

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO. ~~15094-AG16-0315-047~~

14681-AG16-0405-082 PA

IN THE MATTER OF:

Premium Title Services, Inc  
1000 Abernathy Rd. NE, Suite 200  
Atlanta, GA 30328

Respondent.

Type of Agency Action: Title Enforcement

Indiana Insurance License No.: 34590

**FILED**

JUN 23 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**AMENDED FINAL ORDER**

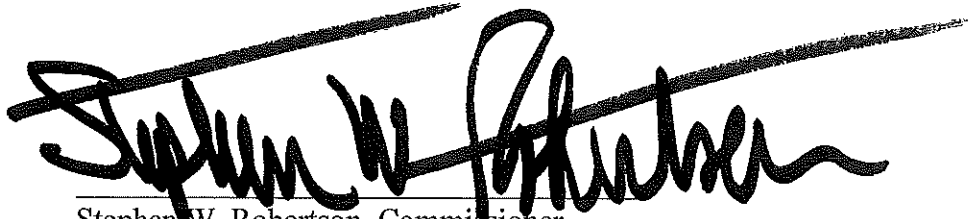
The Indiana Department of Insurance ("Department"), by its counsel Cathleen Nine-Altevogt, and Premium Title Services, Inc ("Respondent"), a non-resident licensed title insurance agency, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department and which has been submitted to the Commissioner of Insurance (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 thirty three thousand eight hundred seven dollars (\$33,807) to the Department, in aggregate, for delays in the issuance of four hundred twelve (412) final policies in excess of forty-five (45) days after closing, for overcharging on premium rates and for failure to input one thousand three hundred ninety eight (1398) real estate transactions into the RREAL IN database within the required time period. This amount is due in full within thirty (30) days after the signing of this Final Order.
2. Respondent has refunded consumers seven thousand seven hundred fifty six dollars and twenty cents (\$7,756.20).

ALL OF WHICH IS ORDERED this 23 day of June, 2016.



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Premium Title Services, Inc  
1000 Abernathy Rd. NE, Suite 200  
Atlanta, GA 30328

Cathleen Nine-Altevogt, 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 NO. ~~15094-AG16-0315-047~~

14681-AG16-0405-082 PE

IN THE MATTER OF:

Premium Title Services, Inc.  
1000 Abernathy Rd. NE., Suite 200  
Atlanta, GA 30328

Respondent.

Type of Agency Action: Enforcement

Indiana Producer License No.: 34590

**FILED**

JUN 23 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**MOTION TO AMEND FINAL ORDER**

The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act and Indiana Code § 4-21.5 *et seq.*, herein requests the Commissioner of the Department of Insurance ("Commissioner") grant leave to file the attached Amended Final Order, amending the first page of the original Final Order, in the above-captioned matter. In support of its request, the Department states as follows:

1. The caption in the original Final Order contained "202 S. Michigan St., Suite 300 South Bend, IN 46601," which is an incorrect address for Respondent.
2. The incorrect caption was located on the first page of the Final Order.
3. The correct address is "1000 Abernathy Rd. NE., Suite 200 Atlanta, GA 30328." The correct address is listed in the above-captioned matter, and is hereby corrected on the Amended Final Order, which amends to the first page of the original order.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Cathleen Nine-Altevogt", written over a horizontal line.

Cathleen Nine-Altevogt  
Attorney No. 32706-49

Indiana Department of Insurance  
Enforcement Division  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
phone: 317 234-5887  
fax: 317 234-2103

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO. 15190-AG16-0315-047

14681-AG16-0405-082 PA

IN THE MATTER OF:

Premium Title Services, Inc.  
1000 Abernathy Rd. NE., Suite 200  
Atlanta, GA 30328

Respondent.

Type of Agency Action: Enforcement

Indiana Producer License No.: 34590

FILED

JUN 23 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

ORDER GRANTING MOTION TO AMEND

The Commissioner, having reviewed Respondent's Motion to Amend the Final Order, and the Commissioner being duly advised in the premises, now finds that the Motion should be GRANTED.

Date: 6-23-16

  
Stephen Robertson, Commissioner, Indiana  
Department of Insurance

Copies to:

Cathleen Nine-Altevogt  
INDIANA DEPARTMENT OF INSURANCE  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204

Premium Title Services, Inc.  
1000 Abernathy Rd. Suite 200  
Atlanta, GA 30328

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 14681-AG16-0405-082

IN THE MATTER OF:

Premium Title Services, Inc  
1000Abernathy Rd. NE, Suite 200  
Atlanta, GA 30328

Respondent.

Type of Agency Action: Enforcement

Indiana Producer License No.: 34590

**FILED**

JUN 10 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is executed by the Indiana Department of Insurance ("Department") by counsel Brigitte Collier, and Premium Title Service 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 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 711243;

WHEREAS, Respondent's internal audit discovered certain issues with entering transactions into the RREAL IN database and Respondent voluntarily notified the Department of these issues in September 2015;

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

WHEREAS, Examiner determined that Respondent charged title insurance premium rates higher than Westcor Land Title Insurance Company ("Underwriter") contractual rates for ninety two (92) title policies which resulted in a total overcharge of seven thousand seven hundred fifty six dollars and twenty cents (\$7,756.20) in violation of Indiana Code § 27-1-22-18;

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

WHEREAS, Examiner determined that Respondent failed to enter one thousand three hundred ninety eight (1398) real estate transactions into the RREAL IN database within the required time period;

WHEREAS, the NAIC Guidelines provides that "final policies shall be issued within forty-five (45) days";

WHEREAS, Respondent failed to issue four hundred twelve (412) final policies within forty five (45) days;

WHEREAS, James A. Weld, President of Premium Title Services, Inc 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 agrees to pay a total administrative penalty for the various violations cited above in the amount of thirty three thousand eight hundred seven dollars (\$33,807.00) to the Department within sixty days (60) after the Commissioner signs the Final Order approving this Agreed Entry.
6. Respondent shall refund consumers seven thousand seven hundred fifty six dollars and twenty cents (\$7,756.20) within thirty (30) days after the Commissioner signs the Final Order approving this Agreed Entry.
7. Respondent shall provide a copy of the check sent to each consumer, to the Department within thirty (30) days of the signing of the Final Order.
8. Should additional violations manifest, further administrative actions will be taken for the new violation.
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.
13. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

5/9/16  
Date Signed

Brigitte Collier  
Brigitte Collier, Attorney  
Indiana Department of Insurance

5/4/16  
Date Signed

James A. Weld  
James A. Weld, President  
Premium Title Services Inc

STATE OF GEORGIA )  
 ) SS:  
COUNTY OF Fulton )

Before me a Notary Public for Cobb County, State of Georgia, personally appeared James A. Weld, on behalf of Premium Title Service, 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 4<sup>th</sup> day of May, 2016.

Kelle S  
Signature

Khonkham Sistrang  
Printed

My Commission expires: 3/16/19

County of Residence: Fulton

