

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 16198-AG17-1027-207

IN THE MATTER OF:

Kentucky Title Services, Inc
2933 Bowman Avenue
Louisville, Kentucky 40205

Respondent.

Type of Agency Action: Enforcement

Indiana Producer License No.: 37493

FILED

MAR 12 2018

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER


The Indiana Department of Insurance ("Department"), by its counsel Claire Szpara, and Kentucky Title Services, Inc. ("Respondent"), a nonresident 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, which imposes a two thousand dollar (\$2,000) administrative penalty for paying unlicensed personnel and failing to enter real estate transactions into the RREAL IN database within the time required, 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 dollars (\$2,000) to the Department, in aggregate, for failure to input seven (7) real estate transactions into the RREAL IN database within the required time period and paying unlicensed personnel to sign six (6) Title Commitments and one (1) Policy. This amount is due in full within thirty (30) days after the signing of this Final Order.
2. The Department agrees to accept this agreement as full resolution of this matter.

ALL OF WHICH IS ORDERED this 12 day of March, 2018.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

William S. Wetterer III
Kentucky Title Services, Inc.
2933 Bowman Avenue
Louisville, KY 40205

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

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AGREED ENTRY

This Agreed Entry is executed by the Indiana Department of Insurance ("Department"), by Counsel Claire Szpara, and Kentucky Title Services, Inc. ("Respondent"), a nonresident 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, Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a nonresident title insurance agency holding license number 37493;

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;

Stephen W. Robertson
Commissioner

6/11/18

WHEREAS, Respondent failed to enter seven (7) real estate transactions into the RREAL IN database within the interpreted time period;

WHEREAS, Indiana Code § 27-1-15.6-13(a) states an insurance producer shall not pay a commission, service fee, brokerage fee, or other valuable consideration to a person for selling, soliciting, or negotiating insurance in Indiana if the person is required to be licensed and is not licensed;

WHEREAS, Respondent allowed six (6) Title Commitments and one (1) Policy to be signed by unlicensed employees;

WHEREAS, William S. Wetterer III, Owner of Kentucky Title Services, 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.

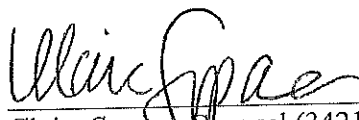
IT IS, THEREFORE, NOW AGREED by and between the Parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Parties in this Agreed Entry.
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 an administrative penalty in the amount of two thousand dollars (\$2,000) to the Department within thirty (30) days of the Commissioner's Final Order adopting this Agreed Entry.
6. The Department agrees to accept Respondent's compliance with the Agreed Entry herein as full satisfaction of this matter.
7. Respondent has carefully read and examined this Agreed Entry and fully understands its terms.
8. Respondent has entered into this Agreed Entry freely, and has not been subject to duress, threat or undue influence.
9. 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.
10. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

3-5-18

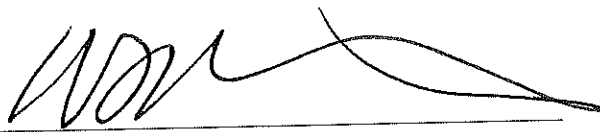
Date Signed



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

2/22/18

Date Signed



William S. Wetterer III, Owner
Kentucky Title Services, Inc.

STATE OF KENTUCKY)
COUNTY OF Jefferson) SS:

Before me a Notary Public for Jefferson County, State of Kentucky, personally appeared William S. Wetterer III, on behalf of Kentucky Title Services, 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 26th day of February, 2018.

Shelly R. Black
Signature

Printed

SHELLY R. BLACK
NOTARY PUBLIC
KENTUCKY STATE AT LARGE
My Commission Expires: 8-13-2020

My Commission expires: 8-13-2020

County of Residence: Jefferson