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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

<p>UTAH INSURANCE DEPARTMENT, Complainant, v. TITLE WEST 2735 E Parleys Way Salt Lake City, UT 84109 License No. 3642 Respondent.</p>	<p>STIPULATION AND ORDER</p> <p>Docket No. 2016-029 PC</p> <p>Enf. Case No. 3742</p> <p>Gregory Soderberg, J.D. Administrative Law Judge</p>
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STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and Title West, ("Respondent"), by and through its President, Mark Day, stipulate and agree as follows:

1. Respondent is an active Title Producer holding License Number 3642.

Respondent's business address is 2735 E. Parleys Way, Salt Lake City, UT 84109.

2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code Section 63G-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to

Utah Code Section 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent knows of its right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation and the signed and adopted Order by both the Insurance Commissioner and the Title and Escrow Commission, along with the Findings of Fact and Conclusions of Law below, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

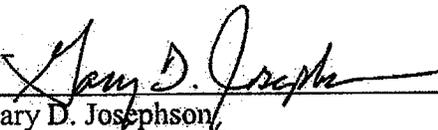
10. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

DATED this 29th day of March, 2016.

Mark C. Day

Mark Day, President
TITLE WEST

DATED this 29th day of March, 2016.



Gary D. Josephson,
Assistant Attorney General
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. Respondent holds an active Title Producer License with the State of Utah.
2. On November 9, 2015, the Department prepared and reviewed a list of all title producers who had reinstated their license during the month of October 2015. After reviewing the list and SIRCON licensing, it was found that Respondent's license lapsed on September 30, 2015 and was reinstated on October 7, 2015. At the time Respondent's license lapsed, all associations/designations also lapsed and were not re-instated until October 7, 2015.
3. On December 8, 2015, a letter was sent to title Respondent requesting a narrative statement regarding any and all business conducted from September 10, 2015 through October 7, 2015.
4. On December 29, 2015, Respondent responded stating that 30 closings and 31 commitments had been signed on behalf of the insurer during the period Respondent's license was lapsed.
5. On January 20, 2016, the Department requested a random sampling of HUD documents, which were timely provided by Respondent.

6. On February 29, 2016, Respondent agreed to a proposed \$3,000.00 forfeiture and a requirement to prepare and submit a comprehensive business plan that will outline specific policies and procedures concerning future timely renewal of the agency licenses.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In violation of Utah Code Section 31A-23a-103, Respondent continued to conduct title business during the time its license was lapsed.

2. Under Utah Code Section 31A-23a-301, when Respondent's agency license lapsed, its designations/associations also lapsed. During the lapsed period, Respondent violated this statute by continuing to do business with no individuals designated/associated to it.

4. The agreed upon administrative forfeiture of \$3,000.00 is appropriate under the circumstances of this matter.

5. The requirement that Respondent prepare and submit a comprehensive business plan outlining policies and procedures to ensure the timely future license renewal and associations is also appropriate under the circumstances herein.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer enters the following Order:

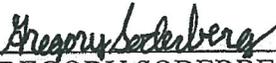
ORDER

1. Respondent Title West is hereby assessed an administrative \$3,000.00 forfeiture that is to be paid to the Department within 30 days of the date of this fully signed Order.

2. Within 60 days of the fully signed Order, Respondent Title West shall submit to the Department a comprehensive business plan that satisfactorily outlines specific policies and procedures that will ensure timely future license renewal and association designations.

DATED this 30th day of March, 2016.

TODD E. KISER
Insurance Commissioner



GREGORY SODERBERG, J.D.
Administrative Law Judge
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3800

TITLE AND ESCROW COMMISSION'S CONCURRENCE WITH ORDER

Pursuant to Utah Code Sec. 31A-2-404(1)(b) and by a vote of ___ to ___, taken in open meeting on this date, the Title and Escrow Commission hereby concurs with the Order of the Presiding Officer.

DATED this ___ day of _____, 2016.

ROBERT E. RICE

~~JEFFERY D. WIENER~~, Chairman
Title and Escrow Commission

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CERTIFICATE OF MAILING

The undersigned hereby certifies that on this date, a true and correct copy of the foregoing **Stipulation and Order** was mailed, postage prepaid, and electronically transmitted to the following:

TITLE WEST
MARK DAY, PRESIDENT
2735 E. PARLEYS WAY
SALT LAKE CITY, UT 84109

mcday@titlewest.com

DATED this _____ day of _____, 2016.

LINDA HARDY
Utah Insurance Department
State Office Building, Room 311
Salt Lake City UT 84114
Telephone (801) 538-3800