

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO. 14682-AG16-0531-123

IN THE MATTER OF: )  
 )  
American Freedom Assurance Inc. )  
1205 Westlake Dr., Suite 250 )  
Berwyn, PA 19312 )  
Respondent. )  
Type of Agency Action: Title Enforcement )  
Indiana Insurance License No.: 533700 )

**FILED**

JUL 08 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance (“Department”), by its counsel, Cathleen Nine-Altevogt, and American Freedom Assurance 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 (“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.

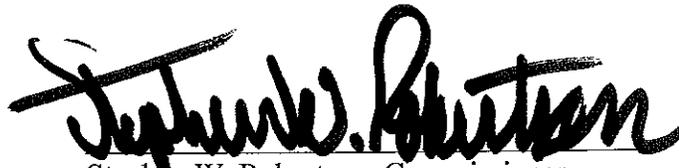
IT IS THEREFORE ORDERED by the Commissioner:

1. Respondent shall pay an administrative penalty in the amount of eleven thousand seventy dollars (\$11,070) to the Department, in aggregate, for overcharging on premium rates and for failure to input fifty-seven (57) real estate transactions into the

RREAL IN database within the required time period. This amount is due in full to the Department within sixty (60) days after the signing of this Final Order.

2. Respondent shall refund consumers twenty five thousand seventy-one dollars and eighteen cents (\$25,071.18) within thirty (30) days after the Commissioner approves this Final Order.
3. Respondent shall provide a letter to the customer with a reimbursement check stating that "On February 3, 2016, the 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 after the Commissioner approves this Final Order.

ALL OF WHICH IS ORDERED this 8<sup>th</sup> day of July, 2016.



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

American Freedom Assurance Inc.  
1205 Westlake Dr., Suite 250  
Berwyn, PA 19312

Cathleen Nine-Altevoigt, 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: 14682-AG16-0531-123

IN THE MATTER OF: )

American Freedom Assurance Inc. )  
1205 Westlakes Dr., Suite 250 )  
Berwyn, PA 19312 )

Respondent )

Type of Agency Action: Enforcement )

Indiana Producer License No.: 533700 )

**FILED**

JUL 08 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 American Freedom Assurance 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 resident title insurance agency licensed in the State of Indiana, holding license number 533700; and

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

WHEREAS, the Department has interpreted this to be ten (10) business days;

WHEREAS, the Respondent failed to enter fifty seven (57) real estate transactions into the RREAL IN database within the required time period;

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

WHEREAS, the Respondent overcharged on recording fee and/or recording processing fee on eighty nine (89) files, which is in violation of Indiana Code § 27-1-22-18;

WHEREAS, Daniel Rover; Owner of American Freedom Assurance 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;

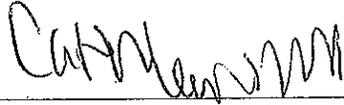
IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

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 shall refund consumers twenty five thousand seventy one dollars and eighteen cents (\$25,071.18) within thirty (30) days after the Commissioner signs the Final Order approving this Agreed Entry.

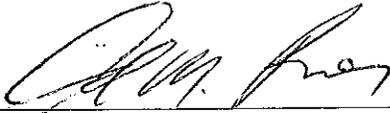
6. Respondent shall provide a letter to each overcharged customer with a reimbursement check stating that "On February 3, 2016, the Indiana Department of Insurance (IDOI)", examined title insurance records in accordance with Indiana Code 27-1-3.1 seq. and discovered we overcharged you. The correct amount should have been (amount). As a result, the IDOI has ordered us to issue a refund check in the amount of (amount)."
7. Respondent shall provide a copy of the letter and check sent to each customer, to the Department within thirty (30) days of the signing of the Final Order.
8. Respondent agrees to pay an administrative penalty in the amount of eleven thousand seventy dollars (\$11,070) to the Department within sixty (60) days of the Commissioner's Final Order adopting this Agreed Entry.
9. Respondent has carefully read and examined this agreement and fully understands its terms.
10. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
11. 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. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

6-30-16  
Date Signed

  
Cathleen Nine-Altevogt, Counsel  
Indiana Department of Insurance

6-16-2016  
Date Signed

  
Daniel Rover, Owner  
American Freedom Assurance Inc

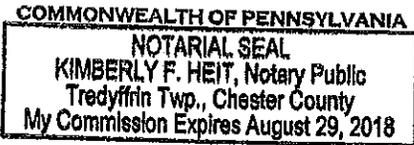
COMMONWEALTH OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF CHESTER )

BEFORE me a Notary Public for Chester County, Commonwealth of Pennsylvania,  
personally appeared Daniel M. Rover, on behalf of American Freedom Assurance, Inc., a  
Pennsylvania 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 16<sup>th</sup> day of June, 2016.

[Signature]  
Signature

Kimberly F Heit  
Printed Name



MY COMMISSION EXPIRES: 8/29/18  
COUNTY OF RESIDENCE: Chester