

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE  
CAUSE NUMBER:12052-AG14-0306-029

IN THE MATTER OF: )

Amity Falcone-Walden, Owner )  
A-One Title, LLC, )  
Respondent. )

2009 Gregory Circle )  
Noblesville, IN 46062 )

Type of Action: Title Enforcement )  
Title Insurance License #409407 )

**FILED**

AUG 28 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

On July 24, 2014, the appointed Administrative Law Judge, K. B. Wilson, filed his Findings of Fact, Conclusions of Law, and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of Law, and Recommended Order and Notice of Filing of Recommended Order on Respondent by mailing the same to her home address of record.
2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.
3. Respondent has not filed an objection with the Commissioner regarding the Administrative Law Judge's Recommended Order, and more than eighteen (18) days have elapsed.

THEREFORE, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order, and issues the following Final Order:

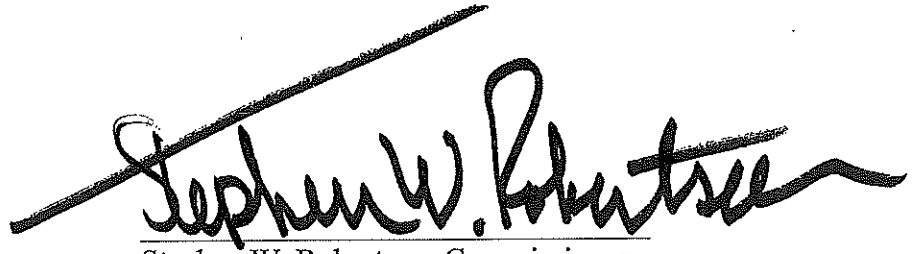
IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's insurance producer license, #409407, is hereby revoked for a period of ten (10) years from the date of this Final Order.

2. Respondent shall pay a civil penalty in the amount of five thousand dollars (\$5,000.00), payable in full within sixty (60) days from the date of this Final Order.

Under Ind. Code §4-21.5-5-5, Respondent has the right to appeal this Final Order by filing a petition for judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS Ordered by the Commissioner this 28<sup>th</sup> day of August, 2014.

A handwritten signature in black ink that reads "Stephen W. Robertson". The signature is written in a cursive style and is positioned above the printed name of the Commissioner.

Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Amity Falcone-Walden  
20009 Gregory Circle  
Noblesville, IN 46062

Robert L. Hummel, Attorney  
Indiana Dept. of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

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Type of Action: Title Enforcement )

**FILED**

MAR 07 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

**EMERGENCY CEASE AND DESIST ORDER**

The Indiana Commissioner of Insurance, having reviewed the Title Division's Motion for Emergency Cease and Desist Order, and being otherwise duly advised, now finds as follows:

**FINDINGS OF FACT**

1. Respondent was the owner/operator of A One Title, LLC, a recently closed title insurance agency, located in Fishers, Indiana.
2. Respondent held a resident title insurance producer license, #409407, that expired on August 31, 2013.
3. Respondent has continued to sign title insurance commitments, sign HUD-1 Settlement Statements, and otherwise act as a licensed title insurance agent after her license expired.

**CONCLUSIONS OF LAW**

1. An emergency exists in that Respondent may continue to act and hold herself out to be a licensed title insurance producer, to the detriment of the public, despite not being properly licensed.

2. In an emergency, the Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Ind. Code §4-21.5-4-2(a).

**ORDER**

It is therefore, ORDERED that Respondent must CEASE AND DESIST from:

1. All activity as a title insurance producer including the solicitation, negotiation, and sale of insurance.

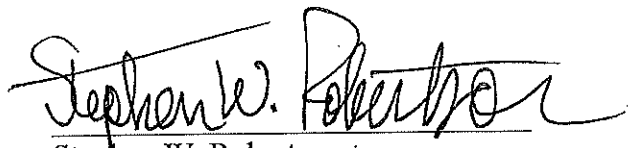
2. Removing any funds from A One Title, LLC's account or accounts for personal use.

A copy of this Order will be provided to all title insurance companies with whom A One Title LLC holds appointments.

Pursuant to Ind. Code §4-21.5-4-2, this order remains effective for ninety (90) days commencing on the date this order is issued.

