

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 15708-AG17-0310-059

IN THE MATTER OF:)
)
Associates Title Inc.)
25 E. Waterloo St.)
Canal Winchester, OH 43110)
)
Respondent.)
)
Type of Agency Action: Title Enforcement)
)
Indiana Insurance License No.: 658820)

FILED

APR 28 2017

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Indiana Department of Insurance (“Department”), by its counsel, Claire Szpara, and Associates Title 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 one thousand one hundred dollars (\$1,100) to the Department for overcharging on premium fees, overcharging on recording fees and not collecting TIEFF on title insurance policies.

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

2. Respondent has refunded consumers eight hundred ninety- nine dollars (\$899) and the Department has received copies of checks and letters.

ALL OF WHICH IS ORDERED this 28 day of April, 2017.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Associates Title Inc.
25 E. Waterloo St.
Canal Winchester, OH 43110

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: 15708-AG17-0310-059

IN THE MATTER OF:)

Associates Title Inc.)
25 E. Waterloo St.)
Canal Winchester, OH 43110)

Respondent.)

Type of Agency Action: Enforcement)

Indiana Producer License No.: 658820)

FILED

APR 28 2017

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by the Indiana Department of Insurance ("Department"), by counsel, Claire Szpara, and Associates Title, Inc. ("Respondent"), a non-resident 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 holding license number 658820;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(4) states 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;

WHEREAS, the Respondent overcharged premium fees on five (5) title insurance policies;

WHEREAS, the Respondent overcharged recording fees on ten (10) title insurance policies;

WHEREAS, Indiana Code § 27-7-3.6-7(a) states a person that purchases a title insurance policy shall pay to the title insurer that issues the title insurance policy a fee of five dollars (\$5) as a fee for the title insurance enforcement fund at the time of payment for the title insurance policy, known as Title Insurance Enforcement Fund Fee (“TIEFF”);

WHEREAS; the Respondent did not charge TIEFF on eight (8) title insurance policies;

WHEREAS, Ryan P. Phillips, Vice President of Associates Title, Inc., is authorized to act on behalf of Respondent and obligate it to perform in accordance with this agreement; and

WHEREAS, the Department and Respondent (collectively, the “Parties”) 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 the Parties 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.

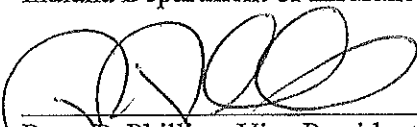
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent has refunded consumers eight hundred ninety-nine dollars (\$899).
6. Respondent agrees to pay an administrative penalty in the amount of one thousand one hundred dollars (\$1,100) to the Department within thirty days (30) after the Commissioner signs the Final Order approving this Agreed Entry.
7. The Department agrees to accept Respondent's compliance with the agreement herein as full satisfaction of this matter.
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.

3-24-17
Date Signed

3/21/17
Date Signed



Claire Szpara, Counsel (34219-64)
Indiana Department of Insurance



Ryan R. Phillips, Vice President
Associates Title, Inc.

STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

Before me a Notary Public for Ryan P. Phillips County, State of Ohio,
personally appeared Ryan P. Phillips, on behalf of Associates 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 21st day of MARCH, 2017.



Shannon E. Dawes, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

[Handwritten Signature]
Signature

Shannon E. Dawes
Printed

Commission expires: No exp.
County of Residence: Fasfield