

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 15651-AG17-0518-116

IN THE MATTER OF: )  
 )  
The Service Center Title Agency Inc )  
59 N. Dixie Dr. Suite A )  
Vandalia, OH 45377 )  
Respondent. )  
Type of Agency Action: Enforcement )  
Indiana Producer License No.: 32422 )

**FILED**  
JUL 21 2017  
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 The Service Center Title Agency, 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 32422;

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

WHEREAS, the Respondent overcharged premium fees on one (1) title insurance policy;

WHEREAS, the Respondent overcharged recording fees on eight (8) 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 ten (10) title insurance policies;

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 twenty (20) business days;

WHEREAS, the Respondent failed to enter twenty nine (29) real estate transactions into the RREAL IN database within the interpreted time period;

WHEREAS, Andy Morgan, President of The Service Center Title Agency 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 shall refunded consumers one thousand one hundred eighty two dollars and fifty cent (\$1,182.50) within thirty (30) days after the Commissioner signs the Final Order approving this Agreed Entry.
6. Respondent shall provide a letter to the customer with a reimbursement check stating that “On September 9, 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 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 after the Commissioner signs the Final Order approving this Agreed Entry.
7. Respondent agrees to pay an administrative penalty in the amount of two thousand five hundred ninety eight dollars (\$2,598) to the Department within thirty days (30) after the Commissioner signs the Final Order approving this Agreed Entry.
8. The Department agrees to accept Respondent’s compliance with the agreement herein as full satisfaction of this matter.
9. Respondent has carefully read and examined this agreement and fully understands its terms.

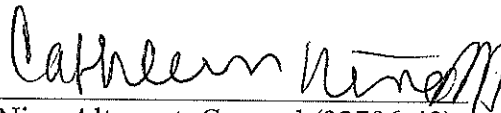
10. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
11. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally 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.

7-17-17

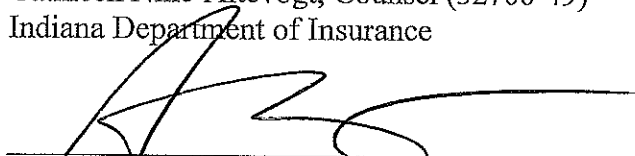
Date Signed

7-11-17

Date Signed



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



Andy Morgan, President  
The Service Center Title Agency Inc.

STATE OF OHIO                    )  
  ) SS:  
COUNTY OF Montgomery

Before me a Notary Public for Montgomery County, State of Ohio, personally appeared Andy Morgan, on behalf of The Service Center Title Agency 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 11<sup>th</sup> day of July, 2017.



COLLIN MORGAN  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
02-28-2022

[Handwritten Signature]  
Signature

Collin Morgan  
Printed

My Commission expires: Feb 28 2022

County of Residence: Montgomery

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

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STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

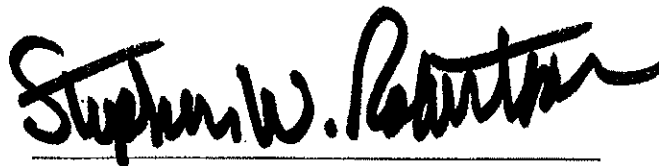
The Indiana Department of Insurance (“Department”), by its counsel Claire Szpara, and The Service Center Title Agency Inc. (“Respondent”), a resident non-licensed title insurance agency, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department and which has 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 ninety eight dollars (\$2,598.00) to the Department, in aggregate, for failure to input twenty nine (29) real estate transactions into the RREAL IN database within the required time period, for overcharging on one (1) Owner's title policy, for overcharging on eight (8) government recording fees, and for failure to collect TIEFF fees. This amount is due in full within thirty (30) days after the signing of this Final Order.
2. Respondent will refunded consumers one thousand one hundred eighty two dollars and fifty cents (\$1,182.50) 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 September 9, 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 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 after the Commissioner approves this Final Order.

ALL OF WHICH IS ORDERED this 21<sup>st</sup> day of July, 2016.



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

The Service Center Title Agency Inc  
59 N. Dixie Dr. Suite A  
Vandalia, OH 45377

Claire Szpara, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204