

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 13607-AG15-1110-290

IN THE MATTER OF:)
)
RES/ Title Inc.)
175 Metro Center Blvd., Suite 4)
Warwick, RI 102886)
Respondent.)
Type of Agency Action: Title Enforcement)
Indiana Insurance License No.: 533198)

FILED

DEC 18 2015

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Indiana Department of Insurance (“Department”), by its counsel, Joshua Harrison, and RES/ Title Inc. (“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 two thousand five hundred nineteen dollars (\$2,519.00) to the Department, in aggregate, for overcharging on premiums; for failure to input thirty six (36) real estate transactions into the RREAL IN database and failure to collect

TIEFF. This amount is due in full within thirty (30) days after the signing of this Final Order.

2. Respondent shall refund consumers one thousand three hundred eighty one dollars and fifty cents (\$1,381.50) for overcharged premiums.
3. Respondent must provided a letter to the consumer with a reimbursement check stating that "On January 13, 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 has provided a copy of the letter and check sent to the consumer to the Department.
4. Respondent shall enter all thirty six (36) unreported real estate transactions into the RREAL IN data base within thirty (30) days after the signing of this Final Order.

ALL OF WHICH IS ORDERED this 18 day of December, 2015.

A handwritten signature in black ink, appearing to read "Stephen W. Robertson". The signature is written in a cursive, somewhat stylized font with a long horizontal stroke extending to the left.

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

RES/ Title Inc.
175 Metro Center Blvd., Suite 4
Warwick, RI 102886

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: 13607-AG15-1110-290

IN THE MATTER OF:)
)
RES/ Title Inc.)
175 Metro Center Blvd, Suite 4)
Warwrik, RI 102886)
Respondent.)
Type of Agency Action: Enforcement)
Indiana Producer License No.: 533198)

FILED

DEC 18 2015

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by the Indiana Department of Insurance (“Department”), by counsel Joshua Harrison, and RES/ Title Inc., (“Respondent”), a title insurance agency licensed to do business in Indiana, to resolve all issues in the above captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance (“Commissioner”).

WHEREAS, Respondent is a non-resident title insurance agency licensed in the State of Indiana, holding license number 533198; and

WHEREAS, Indiana Code § 27-1-22-18 prohibits insurers, brokers, and agents from deviating from Department authorized premiums and government recording fees;

WHEREAS, the Respondent charged title insurance premium rates higher than

Chicago Title Insurance Company (“Underwriter”) contractual rates for forty seven (47) title policies which resulted in a total overcharge of one thousand three hundred eighty-one dollars and fifty cents (\$1,381.50) in violation of Indiana Code § 27-1-22-18; and

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

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; and

WHEREAS, an investigation identified that the Respondent failed to enter thirty six (36) real estate transactions into the RREAL IN database;

WHEREAS, Respondent failed to separately disclose the Indiana Title Insurance Enforcement Fund Fee on forty four (44) transactions which is violation of Indiana Code § 27-7-3.6-7; and

WHEREAS, the Department and Respondent desire to resolve their differences and settle their issues without incurring the time and expense of a hearing;

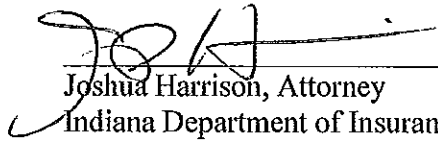
IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.

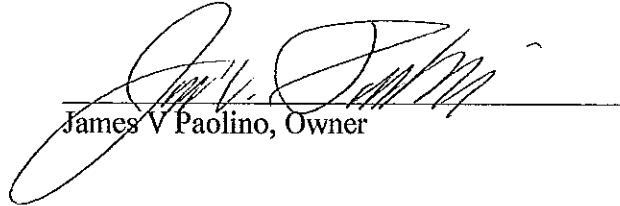
5. Respondent shall refund consumers one thousand three hundred eighty one dollars and fifty cents (\$1,381.50) within thirty (30) days after the signing of the Final Order.
6. Respondent shall provide letter to the customer with a reimbursement check stating that "On January 13, 2015 Indiana Department 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 thirty (30) days of Final Order.
7. Respondent shall enter all forty four (44) real estate transactions into the RREAL IN database within thirty (30) days after the signing of the Final Order.
8. Respondent agrees to pay an administrative penalty in the amount of two thousand five hundred nineteen dollars (\$2,519.00) to the Department in full 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 herein 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.

12-9-15
Date Signed


Joshua Harrison, Attorney
Indiana Department of Insurance

11/19/15
Date Signed

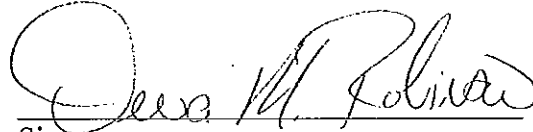

James V Paolino, Owner

STATE OF ROAD ISLAND)
COUNTY OF Kent) SS:

Before me a Notary Public for Kent County, State of ^{Rhode}~~Road~~

Island, personally appeared James V Paolino, on behalf of RES/ Title 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 19th day of November, 2015.


Signature

Dana M. Robinson
Printed

My Commission expires: 6/12/17

County of Residence: Washington