

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 13154-AG14-1117-207

IN THE MATTER OF:)
)
Plymouth Title Guaranty)
73 W. Monroe Street, Suite 406)
Chicago, IL 60603)
Respondent.)

FILED

JAN 16 2015

STATE OF INDIANA
DEPT. OF INSURANCE

Type of Agency Action: Title Enforcement
Indiana Insurance License No.: 750647

FINAL ORDER

The Indiana Department of Insurance (“Department”), by its counsel, Debra J. McNeil, and Plymouth Title Guaranty (“Respondent”), a 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.

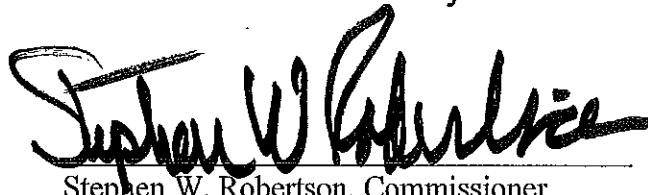
IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent shall pay an administrative penalty in the amount of Two Thousand Four Hundred Sixty Five dollars (\$2,465.00) to the Department, in the aggregate for failure to report Fifty (50) RREAL IN transactions into the

data base, overcharging on Premiums, and paying unlicensed personnel, within thirty (30) days of this Final Order.

2. Respondent shall develop, provide, and implement policies to ensure all employees and any agency that requires an insurance license is in compliance with Indiana insurance laws. Respondent shall implement these policies and provide the Department a copy of these policies within thirty (30) days of this Final Order.
3. Respondent shall enter all unreported real estate transactions onto the RREAL IN data base with thirty (30) days after the signing of the Final Order.
4. Respondent shall refund consumer Three Hundred Thirty dollars (\$330.00) within sixty (60) days of the signing of the Final Order.
5. Respondent is to send copy of refund check to the Department to show proof of refund to consumer.

ALL OF WHICH IS ORDERED this 16th day of January, 2015.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Plymouth Title Guaranty
73 W. Monroe Street, Suite 406
Chicago, IL 60603

Debra J. McNeil, Deputy General Counsel
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: 13154-AG14-1117-207

IN THE MATTER OF:)
)
Plymouth Title Guaranty)
73 W. Monroe Street, Suite 406)
Chicago, IL 60603)
Respondent.)
)
Type of Agency Action: Enforcement)
)
Indiana Producer License No.: 750647)

FILED

JAN 16 2015

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Title Division of the Indiana Department of Insurance ("Department"), by counsel, Josh Harrison, and Plymouth Title Guaranty ("Respondent"), to resolve all issues in the above-captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a non-resident title insurance agency licensed in the State of Indiana, holding license number 750647; and

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

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;

WHEREAS, the Respondent failed to enter fifty (50) real estate transactions into the RREAL IN data base; and

WHEREAS, Indiana Code § 27-1-15.6-13 (a) & (b) requires Respondent to only pay a commission, service fee, brokerage fee, or other valuable consideration to a person for selling, soliciting, or negotiating insurance in Indiana if that person is licensed;

WHEREAS, the Department alleges that Respondent has paid unlicensed personnel for selling, soliciting, or negotiating insurance in Indiana while said personnel was not licensed;

WHEREAS, Indiana Code § 27-7-2-20.1 states that minimum premiums and rates may not be excessive, inadequate, or unfairly discriminatory;

WHEREAS, the Respondent has overcharged of premiums;

WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve their differences and settle their issues 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 the issues in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall enter all fifty (50) real estate transactions into the RREAL IN database within thirty (30) days of the Final Order.
6. Respondent shall refund consumer, File 13135274, three hundred thirty dollars (\$330.00) within sixty (60) days of the Final Order.

7. Respondent is to send copy of refund check to the Department to show proof of refund to consumer.
8. Respondent shall pay an administrative fine in the amount of two thousand four hundred sixty five dollars (\$2,465.00) to the Department within thirty (30) days of the Commissioner's Final Order adopting this Agreed Entry.
9. The Department agrees to accept Respondent's compliance with the agreement 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.
12. 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.
13. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

1-2-15

Date Signed

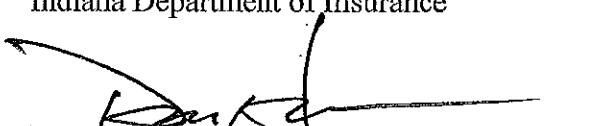
12/29/14

Date Signed



~~Josh Harrison~~, Attorney
Indiana Department of Insurance

Debra J McNeil

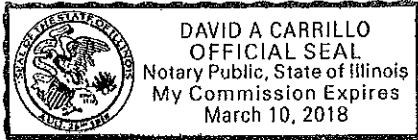


Daniel R. Heise, Owner
Plymouth Title Guaranty Corp.

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

Before me a Notary Public for COOK County, State of Illinois, personally appeared Daniel R. Heise, on behalf of Plymouth Title Guaranty Corp., and being first duly sworn by me upon his/her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 29th day of December, 2014.



[Handwritten Signature]
Signature

DAVID A. CARRILLO
Printed

My Commission expires: 2/10/18

County of Residence: COOK