	31-Aug-20	TS
7456	EXPRESS TITLE INSURANCE AGENCY INC	28-Aug-98	31-Aug-20	TE
7456	EXPRESS TITLE INSURANCE AGENCY INC	28-Aug-98	31-Aug-20	TS
175908	KEY LAND TITLE INSURANCE AGENCY LLC	11-Aug-14	31-Aug-20	TE
175908	KEY LAND TITLE INSURANCE AGENCY LLC	11-Aug-14	31-Aug-20	TMR
175908	KEY LAND TITLE INSURANCE AGENCY LLC	11-Aug-14	31-Aug-20	TS
4200	NETCO, INC.	8-Aug-00	31-Aug-20	TE
4200	NETCO, INC.	8-Aug-00	31-Aug-20	TMR
4200	NETCO, INC.	8-Aug-00	31-Aug-20	TS
7455	PINNACLE TITLE INSURANCE AGENCY CORP	8-Aug-96	31-Aug-20	TE
7455	PINNACLE TITLE INSURANCE AGENCY CORP	8-Aug-96	31-Aug-20	TS

Lapsed Licenses:

Agency ID	Name	Orig Issue Date	Expr Date	Lapse Date	LOA
7641	ADVANCED TITLE INSURANCE AGENCY LC	3-Aug-98	31-Aug-18	30-Sep-18	TE
7641	ADVANCED TITLE INSURANCE AGENCY LC	3-Aug-98	31-Aug-18	30-Sep-18	TS

Reinstated Licenses:

Agency ID	Name	Orig Issue Date	Expr Date	Reinstated Date	LOA
181836	INFINITY TITLE INSURANCE AGENCY LLC	20-Jul-16	31-Jul-20	14-Aug-18	TE
181836	INFINITY TITLE INSURANCE AGENCY LLC	20-Jul-16	31-Jul-20	14-Aug-18	TMR
181836	INFINITY TITLE INSURANCE AGENCY LLC	20-Jul-16	31-Jul-20	14-Aug-18	TS

Title Agent Licensing

New Licenses:

Indiv ID	Name	Orig Issue Date	Expr Date	LOA
1774310	CLINGER, JASON	20-Aug-18	30-Apr-21	TE
1780411	COLBY, ASHLEE	31-Aug-18	31-Jul-21	TE
1775706	COLEMAN, DAVID	16-Aug-18	31-Dec-20	TMR
1770234	COOPER, BROOKE	21-Aug-18	31-Dec-20	TE
1778011	EAGAN, LILA	17-Aug-18	30-Apr-21	TE
1774999	HEPWORTH, NATALIE	8-Aug-18	28-Feb-21	TMR
1772474	HOLT, CHRISTINA	6-Aug-18	31-Aug-20	TMR
1776208	KILPATRICK, STEPHENIE	13-Aug-18	30-Sep-20	TE
1759004	NIELSEN, NICHOLAS	31-Aug-18	30-Jun-21	TMR
1778082	PARRY, AMY	30-Aug-18	31-Jul-21	TMR
1776161	QUINNEY, MATT	16-Aug-18	31-Aug-20	TMR
1776187	WIGHT, HEIDI	16-Aug-18	30-Nov-20	TMR

Renewed Licenses:

Indiv ID	Name	Orig Issue Date	Expr Date	LOA
101692	BEATY, BRENDA	12-May-04	31-Aug-20	TE
1349827	BIENZ, KATHY	11-Jan-08	31-Aug-20	TE
1566191	BODILY, ANDREA	13-May-14	31-Aug-20	TMR
43096	CHANDLER, ANGELA	30-Sep-97	31-Aug-20	TE
150646	CHIARAMONTE, WHITNEY	8-Apr-08	31-Aug-20	TE
76415	CORBIN, JOSEPH	22-Jul-13	31-Aug-20	TS
76415	CORBIN, JOSEPH	23-Apr-02	31-Aug-20	TE
34967	CROCKATT, JIM	10-Oct-89	31-Aug-20	TE
1540982	DAVIDSON, SPENCER	3-Oct-13	31-Aug-20	TE
35947	DOXEY, JOHN	1-Nov-73	31-Aug-20	TS
35947	DOXEY, JOHN	1-Nov-73	31-Aug-20	TE
39721	DREW, BRIAN	17-Aug-94	31-Aug-20	TS
80334	DURTSCHI, DESIREE	14-Aug-02	31-Aug-20	TE
1636896	EDWARDS, JENNIFER	11-Jan-16	31-Aug-20	TE

