

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NO: 13096-AG14-0715-138

HOME CLOSINGS INC.)
)
Producer / Respondent)
)
6010 Brownsboro Park Boulevard)
Suite H)
Louisville, Kentucky 40207)
)
Type of Action: Title Enforcement)
)
Non-Resident License No.: 674490)

FILED

AUG 20 2014

**STATE OF INDIANA
DEPT. OF INSURANCE**

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Michael F. Mullen, and Home Closings Inc. (“Respondent”), a nonresident title agency, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department of Insurance (the “Commissioner”) for approval.

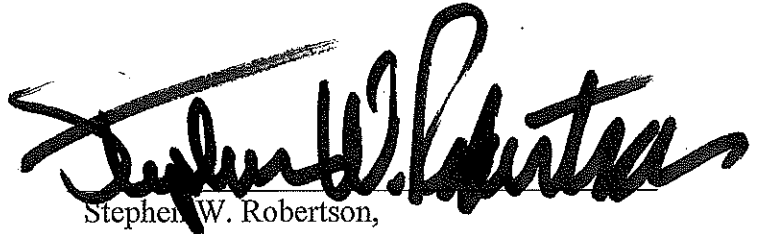
The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry, attached, as if fully set forth herein, and approves and adopts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

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. For failing to disclose an administrative action and engaging in the business of insurance on twenty five (25) occasions without a license, Respondent shall pay a

civil penalty in the amount of Two Thousand Two Hundred Fourteen Dollars and no/100 (\$2,214.00) within sixty (60) days of today's date.

ALL OF WHICH IS ORDERED this 25th day of August 2014.



Stephen W. Robertson,
Commissioner of the
Indiana Department of Insurance

Distribution:

Michael F. Mullen
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Lawrence J. Phillips,
President
Home Closings Inc.
6010 Brownsboro Park Boulevard
Suite H
Louisville, Kentucky 40207

Certified Receipt Number: 9214 8901 0661 5400 0038 6282 96

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DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Michael F. Mullen, and Home Closings Inc. ("Respondent"), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance.

WHEREAS, on May 29, 2014, the Department examined Respondent's business practices; and,

WHEREAS, said examination revealed Respondent held a nonresident producer license from November 2, 2009 until November 30, 2013; and,

WHEREAS, said examination further revealed Respondent sold, solicited, or negotiated 25 title insurance policies without proper licensure; and,

WHEREAS, the Department alleges that Respondent's conduct, as stated above, is a violation of Indiana Code §27-1-15.6-3(a); and,

WHEREAS, on July 15, 2014, Respondent submitted an application for a non-resident producer license; and,

WHEREAS, on said application, Respondent failed to disclose an administrative action taken against its Indiana license in August 2013; and,

WHEREAS, the Department alleges Respondent's conduct, as stated above, is a violation of Indiana Code § 27-1-15.6-12(b)(1); and,

WHEREAS, Respondent currently holds an active non-resident license; and,

WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

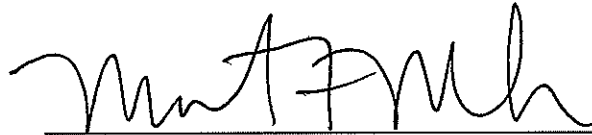
IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing on this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this agreement and the Commissioner's Final Order.
5. Respondent acknowledges that Indiana Code § 27-1-15.6-17(a) requires a producer to report to the Commissioner any administrative action, not more than thirty (30) days after the final disposition of the matter.
6. Respondent shall pay an administrative fine in the amount of Two Thousand Two Hundred Fourteen Dollars and no/100 (\$2,214.00) within sixty (60) days of the Commissioner's Final Order adopting this Agreed Entry.

7. The Department shall accept Respondent's compliance with all terms set forth herein as full resolution of this matter.
7. 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.
8. Respondent has carefully read this agreement and fully understands and accepts its terms.

8/11/2014

Date Signed



Michael F. Mullen, Attorney for the
Indiana Department of Insurance,
Enforcement Division

8/05/14

Date Signed



Lawrence J. Phillips, President, o/b/o
Home Closings Inc., Respondent

COMMONWEALTH OF KENTUCKY)

COUNTY OF Jefferson) SS:

Before me a Notary Public for Jefferson County, Commonwealth of

Kentucky, personally appeared Lawrence J. Phillips, on behalf of Home Closings Inc., and being first duly sworn by me upon his oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 5th day of August, 2014.

[Handwritten Signature]

Signature

Printed

Ronda S Pearce

My Commission expires: 5/3/2018

County of Residence: Kentucky at Large

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 13096-AG14-0715-138

HOME CLOSINGS INC.)
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Producer / Respondent)
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Louisville, Kentucky 40207)
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Type of Action: Title Enforcement)

FILED
AUG 01 2014
STATE OF INDIANA
DEPT. OF INSURANCE

ORDER VACATING EMERGENCY CEASE AND DESIST ORDER

The Commissioner of the Indiana Department 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. Home Closings Inc. ("Respondent") is a non-resident title insurance agency located in Louisville, Kentucky.
2. On July 16, 2014, under the authority of Indiana Code § 4-21.5-4 *et seq.*, the Commissioner issued an Emergency Cease and Desist Order ordering Respondent to cease and desist from all activity as a licensed title insurance producer.
3. The Emergency Cease and Desist Order was issued because it was believed Respondent was selling, soliciting, and negotiating insurance without a license.
4. In fact, Respondent was licensed on July 16, 2014.
5. Respondent holds an active license.

