



# Insurance Department

## State of Utah Title & Escrow Commission Meeting Meeting Information

State of Utah

GARY R. HERBERT  
Governor  
SPENCER J. COX  
Lieutenant Governor  
TODD E. KISER  
Commissioner

**Date: July 20, 2020**

**Time: 9AM**

**Place: Teleconference Only**

### ATTENDEES

#### TITLE & ESCROW COMMISSION

xChair, Nancy Frandsen (*Insurer, Salt Lake County*)      xDarla Milovich (*Agency, Salt Lake County*)  
xVice Chair, Alison McCoy (*Agency, Tooele County*)      xChase Phillips (*Agency, Weber County*)  
Randy Smart (*Public Member, Salt Lake County*)      xPerri Babalis, *AG Counsel - TEC*

#### DEPARTMENT STAFF

xTodd Kiser, *Ins. Commissioner*      xReed Stringham, *Deputy Comm.*      Tracy Klausmeier, *P&C Dir.*  
xRandy Overstreet, *Licensing Dir.*      xDanny Schoenfeld, *Finance Dir.*      Adam Martin, *MC Examiner*  
Michael Covington, *CE Specialist*      xSteve Gooch, *PIO Recorder*

#### PUBLIC

Frank Medina      Matt Ryden      Nathan Sprague  
Wade Taylor      Joseph McPhie      Carol Yamamoto  
Bob Rice      Blake Heiner

### MINUTES — *Not Approved*

#### *General Session: (Open to the Public)*

- **Welcome** / Nancy Frandsen, Chair (9:00 AM)
  - Randy Smart is excused.
- **Telephone Roll Call**
- **Adopt Minutes of Previous Meeting**
  - **Motion by Darla to adopt minutes. Seconded by Alison. Motion passes 4-0.**
- **Concurrence Reports**
  - Licenses
    - Reed notes that under "renewed licenses" there is a reference to an Absolute Title Insurance Agency. That agency renewed in January, but for some reason it's showing up in June.
    - **Motion by Darla to concur. Seconded by Chase. Motion passes 4-0.**
  - Penalties
    - Fidelity Title Services LLC (Docket #2019-4186)
      - The UID is seeking the TEC's concurrence on a \$5,000 forfeiture assessed to Fidelity Title Services LLC.
      - Nancy recuses herself. Alison will sign the concurrence form as vice chair.
      - Alison asks about a line that says the TEC doesn't need to give concurrence. She wonders why it says that. Perri says she read it as concurrence not needing to occur before the hearing.
      - Alison says she's disappointed in the respondent's attitude and defense. She asks if the audit is the most appropriate way to move forward. Reed says the UID's position is that an audit encourages people to be open and transparent with their records and information. To do that, it would be wise to put a cap on the amount so they wouldn't be buried by a large forfeiture

for cooperating, and determined that \$5,000 is reasonable. He can see how in this particular case, Fidelity lucked out because it could have been much higher. But that's the rule the UID abides by in the penalty worksheet. He understands where Alison is coming from. Alison says it does a disservice to smaller title companies that try really hard to stay on top of things.

- **Motion by Darla to concur. Seconded by Alison. Motion passes 3-0.**
- Attorney exemptions
  - Jeffrey Scott Breglio
    - The application requires the applicant to explain their real estate experience and why they qualify for an exemption.
    - Nancy confirms that the preliminary approval on July 9 is the date the UID approved what Mr. Breglio sent in, and that he has been notified that the UID has approved it pending the TEC's approval.
    - Alison says it appears that he has extensive experience which is what the TEC would hope for. Chase agrees, and says he appears to be qualified based on his resume.
    - **Motion by Alison to concur. Seconded by Chase. Motion passes 4-0.**
- **Board Duties & Responsibilities / Perri**
  - Nancy notes that the election for chair and vice chair will be held at the required meeting in August.
  - Perri will do the required Open Meeting Act training either in August or the following meeting.
- **Update on 2020 Goals**
  - Nancy says the goals are still in place. She notes that there's usually a meeting in August to discuss testing, but it hasn't happened yet. Alison asks if anyone at the UID knows anything about it. Randy says he's had some conversation with Prometric about testing review, but it's been an odd year. They just started in January, but they had to close for a period and not offer testing, but have recently restarted. There isn't a large pool to work with, but they're willing to look at it. They're looking at dates in late September for a test review workshop. Does the TEC want to hold it around September 24-25 with a limited pool of complete tests, or hold off until next year? They could also do it online through Zoom rather than in person. Randy is happy to move forward or delay it. Usually there's a pool of administered exams that's more comprehensive than this year's. Alison asks if they could give us a rundown of what they're seeing now, pass/fails, etc. Randy will talk to them about getting a report like that. Commissioner Kiser is comfortable either way. He says sometimes a larger pool is helpful, but if we thought it was important to move forward, that works too. Nancy likes the idea of getting a report. It would be good to work with the new vendor to make sure we like what they do and see if we like their process. Randy notes that the UID previously used this vendor for years and years, then had a different one for 5 years. This is a return to that previous longtime vendor.
  - Nancy doesn't think there's a need to increase the awareness of wire fraud. It's pretty front of mind for people at this point.
  - ULTA report / Nancy
    - The ULTA postponed its July conference and will try to do it in October. Last week they had 5 sessions that ULTA members could attend, held one each day at noon for an hour so members could get CE credit.
  - REC report / Nancy
    - The REC has mostly been discussing disciplinary actions and have been holding CE classes over Zoom. Their cases are going down steadily, and are averaging just about 20 cases reported every month. The AG cases are going down every month, and so are the totals. There are 464 total cases now, including 13 complaints from July, 12 were closed, and 9 are with the AG's office.
- **New Business**
- **Old Business**
- **Other Business**
- **Hot Topics**

*Executive Session* (None)

- **Adjourn** (9:25 AM)
  - **Motion by Alison to adjourn. Motion passes 4-0.**
- **Next Meeting: August 17, 2020** — Copper Room

**2020 Meeting Schedule in Copper Room**

<del>Jan 13</del> <del>Canceled</del>	<b>Feb 10</b>	<del>Mar 9</del> <del>Canceled</del>	<del>Apr 13</del> <del>Canceled</del>	<b>May 11</b>	<del>Jun 8</del> <del>Canceled</del>
Jul 20	<b>Aug 17</b>	Sept 28	Oct 19	<b>Nov 9</b>	Dec 14

\* bold dates denote quarterly required in-person meetings