

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 13444-AG15-0319-084

IN THE MATTER OF:)
)
Quick Silva Title & Escrow LLC)
206 Holland Street)
Somerville, MA 02144)
)
Respondent.)
)
Type of Agency Action: Title Enforcement)
)
Indiana Insurance License No.: 877662)

FILED

MAY 15 2015

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Indiana Department of Insurance (“Department”), by its counsel, Brigitte Collier, and Quick Silva Title & Escrow LLC (“Respondent”), a nonresident licensed title insurance agency, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department and which has been submitted to the Commissioner of Insurance (the “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.

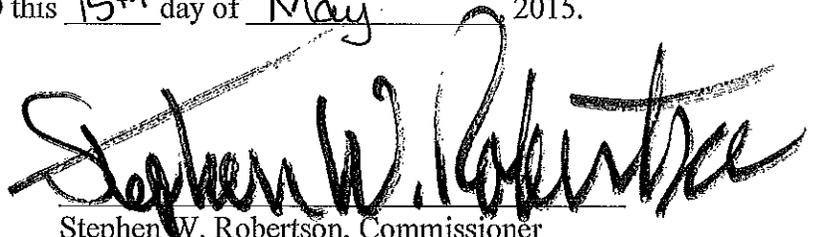
IT IS THEREFORE ORDERED by the Commissioner:

1. Respondent shall pay an administrative penalty in the amount of three thousand eight hundred ninety two dollars (\$3,892.00) to the Department, in aggregate, for overcharging on premiums; for failure to input fifteen (15) real estate transactions into the RREAL IN database and failure to collect Tieff.

This amount is due in full within sixty (60) days after the signing of this Final Order.

2. Respondent has refunded consumers three thousand six hundred nine dollars and fifteen cents (\$3,609.15) for overcharged premiums.
3. Respondent has provided a letter to the consumer with a reimbursement check stating that "On November 6, 2014 the Indiana Department of Insurance ("IDOI"), examined our title insurance records in accordance with Indiana Code 27-1-3.1 seq. and discovered we overcharged you. The correct amount should have been (amount). As a result, the IDOI has ordered us to issue a refund check in the amount of (amount)." Respondent has provided a copy of the letter and check sent to the consumer to the Department.
4. Respondent shall enter all fifteen (15) unreported real estate transactions into the RREAL IN data base within thirty (30) days after the signing of this Final Order.

ALL OF WHICH IS ORDERED this 15th day of May 2015.

A large, stylized handwritten signature in black ink, reading "Stephen W. Robertson". The signature is written over a horizontal line.

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Quick Silva Title & Escrow LLC
206 Holland Street
Somerville, MA 02144

Brigitte Collier, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 13444-AG15-0319-084

IN THE MATTER OF:)
)
Quick Silva Title & Escrow LLC)
206 Holland St.)
Somerville, MA 02144)
Respondent.)
Type of Agency Action: Enforcement)
Indiana Producer License No.: 877662)

FILED

MAY 15 2015

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by the Indiana Department of Insurance ("Department"), by counsel Brigitte Collier, and Quick Silva Title & Escrow LLC, ("Respondent"), a nonresident title insurance agency licensed to do business in Indiana, to resolve all issues in the above captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a non-resident title insurance agency licensed in the State of Indiana, holding license number 877662; and

WHEREAS, Indiana Code § 27-1-22-18 prohibits insurers, brokers, and agents from deviating from Department authorized premiums and government recording fees;

WHEREAS, the Respondent charged title insurance premium rates higher than

Stewart Title Guaranty Company (“Underwriter”) contractual rates for nineteen (19) title policies in violation of Indiana Code § 27-1-22-18; and

WHEREAS, Indiana Code § 6-1.1-12-43 (e)(1) requires that title producers enter information into the RREAL IN database; and

WHEREAS, Indiana Code § 6-1.1-12-43 (g) states that closing agent is subject to a civil penalty for each instance in which the closing agent fails to comply with this section with respect to a customer; and

WHEREAS, an investigation identified that the Respondent failed to enter fifteen (15) real estate transactions into the RREAL IN database;

WHEREAS, Respondent failed to collect the Indiana Title Insurance Enforcement Fund Fee on twenty four (24) transactions which is violation of Indiana Code § 27-7-3.6-7; and

WHEREAS, the Department and Respondent desire to resolve their differences and settle their issues without incurring the time and expense of a hearing;

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

1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.

5. Respondent shall refund consumers three thousand six hundred nine dollars and fifteen cents (\$3,609.15) within thirty (30) days after the signing of the Final Order.
6. Respondent shall provide letter to the customer with a reimbursement check stating that "On November 6, 2014 Indiana Department of Insurance (IDOI), examined our title insurance records in accordance with Indiana Code 27-1-3.1 seq. and discovered we over charged you. The correct amount should have been (amount). As a result, the IDOI has ordered us to issue a refund check in the amount of (amount)." Respondent shall provide a copy of the letter and check sent to the customer, to the Department within thirty (30) days of the signing of the Final Order.
7. Respondent shall enter all fifteen (15) real estate transactions into the RREAL IN database within thirty (30) days after the signing of the Final Order.
8. Respondent agrees to pay an administrative penalty in the amount of three thousand eight hundred ninety two dollars (\$3,892.00) to the Department within sixty (60) days of the Commissioner's Final Order adopting this Agreed Entry.
9. The Department agrees to accept Respondent's compliance with the agreement herein as full satisfaction of this matter.
10. Respondent has carefully read and examined this agreement and fully understands its terms.
11. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.