

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO: 16934-AG18-0326-038

IN THE MATTER OF: )  
 )  
Equity Settlement Services, Inc. )  
444 Route 111 )  
Smithtown, NY 11787 )  
Respondent. )  
 )  
Type of Agency Action: Enforcement )  
 )  
Indiana Producer License No.: 35160 )

**FILED**

MAY 18 2018

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

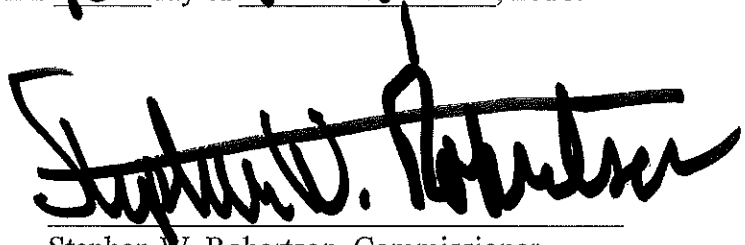
The Indiana Department of Insurance (“Department”), by its counsel Erica J. Dobbs, and Equity Settlement Services, Inc. (“Respondent”), a licensed nonresident title insurance agency, signed an Agreed Entry which purports to resolve all issues in the above-captioned matter and which has been submitted to the Commissioner of the Indiana Department 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, attached, 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 as follows:

1. Respondent shall pay a civil penalty in the amount of three thousand eight hundred fifty dollars (\$3850) to the Department, in aggregate, for failure to input one hundred thirty five (135) real estate transactions into the RREAL IN database within the required time period and for failure to collect TIEFF fees on eighty-seven (87) title insurance policies. This amount is due in full within thirty (30) days of the date of this Final Order.

ALL OF WHICH IS ORDERED this 18 day of May, 2018.



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Equity Settlement Services, Inc.  
444 Route 111  
Smithtown, NY 11787

Erica Dobbs, Attorney # 30588-49  
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, Erica Dobbs, and Equity Settlement 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 of the Indiana Department of Insurance (“Commissioner”).

WHEREAS, Respondent is a nonresident title insurance agency holding license number 35160 since April 15, 2004;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(2)(A) states, in part, that the commissioner may levy a civil penalty for violating an insurance law;

WHEREAS, Indiana Code § 27-7-3.6-7(a) is an insurance law that 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 eighty-seven (87) title insurance policies;

WHEREAS, Indiana Code § 6-1.1-12-43(e)(1) is an insurance law requiring that title insurance producers enter real estate transactions into the Residential Real Estate Acquisition of Licensee Information and Numbers (“RREAL IN”) database as soon as possible after the closing, and within the time prescribed by the Department;

WHEREAS, the Department has interpreted this to be twenty (20) business days, pursuant to Indiana Code § 27-7-3-15.5(e);

WHEREAS, the Respondent failed to enter one hundred thirty five (135) real estate transactions into the RREAL IN database within the required time period;

WHEREAS, Christopher Delisle, esq. of Equity Settlement 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 the issues in this matter without a hearing.


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

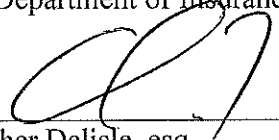
1. The Commissioner has jurisdiction over the subject matter and the Parties in this administrative action.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent agrees to pay a civil penalty in the amount of three thousand eight hundred fifty dollars (\$3850) to the Department within thirty days (30) after the Commissioner enters the Final Order approving this Agreed Entry.

6. The Department agrees to accept Respondent's compliance with the agreement herein as full satisfaction of this matter.
7. Respondent has carefully read and examined this agreement and fully understands its terms.
8. Respondent has entered into this agreement 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.

5/2/18  
Date Signed

April 26, 2018  
Date Signed

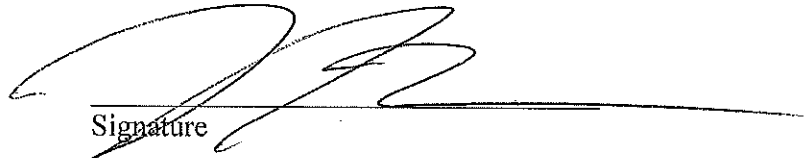
  
Erica Dobbs, Attorney # 30588-49  
Indiana Department of Insurance

  
Christopher Delisle, esq.  
Equity Settlement Services, Inc.

STATE OF New York )  
 ) SS:  
COUNTY OF Suffolk )

Before me a Notary Public for Suffolk County, State of New York,  
personally appeared Christopher Delisle, on behalf of Equity Settlement 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 26 day of April, 2018.



Signature

Nancy J. Hilsenbeck  
Printed

My Commission expires: May 29, 2019

County of Residence: Suffolk

Nancy J. Hilsenbeck  
Notary Public, State of New York  
#01-H16059568  
Qualified in Suffolk County  
Commission Expires May 29, 2019