

# 2017 Requests for Exemption from Title Agency Training Requirements

(31A-23a-204)

		Date					
		Utah Insurance Department		Title and Escrow Commission			
Month	Name Supporting Information	Received	Preliminary Approval	Preliminary Disapproval	Applicant Notified	Concur	Non-concur

May	<p><b>Brandon L Kidman</b>  <b>Year licensed as attorney</b> – Licensed with Utah State Bar since 10/20/2009.  <b>Ins. license history</b> – Licensed as Producer with Title Escrow, Title Examination, &amp; Title Marketing since 4/10/2017.  <b>Legal real estate related experience</b>            Experience as practicing attorney in Utah in many areas of real estate transactions and litigation since 2009, including:            a) <u>transactional experience</u> - obtaining change in density requirements, representing and helping clients in complex commercial transactions, including drafting, reviewing &amp; negotiating contracts of sale and REPCs, securing real estate financing, representing HOAs in contract negotiations, estate planning &amp; probate related transactions &amp; conveyances;            b) <u>law firm litigation experience</u> – representing clients in cases involving disputes of ownership &amp; control of an oil field, boundary disputes, quiet title actions, foreclosure proceedings, landlord/tenant disputes, HOA litigation, mechanics lien litigation, and city code violation litigation.  <b>Non-legal real estate related experience</b> – While in law school, took courses on property law &amp; real estate financing, including mortgages, trust deeds, sales contracts, transfer of interests, etc.</p>	04/10/2017	04/13/2017	04/13/2017	04/13/2017		
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April 10, 2017

Utah State Insurance Commission  
3110 State Office Building  
Salt Lake City, UT 84114

RE: Exemption for Agency Title Insurance Producer Licensing

For: Brandon Kidman, Esq., Utah Bar No. 12573  
279 North 1120 East  
Orem, UT 84097  
[brandonkidman@gmail.com](mailto:brandonkidman@gmail.com)  
801-362-7346

### **QUALIFICATION FOR EXEMPTION**

To Whom It May Concern:

Pursuant to Utah Administrative Code R592-8, please allow this letter to serve as my request for an exemption from the three year licensing requirement as outlined in U.C.A. §31A-23a-204 in order to obtain an agency title license.

I currently hold a Resident Producer Individual license, with Title Escrow, Title Examination, and Title Marketing Representative lines of authority. A copy of said license is attached hereto. As an attorney I have represented and helped clients in many areas of real estate transactions and litigation, which has helped me become familiar with real estate law and practices. My experiences is detailed further below.

#### **EXPERIENCE:**

Practicing attorney in Utah since 2009.

(a) Transactional experience

I have represented and helped clients in large, complex commercial transactions, which included drafting documents, reviewing and negotiating contracts of sale, obtaining a change in density requirement, and drafting private placement memoranda for investment purposes; drafted, reviewed, and negotiated residential real estate purchase contracts; secured real estate financing; represented HOAs in contract negotiations; estate planning and probate related transactions and conveyances.

(b) Law firm litigation experience

I have represented clients in disputes involving ownership and control of an oil field; cases involving boundary disputes, including boundary by acquiescence and boundary by estoppel; quiet title actions, which included chain of title issues; foreclosure proceedings,

including complex litigation involving FDCP claims; landlord/tenant disputes; HOA litigation; mechanics lien litigation; city code violation litigation.

#### Education

While in law school, I took classes pertaining to property law and real estate financing, which course covered such topics as mortgages, trust deeds, installment sales contract, transfer of real estate security interests, foreclosures, purchase money mortgages and more.

I believe that my educational background and professional experience qualify me for the exemption and hereby request the same.

Should you need anything further, please contact me directly. Thank you for your assistance in this matter.

Sincerely,

*Brandon Kidman*

Brandon Kidman, Esq.

