

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 14304-AG15-0522-132

IN THE MATTER OF:)
)
IN Title Company)
200 E Washington Street)
Muncie, IN 47305)
Respondent.)
)
Type of Agency Action: Title Enforcement)
Indiana Insurance License No.: 631088)

FILED

JUN 12 2015

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

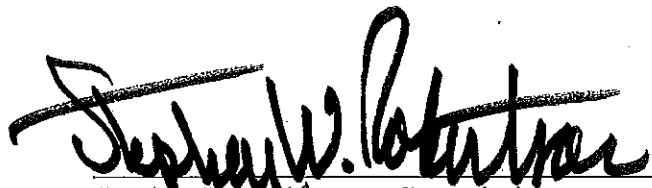
The Indiana Department of Insurance (“Department”), by its counsel, Brigitte Collier, and IN Title Company (“Respondent”), a resident licensed title insurance agency, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department and which has been submitted to the 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 five hundred dollars (\$500.00) to the Department, in aggregate, for failure to adhere to the Good Funds Law when they accepted and deposited a check that exceeded ten thousand dollars (\$10,000.00). This amount is due in full within thirty (30) days after the signing of this Final Order.

ALL OF WHICH IS ORDERED this 12th day of June, 2015.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

IN Title Company
200 E Washington Street
Muncie, IN 47305

Brigitte Collier, 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: 14034-AG15-0522-132

IN THE MATTER OF:)
)
IN Title Company)
200 E Washington Street)
Muncie, IN 47305)
Respondent.)
)
Type of Agency Action: Enforcement)
)
Indiana Producer License No.: 631088)

FILED
JUN 12 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, Brigitte Collier and IN Title Company ("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 631088; and

WHEREAS, Indiana Code § 27-7-3.7-7 requires that funds of at least ten thousand dollars (\$10,000.00) received from a single party be wired funds;

WHEREAS, Respondent has failed to adhere to the Good Funds Law and accepted and deposited a check that exceeded ten thousand dollars (\$10,000.00);

WHEREAS; Indiana Code § 27-7-3.7-4 requires that agents accepting personal checks must not exceed five hundred dollars (\$500.00) per closing;

WHEREAS; Respondent has failed to adhere to the Good Funds Law and accepted two (2) personal checks that exceeded five hundred dollars (\$500.00);

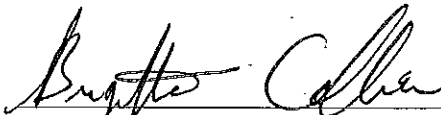
WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve their differences and settle their issues without the necessity of a hearing;

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 pay an administrative fine in the amount of five hundred dollars (\$500.00) to the Department within thirty (30) days of the Commissioner's Final Order adopting this Agreed Entry.
6. The Department agrees to accept Respondent's compliance with the agreement as full satisfaction of this matter.
7. Respondent has carefully read and examined this agreement and fully understands its terms.
8. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.

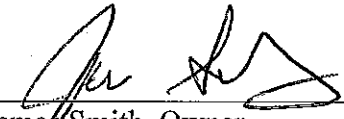
9. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
10. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

6-10-15
Date Signed



Brigitte Collier, Attorney
Indiana Department of Insurance

6-3-15
Date Signed

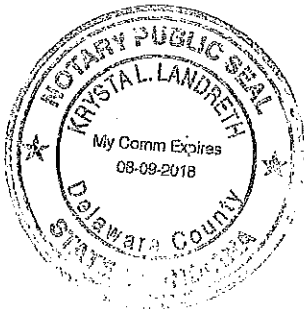


James Smith, Owner
IN Title Company

STATE OF INDIANA)
COUNTY OF Delaware) SS:

Before me a Notary Public for Delaware County, State of Indiana,
personally appeared James Smith, on behalf of IN Title Company, 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 3rd day of June, 2015.



Krystal Landreth
Signature

Printed

My Commission expires: _____

County of Residence: _____

Indiana Department of Insurance -CONFIDENTIAL
Title Division

To: Douglas J. Webber, Chief of Staff
Cc: Randall Evans, Title Division Director
From: Brigitte Collier, Attorney
Date: June 10, 2015

Re: IN Title Company; Cause Number: 1434-AG15-0522-132

Purpose:

The purpose of this memo is to recommend that the Agreed Entry between the Indiana Department of Insurance ("Department") and IN Title Company ("Respondent"), a licensed resident title insurance agency, be approved.

Issue:

Whether the Commissioner should approve an Agreed Entry between the Department and Respondent, when Respondent failed to adhere to the good Funds Law.

Facts:

Respondent is a title insurance agency licensed to do business in Indiana, holding license number 631088. Nicole Lotter, Senior Insurance Examiner for the Department performed an examination of Respondent on May 18, 2015. The examination revealed that Respondent failed to adhere to the Good Funds Law and accepted and deposited a check that exceeded ten thousand dollars (\$10,000.00). This is a violation of Indiana Code §27-7-3.7-7.

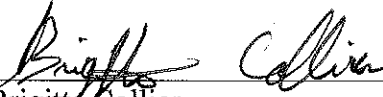
Analysis:

Ind. Code § 27-7-3.7-7 requires that funds of at least ten thousand dollars (\$10,000.00) received from a single party be wired funds. Respondent failed to adhere to the Good Funds Law. Pursuant to the Department of Insurance Fine and Penalty Guidelines, the fine and penalty amount for the violation is five hundred dollars (\$500.00).

Respondent has agreed to pay five hundred dollars (\$500.00) for the violation to the Department within thirty (30) days after the Commissioner signs the Final Order.

Recommendation

I recommend approval of this Agreed Entry based on Respondent's agreement to the fine and terms as set forth in the Agreed Entry.



Brigitte Collier