Renewed Licenses (continued):

Indiv ID	Name	Orig Issue Date	Expr Date	LOA
1650118	ETLING, MYNDIE	10-Feb-16	31-Aug-20	TS
101372	Espinoza, Sandy	28-Apr-04	31-Aug-20	TE
148468	FLINT, ANGIE	2-Nov-07	31-Aug-20	TMR
1384208	FRIEDMAN, ALAN	12-Oct-11	31-Aug-20	TMR
42656	GLOVER, CORRIE	25-Oct-99	31-Aug-20	TE
73312	GOODMAN, JESSICA	24-Jan-02	31-Aug-20	TE
131050	GREER, DIANN	7-Jul-06	31-Aug-20	TE
38541	HEINER, SUSAN	15-Jan-92	31-Aug-20	TE
104116	HOLDEN, JAMES	26-Jul-04	31-Aug-20	TE
1652042	HOUGHTON, ANNELIESE	29-Feb-16	31-Aug-20	TE
127875	HOWELL, ANDREA	18-Apr-06	31-Aug-20	TMR
53754	HUNT, REBECCA	7-Feb-00	31-Aug-20	TE
45822	HUTCHINGS, SHERRYL	1-Jun-94	31-Aug-20	TE
44793	IRONS, ANNA	16-Oct-01	31-Aug-20	TE
44793	IRONS, ANNA	14-May-90	31-Aug-20	TS
45717	ISHIMATSU, KAREN	28-Dec-95	31-Aug-20	TS
79043	KEISEL, J	15-Jul-02	31-Aug-20	TMR
74931	KEYS, ANDREW	13-Mar-02	31-Aug-20	TMR
44003	LAMBSON, SALLY	4-Jan-88	31-Aug-20	TE
39171	LARSON, MORGAN	12-Feb-98	31-Aug-20	TS
38544	LIEDTKE, SHANE	24-Nov-95	31-Aug-20	TE
38544	LIEDTKE, SHANE	3-Jun-88	31-Aug-20	TS
51740	LOMAX, LAILE	31-Aug-92	31-Aug-20	TS
40430	LOTT, LISA	23-Apr-98	31-Aug-20	TE
25583	MACKLEY, MARY	2-Aug-88	31-Aug-20	TE
51310	MALOUF, MELINDA	17-Dec-93	31-Aug-20	TE
39016	MANSELL, GARRETT	19-Apr-10	31-Aug-20	TS
103970	MATTHYS, ELISHA	22-Jul-04	31-Aug-20	TE
1553949	MCKINLAY, JENNIFER	19-Dec-13	31-Aug-20	TE
1343901	MONGE, MELANIE	26-Nov-07	31-Aug-20	TE
74876	MORGAN, SCOTT	26-Apr-06	31-Aug-20	TE
103535	MORGAN, CALLIE	8-Jul-04	31-Aug-20	TE

Renewed Licenses (continued):

