

UTAH INSURANCE DEPARTMENT  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Tammy Greening, Investigator  
Telephone (801) 538-3786  
[tgreening@utah.gov](mailto:tgreening@utah.gov)

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

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**UTAH INSURANCE DEPARTMENT,  
COMPLAINANT**

vs

**FIRST AMERICAN TITLE INSURANCE  
COMPANY**  
(Company ID No. 340)

**NOTICE OF INFORMAL AGENCY  
ACTION AND ORDER**

Docket No. 2016-017 PC  
Enf. Case No. 3731  
Judge Gregory Soderberg, J.D.  
Administrative Law Judge

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. §§ 31A-2-201 and 63G-4-201 and Utah Admin. Code R590-160. Based upon information contained in agency files or known to the Department, the Department asserts the following facts:

**FACTS**

1. Respondent is a foreign title insurance company authorized to do the business of title insurance in the State of Utah, holding company ID number 340.
2. In January 2015, the Department made adjustments to Respondent's appointments (Rios, Snyder, Walker, and Larson) ending their respective appointments to avoid future inclusion in the title assessment. The four licensees had not worked for the Respondent for a period of two

(2) to eleven (11) years, respectively.

3. On May 27, 2015, a meeting was held with Respondent to discuss, among other issues, the company information of the Respondent. The Department was assured the company information would be updated.

4. On July 22, 2015, the Department sent a follow up email to Respondent asking for an update to the Department's request to update company information. The Department was assured the information would be updated.

5. On October 6, 2015, the Department sent a follow up email to Respondent asking for an update to the Department's request to update company information. The Department was assured the information would be updated.

6. Respondent failed to provide complete and accurate information in response to an inquiry of the Commissioner.

7. According to the licensing history logs in SIRCON, no attempt has been made by Respondent to update the requested information.

8. Respondent failed to update its company information as required causing a deficit in the title assessment of \$1,000.

9. As of the date of this Notice of Informal Agency Action and Order, no changes have been made in response to the Commissioner's inquiry.

#### BASED UPON THE FOREGOING FACTS

1. In failing to provide complete and accurate information in response to an inquiry of the Commissioner, Respondent violated Utah Code § 31A-2-202(6)

2. In failing to update its company information, Respondent violated Utah Code § 31A-23a-115(1)(b).

Based upon the foregoing facts, the Commissioner now enters the following Order:

**ORDER**

**IT IS HEREBY ORDERED:**

1. Respondent is assessed an administrative forfeiture in the amount of \$6,500.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall update its company information with complete and accurate information no later than fifteen (15) days after the date this Order becomes final.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

DATED this 24th day of February, 2016.

TODD E. KISER  
INSURANCE COMMISSIONER

  
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GREGORY SODERBERG, J.D.  
Administrative Law Judge  
UTAH DEPARTMENT OF INSURANCE  
State Office Building, Room 3110  
Salt Lake City, UT 84114

## NOTIFICATION

If you request a hearing regarding this matter, please contact the Investigator, Tammy Greening at (801) 538-3786. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order in District Court which may impose forfeitures of up to \$10,000.00 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 certifies on this date, a true and correct copy of the forgoing NOTICE OF INFORMAL AGENCY ACTION AND ORDER was mailed, postage prepaid, to the following:

First American Title Insurance  
Attn: Matt Sager  
9000 E Pema Center Pkwy  
Scottsdale, AZ, 85258

DATED this 25 day of February, 2016.



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LINDA HARDY  
UTAH INSURANCE DEPARTMENT  
STATE OFFICE BUILDING, ROOM 3110  
SALT LAKE CITY, UT 84114-6901

**UTAH  
Invoice - Original**

JAMES O. NELSON  
FIRST AMERICAN TITLE INSURANCE COMPANY  
1 FIRST AMERICAN WAY  
SANTA ANA CA 92707-5913

Printed Date: February 25, 2016  
Invoice Date: February 25, 2016  
Balance Due: \$6,500.00  
Due Date: March 31, 2016  
Invoice ID: 840577  
Payor ID: 340

<b>Date</b>	<b>Item Description</b>	<b>Amount</b>	
02-25-2016	Monetary Penalty Company	\$6,500.00	E-Case 3731 Docket # 2016-017 PC

No Adjustments

No Payments

**Balance Amount Due \$6,500.00**

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**UTAH  
Invoice - Original**

Make check payable to: Utah Insurance Department  
Send payment to:  
Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901

Invoice Date: February 25, 2016  
Balance Due: \$6,500.00  
Due Date: March 31, 2016  
Invoice ID: 840577  
Payor ID: 340

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**Detach and Return this Voucher with Payment  
Payments Will Not Be Processed without Voucher**