



annual and controlled business reports. Cort asked what it would take to broaden the investigation? Brett suggested perhaps the question should be, “Why didn’t we do a full scope?” Pete said that the rule states you have to have licensed individual. LSI has that. You have to come up with a law that they are violating. You are introducing facts not in evidence.

- Cort made a **motion** to table this item until the Commission talked with their counsel as to what they could or could not do as a commission. Larry seconded it and the vote was unanimous.

- **Old Business**

- **Discuss Definition of Real Estate Escrow Settlements & Real Estate Closings**

Cort asked that this be deferred to the next agenda. Mr. Stevens has sent suggestions.

- **Discussion & Vote to Decide Whether Title & Escrow Commission Should Provide a Position Statement Re: Report from the “Advisory Council on Optimizing & Streamlining State Government.”**

Jerry asked that this item be deferred to the next agenda. The question is, “Should escrow be moved to the Real Estate Division or be left with the Insurance Department? He felt escrow should remain under authority of the Insurance Department. ULTA also sent letter voicing similar support. Dwayne Phillips, lobbyists from ULTA recommended getting the word out and nipping this in the bud. Larry made a **motion** to have Jerry write a letter to this effect, Cort seconded it and the vote was unanimous.

- **Lt Governor’s Response RE: Notary Issue / Dirk**

Commission members were given a copy of letter from Lt. Governor’s office regarding our letter to them about unlicensed notaries. Put on January’s agenda with Cort’s name.

- **New Business**

- **Discussion of “Agency Supervision by Qualifying Owner or Manager Rule” / Dirk**  
Definition should have been in the packet. Leave on agenda.

- **Rule Defining “Minimum Mandatory Search for a Real Estate Transaction” / Suzette**

- Department received a letter from the Department of Administrative Rules (DAR) regarding rule required in HB19, line 2693, 31A-23a-406(8). Law allows 180 days to put rule into effect. This has not been done. A hearing will be held by DAR to learn why rule was not put into effect.
- Jerry recapped what happened with subcommittee that met to come up with a proposed rule. There was no consensus. Agencies and underwriters differed in what they wanted. Brett suggested they have a plan as to when a rule might be available for a formal rulemaking process when they meet with DAR. Cort asked Jerry to attend the meeting.
- Some don’t think there should be a minimum. There have been no claims regarding search standards. It was noted that there is no need for a minimum standard when there is an insurance policy. Just require insurance be issued. Title plants in Utah have tract indexes. Anyone licensed has access to the records all the way back.
- Leave on agenda. Input encouraged.

- **Other Business** – Commission approved 2012 meeting schedule.

- **Adjourn:** 10:47

- **Next Meeting:** January 9, 2012, Spruce Room

**2012 Meetings in Spruce Room**

Jan 9	Feb 13	Mar 12	Apr 9	May 14	Jun 11
Jul 9	Aug 6	Sept 10	Oct 15	Nov 19	Dec 10