



State of Missouri

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Bulletin # 89-13

TO: All Insurers Licensed to Write Title Insurance in Missouri
FROM: Lewis E. Melahn, Director *JSM*
RE: Title Insurance Regulation
DATE: September 27, 1989

On August 30, 1989, Cole County Circuit Judge Byron Kinder issued a judgment in Stewart Title Guaranty Company v. Missouri Division of Insurance, in favor of Stewart Title. The judgment contains an order prohibiting the Division from disapproving Stewart Title's premium schedule filing on the basis that the rates filed do not contain agent commissions. Judge Kinder further ordered that Stewart Title's latest premium schedule filed May 30, 1989, is valid.

Although Regulation 4 CSR 190-20.011 was rescinded as of August 7, 1989, the Emergency Rescission will expire on December 5, 1989, and the regulation will once again be in effect. Neither the temporary rescission nor the judgment affected the requirement that premium schedules be filed with the Division under the provisions of Section 381.181, RSMo Supp 1988.

The premium schedules now on file with the Division are still valid and effective. However, title insurers may refile their premium schedules in accordance with Section 381.181 RSMo Supp 1988. Subsection 1 of that section relating to the effective date and the thirty day time period are still applicable. If your company wishes to refile its premium schedule, the revised schedule must be filed by November 5, 1989, for an effective date of December 5, 1989, when the Emergency Rescission expires.

Any questions regarding this bulletin may be directed to the Legal Section at 314-751-2619.

LEM/ljw