Respondent is hereby notified of her right to a hearing concerning this order as quickly as practicable under Ind. Code §4-21.5-4-4.

3-7-14  
Date

  
Stephen W. Robertson,  
Commissioner  
Indiana Department of Insurance

Distribution to:

Amity Falcone-Walden  
20009 Gregory Circle  
Noblesville, IN 46062

General Title Insurance Company  
24262 Broadway Ave  
Cleveland, OH 44146

Robert L. Hummel, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

STATE OF INDIANA )  
 ) SS:  
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BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER:12052-AG14-0306-029

IN THE MATTER OF: )  
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Amity Falcone-Walden, )  
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20009 Gregory Circle )  
 Noblesville, IN 46062 )  
 )  
Type of Action: Title Enforcement )

**FILED**

MAR 07 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

**MOTION FOR EMERGENCY CEASE AND DESIST ORDER**

The Title Division ("Division") of the Indiana Department of Insurance, pursuant to Ind. Code §4-21.5-4, files its petition for an emergency cease and desist order against Amity Falcone-Walden ("Respondent"), and states:

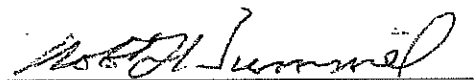
1. Respondent was the owner/operator of A One Title, LLC, a recently closed title insurance agency, located in Fishers, Indiana.
2. Respondent held a resident title insurance producer license, #409407, that expired on August 31, 2013.
3. Respondent has continued to sign title insurance commitments, sign HUD-1 Settlement Statements, and otherwise act as a licensed title insurance agent after her license expired.
4. An emergency exists in that Respondent may continue to act and hold herself out to be a licensed title insurance producer, to the detriment of the public, despite not being properly licensed.

5. Respondent should be required to cease and desist all activity as a title insurance producer including the solicitation, negotiation, and sale of insurance.

6. Respondent should be required to cease and desist removing any funds from A One Title, LLC's account or accounts for personal use.

7. Under Ind. Code §4-21.5-4-2(a)(1), the Commissioner may, in an emergency, issue orders without notice or an evidentiary proceeding. Upon issuance of an emergency order, Respondent may request a hearing as quickly as practicable under Ind. Code §4-21.5-4-4.

WHEREFORE, the Title Division requests that the Commissioner issue an emergency cease and desist order against Respondent under Ind. Code §4-21.5-4-2, and for all other necessary and proper relief.



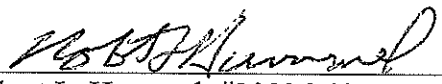
Robert L. Hummel  
Attorney #20936-49

Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
317 232-5063  
Fax 317 234-2103

Certificate of Service

I certify that a copy of the foregoing has been serviced upon Respondent by Certified United States Mail, return receipt requested, postage prepaid, this 7th day of March, 2014.

Amity Falcone-Walden  
20009 Gregory Circle  
Noblesville, IN 46062

  
Robert L. Hummel, #20936-49

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

Via Certified Mail, Receipt #9214 8901 0661 5400 0029 5459 53



STATE OF INDIANA )  
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BEFORE THE INDIANA  
SS: COMMISSIONER OF INSURANCE  
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20009 Gregory Circle )  
Noblesville, IN 46062 )

Type of Action: Title Enforcement )  
Title Insurance License #409407 )

**FILED**

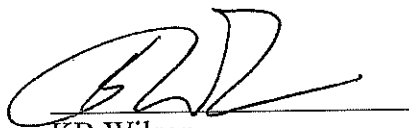
MAY 19 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

Notice of New Hearing Date

The Administrative Law Judge now being advised of Respondent's request for a continuance of the hearing scheduled for May 1, 2014 at 9:30 a.m. GRANTS said request and reset this matter for a hearing on June 4<sup>th</sup> at 9:30 a.m..

So Ordered this 19<sup>th</sup> day of May, 2014.



