



## State of Utah

SPENCER J. COX  
Governor

DEIDRE M. HENDERSON  
Lieutenant Governor

## Insurance Department

JONATHAN T. PIKE  
Insurance Commissioner

### Title & Escrow Commission Meeting

(<https://insurance.utah.gov/licensee/title/tec>)

**Date:** **March 14, 2022**

**Place:** **In Person**  
None

**Virtual**  
Google Meet

**Time:** **9:00 AM**

### ATTENDEES

#### TITLE & ESCROW COMMISSION

xChair, Kim Holbrook ( <i>Insurer, Davis County</i> )	Darla Milovich ( <i>Agency, Salt Lake County</i> )
xVice Chair, Chase Phillips ( <i>Agency, Weber County</i> )	xCal Robinson ( <i>Agency, Iron County</i> )
xJeff Mathews ( <i>Public Member, Morgan County</i> )	xPerri Babalis, <i>AG Counsel - TEC</i>

#### DEPARTMENT STAFF

xJon Pike, <i>Insurance Commissioner</i>	xReed Stringham, <i>Deputy Comm.</i>	Tracy Klausmeier, <i>P&amp;C Dir.</i>
xRandy Overstreet, <i>Licensing Dir.</i>	Patrick Lee, <i>Finance Dir.</i>	xAdam Martin, <i>MC Examiner</i>
Michael Covington, <i>CE Specialist</i>	xSteve Gooch, <i>PIO Recorder</i>	

#### PUBLIC

David Moore	Bob Rice	Wade Taylor
Joseph McPhie	Nathan Sprague	Matt Ryden
Blake Heiner		

### MINUTES — Not Approved

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

- **Welcome** / Kim Holbrook, Chair (9:00 AM)
- **Reading of Anchor Location Determination**
- **Telephone Roll Call**
- **Adopt Minutes of Previous Meeting**
  - **Motion by Kim to adopt minutes. Seconded by Jeff. Motion passes 3-0, Chase abstaining.**
- **Concurrence Reports**
  - Licenses
    - **Motion by Kim to concur. Seconded by Chase. Motion passes 4-0.**
  - Attorney exemptions
    - Aaron C. Jacobs
      - Kim asks about the procedure and what the TEC's options are. Randy says the UID has already made a preliminary approval of the exemption, and the TEC may either concur or not concur.
      - Chase says the applicant's resume is exactly what is needed for this type of exemption, and he has no concerns.

- **Motion by Chase to concur. Seconded by Cal. Motion passes 4-0.**
- **Board Duties & Responsibilities / Perri**
- **Update on 2021 Goals**
  - Discuss 2022 goals / Kim
    - Kim believes that last year's goals should be continued for 2022. They are:
      1. Continue making sure testing is relevant
      2. Continue working with the Real Estate Commission
      3. Continue working with the ULTA as a liaison
      4. Increase awareness of wire fraud's effect on consumers and agencies
      5. Increase awareness of affiliated business arrangements (ABA)
    - Chase asks where the goals came from and asks when they started, especially as it relates to the REC. Steve says they started when Alison McCoy was chair. He believes it was just the TEC reaching out to the REC. Perri says Rep. Webb created the TEC, and may have been involved with a parallel board under Real Estate. A lot of the TEC's requirements from Webb's experience with Real Estate. Also at the time, the REC didn't like the idea of the TEC enacting rules without their input, which is why the TEC is required to notify the REC any time it makes rules.
    - Chase wonders what the TEC can do to create more of a two-way street with the REC. He says it seems like most of the reporting is the TEC listening to their meetings, but nobody from the REC comes to TEC meetings. Kim agrees, and notes that listening to REC meetings is time-consuming and it would be nice to have more communication from them.
    - Reed says his friend Rick Southwick is on the REC board. He'd be happy to talk with Rick about anything the TEC would like to do about improving communication between the boards. Kim says that would be great, and notes that goals 4 and 5 are quite meaningful to the REC as well.
    - **Motion by Chase to adopt the 2021 goals for 2022. Seconded by Cal. Motion passes 4-0.**
  - ULTA report / Chase
    - Kim notes that the ULTA convention in February was well attended. One of the hot topics was wire fraud, and how to educate consumers. The industry has been good about educating itself, but it's a never-ending battle to educate consumers, especially since this can be a once-in-a-lifetime transaction for many people.
    - The ALTA adopted new policy forms, which had a lot of discussion.
    - There was discussion about Home Title Lock ads that are being run, and may be scary to consumers. The ULTA wants to make sure consumers are educated that title insurance can provide protections.
    - Chase thanks the ULTA legislative committee and notes that they did a wonderful job again this year of making sure the bills that went through were healthy for industry and good for the public.
- **New Business**
  - Annual reports due April 30 / Adam
    - The changes the UID has made over the past few years mean that agencies can file any time from January 1 to April 30. All they need is title premium, branch offices, and trust account location. The form is available on the UID website.
  - Home Title Lock / Adam
    - Adam finished his review. He has no jurisdiction over them, but he is turning over everything he has to Consumer Protection. They will also do a review to make sure their ads meet the state's guidelines. However, there will at least be documentation on the UID side and the Consumer side. He's checking with county recorders to see which ones provide a free lookup service. Once that's done, something will be added to the UID website for consumers.
    - Kim asks if Adam will receive Consumer Protection's findings. Adam says he will be making that request. The head investigator is eager to get what Adam has. Kim notes that some county recorders provide a monitoring service if a document records a change to title. Adam says the UID is asking each county about that, and expects to have a full report when the project is done.

- **Old Business**
- **Other Business**
  - Legislative wrap-up / Reed
    - The UID had to withdraw the amendment to 31A-19a-209, regarding charges for escrow service, that was in the UID's bill.
    - There's another bill involving a sandbox through the Governor's Office of Economic Opportunity. The bill transfers the UID's sandbox over to GOEO's sandbox. The UID will consult with GOEO if a sandbox application involves insurance.
    - There were changes to a sandbox bill that the ULTA was involved in. He says ULTA's recommendations were good ideas that increased the transparency of the process for evaluating a sandbox application.
    - Kim asks if the TEC needs to discuss 31A-19a-209 today. Reed says the process should probably restart, maybe not at the committee level, but it may be good to have as an agenda item for the next meeting so people can bring other approaches for how to regulate the cost of escrow services.
    - **Add 31A-19a-209 to next agenda under Hot Topics.**
- **Hot Topics**

*Executive Session* (None)

- **Adjourn** (9:29 AM)
  - **Motion by Chase to adjourn. Seconded by Cal. Motion passes 4-0.**
- **Next Meeting: April 11, 2022** — Big Cottonwood Room, Taylorsville State Office Building

**2022 Meeting Schedule**

Jan 10	<b>Feb 14</b>	Mar 14	Apr 11	<b>May 9</b>	Jun 13
Jul 11	<b>Aug 15</b>	Sept 12	Oct 17	<b>Nov 14</b>	Dec 19

\* bold dates denote quarterly required in-person meetings