

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO. 14032-AG15-1201-306

IN THE MATTER OF: )  
 )  
RT Title Agency LLC )  
9600 Montgomery Road )  
Cincinnati, OH 45212 )  
Respondent. )  
Type of Agency Action: Title Enforcement )  
Indiana Insurance License No.: 606283 )

**FILED**

JAN 08 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance (“Department”), by its counsel, Joshua Harrison, and RT Title Agency 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 one thousand three hundred dollars (\$1,300.00) to the Department, in aggregate, for overcharging on premiums and for failure to collect TIEFF. This amount is due in full within thirty (30) days after the signing of this Final Order.

2. Respondent shall refund consumers one hundred sixty eight dollars (\$168.00) for overcharged premiums.
3. Respondent must provided a letter to the consumer with a reimbursement check stating that "On April 9, 2015 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 will provide a copy of the letter and check sent to the consumer to the Department within thirty (30) days after the signing of this Final Order.

ALL OF WHICH IS ORDERED this 8<sup>th</sup> day of January, 2016.



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

RT Title Agency LLC  
9600 Montgomery Road  
Cincinnati, OH 45212

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

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Indiana Producer License No.: 606283 )

**FILED**

JAN 08 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is executed by the Indiana Department of Insurance (“Department”), by counsel Joshua Harrison, and RT Title Agency LLC, (“Respondent”), a 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 606283; and

WHEREAS, Respondent failed to collect the Indiana Title Insurance Enforcement Fund Fee on eleven (11) transactions in violation of Indiana Code § 27-7-3.6-7;

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 Commonwealth Land Title Insurance Company (“Underwriter”) contractual rates for ten (10) title policies in violation of Indiana Code § 27-1-22-18; 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:

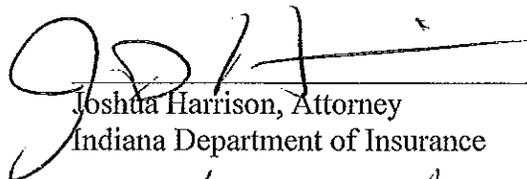
1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall refund consumers one hundred sixty eight dollars (\$168.00) within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry.
6. Respondent shall provide letter to the customer with a reimbursement check stating that “On April 9, 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 agrees to pay an administrative penalty in the amount one thousand three hundred dollars (\$1,300.00) to the Department within thirty days (30) after the Commissioner signs the Final Order adopting this Agreed Entry.
8. The Department agrees to accept Respondent's compliance with the agreement herein as full satisfaction of this matter.
9. Respondent has carefully read and examined this agreement and fully understands its terms.
10. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
11. 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 not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
12. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

12-16-15  
Date Signed

12-15-2015  
Date Signed

  
Joshua Harrison, Attorney  
Indiana Department of Insurance

  
Ronnie Semlak, Owner  
  
Esther Semlak