Indiv ID	Name	Orig Issue Date	Expr Date	LOA
44536	NALDER, LAREN	29-Dec-98	31-Aug-20	TE
45670	NIELSEN, STEVEN	2-Jun-11	31-Aug-20	TE
45670	NIELSEN, STEVEN	29-Sep-83	31-Aug-20	TS
75523	ORTON, NICHOLE	28-Mar-02	31-Aug-20	TE
36322	PALMER, SUSAN	23-Apr-90	31-Aug-20	TE
1642364	PEART, SUSAN	2-May-16	31-Aug-20	TS
1642364	PEART, SUSAN	4-Dec-15	31-Aug-20	TE
1563295	PERKINS, ANGELA	30-Apr-14	31-Aug-20	TE
43140	PETTEY, JAX	13-Jun-96	31-Aug-20	TE
103418	PILKEY, CHRISTINA	2-Jul-04	31-Aug-20	TE
31254	PINDER, DOUGLAS	4-Nov-99	31-Aug-20	TS
35387	PRINCE, ELWIN	16-Dec-87	31-Aug-20	TE
35387	PRINCE, ELWIN	16-Dec-87	31-Aug-20	TS
70310	RAY, ANNETTE	11-Oct-01	31-Aug-20	TE
1398037	ROBERTS, WILLIAM	14-Sep-09	31-Aug-20	TMR
44517	RODGERS, JERILYN	9-Jun-94	31-Aug-20	TE
138102	Riddle, Jade	21-Apr-08	31-Aug-20	TE
138102	Riddle, Jade	15-Apr-08	31-Aug-20	TS
98960	SAJEC, BRANDI	26-Feb-04	31-Aug-20	TE
98960	SAJEC, BRANDI	26-Feb-04	31-Aug-20	TS
31361	SHOELL, KEVIN	14-Jun-85	31-Aug-20	TS
31361	SHOELL, KEVIN	28-Oct-91	31-Aug-20	TE
31726	SISK, LAYNE	4-Jan-90	31-Aug-20	TE
1649190	SPARKS, CHRISTINA	10-Feb-16	31-Aug-20	TS
79188	STARK, JANUARY	19-Jul-02	31-Aug-20	TE
27935	Spragg-Mitchell, Denise	1-Dec-93	31-Aug-20	TE
99183	VAN WAGONER, ALISHA	26-Feb-04	31-Aug-20	TE
46118	VARANAKIS, STEVE	16-Apr-98	31-Aug-20	TMR
31926	WALKER, CHARLES	21-Mar-94	31-Aug-20	TS
31926	WALKER, CHARLES	28-Mar-94	31-Aug-20	TE
98618	WOOLF, BENJAMIN	11-Feb-04	31-Aug-20	TE
98618	WOOLF, BENJAMIN	12-Apr-04	31-Aug-20	TS

Renewed Licenses (continued):

Indiv ID	Name	Orig Issue Date	Expr Date	LOA
35835	WORTHINGTON, JEFF	29-Oct-99	31-Aug-20	TMR
35835	WORTHINGTON, JEFF	9-Aug-05	31-Aug-20	TE

Lapsed Licenses:

Indiv ID	Name	Orig Issue Date	Expr Date	Lapse Date	LOA
1662214	CUTLER, NICHOLAS	20-May-16	31-Jul-18	30-Aug-18	TE
1630063	LEBLANC, LEAH	16-Sep-15	31-Jul-18	30-Aug-18	TE
1633373	POSTELWAIT, CHRISTIE	26-Oct-15	31-Jul-18	30-Aug-18	TE
1652160	PRIGMORE, KENNETH	15-Jul-16	31-Jul-18	30-Aug-18	TE
1652160	PRIGMORE, KENNETH	1-Mar-16	31-Jul-18	30-Aug-18	TS
33612	SHAW, KELLI	8-Jul-04	31-Jul-18	30-Aug-18	TS
33612	SHAW, KELLI	24-Feb-98	31-Jul-18	30-Aug-18	TE
76661	SIMMONS, DARRELL	30-Apr-02	31-Jul-18	30-Aug-18	TMR
76661	SIMMONS, DARRELL	7-Mar-16	31-Jul-18	30-Aug-18	TE
1636341	SIMON, ANN	22-Oct-15	31-Jul-18	30-Aug-18	TMR

Reinstated Licenses:

Indiv ID	Indiv ID	Orig Issue Date	Expr Date	Reinstated Date	LOA
36896	WILSON, WENDY	20-Oct-89	31-May-20	1-Aug-18	TE
36896	WILSON, WENDY	20-Oct-89	31-Mar-04	1-Aug-18	TE

Utah Insurance Department
2018 Annual Report to the Title and Escrow Commission
For the Period 09-01-2017 to 08-31-2018

This is the Utah Insurance Department's 2018 Annual Report to the Title and Escrow Commission pursuant to Utah Code § 31A-2-404(5).

