

STATE OF INDIANA)
)
COUNTY OF MARION)

BEFORE THE INDIANA
SS:
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 6155-AG07-1004-266

IN THE MATTER OF:)
)
Investors Title Corp.)
Respondent,)
)
8910 Purdue Road # 150)
Indianapolis, Indiana 46268)
)
License Number: 2560540)
Type of Action: Enforcement)

FILED
OCT 05 2007
STATE OF INDIANA
COMMISSIONER OF INSURANCE

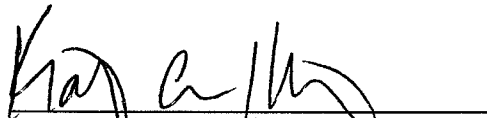
PETITION FOR EMERGENCY CEASE AND DESIST ORDER

The Enforcement Division of the Indiana Department of Insurance (hereafter "Department"), pursuant to Indiana Code §4-21.5-4, and files its Petition for an Emergency Cease and Desist Order against Investors Title Corp., (hereafter "Respondent") and states:

1. The Respondent is charging consumers fifteen dollars and no cents (\$15.00) for the contribution into the Title Insurance Enforcement Fund.
2. An emergency exists in that Respondent continues to collect this fee of \$15.00, which should be five dollars and no cents (\$5.00) pursuant to I.C. 27-7-3.6-7.
3. Under Indiana Code §4-21.5-4-2(a) (1), the Commissioner may, in an emergency, issue orders without notice or an evidentiary proceeding. (Upon issuance of an emergency order, the Respondent may request a hearing as quickly as practicable under Indiana Code §4-21.5-4-4.)

4. The Respondent must cease and desist from collecting the amount of \$15.00 for the Title Insurance Enforcement Fund and only collect \$5.00 as prescribed by state law.

WHEREFORE, the Department requests that the Commissioner issue an Emergency Cease and Desist Order against the Respondent under Indiana Code §4-21.5-4-2, and for all other necessary and proper relief in the premises.



Kathy Hulbert #23529-49A
Attorney
Title Division

Indiana Department of Insurance
311 West Washington Street
Suite 300
Indianapolis, IN 46204-2787
(317)418-9660-telephone
(317)232-5251-facsimile

Certificate of Service

I certify that a copy of the foregoing has been served upon the

Respondent by personal service this 9th day of OCTOBER, 2007. 3:20pm

Michael D Trimble
Michael Trimble, Investigator

Enforcement Division
Indiana Department of Insurance
311 West Washington
Indianapolis, IN 46204-2787

JUSTIN COCHRAN
OPERATIONS MANAGER

STATE OF INDIANA)
)
COUNTY OF MARION)

BEFORE THE INDIANA
SS:
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 6155-AG07-1004-0265

IN THE MATTER OF:)
)
INVESTORS TITLE CORP)
Respondent,)
)
)
8910 Purdue Road # 150)
Indianapolis, Indiana 46268)
)
License Number: 2560540)
)
Type of Action: Enforcement)

FILED
OCT 05 2007
STATE OF INDIANA
DEPT. OF INSURANCE

ORDER GRANTING EMERGENCY CEASE AND DESIST ORDER

The Indiana Commissioner of Insurance, having reviewed the Enforcement Division's Petition for Emergency Cease and Desist Order, and being otherwise duly advised, now finds as follows:

Findings of Fact

1. The Department of Insurance is authorized to regulate the practice of title insurance in Indiana under Indiana Code §27-1.
2. The Department may hold disciplinary hearings under Indiana Code §27-4-1-6.
3. Investors title Corp. is not authorized to charge \$15.00, when the fee is only \$5.00 as approved by state law for the Title Insurance Enforcement Fund.

Conclusions of Law

1. An emergency exists in that Respondent continues to charge the incorrect fee of \$15.00 for the Title Insurance Enforcement Fund

2. In an emergency, the Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Indiana Code 4-21.5-4-2(a), which states in relevant part:

The agency shall issue the order under this chapter by one (1) of the following procedures:

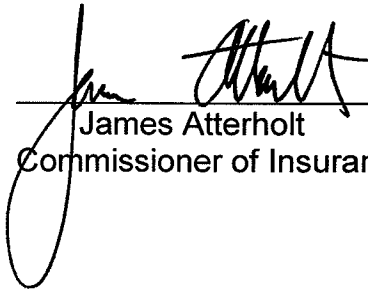
- (1) Without notice or an evidentiary proceeding, by any authorized individual or panel of individuals. . . .

