

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 17240-AG18-0803-130

IN THE MATTER OF: )  
 )  
Lenders Title Solutions LLC )  
350 Highland Dr., Suite 100 )  
Lewisville, TX 75097-4177 )  
 )  
Respondent. )  
 )  
Type of Agency Action: Enforcement )  
 )  
Indiana Producer License No.: 707880 )

**FILED**

AUG 30 2018

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

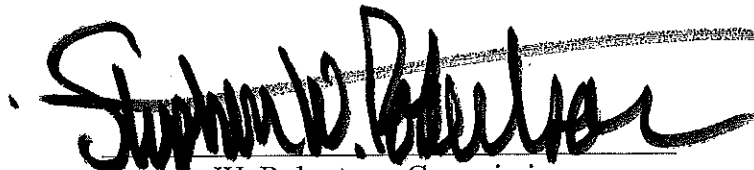
The Indiana Department of Insurance (“Department”), by its counsel Erica J. Dobbs, and Lenders Title Solutions LLC (“Respondent”), a licensed nonresident title insurance agency, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of Insurance (the “Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, which requires Respondent to pay restitution to overcharged consumers and levies a civil penalty against Respondent for failing to collect TIEFF fees and enter real estate transactions in the RREAL IN Database, 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 a civil penalty in the amount of ten thousand dollars (\$10,000) to the Department, in aggregate, for failure to input twenty six (26) real estate transactions into the RREAL IN database within the required time period, for overcharging on five hundred thirty six (536) title insurance policies, and for failure to collect one hundred fifty (150) TIEFF fees. This amount is due in full within thirty (30) days after the signing of this Final Order.
2. Respondent shall refund its affected consumers in the amount of fifty two thousand five hundred eighty five dollars and sixty eight cents (\$52,585.68)
3. Respondent agrees to provide a letter to each consumer with a reimbursement check stating "On July 3, 2018, 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)."
4. Respondent shall provide a copy of the letter and check sent to each consumer, to the Department within thirty (30) days after the Commissioner approves this Final Order.

ALL OF WHICH IS ORDERED this 30 day of August, 2018.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Kim Drake-Loy, President  
Lenders Title Solutions LLC  
350 Highland Drive  
Suite 100  
Lewisville, TX 75097-4177

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  
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**AGREED ENTRY**

This Agreed Entry is executed by the Indiana Department of Insurance (“Department”), by counsel, Erica J. Dobbs, and Lenders Title Solutions 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 707880 since July 21, 2010;

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 § 27-4-1-4(a)(7)(C) is an insurance law which states, in part, that it is an unfair and deceptive business practice to make or permit excessive or inadequate charges for premiums, policy fees, assessments, or rates, or making or permitting any unfair discrimination between persons of the same class involving essentially the same hazards in the

amount of premiums, policy fees, assessments, or rates charged or made for policies or contracts of any kind of insurance;

WHEREAS, the Respondent overcharged premium fees on five hundred thirty six (536) title insurance policies by amounts ranging between forty (\$40) and three hundred (\$300) dollars;

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 (26) 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 one hundred fifty (150) title insurance policies;

WHEREAS, Kim Drake-Loy, President of Lenders Title Solutions LLC, is authorized to act on behalf of Respondent and obligate it to perform in accordance with this agreement; and

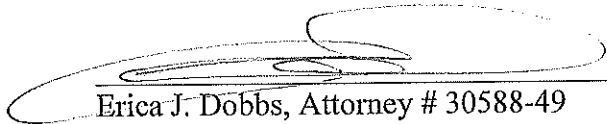
WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve their differences and settle their issues without incurring the time and expense of a hearing.

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

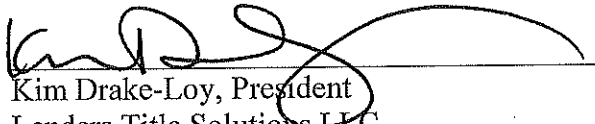
1. The Commissioner has jurisdiction over the subject matter and the Parties in this administrative action.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent agrees to refund the five hundred thirty six (536) affected consumers fifty two thousand five hundred eighty five dollars and sixty eight cents (\$52,585.68).
6. Respondent agrees to provide a letter to each consumer with a reimbursement check stating "On July 3, 2018, 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)."
7. Respondent shall provide a copy of the letter and check sent to each consumer to the Department within thirty (30) days of the Commissioner's Final Order adopting this agreed entry.
8. Respondent agrees to pay a civil penalty in the amount of ten thousand dollars (\$10,000) to the Department within thirty days (30) of the Commissioner's Final Order adopting this Agreed Entry.

9. The Department agrees to accept Respondent's compliance with the agreement herein as full satisfaction of this matter.
10. Respondent has carefully read and examined this agreement and fully understands its terms.
11. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
12. 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.
13. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

8/23/18  
Date Signed

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

08/21/2018  
Date Signed

  
Kim Drake-Loy, President  
Lenders Title Solutions LLC

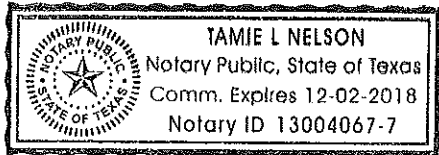




STATE OF TEXAS            )  
  ) SS:  
COUNTY OF Denton     )

Before me a Notary Public for Denton County, State of Texas,  
personally appeared Kim Drake-Loy, on behalf of Lenders Title Solutions LLC. and being first  
duly sworn by me upon her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 21 day of August, 2018.



Tamie L. Nelson  
Signature

Tamie L. Nelson  
Printed

My Commission expires: 12/2/18

County of Residence: Denton