KB Wilson  
Administrative Law Judge

Distribution:

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

Amity Falcone-Walden  
20009 Gregory Circle  
Noblesville, IN 46062

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APR 02 2014  
STATE OF INDIANA  
DEPT. OF INSURANCE

STATEMENT OF CHARGES

The Title Division of the Indiana Department of Insurance ("Division"), pursuant to the Indiana Administrative Orders and Procedures Act, Ind. Code §4-21.5-1-1 *et seq.* and Ind. Code §27-1-15.6-12, hereby gives notice to Amity Falcone-Walden ("Respondent") of the following charge:

FACTS

1. Respondent was a licensed resident title insurance producer, holding license number 409407 which expired on August 31, 2013.
2. During all relevant times, Respondent was owner of A-One Title, LLC ("A-One"), a title insurance agency located in Fishers, Indiana.
3. The title insurance company that underwrites title insurance policies for A-One is General Title Insurance Company ("General Title"), which terminated its contract with Respondent on January 29, 2014. *See Exhibit "A" attached hereto.*

4. On December 20, 2011, an examination of A-One was conducted by then Senior Insurance Examiner Dan Oliver. The examination found that Respondent had signed title closing documents without a valid license. *See Exhibit "B" attached hereto.*

5. On March 19, 2012, the Commissioner issued a Final Order approving an Agreed Entry imposing a fine of two hundred and fifty dollars (\$250.00) on Respondent for not complying with the Indiana insurance producer licensing statutes. *See Exhibit "C" attached hereto.*

6. On March 21, 2014, an examination of A-One's records was scheduled and subsequently cancelled by Division Senior Examiner Nicole Lotter when informed by Respondent that she was closing her agency. *See Exhibit "D" attached hereto.*

7. Examiner Lotter reviewed A-One closing files submitted to the Division by General Title and found thirteen (13) files where Respondent had signed HUD-1 and/or title insurance commitment documents without a valid title insurance producer license. *See Exhibits E, F, G, H, I, J, K, L, M, N, O, P, and Q attached hereto.*

#### **COUNT I**

8. The Division hereby incorporates by reference paragraphs 1 through 7 of the Statement of Charges as if fully set forth herein.

9. By signing HUD-1 and title insurance commitment documents without a valid title insurance producer license, Respondent violated Indiana insurance law.

10. Respondent's conduct, as alleged herein, is a violation of Ind. Code §27-1-15.6-3(a).

11. Under Ind. Code §§27-1-15.6-12(b and f), the Commissioner may levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's

license, revoke an insurance producer's license for a period of years, permanently revoke an insurance producer's license, or refuse to issue or renew an insurance producer license for violations of Ind. Code §27-1-15.6-12(b)(2)(A).

## COUNT II

12. The Division hereby incorporates by reference paragraphs 1 through 7 of the Statement of Charges as if fully set forth herein.

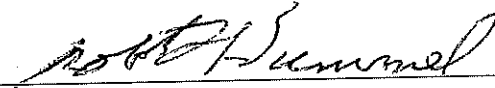
13. By acting as a title insurance producer without a valid license, Respondent used dishonest practices or demonstrated incompetence or untrustworthiness in the conduct of business in Indiana.

14. Respondent's conduct, as alleged herein, is a violation of Ind. Code §27-1-15.6-12(b)(8).

15. Under Ind. Code §§27-1-15.6-12(b and f), the Commissioner may levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, revoke an insurance producer's license for a period of years, permanently revoke an insurance producer's license, or refuse to issue or renew an insurance producer license for violations of Ind. Code §27-1-15.6-12(b)(8).

WHEREFORE, the Department, by its counsel, Robert L. Hummel, requests that the Commissioner impose a civil penalty against Respondent in the amount of five thousand dollars (\$5,000.00), permanently revoke Respondent's title insurance producer license, and all other relief just and proper in the premises.

Respectfully submitted,



---

Robert L. Hummel

#20936-49

Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
317 232-5063 - telephone  
317 23402103 - facsimile

**CERTIFICATE OF SERVICE**

This is to certify that the foregoing has been served upon Respondent Amity Falcone-Walden by depositing a copy of same in the United States Mail, first class postage prepaid, this 2<sup>nd</sup> day of APRIL, 2014.

Amity Falcone-Walden  
20009 Gregory Circle  
Noblesville, IN 46062



Robert L. Hummel  
Attorney #20936-49

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