

**R592-6-5. Permitted Advertising, Business Entertainment, and Methods of Competition.**

Except as specifically prohibited in Section R592-6-4 above, the following are permitted:

(1) In addition to complying with the provisions of 31A-23a-402 and R590-130, Rules Governing Advertisements of Insurance, advertisement by title producers must comply with the following:

(a) the advertisement must be purely self-promotional; and  
(b) advertisement in official trade association publications are permissible as long as any title producer has an equal opportunity to advertise in the publication and at the standard rates other advertisers in the publication are charged.

(2) A title producer may use free or paid social media services to promote its own business as long as such social media services are open and available to the general public. Additionally, the following shall be permitted and are not in violation of R592-6-4(22) and (24):

(a) a title producer may write or post on social media services about an event that directly involves the title producer and a client, and it may reference or link to the client's social media page or the client company's social media page; and

(b) a title producer may share, like, respond to, or comment on a client's social media page, post, or event as long as such action is free of charge. Paying a fee to share, like, respond, or comment on any social media service that involves a client or to increase visibility, ranking, or distribution of any social media involving a client is not an allowed exception to R592-6-4(22) and (24).

(3) A title producer may donate time to serve on a trade association committee and may also serve as an officer for the trade association.

(4) A title producer may have two self-promotional open houses per calendar year for each of its owned or occupied facilities, including branch offices. The title producer may not expend more than \$15 per guest per open house. The expenditures per guest may not be in the form of a gift, gift certificate, or coupons. The open house may take place on or off the title producer's premises but may not take place on a client's premises.

(5) A donation to a charitable organization must:

(a) not be paid in cash;  
(b) if paid by a negotiable instrument, be made payable only to the charitable organization;

(c) be distributed directly to the charitable organization;  
and

(d) not provide any benefit to a client.

(6) A title producer may distribute self-promotional items having a value of \$10 or less, including taxes, setup fees, shipping, and the like, to clients, consumers and members of the general public.

These self-promotional items shall be novelty items which are non-edible and may not be personalized or bear the name of the donee.

Self-promotional items may only be distributed in the regular course of business. Self-promotional items may not be given to clients or trade associations for redistribution by these entities.

(7) A title producer may make expenditures for business meals

or business activities on behalf of any person, whether a client or not, as a method of advertising, if the expenditure meets all the following criteria:

(a) the person representing the title producer must be present during the business meal or business activity;

(b) there is a substantial title insurance business discussion directly before, during or after the business meal or business activity;

(c) the total cost of the business meal, the business activity, or both is not more than \$50 per person, per day;

(d) no more than three individuals from an office of a client may be provided a business meal or business activity by a title producer in a single day; and

(e) the entire business meal or business activity may take place on or off the title producer's premises, but may not take place on a client's premises.

(8) A title producer may conduct continuing education programs that are approved by the appropriate regulatory agency, under the following conditions:

(a) the continuing education program shall address only title insurance, escrow or other topics related thereto;

(b) the continuing education program must be of at least one hour in duration;

(c) for each hour of continuing education, \$15 or less per person may be expended, including the cost of meals and refreshments; and

(d) no more than one such continuing education program may be conducted at each individual, physical office location of a client per calendar quarter.

(9) A title producer may acknowledge a wedding, birth or adoption of a child, or funeral of a client or members of the client's immediate family with flowers or gifts not to exceed \$75.

(10) A title producer may provide a property profile to a client through any means, including copies thereof. The property profile may include not more than the following:

(a) the last vesting deed of public record;

(b) a plat map reproduction and/or locator map;

(c) tax and property characteristics information from the Treasurer's and Assessor's offices; and

(d) Covenants, Conditions and Restrictions.

(11) A title producer may provide clients access to water, beverages, and edible treats at the title producer's premises.

(12) A title producer may provide a client the documents used to produce a title commitment. The title producer may provide access to the documents used to produce the title commitment through any means.

(13) A title producer may provide a client access to closing software as long as the access is related to a specific transaction identified in the title commitment.