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		Date					
		Utah Insurance Department		Title and Escrow Commission			
Month	Name Supporting Information	Received	Preliminary Approval	Preliminary Disapproval	Applicant Notified	Concur	Non- concur

May	<p><b>Trevor C. Mooney</b>  <b>Years licensed as attorney</b> – Licensed with Utah State Bar since passing bar in Feb 2014.  <b>Insurance license history</b> – Licensed as Producer with Title Examination since 1/14/2015, with Title Escrow line added effective 9/21/2015.  <b>Legal real estate related experience</b>            Feb 2016 to current – Bay National Title as In-House counsel, Local Underwriting Counsel, Title Plant Manager, Producer, &amp; Title Officer, handling real estate &amp; legal questions/issues, underwriting, searching, producing commitments, drafting legal documents such as affidavits, deeds, conveyances, supervising &amp; conducting closings, completing chain of title, determining insurability, researching land records, etc.            Aug 2015 to Jan 2016 – at Surety Title as Escrow/Title Officer &amp; Legal Advisor, marketing, closing escrow transactions, complete chain of title &amp; determining insurability, statutory &amp; contract interpretation, drafting of documents.            Apr 2014 to Aug 2015 – at Hickman Land Title as Title Officer, completing chain of title &amp; determining insurability, researching land records using abstracts &amp; tract index books, &amp; title work.  <b>Non-legal real estate related experience:</b>            Jun 2013 – Sept 2013 Research Associate, Research Intern &amp; Legal Extern, researching &amp; assisting in gas pipeline &amp; operator disputes, easement research, zoning &amp; boundary line searches, drafting &amp; revision of Orders, etc.</p>	05/01/2017	05/01/2017	05/01/2017	05/01/2017			
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Utah Insurance Department  
State Office Building Suite 3110  
Capital Hill Complex  
450 N State St.  
Salt Lake City, Utah 84114-6901

Dear Mr. Commissioner,

I am respectfully requesting the Department issue an Attorney Exemption under 31A-23a-204-1(d) further described in R592-8 from the licensing time period requirement for an Agency Title Insurance Producer in 31A-23a-204 1(a). Please see below for my experience to satisfy the requirements in R592-8-3.

Name: Trevor C. Mooney  
Address: 2618 W 2025 N  
Clinton, Utah 84015  
Phone: 385-240-6512  
Email: [tmooney@bntc.com](mailto:tmooney@bntc.com)  
Utah State Bar # 15003  
Utah Insurance Commission Title Search/Escrow #515571

I am currently serving Bay National Title Agency as In-House counsel and Local Underwriting Counsel along with being the Title Plant Manager and Producer. I make underwriting decisions based on guidelines provided by our Underwriters and Utah Law. Every Utah file comes across my desk to be Searched, Examined and a Commitment produced for the issuance of title insurance. On the back end I educate and help my Escrow Officers clear a file to be insurable. My Escrow officers also contact me with Real Estate and Legal questions with regards to the transactions we insure. I Draft documents needed for the transactions such as Affidavits, Warranty Deeds, Corrective Deeds and other conveyance documents. I advise when our clients need to seek independent counsel, ensuring the Escrow Officer team stays within the bounds of Title Insurance. I supervise closings and conduct closings of my own when time permits.

Before I ever started working in the Title Insurance industry I attended and graduated from Washburn University School of Law, which has a rich program of Real Estate centered courses. I studied Natural Resources Law, Oil and Gas Law, Real Estate Transactions, Contracts, Mergers and Acquisitions and Public Land Law. I participated in Real Estate Transaction negotiations and drafted up the needed documents to realize the sale. I actively participated in a real time Mineral Title Examination course with access to the local counties records. I fully prepared to be an Oil and Gas Title Attorney upon completion of school during the time period of May 2011 through December 2013.

I also performed extensive research in the field of Oil and Gas as a Research Associate for a dispute between an oil and gas pipeline and property owner, which covered everything from Implied Easements, Surface rights, Blanket Easements and Contract interpretation. This project lasted for a month in duration. I was a legal extern for the Oil and Gas Conservation Division for two months and drafted and revised routine penalty orders, final orders and recessions. I also worked on the creation of a Landman Desktop reference for a month helping research relevant issues a Landman would encounter and practical helps while they were working in the field.

I sat for and passed the Utah Bar Exam in February 2014 and have been an actively licensed Attorney ever since. Personal decisions and business opportunity guided me to use my vast knowledge of Real Property Law, Oil and Gas Law and Real Estate Transactions in the field of Title Insurance.

I started out with Hickman Land Title as a Title Officer in April 2014 and worked there until August 2015 before moving to Surety Title to work more actively with Escrow closings and to continue to refine my Title searching. While at Surety Title I advised ownership and personnel on statutory interpretation, contract interpretation and drafted needed documents for the Escrow process. I was with Surety from August 2015 until January 2016 when I started with Bay National Title in February 2016, where I am currently employed.