This statute requires a report that contains the number and type of complaints, the action taken, and the time period that a complaint is open.

Number of Complaints

For the relevant period, there were 201 complaints — four are currently open and 197 have been closed. Of those, nine enforcement cases resulted.

Type of Complaints

Brief phrases are used in the attached spreadsheet to describe the type of complaint.

Action

A complaint is eventually either referred for enforcement or is closed with no action. The phrase "Closed no action" on the spreadsheet means one of the following:

- No violation
- Finding of violation - warning given - issue resolved
- Finding of violation - private letter of admonition sent - issue resolved
- Finding of violation - public letter of admonition sent - issue resolved
- No jurisdiction

Department conclusions

Annual Reports: There were 64 such complaints. They primarily involved not submitting a report or submitting an incomplete one.

Unlicensed Activity: There were 48 complaints. Most were closed with no action. Four resulted in enforcement cases.

Audits: The Department conducted 20 audits. Most were closed with no action.

Marketing: There were 11 such complaints. Most involved advertising issues.

Line of Authority: There were eight such complaints that ranged from association issues to missing an authorized line.

Dual License: There were six such complaints. All involved having a real estate license and a title license.

The remaining 44 complaints involved a variety of issues as shown on the spreadsheet.

PROBLEM REPORT ID	DAYS OPEN	TYPE	ACTION
68342	94	Unlicensed activity	Closed no action
69214	35	Forgery	Closed no action
69269	91	Cohabitation	Closed no action
69293	80	Audit	Closed no action
69294	80	Audit	Closed no action
69295	42	Audit	Closed no action
69387	90	Audit	Closed no action
69388	43	Audit	Enforcement Case
69406	4	Instruction issue	Closed no action
69623	35	Escrow funds issue	Closed no action
69654	73	Cohabitation	Closed no action
69688	8	Earnest money issue	Closed no action
69689	92	Unfair inducement	Closed no action
69704	9	Deed issue	Closed no action
69719	26	Unfair inducement	Closed no action
69720	26	Branch office	Closed no action
69721	131	Character issue	Closed no action
69739	9	Recording issue	Closed no action
69740	9	Claim issue	Closed no action
69786	36	Unlicensed activity	Closed no action
69787	36	Unlicensed activity	Closed no action
69788	36	Unlicensed activity	Closed no action
69789	36	Unlicensed activity	Closed no action
69822	74	Dual license	Closed no action
69840	5	Escrow funds issue	Closed no action
69848	136	Audit	Enforcement Case
69849	57	Audit	Closed no action
69850	57	Audit	Closed no action
69861	65	Marketing	Closed no action
69862	10	Escrow funds issue	Closed no action
69904	63	Unlicensed activity	Closed no action
69905	58	Unlicensed activity	Closed no action
69906	58	Unlicensed activity	Closed no action
69907	58	Unlicensed activity	Closed no action
69908	58	Unlicensed activity	Closed no action
69909	85	Unlicensed activity	Closed no action
69956	55	Association issue	Closed no action
70001	85	Customer service issue	Closed no action
70100	11	Unlicensed activity	Closed no action
70101	20	Unlicensed activity	Closed no action
70102	32	Unlicensed activity	Closed no action
70194	53	Unlicensed activity	Enforcement Case
70195	56	Dual license	Enforcement Case
70196	60	Dual license	Closed no action
70197	63	Line of authority issue	Closed no action
70198	61	Line of authority issue	Closed no action
70240	2	Premium issue	Closed no action
70297	2	Branch office	Closed no action

