FINAL ORDER
EFFECTIVE
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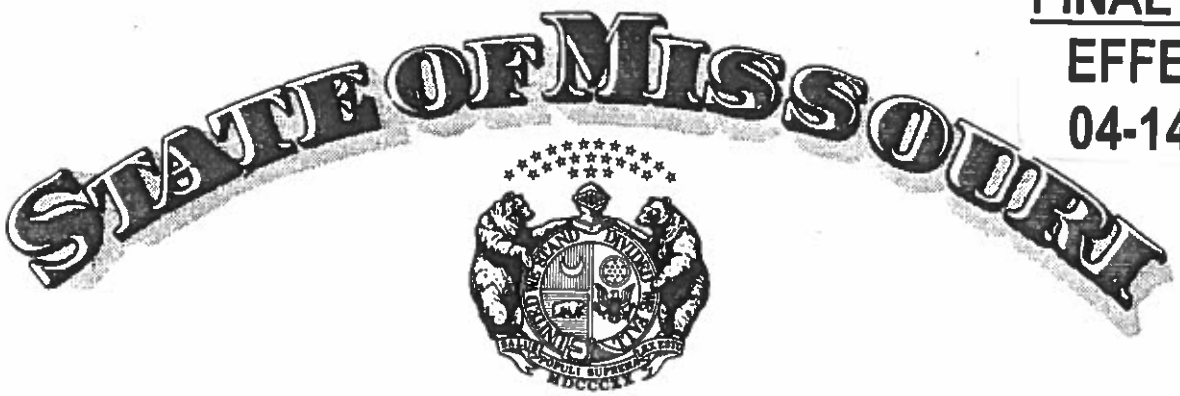

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

P.O. Box 690, Jefferson City, Mo. 65102-0690

In the Matter of:	)	
	)	
ALL STAR TITLE, INC.	)	
	)	
And	)	**Case No. 150108012C**
	)	
JASON HORWITZ,	)	
	)	
Respondents.	)	

CONSENT ORDER

John M. Huff, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Tamara W. Kopp, All Star Title, Inc., and Jason Horwitz, through legal counsel, J. Steven Lovejoy, have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. John M. Huff is the Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (the "Director" of the "Department"), whose duties,

pursuant to Chapters 374, 375, and 381 RSMo,[1] include the supervision, regulation and discipline of insurance producers and business entity producers.

2. The Department's Consumer Affairs Division ("Division") has the duty of conducting investigations into the acts of insurance producers and business entity producers 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. All Star Title, Inc. is a business entity producer with an address of 1421 Clarkview Road, Suite 108, Baltimore, Maryland. All Star Title, Inc. ("All Star") was licensed as a business entity producer (No. 8023942) on January 9, 2008 and such license is scheduled to expire January 9, 2018.

4. Jason Horwitz is the CEO of All Star and was licensed as an individual non-resident insurance producer (No. 409617) on January 9, 2008 and such license is scheduled to expire January 9, 2018.

5. Since March 2, 2014, All Star Title, Inc. has operated without a qualified principal.

6. All Star Title, Inc. acknowledges and agrees that pursuant to § 375.141.1(2), the Director has grounds to discipline its business entity producer license because All Star Title, Inc. violated Missouri's insurance laws and rules, namely, § 381.118, by failing to designate a qualified principal.

7. All Star Title, Inc. and Horwitz acknowledge and understand that they have the right to consult counsel at their expense and All Star Title, Inc. and Horwitz have retained J. Steven Lovejoy as counsel.

8. All Star Title, Inc. and Horwitz further acknowledge that they have been advised that

[1] All statutory references are to the 2013 Supplement to the Revised Statutes of Missouri unless otherwise noted.

they may, either at the time the Consent Order is signed by all parties, or within 15 days thereafter, submit the Consent Order to the Missouri Administrative Hearing Commission for determination that the facts agreed to by the parties to the Consent Order constitute grounds to discipline All Star Title, Inc.'s license.

9. Except as provided in paragraph 8 above, All Star Title, Inc. and Horwitz stipulate and agree to waive any waivable rights that they may have to a hearing before the Missouri Administrative Hearing Commission or the Director, and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Consent Order and forever releases and holds harmless the Department, the Director and his agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

10. All Star Title, Inc. and Horwitz acknowledge and understand that this Consent Order is an administrative action and will be reported by the Department to other states. All Star Title, Inc. and Horwitz further acknowledge and understand that this administrative action should be disclosed on future applications and renewal applications in this state and in other jurisdictions and that it is their responsibility to comply with the reporting requirements of each state in which they are licensed.

11. All Star Title, Inc., Horwitz, and the Division desire to settle the allegations raised by the Division.

12. On or about January 25, 2016, counsel for the Division provided a written description of the specific conduct for which discipline was sought and a citation to the law and rules allegedly violated, together with copies of any documents upon which it based the allegations, and the Division's settlement offer, namely, this Consent Order, in accordance with § 621.045.4(1). Counsel for the Division further advised All Star Title, Inc. and Horwitz that they had sixty (60)

days to review the relevant documents and consider the proposed settlement offer in accordance with § 621.045.4(2).

13. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

Conclusions of Law

14. The allegations raised by the Division, and admitted herein by All Star Title, Inc. and Horwitz, are grounds to discipline All Star Title, Inc.'s license under § 375.141.1(2).

15. Section 375.141 provides in relevant part as follows:

> 1. The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:
>
> * * *
>
> (2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state[.]

