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BEFORE THE UTAH INSURANCE COMMISSIONER


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| UTAH INSURANCE DEPARTMENT, Complainant, vs. INVICTUS TITLE INSURANCE AGENCY, LLC, Respondent. | NOTICE OF AGENCY ACTION Docket No. 2019-4164 Lisa Watts Baskin Presiding Officer |
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The Utah Insurance Department (“Department”) commences this informal adjudicative proceeding for entry of Findings of Fact, Conclusions of Law and Order to which the Department and Respondent Invictus Title Insurance Agency of Utah, LLC have stipulated. Filed contemporaneously with this Notice of Agency Action are the parties’ Stipulation and their proposed Findings of Fact, Conclusions of Law and Order.

The legal authority and jurisdiction under which the proceeding is maintained is
Utah Code §§ 31A-2-201 and 63G-4-201 through 203 and Utah Admin. Code R590-160.

DATED this 27th day of September, 2019

TODD E. KISER
Utah Insurance Commissioner



LISA WATTS BASKIN
Presiding Officer
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
801-538-3800

CERTIFICATE OF SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing Notice of Agency Action was electronically mailed to:

Blair Jackson
blair@invictuspc.com

Helen A. Frohlich
Assistant Attorney General
hfrohlich@agutah.gov

DATED this 27th day of September, 2019



Jeanine Couser
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114

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BEFORE THE UTAH INSURANCE COMMISSIONER

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| UTAH INSURANCE DEPARTMENT, Complainant, vs. INVICTUS TITLE INSURANCE AGENCY, LLC, Respondent. | STIPULATION Docket No. 2019-4164 Lisa Watts Baskin Presiding Officer |
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The Utah Insurance Department (“Department”) and Respondent, Invictus Title Insurance Agency, LLC, stipulate as follows:

1. The Presiding Officer may enter the Findings of Fact, Conclusions of Law and Order filed herewith.
2. The Findings of Fact, Conclusions of Law and Order shall not be subject to reconsideration, modification, hearing, agency review or appeal.
3. The issuance of the signed and adopted Order is solely for the purpose of disposing of the specific matter entitled therein. The only promises, agreements and

understandings that the parties have regarding this matter are contained in the Findings of Fact, Conclusions of Law and Order.

4. The parties enter into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

DATED: September 25, 2019

/s/ Blair Jackson
Blair Jackson
Invictus Title Insurance Agency, LLC

DATED: September 25, 2019

/s/ Helen A. Frohlich
Helen A. Frohlich
Assistant Utah Attorney General
Attorney for Utah Insurance Department

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BEFORE THE UTAH INSURANCE COMMISSIONER

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| UTAH INSURANCE DEPARTMENT, Complainant, vs. INVICTUS TITLE INSURANCE AGENCY, LLC, Respondent. | FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2019-4164 Lisa Watts Baskin Presiding Officer |
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Complainant, Utah Insurance Department ("Department") and Respondent, Invictus Title Insurance Agency, LLC, have stipulated to entry of the following Findings of Fact, Conclusions of Law, and Order. Based upon that stipulation, and good cause appearing, the Presiding Officer makes and enters the following:

FINDINGS OF FACT

1. Respondent is a resident producer organization holding license number 531100.
2. Respondent's mailing address is Invictus Title Insurance Agency, LLC, 360 South Technology Court Ste. 100, Lindon, UT 84042.
3. On August 1, 2019, the Department initiated an audit of Respondent.

4. During the audit, the Department determined that Respondent had not filed its escrow rates as required by statute.

5. Respondent acknowledged that it had not filed its escrow rates between June 15, 2015 and August 30, 2019.

6. Respondent completed 531 closings on Utah properties while its escrow rates were not filed.

7. The Department and Respondent have agreed to an administrative forfeiture of \$5,000.00.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner (“Commissioner”) has jurisdiction over the parties and this adjudicative proceeding pursuant to Utah Code §§ 31A-1-105 and 31A-2-201.

2. The Commissioner has legal authority to impose penalties on the Department's licensees who violate the Utah Insurance Code. Utah Code § 31A-2-308.

3. Utah Code § 31A-19a-209(2)(a)(i) requires a title agency to file a schedule of escrow charges that the title insurance agency proposes to use in Utah. Respondent violated this by failing to file its escrow rates.

4. As penalties for the violations in this case, Respondent should be ordered to pay a forfeiture of \$5,000.00.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby Ordered that:

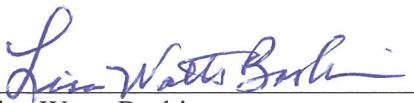
1. Respondent shall pay a forfeiture of \$5,000.00 for the violations described in the

Conclusions of Law.

2. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 27th day of September, 2019.

TODD E. KISER
Utah Insurance Commissioner



Lisa Watts Baskin
Presiding Officer
Utah Insurance Department

NOTICE 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 SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Order was emailed to:

Blair Jackson
blair@invictuspc.com

Helen A. Frohlich
Assistant Attorney General
hfrhlich@agutah.gov

DATED this 27th day of September, 2019.



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