PROBLEM REPORT ID	DAYS OPEN	TYPE	ACTION
70310	21	Fraud	Closed no action
70313	8	Audit	Closed no action
70331	15	Unlicensed activity	Closed no action
70332	22	Unlicensed activity	Enforcement Case
70333	9	Unlicensed activity	Closed no action
70334	29	Unlicensed activity	Enforcement Case
70338	57	Audit	Closed no action
70339	57	Audit	Closed no action
70343	58	Audit	Closed no action
70344	38	Audit	Closed no action
70369	15	Line of authority issue	Closed no action
70420	15	Unlicensed activity	Enforcement Case
70490	13	Marketing	Closed no action
70491	13	Marketing	Closed no action
70493	5	Lien issue	Closed no action
70494	176	Marketing	Closed no action
70495	5	Instruction issue	Closed no action
70567	56	Unlicensed activity/unfiled rates	Enforcement Case
70569	50	Unlicensed activity	Closed no action
70570	50	Unlicensed activity	Closed no action
70571	50	Unlicensed activity	Closed no action
70586	20	Follow up to a probation	Closed no action
70610	79	Cohabitation	Closed no action
70672	2	Claim issue	Closed no action
70675	65	Audit	Closed no action
70676	45	Dual license	Closed no action
70677	45	Audit	Closed no action
70689	41	Unlicensed activity	Closed no action
70690	43	Unlicensed activity	Closed no action
70691	41	Unlicensed activity	Closed no action
70692	41	Unlicensed activity	Closed no action
70694	41	Unlicensed activity	Closed no action
70699	2	Escrow funds issue	Closed no action
70702	2	Unlicensed activity	Closed no action
70703	7	Unlicensed activity	Closed no action
70704	2	Unlicensed activity	Closed no action
70710	15	Marketing	Closed no action
70711	25	Claim issue	Closed no action
70712	169	Deed issue	Enforcement Case
70727	4	Rate issue	Closed no action
70731	5	Deed issue	Closed no action
70737	143	Rate issue	Closed no action
70758	41	Audit	Closed no action
70759	54	Audit	Closed no action
70808	1	Claim issue	Closed no action
70816	9	Marketing	Closed no action
70872	95	Easement issue	Closed no action
70933	31	Unlicensed activity	Closed no action

PROBLEM REPORT ID	DAYS OPEN	TYPE	ACTION
70934	31	Unlicensed activity	Closed no action
70935	42	Unlicensed activity	Closed no action
70974	56	Audit	Closed no action
70975	52	Audit	Closed no action
70976	45	Audit	Closed no action
70984	26	Delay or failure to record documents	Closed no action
70986	10	Deed issue	Closed no action
71014	2	Line of authority issue	Closed no action
71015	2	Annual report issue	Closed no action
71016	7	Line of authority issue	Closed no action
71017	4	Line of authority issue	Closed no action
71018	3	Line of authority issue	Closed no action
71019	4	Annual report issue	Closed no action
71020	2	Annual report issue	Closed no action
71022	2	Annual report issue	Closed no action
71024	2	Annual report issue	Closed no action
71025	27	Annual report issue	Closed no action
71026	4	Annual report issue	Closed no action
71027	20	Annual report issue	Closed no action
71028	8	Annual report issue	Closed no action
71029	3	Annual report issue	Closed no action
71030	2	Annual report issue	Closed no action
71031	2	Annual report issue	Closed no action
71032	5	Annual report issue	Closed no action
71033	13	Annual report issue	Closed no action
71034	4	Annual report issue	Closed no action
71035	5	Annual report issue	Closed no action
71036	4	Annual report issue	Closed no action
71037	4	Annual report issue	Closed no action
71038	4	Annual report issue	Closed no action
71039	3	Annual report issue	Closed no action
71040	5	Annual report issue	Closed no action
71042	9	Annual report issue	Closed no action
71043	58	Annual report issue	Closed no action
71045	2	Annual report issue	Closed no action
71046	9	Annual report issue	Closed no action
71047	2	Annual report issue	Closed no action
71049	3	Annual report issue	Closed no action
71050	18	Annual report issue	Closed no action
71051	5	Annual report issue	Closed no action
71053	21	Annual report issue	Closed no action
71054	11	Annual report issue	Closed no action
71056	3	Annual report issue	Closed no action
71058	2	Annual report issue	Closed no action
71060	2	Annual report issue	Closed no action
71061	12	Annual report issue	Closed no action
71063	6	Annual report issue	Closed no action
71065	4	Annual report issue	Closed no action

