

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF MARION )

BEFORE THE INDIANA  
 COMMISSIONER OF INSURANCE

CAUSE NO. 15222-AG16-1114-195

IN THE MATTER OF: )  
 )  
 Americas Title Corporation )  
 13542 N Florida Ave, Suite 210 )  
 Tampa, FL 33613 )  
 Respondent. )  
 Type of Agency Action: Title Enforcement )  
 Indiana Insurance License No.: 825823 )

**FILED**  
 DEC 22 2016  
 STATE OF INDIANA  
 DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance (“Department”), by its counsel, Claire Szpara, and Americas Title Corporation (“Respondent”), a non-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 (“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:

- Respondent shall pay an administrative penalty in the amount of one thousand dollars (\$1,000) to the Department, in aggregate, for overcharging on premium fees and for failure to input six (6) real estate transactions into the RREAL IN database.

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

2. Respondent shall refund consumers five hundred eighteen dollars and twelve cents (\$518.12) within thirty (30) days of the Commissioner signing this Final Order.
3. Respondent shall provide letter to the customer with a reimbursement check stating that "On April 19, 2016 Indiana Department of Insurance (IDOI), examined our title insurance records in accordance with Indiana Code § 27-1-3.1 et 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 customer, to the Department within thirty (30) days of the Commissioner signing this Final Order.
4. Respondent shall provide proof of consumer reimbursement to Department with copies of checks and letters to the Department within thirty (30) days of the Commissioner signing this Final Order.

ALL OF WHICH IS ORDERED this 22<sup>nd</sup> day of December, 2016.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Americas Title Corporation  
13542 N Florida Ave, Suite 210  
Tampa, FL 33613

Claire Szpara, 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: 15222-AG16-1114-195

IN THE MATTER OF: )

Americas Title Corporation )  
13542 N Florida Ave, Suite 210 )  
Tampa, FL 33613 )

Respondent )

Type of Agency Action: Enforcement )

Indiana Producer License No.: 825823 )

**FILED**

DEC 22 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is executed by the Indiana Department of Insurance ("Department"), by counsel Cathleen Nine-Altevogt, and Americas Title Corporation, ("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 of the Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a resident title insurance agency licensed in the State of Indiana, holding license number 825823; and

WHEREAS, Indiana Code § 27-7-3-15.5 specifies that title producers have twenty (20) business days after closing to enter the information into the RREAL IN database; and

WHEREAS, the Respondent failed to enter six (6) real estate transactions into the RREAL IN database within the required time period;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(4) the commissioner may levy a civil penalty for any of the following causes, Improperly withholding, misappropriating, or converting any monies or property received in the course of doing insurance business; and

WHEREAS, the Respondent overcharged premium fees on four (4) transactions; and

WHEREAS, Brian Woods, Vice President Title Operations of Americas Title Corporation is authorized to act on behalf of Respondent and obligated to perform in accordance with this agreement; 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 five hundred eighteen dollars and twelve cents (\$518.12) within thirty (30) days after the Commissioner signs the Final Order approving this Agreed Entry.
6. Respondent shall provide letter to the customer with a reimbursement check stating that "On April 19, 2016 Indiana Department of Insurance (IDOI), examined our title insurance records in accordance with Indiana Code 27-1-3.1 et seq. and discovered we over charged 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 customer, to the Department within thirty (30) days of the signing of the Final Order.
7. Respondent agrees to pay an administrative penalty in the amount of one thousand dollars (\$1,000) to the Department within thirty (30) days of the Commissioner's Final Order adopting this Agreed Entry.
8. Respondent has carefully read and examined this agreement and fully understands its terms.
9. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
10. 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.

11. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

12-13-16  
Date Signed

Cathleen NAA  
Cathleen Nine-Altevogt, Counsel (32706-49)  
Indiana Department of Insurance

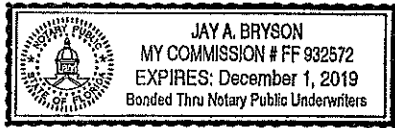
11-28-16  
Date Signed

  
Brian Woods, Vice President Title Operations  
Americas Title Corporation

STATE OF FLORIDA            )  
  ) SS:  
COUNTY OF Hillsborough

Before me a Notary Public for Hillsborough County, State of Florida, personally appeared Brian Woods, on behalf of Americas Title Corporation, 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 28th day of November, 2016.



[Handwritten Signature]  
Signature  
JAY A BRYSON  
Printed

My Commission expires: 12-1-2019

County of Residence: Hillsborough