

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO. 13108-AG14-1202-210

IN THE MATTER OF:

Action Title & Escrow, LLC  
28 E. Morgan Street  
Martinsville, IN 46151

Respondent.

Type of Agency Action: Title Enforcement

Indiana Insurance License No.: 505975

**FILED**

MAY 08 2015

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance ("Department"), by its counsel, Joshua Harrison, and Action Title & Escrow, 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 eight thousand ninety dollars (\$8,090.00) to the Department, in aggregate, for overcharging on premiums and paying unlicensed personnel for signing HUD-1s. This amount is due in full within ninety (90) days after the signing of this Final Order.
2. ✓ Respondent shall refund consumers three hundred thirty five dollars (\$335.00) for overcharged premiums within thirty (30) days after the signing of the Final Order.
3. ✓ Respondent shall provide a letter to the consumer with a reimbursement check stating that "On July 14, 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 shall 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.

4. 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 law. Respondent shall implement these policies and provide the Department a copy of these policies within thirty (30) days of the Commissioners Final Order.

ALL OF WHICH IS ORDERED this 8<sup>th</sup> day of May, 2015.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Action Title & Escrow, LLC  
28 E. Morgan Street  
Martinsville, IN 46151

Joshua Harrison, Attorney  
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: 13108-AG14-1202-210

IN THE MATTER OF:

Action Title & Escrow, LLC  
28 E. Morgan Street  
Martinsville, IN 46151

Respondent.

Type of Agency Action: Enforcement

Indiana Producer License No.: 505975

**FILED**

MAY 08 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, Joshua Harrison, and Action Title & Escrow, LLC ("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 resident title insurance agency licensed in the State of Indiana, holding license number 505975; and

WHEREAS, on July 14, 2014, the Department conducted an examination of Respondent and on July 24, 2014 issued a report outlining violations found therein; and,

WHEREAS, the Respondent paid a person for selling, soliciting, or negotiating insurance in Indiana while said person was not licensed, which is a violation of Ind. Code § 27-1-15.6-13 (a); and

WHEREAS, Indiana Code § 27-4-1-4(a)(7)(C)(i) prohibits insurers from charging excessive premiums on title insurance policies;

WHEREAS, the Respondent has overcharged consumers on simultaneously issued policies underwritten by Agent's National Title Insurance Company and lender's policies underwritten by Chicago Title Insurance Company; and,

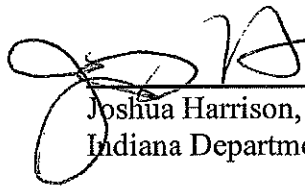
WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve their differences and settle the issues without the necessity of a hearing;

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

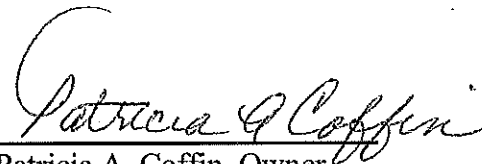
1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing on the issues in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall pay an administrative fine of Eight Thousand Ninety dollars (\$8090.00), without interest, to the Department within ninety (90) days after the Commissioner's Final Order adopting this Agreed Entry.
6. Respondent shall refund consumers Three Hundred Thirty-five dollars (\$335.00) for overcharged premiums on simultaneously issued title insurance policies which were underwritten by Agent's National Title Insurance and/or lender's policies underwritten by Chicago Title Insurance Company for the two year period of the examination (July 2012 through July 2014) within thirty (30) days of the signing of the Final Order.

7. Respondent shall provide letter to the customer with a reimbursement check stating that "On (Date of exam) 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). Per result 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 sixty (60) days of Final Order.
8. 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 law. Respondent shall implement these policies and provide the Department a copy of these policies within thirty (30) days of the Commissioners Final Order.
9. The Department agrees to accept Respondent's compliance with this 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 of the terms of this agreement will result in the matter being set for a hearing.

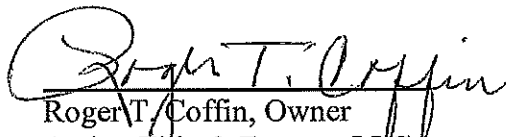
5-4-15  
Date Signed

  
Joshua Harrison, Attorney  
Indiana Department of Insurance

4/30/2015  
Date Signed

  
Patricia A. Coffin, Owner  
Action Title & Escrow, LLC

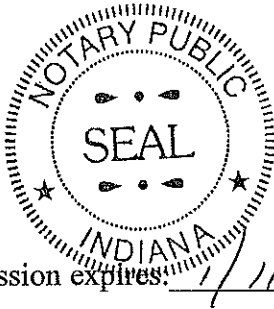
4/30/2015  
Date Signed

  
Roger T. Coffin, Owner  
Action Title & Escrow, LLC

STATE OF INDIANA                     )  
  ) SS:  
COUNTY OF MORGAN                 )

Before me a Notary Public for Morgan County, State of Indiana, personally  
appeared Patricia A. Coffin and Roger T. Coffin on behalf of Action Title & Escrow, LLC and  
being first duly sworn by me upon his oath, states that the facts alleged in the foregoing  
instrument are true.

Signed and sealed this 30<sup>th</sup> day of April, 2015.



Deborah L. Certolic  
Notary Signature

DEBORAH L. CERTOLIC  
Notary Name Printed

My Commission expires: 1/11/16

County of Residence: MORGAN