ORDER

It is, therefore, ORDERED, that Respondent, Investors Title Corp. CEASE AND DESIST from collecting the \$15.00 fee instead of the statutorily defined amount of \$5.00 or otherwise violating in any way the insurance laws of Indiana.

Pursuant to Indiana Code §4-21.5-4-2, this order remains effective for 90 days commencing on the date this order is issued.

Respondent is hereby notified of its right to a hearing concerning this order as quickly as practicable under Indiana Code §4-21.5-4-4.



James Atterholt
Commissioner of Insurance

Distribution to:
Investors Title Corp.
8910 Purdue Rd. # 150
Indianapolis, Indiana 46268

Kathy Hulbert, Attorney
Title Enforcement Division
Indiana Department of Insurance
311 W. Washington St.
Indianapolis, IN 46402

Settlement Charges		9/20/07 10:36 AM	File Number: 22-0084
700. Total sales/broker commission	Division of commission (line 700) as follows:		
701. \$		Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
702. \$			
703. Commission paid at settlement			
704.			
800. Items Payable in Connection with Loan			
801. Loan origination fee			
802. Loan discount			
803. Appraisal fee to Karen Kleber		✓ 300.00	
804. Credit report to Solutions Lending LLC		✓ 10.00	
805. Lender's inspection fee			
806. Mortgage Insurance application fee			
807. Assumption fee			
808. Broker Fee to Family Home Mortgage		✓ 332.94	✓ 1,467.08
809. Processing Fee to Solutions Lending LLC		✓ 258.00	
810. Underwriting Fee to Solutions Lending LLC		✓ 584.00	
811. Wire Transfer Fee to Solutions Lending LLC		✓ 25.00	
812. Courier Fee to Solutions Lending LLC		✓ 25.00	
813. Flood Determination Fee to Solutions Lending LLC		✓ 18.00	
814. Yield Spread Premium 1.869% to Family Home Mortgage	POCL 2140.00		
900. Items Payable by Seller to be Paid at Settlement			
901. Interest from 9/20/2007 to 10/1/2007 at \$22.66150/day for 11 days.		✓ 249.28	
902. Mortgage insurance premium for			
903. Hazard insurance premium for 1 yrs. to Slate Farm	POCB 557.00		
904.			
905.			
1000. Items Payable by Buyer to be Paid at Settlement			
1001. Hazard Insurance 1 mo. @ \$48.4200 per mo.		✓ 46.42	
1002. Mortgage Insurance @ \$91.60 per mo			
1003. City property taxes			
1004. County property taxes 1 mo. @ \$121.2400 per mo.		✓ 121.24	
1005. Annual assessments (maint.)			
1006.			
1007.			
1008.			
1009. Aggregate adjustment			
1100. Title Charges			
1101. Settlement or closing fee to Investors Titlecorp		✓ 275.00	
1102. Abstract or title search			
1103. Title examination			
1104. Title Insurance binder			
1105. Document preparation			
1106. Notary fees			
1107. Attorney's fees to Investors Titlecorp			✓ 50.00
includes above items no.:	Deed & Vendor's Affidavit		
1108. Title Insurance to Investors Titlecorp		✓ 150.00	✓ 544.00
includes above items no.:			
1109. Lender's coverage \$114,500.00	\$150.00		
1110. Owner's coverage \$114,500.00	\$544.00		
1111. Courier service fee to Investors Titlecorp		✓ 55.00	
1112. Update fee			
1113. Wire fee to Investors Titlecorp		✓ 15.00	
1114. Lien and Judgment Search on Buyer(s)			
1115. E-doc fee to Investors Titlecorp		✓ 15.00	
1116. TIEFF Filing Service Fee to Investors Titlecorp		✓ 15.00	✓ 15.00
1117. Sales Disclosure service fee to Investors Titlecorp		✓ 25.00	
1200. Government Recording and Transfer Fees			
1201. Recording fees: Service Fees Deed \$25.00 Mortgage \$60.00		✓ 85.00	
1202. City/county tax/stamps:			
1203. State tax/stamps:			
1204.			
1205.			
1206.			
1300. Additional Settlement Charges			
1301. Survey			
1302. Pest inspection			
1303. 06/07 Fall Taxes to Marion County Treasurer #3018324			✓ 727.41
1304.			
1305.			
1400. Total settlement charges (entered on lines 103, section J and 502, section K)		2,604.88	2,803.47