BEFORE THE DEPARTMENT OF
INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
STATE OF MISSOURI

IN THE MATTER OF:	)	
	)	
MAYER TITLE COMPANY, LLC	)	**Case No. 06-1113330C**
	)	
Respondent.	)	

CONSENT ORDER

LINDA BOHRER, Acting Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration ("Department"), Mayer Title Company, LLC, and the Consumer Affairs Division of the Department ("Consumer Affairs Division") (hereinafter the "Parties"), agree to the following findings of fact, conclusions of law, and agreement:

Parties

1. WHEREAS, Linda Bohrer is the Acting Director who has the duty to administer Chapters 374, 375, and 381, RSMo, which includes the supervision, regulation, and discipline of title insurers, their agencies, and agents licensed to operate and conduct business in the state of Missouri;

2. WHEREAS, the Consumer Affairs Division has the duty of conducting investigations into the acts ~~of insurance companies, agents and agencies under the insurance laws~~ of this state and is authorized by the Director to investigate and to recommend enforcement action for violations of the insurance laws of this state;

3. WHEREAS, Mayer Title Company, LLC (hereinafter "Mayer Title") is a title agency licensed to conduct title insurance business in Missouri (License Number AG 8019232);

Findings of Fact

4. WHEREAS, on or about November 29, 2006, counsel on behalf of the Consumer Affairs Division filed a Statement of Charges ("Statement") and a proposed Order to Cease and Desist ("Proposed Order") with the Director in which the Consumer Affairs Division alleged that Mayer Title did not comply with:

i. Section 381.181, RSMo (1994), by using and collecting title insurance premiums at rates that had not been filed with the Director through the advertisement and collection of a single amount for title insurance premium in addition to charging other fees including a settlement or closing fee;

ii. Section 375.144, RSMo (Supp. 2005), by concealing from purchasers at the time of negotiation and sale of insurance material facts concerning the cost of title insurance, including information regarding the actual rate of title insurance and charges or fees for related services that are not included in the filed premium rate and may be discounted or negotiated without limitation; and

iii. Section 375.934, RSMo (2000), by engaging in an unfair trade practice defined by § 375.936(6), RSMo (2000), through the listing of an all-inclusive "title insurance" fee on real estate closing documents when only a small portion of that fee is a filed insurance premium rate and most of this all-inclusive fee is not title insurance premium, but instead, charges subject to negotiation and discount;

5. WHEREAS, on or about November 29, 2006, the Director issued a Show Cause Order directing Mayer Title to show cause why the Proposed Order should not be issued;

6. WHEREAS, on or about December 12, 2006, Mayer Title requested a hearing regarding the matters raised in the Statement and Proposed Order and, on or about December 13, 2006, the Director issued a Hearing Order scheduling a hearing in this matter;

7. WHEREAS, on or about January 18, 2007, Mayer Title filed an Answer to the Statement and Proposed Order in which it disputed that Mayer Title's activities, as consistent with longstanding industry practices, constituted violations of Missouri insurance laws and denied any wrongdoing in connection with the allegations set forth in the Statement and Proposed Order;

8. WHEREAS, Mayer Title and the Department desire to settle the allegations and matters raised by the Consumer Affairs Division;

9. WHEREAS, in recognition of the various interpretations of the former Chapter 381, RSMo, and the new and modified sections of Chapter 381, RSMo, enacted by Senate Bill 66 (2007), the Parties consent to the issuance of this Consent Order and agree that this Consent Order constitutes the settlement of disputed claims between the Parties;

10. WHEREAS, Mayer Title denies the allegations raised by the Consumer Affairs Division, waives the right to a hearing to contest any provision of this Consent Order and has stipulated and agreed to the issuance of this Consent Order without further proceedings in this matter, agreeing to be fully bound by the terms and conditions specified herein;

11. WHEREAS, Mayer Title has stipulated and agreed to waive any rights that it may have to seek judicial review or other challenge or contest the terms and conditions of this Consent Order and forever releases and holds harmless the Department, the Director and his

24. This Consent Order may be executed in counterparts, each of which constitutes an original and all of which constitute one and the same agreement.

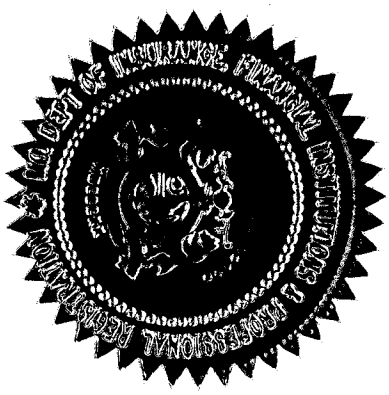
25. Each person who signs this Consent Order in a representative capacity warrants that his or her execution of this Consent Order is duly authorized, executed, and delivered by and for the entity for which he or she signs.

26. Upon the Effective Date of this Consent Order, the Parties shall consider all matters underlying this Consent Order closed, consistent with the faithful performance by the Parties of the obligations imposed herein.

ORDER

Mayer Title Company, LLC's insurance license (License Number AG 8019232) is hereby revoked.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 21st DAY OF August, 2008.



Linda Bohrer

Linda Bohrer, Acting DirectorMissouri Department of Insurance, Financial Institutions & Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Mayer Title Company, LLC has the right to a hearing, but that Mayer Title Company, LLC has waived the hearing and consented to the issuance of this Consent Order.

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Telephone: (314) 863-0800

Date 8/18/8

Richard J. Mayer, President
Mayer Title Company, LLC

Date

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Date 8-21-08