

STATE OF INDIANA)
)
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NUMBER: 11675-CO13-0123-001

IN THE MATTER OF:)

Fidelity Land Title Agency of Cincinnati, Inc.,)
10723 Montgomery Road)
Cincinnati, Ohio 45242)

Respondent)

Type of Agency Action: Enforcement)
License Number: 592296)

FILED

FEB 04 2013

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Indiana Department of Insurance (“Department”) and Fidelity Land Title Agency of Cincinnati, Inc. (“Respondent”), a licensed Indiana insurance producer, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent’s action and which has been submitted to the Commissioner of Insurance (“Commissioner”) for approval.

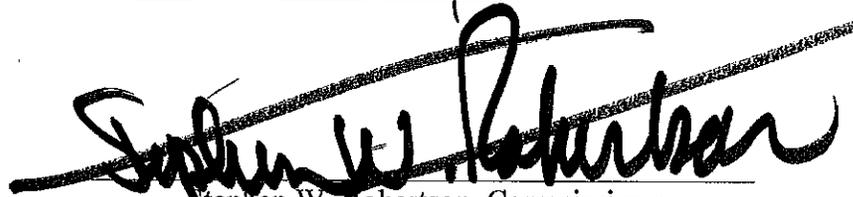
The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED, by the Commissioner of Insurance:

1. Respondent shall pay a civil penalty of \$750.00 within thirty (30) days of the signing of this Final Order for non-compliance with the Indiana insurance producer licensing statutes.

2. Respondent agrees not to allow Robert Chiller to conduct the business of selling, soliciting or negotiating title insurance or conduct the closing of transactions in the State of Indiana without first obtaining the proper license.

ALL OF WHICH IS ORDERED this 4th day of February, 2013


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

David Kennedy
Fidelity Land Title Agency of Cincinnati, Inc.
10723 Montgomery Road
Cincinnati, Ohio 45242

Dan L. Oliver, Attorney
Indiana Department of Insurance
311 West Washington St. Suite 103
Indianapolis, Indiana 46204

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STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is entered into by Dan L. Oliver, Attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and Fidelity Land Title Agency, Inc., ("Respondent"), a licensed resident insurance producer holding Indiana insurance license number 592296, to resolve all matters under Cause Number 11675-CO13-0123-001. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance.

WHEREAS, Respondent is a licensed insurance producer firm in the State of Indiana;
and

WHEREAS, during the course of a desk audit examination of Respondent, the examiner discovered that Respondent employed three individuals as closing agents namely Bethany Jacobs, Robert Chiller and Mildred DiBartola. All three employees were unlicensed before the examination date; and

WHEREAS, the agency benefited from the collection of premiums and closing fees resulting from transactions examined by the examiner during the time the employees were unlicensed; and

WHEREAS, David Kennedy, in his capacity as Chief Financial Officer is authorized to act on behalf of the agency and obligate it to perform in accordance with this agreement; and

WHEREAS, Bethany Jacobs and Mildred DiBartola are no longer employed by the agency and are not authorized to conduct the business of selling, soliciting or negotiating title insurance in the State of Indiana. Robert Chiller is currently an employee of the agency and is not authorized to conduct the business of selling, soliciting or negotiating title insurance or the closing of transactions in the State of Indiana without first obtaining the proper license; and

WHEREAS, the parties desire to resolve their differences and settle the issues without a hearing;

IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives its right to a public hearing on the issues in this action.
4. Respondent waives its right for a judicial review of this matter. Respondent agrees to pay a civil penalty of **\$750.00** within thirty days (30) of the signing of the Commissioner's Final Order for non-compliance with the Indiana insurance producer licensing statutes.
5. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall

