DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
	)	
CHRISTINE GILWORTH,	)	
	)	
And	)	**Case No. 151105500C**
	)	
PUTNAM COUNTY ABSTRACT AND TITLE CROP INSURANCE AND TAX SERVICE,	)	
	)	
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, Christine Gilworth, and Putnam County Abstract and Title Crop Insurance and Tax Service 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. The Department first issued an individual insurance producer license to Respondent Christine Gilworth ("Gilworth") on September 20, 1990 (license number 0179823); the license expires September 20, 2016. Gilworth is licensed for the lines of "title" and "crop."

4. The Department first issued a business entity insurance producer license to Putnam County Abstract and Title Crop Insurance and Tax Service ("Putnam") on September 7, 1990 (license number 0001107); the license expires September 7, 2016. Gilworth is Putnam's Designated Responsible Licensed Producer, Qualified Principal, and Owner/Officer. Putnam does not maintain a business entity or fictitious name charter or a registered agent designation with the Missouri Secretary of State's office. Gilworth and Putnam are essentially counterparts wherein an act of one can and should be attributed as an act of the other. Gilworth and Putnam are referred to collectively in this Consent Order as "Respondents."

5. Between January 2013 and January 2015, Respondents issued title insurance commitments that purported to be underwritten by Stewart Title Guaranty Company ("Stewart") in coordination with Nancy Porter ("Porter") and Nancy Porter, LLC d/b/a Adair County Title & Escrow. However, neither Porter nor Nancy Porter, LLC d/b/a Adair County Title & Escrow nor Respondents had a valid underwriting agreement with Stewart.

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

6. As a result, title insurance commitments issued by Respondents, which ultimately resulted in title insurance policies issued by Porter did not provide the purported insurance coverage.

7. Respondents do not currently have an underwriting agreement with a title insurance underwriter and therefore have no authority to bind a title insurance company by issuing title insurance commitments or title insurance policies.

8. According to Gilworth, she has not issued title insurance commitments or title insurance policies since learning that Nancy Porter ("Porter") and Nancy Porter, LLC d/b/a Adair County Title & Escrow did not have a valid underwriting agreement.

9. Gilworth desires to maintain her crop line of authority.

10. Respondents acknowledge and agree that pursuant to § 375.141.1(8) grounds exist to discipline their licenses because Respondents demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business by failing to conduct due diligence in their dealings with Porter and Nancy Porter, LLC d/b/a Adair County Title & Escrow, and thus failing to discover that Porter and Nancy Porter, LLC d/b/a Adair County Title & Escrow did not have a title insurance underwriter, resulting in Respondents' issuance of title commitments and ultimately the issuance of title insurance policies that lacked coverage.

11. Respondents acknowledge and understand that they have the right to consult counsel at their expense.

12. Respondents further acknowledge that they have been advised that 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 Respondents'

licenses.

13. Except as provided in paragraph 12 above, Respondents 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.

14. Respondents acknowledge and understand that this Consent Order is an administrative action and will be reported by the Department to other states. Respondents 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.

15. Respondents and the Division desire to settle the allegations raised by the Division.

16. On or about January 26, 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 Respondents that they had sixty (60) days to review the relevant documents and consider the proposed settlement offer in accordance with § 621.045.4(2).

17. 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

18. The allegations raised by the Division, and admitted herein by Respondents are grounds to discipline Respondents' licenses under § 375.141.1(8).

19. 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:
>
> * * *
>
> (8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere [.]

20. 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.

21. 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. Gilworth's signature on this Consent Order signifies her attestation that she has read the following statutes and regulations:

   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.

2. Respondents shall engage in no conduct that requires a title insurance producer license under the laws of the State of Missouri.

3. Respondents shall respond to all inquiries from the Division in accordance with 20 CSR 100-4.100(2)(A).

4. If a consumer complaint is communicated directly to Respondents or Respondents' employee, Respondents shall send the Division a copy of the complaint and a copy of Respondents' response(s) to the consumer within five (5) business days of Respondents' or Respondents' employee's receipt of the consumer complaint.

5. Respondents shall report to the Division any violation of or failure to comply with the laws set forth in Chapters 374, 375, and 381, on their or their employees' part, within five (5) business days of such violation or failure to comply.

6. Respondents shall report to the Division any administrative action taken against either Respondent 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.

7. All of the conditions listed above will expire five (5) years from issuance of this Consent Order for Respondent Gilworth.

8. For Putnam, all of the conditions listed above will expire at the earlier of five (5) years from the issuance of this Consent Order or a time when Gilworth's ownership and management of Putnam ceases in its entirety.

9. Gilworth's signature on this Consent Order signifies that Gilworth hereby surrenders her title line of authority while retaining her crop line of authority associated with individual insurant producer license No. 0179823. Gilworth acknowledges and understands the Department will report this action to the National Association of Insurance Commissioners and that all fees paid

to the Department will not be refunded. Gilworth acknowledges and understands that pursuant to § 375.141.4, the Department may pursue disciplinary action against a surrendered or expired license.

10. Putnam, through Gilworth, acknowledges that by agreeing to this Consent Order and in light of the surrender of Gilworth's title line of authority, Putnam is prohibited from conducting title insurance business by or through Gilworth.

IT IS FURTHER ORDERED that if Respondents 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 26TH DAY OF APRIL, 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 Christine Gilworth and Putnam County Abstract and Title Crop Insurance and Tax Service may have the right to a hearing, but that Christine Gilworth and Putnam County Abstract and Title Crop Insurance and Tax Service have waived the hearing and consented to the issuance of this Consent Order.

Christine Gilworth — 4-16-16

Christine Gilworth as Owner and on behalf of Putnam County Abstract and Title Crop Insurance and Tax Service
107 S. 16th St, Unionville, MO 63565
Telephone: (660) 947-3105

Date

Christine Gilworth — 4-16-16

Christine Gilworth
29047 Ironwood Drive
Unionville, MO 63565
Telephone: (660) 947-3044

Date

_____ — _____

Counsel for Putnam County Abstract and Title Crop Insurance and Tax Service And Christine Gilworth (if any)
Name _____
Bar # _____
Address _____
_____
Telephone: _____
Facsimile: _____

Date

Tamara W. Kopp — 4-26-16

Tamara W. Kopp
Counsel for Consumer Affairs Division
Missouri Bar No. 59020
Department of Insurance, Financial Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65101
Telephone: (573) 522-6115
Facsimile: (573) 751-1165

Date