CONCLUSIONS OF LAW

1. Pursuant to Ind. Code § 4-21.5-4-1(a), an agency may conduct proceedings to issue an emergency order if an emergency exists.
2. On July 16, 2014, an Emergency Cease and Desist was issued under this cause number under the authority of Ind. Code §4-21.5-4-1(a).
3. Because Respondent held an active license, it was not engaging in the unlicensed selling, soliciting, and negotiating of insurance on July 16, 2014. Thus, an emergency did not exist on July 16, 2014.

ORDER

It is therefore ORDERED that the July 16, 2014 Emergency Cease and Desist Order in this matter is hereby VACATED:

The voiding of the Emergency Cease and Desist Order does not prejudice the Department from taking further additional administrative action in this matter.

8-1-14

Date



Stephen W. Robertson,
Commissioner,
Indiana Department of Insurance

Distribution:

Home Closings Inc.
6010 Brownsboro Park Boulevard Suite H
Louisville, Kentucky 40207

Michael F. Mullen
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 NO: 13096-AG14-0715-138

HOME CLOSINGS INC.)
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 Suite H)
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STATE OF INDIANA
DEPT. OF INSURANCE

MOTION TO VACATE EMERGENCY CEASE AND DESIST ORDER

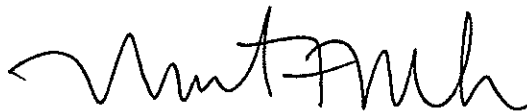
The Title Division of the Indiana Department of Insurance (the "Department"), by counsel, Michael F. Mullen, respectfully requests the July 16, 2014 Emergency Cease and Desist Order in the above-captioned matter be vacated, and in support thereof states:

1. Home Closings Inc. ("Respondent") is a non-resident title insurance agency located in Louisville, Kentucky.
2. On July 16, 2014, under the authority of Indiana Code § 4-21.5-4 *et seq.*, the Commissioner issued an Emergency Cease and Desist Order ordering Respondent to cease and desist from all activity as a licensed title insurance producer.
3. Said Order was based on a belief that Respondent was selling, soliciting, and negotiating insurance without a license.
4. Based on information and belief, Respondent was licensed on July 16, 2014, the day the Emergency Cease and Desist Order took effect.
5. Pursuant to Ind. Code § 4-21.5-4-1(a), an agency may issue Emergency and Other Temporary Orders if an emergency exists.

6. Because Respondent held an active license, it was not engaging in the unlicensed selling, soliciting, and negotiating of insurance on July 16, 2014. Thus, an emergency did not exist on July 16, 2014.
7. Vacating the Emergency Cease and Desist Order does not prejudice the Department from taking further action against Respondent in this matter.

WHEREFORE, the Title Enforcement Division of the Indiana Department of Insurance, by counsel, Michael F. Mullen, respectfully requests the Commissioner to vacate the July 16, 2014 Emergency Cease and Desist Order; and for all other appropriate relief.

Respectfully submitted,

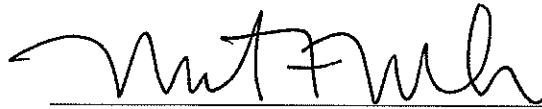


Michael F. Mullen, Attorney No. 30395-49
Indiana Department of Insurance,
Enforcement Division

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Motion has been served upon Respondent in the above-captioned proceeding via email and at the address below this ~~11~~³¹ day of ~~Sept~~^{July} 2014.

Home Closings Inc.
6010 Brownsboro Park Boulevard Suite H
Louisville, Kentucky 40207
larry@homeclosingsinc.com



Michael F. Mullen, Attorney No. 30395-49
Indiana Department of Insurance,
Enforcement Division

Indiana Department of Insurance
311 West Washington Street Suite 300
Indianapolis, Indiana 46204-2787

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER:13096-AG14-0715-138

IN THE MATTER OF:)
)
Home Closing Inc.)
Respondent.)
)
6010 Brownsboro Park Blvd., Suite H)
Louisville, KY 40207)
)
Type of Action: Title Enforcement)

FILED

JUL 16 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. Home Closing Inc. ("Respondent") is a non-resident title insurance agency located in Louisville, KY.
2. On July 15, 2014, Division Senior Examiner Jonathon Handsborough conducted an examination of Respondent and found that Respondent has conducted business as a title insurance producer without an Indiana title insurance producer license.
3. Respondent continues to act as a licensed title insurance producer without an Indiana title insurance producer license.

CONCLUSIONS OF LAW

1. An emergency exists in that Respondent has been, and continues to be an unlicensed 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:

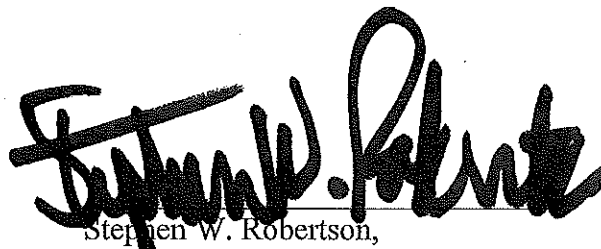
1. All activity as a licensed title insurance producer including the solicitation, negotiation, and sale of insurance.

A copy of this Order will be provided to all title insurance companies with whom Respondent 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 its right to a hearing concerning this order as quickly as practicable under Ind. Code §4-21.5-4-4.

7-16-14
Date



Stephen W. Robertson,
Commissioner
Indiana Department of Insurance

Distribution to:

Home Closing Inc.
6010 Brownsboro Park Blvd., Suite H
Louisville, KY 40207

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