I have attended numerous conferences for Oil and Gas and Natural Resources law and have continued to expand my knowledge base by attending CLE and CE classes in Real Estate and Real Property. I have active dialogue with our Underwriters on a regular basis and have the support of our Corporate Staff Underwriting Counsel of our parent company.

I feel as outlined in R592-8-3 that I more than fully qualify for the Attorney Exemption under 31A-23a-204-1(d). My legal background and education along with my years of experience with Title Searching Escrow Closings and Underwriting Counsel provide me with the knowledge and background needed to responsibly hold a Title Agency Producer License. I respectfully request an Attorney Exemption to serve as the Title Agency Producer for Bay National Title Agency.

Yours

A handwritten signature in blue ink that reads "Trevor C. Mooney". The signature is written in a cursive, flowing style.

Trevor C Mooney

# Trevor Mooney

2618 W 2025 N • Clinton, Utah • 84015 • (435) 849-4400 • [trevm04@gmail.com](mailto:trevm04@gmail.com) <https://www.linkedin.com/in/trevormooneyattny>

## EDUCATION/LICENSES

**Utah State Bar (UBE- Can quickly be licensed in other Mtn. West States.)** #15003

**Admitted to Bar** May 2014  
**Title/Escrow** Jan. 2015

**Utah Insurance Commission**

**Washburn University School of Law, Topeka, Kansas** **Juris Doctor** Dec. 2013

- *Westlaw* Student Rep
- Member of J. Reuben Clark Law Society
- Member of Oil Gas and Energy Law Society- Washburn University
  - **Courses Completed:** Oil and Gas Law, Advanced Oil and Gas Law, Water Rights, Energy Regulation, Public Land Law, Mineral Title Examination, Environmental Law, Oil and Gas Conservation, Real Estate Transactions.

**Utah State University, Logan, Utah** May 2011

- Bachelor of Science- Law and Constitutional Studies

## EXPERIENCE

### **Title Officer**

*Bntc of Utah, Inc, 5711 S. 1475 E Suite 201, South Ogden, Utah 84403* Feb. 2016- Current

- Complete chain of title and determine insurability
- Research land records using abstracts and tract index books
- Legal Description plotting using Deedplotter

**Escrow/ Title Officer and Legal Advisor-** Aug. 2015- Jan 2016

*Surety Title, 9978 S. Redwood Rd, South Jordan, Utah 84047*

- Marketing
- Closing escrow transactions
- Complete chain of title and determine insurability

### **Title Officer-**

Apr. 2014- Aug. 2015

*Hickman Land Title, 872 Heritage Park Blvd, Layton, Utah 84041*

- Complete chain of title and determine insurability
- Research land records using abstracts and tract index books at the county
- Title work in both Utah and Wyoming.

### **Research Associate-**

Aug. 2013- Sept. 2013

*Robert T. Cornwell Law, Wichita, Kansas*

- Research and assistance for dispute between Gas Pipeline and Oil and Gas Operator
- Easement research including blanket, express and implied

### **Research Associate-**

July 2013- Sept. 2013

*Professor David Pierce- Washburn School of Law, Topeka, Kansas*

- Research and assistance to presenters for Oil and Gas Conservation Course

### **Research Intern-**

July 2013- Aug. 2013

*Cantafio Eddington P.C., Denver, Colorado*

- Research and writing for a Desktop Landman Reference for AAPL
- Comprehensive quick reference for practicing Landmen

### **Legal Extern-**

June 2013-Aug. 2013

*Oil and Gas Conservation Division of the Kansas Corporation Commission, Wichita, Kansas*

- Drafting and revision of Routine Penalty Orders
- Drafting and revision of Final Orders and Rescissions
- Research on Seismic Testing and Potential Trespass

### **Legal Intern-**

May 2012- Dec. 2013

*Kansas State Gaming Agency (Tribal Gaming), Topeka Kansas*

- Legal research regarding gaming and tribal issues at federal and state level
- Statutory research used to update Medical Release policy to be HIPAA compliant
- Extensive research and work to update Technical Standards with Tribes
- Updating and drafting agency policies
- Regulation and Compliance research