16. Section 381.118.1 requires that, "[e]ach title agency shall designate an individual as a qualified principal[.]"

17. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to §§ 374.046, 536.060, RSMo 2000, and 621.045.

18. The terms set forth in this Consent Order are an appropriate disposition of this matter and entry of this Consent Order is in the public interest.

Order

IT IS ORDERED that:

1. All Star Title, Inc. shall pay five hundred ($500.00) as a forfeiture as authorized by § 374.046.15, and pursuant to §§ 374.280 and 375.145, payable to the State School Moneys Fund for the above-described violation.

2. Such payment shall be due immediately and payable by money order or cashier's check to the State School Moneys Fund, and shall be forwarded with this executed Consent Order to the attention of Tamara W. Kopp, Missouri Department of Insurance, Financial Institutions and Professional Registration, P.O. Box 690, Jefferson City, Missouri, 65102. Any correspondence and/or money order or cashier's checks shall reference the case name and number appearing at the top of this Consent Order. The Director shall forward these funds to the state treasury for the benefit of the State School Moneys Fund as provided in §§ 374.049.11 and 374.280.2, and Article IX, Section 7 of the Constitution of Missouri.

3. Horowitz's signature on this Consent Order attests that Horwitz has read the following statutes and rules:

   a. Chapter 381 of the Revised Statutes of Missouri, available on the Department's website at http://insurance.mo.gov/laws/381title.php;

   b. 20 CSR 500-7, available on the Missouri Secretary of State's website at http://s1.sos.mo.gov/cmsimages/adrules/csr/current/20csr/20c500-7.pdf; and

   c. 20 CSR 700-8, available on the Missouri Secretary of State's website at http://s1.sos.mo.gov/cmsimages/adrules/csr/current/20csr/20c700-8.pdf.

4. All Star Title, Inc. and Horwitz shall provide a list of All Star Title, Inc. employees performing any of the following tasks for Missouri based properties or Missouri consumers who:

1) sell, solicit, or negotiate a title insurance policy or closing protection letter; 2) calculate premiums for a title insurance policy or closing protection letter; 3) determine insurability; 4) establish, calculate, or negotiate title charges; 5) conduct title search or examinations; 6) execute title insurance policies, commitments, binders or endorsements; or 7) handle escrows, settlements, or closings. Such list shall be forwarded with this executed Consent.

5. All Star Title, Inc. and Horwitz shall assure that each individual listed on the list provided in accordance with Order paragraph 4, above, is licensed as a Missouri insurance producer within three months of the date of the issuance of this Consent Order. All Star Title, Inc. and Horwitz shall notify the Division within five (5) business days, and provide proof of licensure as a Missouri insurance producer, if it hires any new employees to transact insurance business in Missouri.

6. All Star Title, Inc. and Horwitz shall immediately direct any individuals on the list provided in accordance with Order paragraph 4 who are not currently licensed as insurance producers to cease all actions which require a Missouri title insurance producer license.

7. All Star Title, Inc. and Horwitz shall implement processes and procedures to ensure that orders involving Missouri properties or Missouri consumers are managed and reviewed by one or more Missouri licensed insurance producers. Such processes and procedures shall be designed to ensure that unlicensed employees do not engage in conduct requiring a Missouri title insurance producer license.

8. All Star Title, Inc. shall designate a Qualified Principal and notify the Consumer Affairs Division, as required by § 381.118.1 by the date it executes this Consent Order.

9. All Star Title, Inc. and Horwitz shall retain and maintain, for a minimum of five (5) years, third party compliance statements from third party vendors in accordance with § 381.115.8.

10. All Star Title, Inc. shall respond to all inquiries from the Division in accordance with 20 CSR 100-4.100(2)(A).

11. If a consumer complaint is communicated directly to Horwitz, All Star Title, Inc., or any of its employees, concerning a transaction involving a Missouri consumer or property, Horwitz and All Star Title, Inc. shall send the Division a copy of the complaint and a copy of All Star Title, Inc.'s and Horwitz's response(s) to the consumer within five (5) business days of Horwitz's, All Star Title, Inc.'s or All Star Title, Inc.'s employee's receipt of the consumer complaint.

12. All Star Title, Inc. and Horwitz shall report to the Division any violation of or failure to comply with the laws set forth in Chapters 374, 375, and 381, on its or its employees' part, within five (5) business days of such violation or failure to comply.

13. All Star Title, Inc. and Horwitz shall report to the Division any administrative action taken against All Star Title, Inc. or Horwitz by any other state or federal governmental agency in Missouri or any other jurisdiction within five (5) business days of the final disposition of such administrative action.

14. All of the conditions listed above will expire five (5) years from issuance of this Consent Order.

IT IS FURTHER ORDERED that if All Star Title, Inc. or Horwitz violate or otherwise fail to comply with the terms and conditions of this Consent Order or Missouri insurance law, the Director may pursue additional legal remedies, as necessary and without limitation, as authorized by Chapters 374, 375, and 381.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 30th DAY OF MARCH, 2016.

JOHN M. HUFF
Director, Missouri Department of
Insurance, Financial Institutions
and Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that All Star Title, Inc. and Horwitz may have the right to a hearing, but that All Star Title, Inc. and Horwitz have waived the hearing and consented to the issuance of this Consent Order.

All Star Title, Inc.
By Jason Horwitz, CEO
1421 Clarkview Road, Suite 108
Baltimore, MD 21209
Telephone: (410) 580-0660

3/25/16
Date

Jason Horwitz
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3/25/16
Date

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3/24/16
Date

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3-29-16
Date