



State of Utah

SPENCER J. COX
Governor

DEIDRE M.
HENDERSON

Insurance Department

JONATHAN T. PIKE
Insurance Commissioner

Title & Escrow Commission Meeting

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

Date & Time:

November 10, 2025

9:00 AM

In Person:

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

Virtual:

Google Meet

ATTENDEES

TITLE & ESCROW COMMISSION

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

Kim Cruz (*Insurer, Salt Lake County*)

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

Warren Lignell (*Public, Utah County*)

DEPARTMENT STAFF

Reed Stringham, *Deputy Comm.*
Steve Gooch, *PIO Recorder*

Tracy Klausmeier, *P&C Dir.*

Anam Schab, *Title Examiner*

PUBLIC

Matt Sager
January Stark
Trevor Mooney
Frank Medina
Bob Rice
Nikki Gonzalez
Roger Gardiner
"Jonun"

Cort Ashton
Joseph McPhie
Blake Heiner
Carol Yamamoto
Matt Ryden
James Swan
Matt Olsen
"Freedom Title Insurance Agency"

Shellie Ennis
TeJay Rasband
Steve Troop
Tina Williams
Nuria Rivera
Justin Sutherland
Ryan Hoskins

Minutes — *Approved*

General Session: (Open to the Public)

- **Welcome** / Nathan Sprague, Chair (9:03 AM)
- **Telephone Roll Call**
- **Adopt Minutes of Previous Meeting**
 - *Timestamp 02:40*
 - **Motion by Kevin to adopt minutes. Seconded by Kim. Motion passed 4-0.**
 - YEA: Nate, Kevin, Warren, Kim
 - NAY: None
- **Concurrence Reports**
 - Licenses
 - *Timestamp 03:30*
 - **Motion by Kevin to concur. Seconded by Kim. Motion passed 4-0.**

- YEA: Nate, Kevin, Warren, Kim
 - NAY: None
- **Update on 2025 Goals**
 - ULTA report / Kim
 - *Timestamp 04:40*
 - Kim Cruz read a letter from Matt Olsen, President of the Utah Land Title Association (ULTA), that expressed appreciation for the subcommittee's work on the construction money rule.
 - ULTA requested additional time to gather more information and build a broader consensus among members regarding the rule change, noting that further refinement is needed to align with common escrow practices.
 - *The letter has been added to the meeting materials available on the TEC website.*
 - Kim also noted upcoming events: a "Lunch and Learn" for CE credit, a young professionals group meeting, and the ULTA conference on January 23.
- **Department Topics / Tracy**
 - Verify before hiring
 - *Timestamp 07:37*
 - Tracy advised the industry to exercise due diligence when hiring new employees, whether licensees or non-licensees.
 - She noted there is an individual with a felony conviction currently attempting to apply for title jobs. A felony conviction involving dishonesty or breach of trust bars an individual from working in the insurance industry (per 18 U.S. Code 1033) unless they receive the commissioner's permission.
 - Steve demonstrated how to check for administrative actions on the department's website.
- **New Business**
 - Construction money rule / Matt Sager
 - *Timestamp 12:10*
 - Matt Sager provided an update, stating that the subcommittee is getting closer to a finalized rule that clarifies what it means to "hold" construction money.
 - He introduced a new consideration: the rule should likely also address "holding" 1031 exchange funds to prevent future issues, as the statutory prohibitions are similar.
 - The goal is to define "holding" as retaining funds post-closing, rather than prohibiting the disbursement of funds at closing.
 - Reed noted that the department's concerns are that the rule must remain consistent with the statute and not be difficult to enforce.
 - Matt and Cort Ashton will continue to refine the draft with the department.
 - Striking the affiliation restriction from R592-6 / Matt Sager
 - *Timestamp 21:00*
 - Matt Sager discussed the restriction in Rule R592-6 regarding affiliated companies.
 - He argued that Subsection R592-6-4(13), which prohibits affiliated companies from doing things not permitted in the Insurance Code, is overly broad and unnecessary. He suggested that the rule's general prohibition on using affiliates to create unfair inducements is sufficient for enforcement.
 - Warren asked if it will be more difficult to enforce the rule without this provision. Matt said it will always be difficult to prove inducement, but this won't make it harder. The change just removes the idea that someone is in violation just by owning an affiliated company.
 - The department agreed that the current language was likely an unintentional error in the previous drafting process and supported removing Subsection (13).

- **Motion by Kevin to strike Subsection (13) from rule R592-6. Seconded by Kim. Motion passed 4-0.**
 - YEA: Nate, Kevin, Warren, Kim
 - NAY: None
 - Charging fees to prepare payoff info under 57-8a-106 / Nathan
 - *Timestamp 32:00*
 - Nathan raised an issue regarding HOA payoff fees. The statute prohibits associations from requiring a fee for payoff information before closing, yet many management companies (often out-of-state third parties) are demanding upfront payment.
 - Kim confirmed this is a frequent issue, with third parties claiming the Utah statute does not apply to them.
 - The TEC discussed that, while they cannot enforce this (as it falls under the DRE), it might be a topic for a joint meeting or dialogue with the REC.
- **Old Business**
- **Other Business**
 - Introduction of new title insurance regulator / Tracy
 - *Timestamp 37:50*
 - Tracy introduced Anam Schab, the new title market conduct examiner. Anam shared his background, including 16 years in the title industry and his experience with escrow and policy management.
 - Hot topics / Reed
 - *Timestamp 40:28*
 - Reed noted that we haven't had a "Hot Topic" for many years. The item is intended for discussion of non-agenda items where no action can be taken. It was decided to keep this under "Other Business" in the future.
 - Producer test / Roger Gardiner
 - *Timestamp 42:12*
 - Roger Gardner raised a concern that the producer exam still contains questions based on old rules regarding inducements. The TEC agreed this needs to be addressed immediately with the testing provider to ensure fairness and will have Randy reach out to them.

Executive Session: (None)

- **Adjourn** (9:51 AM)
 - **Motion by Kevin to adjourn. Seconded by Kim. Motion passed 4-0.**
 - YEA: Nate, Kevin, Warren, Kim
 - NAY: None

Next Meeting: December 8, 2025 — ONLINE ONLY

2025 Meeting Schedule

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

2026 Meeting Schedule

Jan 12**	Feb 9**	Mar 9	Apr 13	May 11*	Jun 8
Jul 13	Aug 10	Sep 14	Oct 19*	Nov 9	Dec 14**

*Proposed TEC/REC meeting immediately following

**Online only

*These minutes were prepared with the assistance of Google Gemini AI.
They have been reviewed and improved by a human person and are accurate.*