PROBLEM REPORT ID	DAYS OPEN	TYPE	ACTION
71066	6	Annual report issue	Closed no action
71067	4	Annual report issue	Closed no action
71068	15	Annual report issue	Closed no action
71069	5	Annual report issue	Closed no action
71072	5	Annual report issue	Closed no action
71073	4	Annual report issue	Closed no action
71074	5	Annual report issue	Closed no action
71076	5	Annual report issue	Closed no action
71079	7	Annual report issue	Closed no action
71085	4	Annual report issue	Closed no action
71086	4	Annual report issue	Closed no action
71088	12	Annual report issue	Closed no action
71091	12	Annual report issue	Closed no action
71094	6	Annual report issue	Closed no action
71095	14	Annual report issue	Closed no action
71096	5	Annual report issue	Closed no action
71099	10	Unlicensed activity	Closed no action
71149	34	Unlicensed activity	Closed no action
71150	34	Unlicensed activity	Closed no action
71151	34	Unlicensed activity	Closed no action
71152	48	Unlicensed activity	Enforcement Case
71167	37	Marketing	Closed no action
71168	37	Marketing	Closed no action
71197	15	Follow up to a probation	Closed no action
71198	19	Marketing	Closed no action
71271	85	Line of authority issue	Closed no action
71314	10	Annual report issue	Closed no action
71315	59	Marketing	Closed no action
71317	87	Dual license	Closed no action
71318	87	Dual license	Closed no action
71321	8	Assessment issue	Closed no action
71327	64	Character issue	Closed no action
71350	10	Notice of interstest on property	Closed no action
71398	22	Unlicensed activity	Closed no action
71400	24	Unlicensed activity	Closed no action
71405	24	Marketing	Closed no action
71448	7	Annual report issue	Closed no action
71480	52	Follow up to a probation	Closed no action
71557	15	Not a title issue	Closed no action
71652	15	Annual report issue	Closed no action
71673	9	Easement issue	Closed no action
71693	5	Annual report issue	Closed no action
71694	5	Annual report issue	Closed no action
71695	5	Annual report issue	Closed no action
71699	5	Annual report issue	Closed no action
71700	5	Annual report issue	Closed no action
71701	5	Annual report issue	Closed no action
71702	5	Annual report issue	Closed no action

PROBLEM REPORT ID	DAYS OPEN	TYPE	ACTION
71703	5	Annual report issue	Closed no action
71723	9	Unlicensed activity	Closed no action
71732	8	Unlicensed activity	Closed no action
71733	2	Unlicensed activity	Closed no action
71735	2	Unlicensed activity	Closed no action
71737	8	Unlicensed activity	Closed no action
71738	9	Unlicensed activity	Closed no action
71739	8	Unlicensed activity	Closed no action
71761	19	Earnest money issue	Closed no action

R592. Insurance, Title and Escrow Commission.

R592-10. Title Insurance Regulation Assessment for Agency Title Insurance Producers and Title Insurers.

R592-10-1. Authority.

