

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE  
CAUSE NUMBER: 10971-AG12-0312-021

IN THE MATTER OF: )  
 )  
First Title of Indiana, Inc. )  
 )  
8365 Keystone Crossing Suite 105 )  
Indianapolis, Indiana 46240 )  
 )  
Producer License No. 34195 )  
 )  
Respondent )  
 )  
 )  
Type of Agency Action: Enforcement )

**FILED**  
JUN 11 2012  
STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance (“Department”) and Adam Mears, (“Mears”) as authorized representative of First Title of Indiana, Inc. (“Respondent”), licensed resident Indiana insurance producer, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent’s license, 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 will pay a fine to the home owner education account in the amount of \$4,000.00. The fine will be paid in accordance with the terms set forth in the Agreed Entry in this matter. .
2. Respondent will fully comply with all other terms set forth in the Agreed Entry in this matter.

ALL OF WHICH IS ORDERED this 11<sup>th</sup> day of June, 2012.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Nikolas P. Mann  
**INDIANA DEPARTMENT OF INSURANCE**  
311 West Washington Street  
Suite 103  
Indianapolis, Indiana 46204-2787

Adam Mears  
**First Title of Indiana, Inc.**  
8365 Keystone Crossing Suite 105  
Indianapolis, IN 46240

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STATE OF INDIANA  
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**AGREED ENTRY**

This Agreed Entry is entered into by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and Adam Mears ("Mears"), as authorized representative of First Title of Indiana Inc. (FTI), a licensed title insurance agency. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance.

WHEREAS, representatives from the Department conducted a compliance review and discovered Respondents failed to make required entries to the Residential Real Estate Acquisition of License Information and Numbers ("RREAL IN") database; and

WHEREAS, Mears acknowledges the failure to enter four hundred and twenty three (423) required entries to the Rreal IN database; and

WHEREAS, the manager of FTI immediately began entering the outstanding transactions upon being notified of the deficiency; and

WHEREAS, the Department alleges that Respondent's failure to enter the transactions is a violation of Indiana Code 27-1-15.6-12; and

WHEREAS, the Department alleges that Respondent's failure to enter the transactions is a violation of Indiana Code 6-1.1-12-43, which requires closing agents to enter the information; and

WHEREAS, Mears is authorized to act on behalf of the agency and obligate it to perform in accordance with this agreement; and

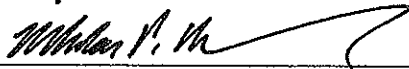
WHEREAS, the Department and Respondents desire to resolve their differences and settle the issues without a hearing.

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

1. The Commissioner has jurisdiction over the subject matter and Respondents in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondents knowingly, voluntarily and freely waive their right to a public hearing on the issues in this action.
4. Respondents waive their right to judicial review of this matter.
5. Respondents do not admit or deny the allegations made by the Department.
6. Respondents agree to the following terms:
  - a) Respondent will pay a fine to the Homeowner Education Fund account in the amount of \$4,000.00. The fine will be payable sixty (60) days after the date of the Commissioner's Final Order.
  - b) Respondents certify that all transactions which were not entered in a timely manner have now been entered.

7. Failure on the part of Respondents to complete any term of this Agreed Entry will result in the filing of a Statement of Charges that seeks additional fines and possibly permanent revocation of Respondents' licenses and the matter being set for a hearing.
8. The Department agrees to accept Respondents' compliance with the terms of this Agreed Entry as full resolution of this matter.
9. 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.

5/31/12  
Date Signed

  
\_\_\_\_\_  
Nikolas P. Mann, Attorney  
Indiana Department of Insurance

5-31-2012  
\_\_\_\_\_  
Date Signed

  
\_\_\_\_\_  
Adam Mears, President  
First Title of Indiana, Inc.

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF MARION        )

Before me a Notary Public for Marion County, State of Indiana, personally appeared Adam Mears, on behalf of First Title of Indiana, Inc. and being first duly sworn by me upon her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 31<sup>st</sup> day of May, 2012



TAMMY J. SHULER  
Res. of Marion County  
Comm Exp 01/29/2015  
Commission No. 560465

  
\_\_\_\_\_  
Signature

Tammy J. Shuler  
Printed

My Commission expires: 1/29/15

County of Residence: Marion