

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NO: 16987-AG18-0530-092

IN THE MATTER OF:)
)
BRPS Title LLC)
4888 Loop Central Drive)
Suite 505)
Houston, TX 77081)
Respondent.)
Type of Agency Action: Enforcement)
Indiana Producer License No.: 944110)

FILED

JUN 15 2018

**STATE OF INDIANA
DEPT. OF INSURANCE**

FINAL ORDER


The Indiana Department of Insurance (“Department”), by its counsel Erica J. Dobbs, and BRPS Title LLC (“Respondent”), a licensed nonresident title insurance agency, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, 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 one hundred dollar (\$2100) civil penalty for failure to charge TIEFF on six (6) title insurance policies and failure to input seventy (70) real estate transactions into the RREAL IN database within the statutorily required time period, 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 two thousand one hundred dollars (\$2100) to the Department, in aggregate, within thirty (30) days of the date of this Final Order.

ALL OF WHICH IS ORDERED this 15 day of June, 2018.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Cary Russell, VP
BRPS Title LLC
4888 Loop Central Drive
Suite 505
Houston, TX 77081

Erica Dobbs, Attorney #30588-49
ATTN: Tyler Mason, Junior Insurance Examiner
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

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STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by the Indiana Department of Insurance (“Department”), by counsel, Erica J. Dobbs, and BRPS Title LLC (“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 944110 since April 2, 2014;

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

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 Number (“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 seventy (70) real estate transactions into the RREAL IN Database within the required time period;

WHEREAS, Indiana Code § 27-7-3.6-7(a) is an insurance law which states that 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 failed to charge TIEFF on six (6) title insurance policies;

WHEREAS, Cary Russell, Vice President of BRPS Title LLC, is authorized to act on behalf of Respondent and obligate it to perform in accordance with this agreement; and

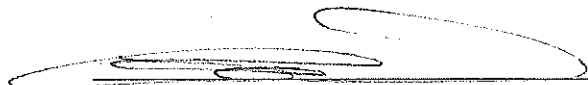
WHEREAS, the Department and Respondent (collectively, the “Parties”) desire to resolve the issues in this matter without a hearing.

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

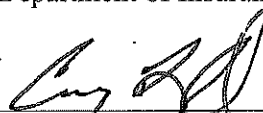
1. The Commissioner has jurisdiction over the subject matter and the Parties in this administrative action.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.

5. Respondent agrees to pay a civil penalty in the amount of two thousand one hundred dollars (\$2100) to the Department within thirty days (30) after the Commissioner enters the Final Order approving this Agreed Entry.
6. Should additional violations manifest, this penalty shall be in addition to any administrative actions for the new violation(s).
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.

6/12/18
Date Signed


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

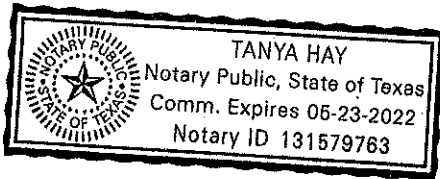
06/08/18
Date Signed


Cary Russell, Vice President
BRPS Title LLC

STATE OF TEXAS)
COUNTY OF Harris) SS:

Before me a Notary Public for Harris County, State of Texas,
personally appeared Cary Russell, on behalf of BRPS Title LLC 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 8th day of June, 2018.



[Handwritten Signature]
Signature
Tanya Hay
Printed

My Commission expires: 5-23-22

County of Residence: Harris