This rule is promulgated by the Title and Escrow Commission (Commission) pursuant to Subsections:

(1) 31A-2-404(2)(d) which requires the Commission to determine by rule the assessment required by 31A-23a-415; and

(2) 31A-23a-415(2)(d) which requires the Commission to establish the amount of costs and expenses that will be covered by the assessment.

R592-10-2. Purpose and Scope.

(1) The purposes of this rule are to:

(a) establish the categories of costs and expenses incurred by the department in administering, investigating and enforcing the provisions of Title 31A, Chapter 23a, Parts IV and V related to the marketing of title insurance and the audits of agency title insurance producers;

(b) require the reporting by an agency title insurance producer and a title insurer of the mailing address and physical location of each office in each county where the agency title insurance producer or title insurer maintains an office;

(c) establish a calculation method for the calculation of the number of agency title insurance producer or title insurer offices; and

(d) determine the premium year used in calculating the assessment of title insurers.

(2) This rule applies to all title insurers and agency title insurance producers.

R592-10-3. Definitions.

(1) For the purpose of the rule the Commission adopts the definitions as set forth in Sections 31A-1-301, 31A-2-402, and the following:

(a) "Office" means each physical location of an agency title insurance producer or a title insurer in a county. Office includes any physical location that is open and available to the public.

R592-10-4. Costs and Expenses.

The amount of costs and expenses that will be covered by the assessment imposed by 31A-23a-415 for any fiscal year in which an assessment exists:

(1) will be for a Market Conduct Examiner I as determined by the department's budget as approved by the Utah State Legislature, including any approved salary increases or increases in benefits; and

(2) will include the following expenses:

(a) salary and state paid benefits;

(b) travel expenses, including daily vehicle expenses;

(c) computer hardware and software expenses;

(d) e-commerce expenses;

(e) wireless communications expenses; and

(f) training expenses.

R592-10-5. Office Report.

(1) An agency title insurance producer and a title insurer shall submit a completed Office Report Form not later than 30 days after the date a change described below occurs in a county where the agency title insurance producer or title insurer maintains an office:

- (a) the opening or closing of an office;
- (b) a change of address of an office; or
- (c) a change in the manager of an office.

(2) An Office Report Form shall be submitted electronically via email to licensing.uid@utah.gov.

(3) The department's Office Report Form, which is available on the department's website, shall be used to report changes in offices.

(a) An actual copy of the form may be used or may be adapted to a particular word processing system.

(b) If adapted, the content, size, font, and format must be similar.

R592-10-6. Calculation Method for the Calculation of the Number of Agency Title Insurance Producer Offices.

(1) All offices reported in accordance with Section R592-10-5 will be included in the calculation of the title insurance assessment.

(2) An annual assessment calculation for an agency title insurance producer or title insurer that is calculated using incorrect numbers of offices because the number of offices was incorrectly reported will not be recalculated.

(3) An agency title insurance producer or title insurer found to have improperly reported their offices may be subject to penalties in accordance with Section R592-10-9.

R592-10-7. Premium Year for Title Insurer Assessment.

(1) The title insurance assessment shall be calculated using direct premiums written during the preceding calendar year.

(2) The direct premiums written shall be taken from the insurer's annual statements for that year.

R592-10-8. Assessment Payment.

(1) An annual assessment shall be paid by the due date on the invoice.

(2) Payments shall be made in accordance with R590-102, Insurance Department Fee Payment Rule.

R592-10-9. Penalties.

A person found, after a hearing or other regulatory process, to be in violation of this rule shall be subject to penalties as provided under 31A-2-308.

R592-10-10. Enforcement Date.

The commissioner will begin enforcing this rule 45 days from the rule's effective date.

R592-10-11. Severability.

If any provision or clause of this rule or its application to any person or situation is held invalid, that invalidity will not affect any other provision or application of this rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable.

KEY: title insurance

Date of Enactment or Last Substantive Amendment: May 19, 2009

Notice of Continuation: July 12, 2013

**Authorizing, and Implemented or Interpreted Law: 31A-2-201;
31A-23a-415**