



## 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:** June 12, 2023

**Time:** 9:00 AM

**Place:** In Person

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

Virtual

Google Meet

### ATTENDEES

#### TITLE & ESCROW COMMISSION

xChair, Kim Holbrook (*Insurer, Davis County*)      xDarla Milovich (*Agency, Salt Lake County*)  
xVice Chair, Chase Phillips (*Agency, Weber County*)      VACANT (*Agency*)  
xJeff Mathews (*Public Member, Morgan County*)

#### DEPARTMENT STAFF

xJon Pike, *Insurance Commissioner*      xReed Stringham, *Deputy Comm.*      xTracy Klausmeier, *P&C Dir.*  
xRandy Overstreet, *Licensing Dir.*      Patrick Lee, *Finance Dir.*      xAdam Martin, *MC Examiner*  
Michael Covington, *CE Specialist*      xSteve Gooch, *PIO Recorder*

#### PUBLIC

James Seaman	Tejay Rasband	Kim Cruz
Matt Sager	Cort Ashton	Nathan Sprague
Tina Williams	Joseph McPhie	Nancy Frandsen
Mike Sumner	Kurt Andrews	David Buddingh
Jessica Goodman	Marie McClelland	David Moore
Laurel North	Matt Ryden	Michael Smith
Jonathan Stewart	Wade Taylor	Kadee Wright
Carol Yamamoto	Dan Orullian	Frank Medina
Justin Sutherland	Bob Rice	

### MINUTES — Approved

#### General Session: (Open to the Public)

- **Welcome** / Kim Holbrook, Chair (9:01 AM)
- **Telephone Roll Call**
- **Adopt Minutes of Previous Meeting**
  - **Motion by Darla to adopt minutes. Seconded by Chase. Motion passes 4-0.**
    - YEA: Kim, Darla, Chase, Jeff
    - NAY: None
- **Concurrence Reports**
  - Licenses

- **Motion by Darla to concur. Seconded by Jeff. Motion passes 4-0.**
    - YEA: Kim, Darla, Chase, Jeff
    - NAY: None
- **Update on 2023 Goals**
  - ULTA report / Kim
    - *Timestamp 04:40*
    - The ULTA is holding its 65th annual convention July 13-14 in Logan.
    - Discussion of topics discussed and actions taken at the last ULTA board meeting.
- **New Business**
  - Reporting terminations of designations / Reed
    - *Timestamp 06:15*
    - When an agency terminates an agent's designation for cause — such as violating a rule or statute — they must notify the UID. They also must give the UID sufficient detail for the UID to investigate the allegations.
    - 31A-23a-115 has the insurer requirement.
    - 31A-23a-302 has the agency requirement.
    - R590-244 has the definition of "cause" and the specific items that must be reported to the UID.
  - Repeal of R592-15 / Reed
    - *Timestamp 13:50*
    - **Motion by Darla to repeal R592-15. Seconded by Chase. Motion passes 4-0.**
      - YEA: Kim, Darla, Chase, Jeff
      - NAY: None
  - Five-Year Review of R592-10 / Steve
    - *Timestamp 15:10*
    - The UID will submit an amended version of the rule in Q1 for the TEC's review and approval.
    - **Motion by Darla to continue R592-10. Seconded by Chase. Motion passes 4-0.**
      - YEA: Kim, Darla, Chase, Jeff
      - NAY: None
  - R592-6 / Kim
    - *Timestamp 19:27*
    - The rule needs to be opened to delete references to escrow services and fees. The ULTA is recommending other amendments as well. They submitted a letter to the TEC and UID to that effect.
    - Discussion follows about the process, timeline, and ULTA's proposed changes.
    - Matt Sager notes that the TEC created a subcommittee to work on the rule in 2014 and it was productive.
    - **Motion by Darla to discuss negotiated changes and form a subcommittee. Seconded by Chase. Motion passes 4-0.**
      - YEA: Kim, Darla, Chase, Jeff
      - NAY: None
  - Addition of capital requirements to 31A-23a-204 / Kim
    - *Timestamp 44:45*
    - Discussion about adding capital requirements to 31A-23a-204 to mirror the capital requirements for non-ABA entities in 31A-23a-1001.
    - Reed says the UID doesn't have the resources necessary to determine whether an entity meets the capital requirements. The only way to enforce it is to require an agency to provide proof from a third-party financial expert to verify that they meet the requirements. This could be done on the annual report.

- Discussion follows about affiliated business arrangements (ABA), whether it is important for the UID to know if a company is an ABA, and how the UID could get that information for its purposes or on behalf of the Division of Real Estate.
- **Tabled until July.**
- **Old Business**
- **Other Business**
- **Hot Topics**
  - Seller impersonation / Kim
    - **Will be discussed in the TEC/REC meeting.**
  - The value of a CPL / Kim
    - **Will be discussed in the TEC/REC meeting.**

*Executive Session* (None)

- **Adjourn** (10:03 AM)
  - **Motion by Darla to adjourn. Seconded by Chase. Motion passes 4-0.**
    - YEA: Kim, Darla, Chase, Jeff
    - NAY: None
- **Next Meeting: July 10, 2023** — Flaming Gorge Room, Taylorsville State Office Building

**2023 Meeting Schedule**

<del>Jan 9</del> <del>Canceled</del>	<del>Feb 13</del> Big Cottonwood	<del>Mar 13</del> Big Cottonwood	<del>Apr 10*</del> <del>Canceled</del>	<del>May 8</del> Big Cottonwood	<del>Jun 12</del> 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