

## 2020 Requests for Exemption from Title Agency Training Reqs.

(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
July	<p><b>Jeffrey Scott Breglio</b>  <b>Year licensed as attorney</b> – Licensed with Utah State Bar since 1998.  <b>Ins license history</b> – Licensed Producer with Title Exam line from 2009 to 2011; then had Title Escrow since 2014, and Title Exam line recently added again effective 7/6/2020.  <b>Real estate experience</b> – Real estate experience for over 20 years as attorney, investor, real estate agent, escrow officer, private lender and national real estate educator. For the last six years has been an escrow officer closing nearly 600 transactions.  <b>Legal real estate experience</b> – Involved as practicing attorney in real estate law since 2001, focusing on asset protection and transactional documentation. Represents real estate brokerages, agents, contractors, private lenders and real estate investors. Has drafted and reviewed thousands of purchase contracts, seller-financing contracts and all-inclusive notes and deeds, conveyance deeds, reconveyances, trust deed assignments and modifications, title commitments, policies and clearings, and in resolving and litigating numerous other transactional issues from breach of contract to probate to quiet title actions, as well as assisting real estate agents with licensing concerns before the DRE.</p>	07/03/2020 (a state holiday)	07/09/2020		07/09/2020	07/20/2020	

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August	<p><b>Samuel Bell</b>  <b>Year licensed as attorney</b> – Licensed with Utah State Bar since 2005.  <b>Ins license history</b> – Licensed Producer with Title Escrow and Title Examination lines since 7/28/2020.  <b>Real estate experience</b> – Real estate experience for over 20 years as attorney, investor, real estate agent, escrow officer, private lender and national real estate educator. For the last six years has been an escrow officer closing nearly 600 transactions.  <b>Legal real estate experience</b> –15 years of transactional and litigation experience as attorney practicing and advising title companies, buyers, sellers, property owners, investors, real estate brokerages and agents, developers and contractors at a very deep level on all aspects of real estate law. Worked closely with the title and escrow issues related to large scale real estate transactions, litigated property, title, and escrow issues, including interacting and filing claims against title insurance, addressing coverage questions, and reviewing escrow files and accountings. Also involved in briefing and arguing appeals which have formed some of the basis for real estate laws in Utah, and involved in the legislative process pertaining to real estate and title related legislation.</p>	07/28/2020	07/31/2020		07/31/2020			

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	(continued) <b>Non-legal real estate experience –</b> Experienced as a Division of Real Estate licensed CE instructor teaching real estate contracts and real estate law, and also as a continuing legal education instructor for Utah State Bar, and was CCIM real estate attorney of the year finalist in 2015 and 2017.						

July 28, 2020

Utah Insurance Department  
350 N. State St.  
State Office Building Rm. 3110  
Salt Lake City, UT 84114

RE: Attorney Exemption from 3-year License Requirement

Dear Utah Title Commission:

I am requesting for an exemption from the three-year licensing requirement for title examination and escrow to license an agency title insurance producer as required by 31A-23a-204(1)(a)(i). I am a licensed attorney and in good standing with the Utah State Bar. I have practiced real estate law in Utah since 2005, including doing the following:

- Transactional experience including:
  - Real estate transactions, including drafting documents, reviewing and negotiating contracts of sale, including real estate purchase contracts (REPC), commercial transactions, and residential transactions;
  - Negotiating and securing construction and permanent financing;
  - Title review, due diligence, consulting and negotiations with title companies, researching and drafting opinions of title, coordinating with title companies, pre-closing;
  - Zoning, development, construction including drafting agreements, entitlements work, reviewing surveys, plats, drafting plat notes, and general counsel;
  - Working as general and litigation counsel with homeowners associations, subdivisions, condominiums, planned unit developments, including drafting CC&Rs, amendments;
  - Probate-related transactions and conveyances;
  - General counsel to title companies, real estate brokerages, property management companies, HOAs, title officers, and real estate agents; and
  - General counsel to property investors, owners, developers, construction companies, and contractors.
- Litigation experience consisting of the following:
  - Judicial foreclosures;
  - Substitute trustee in non-judicial foreclosures;
  - Litigating the validity of non-judicial foreclosures;
  - Homeowner association (HOA) lien foreclosure;

- Representing both homeowners and HOAs in litigation concerning boundaries, covenants, easements, etc.;
- State construction registry litigation - mechanics lien filing and litigation;
- Real estate disputes or litigation involving:
  - Commercial and residential real estate purchase contracts and leases;
  - Boundary line disputes;
  - Rights-of-way and/or easement disputes;
  - Zoning issue;
  - Property tax disputes;
  - Title issues;
  - Mineral and gas rights;
  - Water rights and usage;
  - Landlord/tenant issues; and
  - Probate litigation involving real property assets, claims, and disputes.

In addition to my law experience, I also participated in the following:

- Division of Real Estate licensed CE instructor teaching real estate contracts and real estate law;
- Continuing legal education instructor for the Utah State Bar;
- Testifying at various senate and house committee hearings regarding various real estate and title related legislation and bills. Work with state senators and legislators on drafting and revising bills; and
- CCIM real estate attorney of the year finalist in 2015 and 2017.

My experience over the past 15 years as an attorney practicing and advising title companies, buyers, sellers, property owners, investors, real estate brokerages and agents, developers and contractors has given me an opportunity to work at a very deep level on all aspects of real estate law. In working through these transactions, I have had to work closely with the title and escrow issues related to large scale real estate transactions. I have also litigated property, title, and escrow issues. Much of the litigation has required me to interact with and file claims against title insurance, address coverage questions, and review the escrow files and accountings. Additionally, I have been involved in briefing and arguing appeals which have formed some of the basis for real estate laws in Utah. Last, I have been involved in the legislative process, including drafting legislation, testifying in committee hearings about legislation, and advising state senators and representatives about the impacts and consequences of various real estate and

title related legislation. Having been involved in the law-making processes, both case law and statutory, has required me to understand title and escrow issues and real estate law at a level equivalent to many experienced title escrow and title examination licensees. My experience qualifies me for an exemption from both the title examination and escrow time requirements of 31A-23a-204(1)(a).

If you have any questions, please let me know.



Samuel E. Bell

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