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DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE: FIRST AMERICAN TITLE INSURANCE COMPANY
c/o JOHN COGHLAN
LATHROP & GAGE
2345 GRAND BLVD. STE. 2200
KANSAS CITY, MO 64108-2618

FILE 115714 Swanson First American

VOLUNTARY FORFEITURE

It is hereby agreed by FIRST AMERICAN TITLE INSURANCE COMPANY and the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, John M. Huff is the duly appointed Director of the Department of Insurance, Financial Institutions and Professional Registration, State of Missouri (hereinafter, Director) whose duties, pursuant to Chapters 374, 375 and 381 RSMo, include the supervision and regulation of the business of insurance;

WHEREAS, the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration is charged with investigating producers and companies engaged in the business of insurance pursuant to Section 374.085 RSMo and is authorized by the Director to recommend enforcement action under

the laws relating to insurance;

WHEREAS, FIRST AMERICAN TITLE INSURANCE COMPANY holds a certificate of authority as an insurance company by the Department of Insurance, Financial Institutions and Professional Registration, pursuant to Chapters 374, 375 and 381, RSMo;

WHEREAS, the investigation has revealed that FIRST AMERICAN TITLE INSURANCE COMPANY:

1. Allowed a non-licensed producer to calculate premiums, determine insurability and negotiate a title insurance policy in violation of Section 381.115.1 and 375.881 (6) RSMo (Supp 2009);
2. Failed on three occasions to acknowledge communications from the insured claimant within ten working days in violation of Section 375.1007 (2) RSMo and 20 CSR 100-1.030; and
3. Failed to communicate to the insured the reasons additional time is needed for the investigation in violation of the requirements of 20 CSR 100-1.050 (1) (C) subjecting it to enforcement action by the Director;

WHEREAS, FIRST AMERICAN TITLE INSURANCE COMPANY has been informed of the nature of its violations, of its right to counsel and of its right to contest any attempt by the Department of Insurance, Financial Institutions and Professional Registration, to discipline its insurance company certificate of authority, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that it understands its rights to contest any such actions;

NOW, THEREFORE, in lieu of the institution by the Department of Insurance,

Financial Institutions and Professional Registration of any action to revoke or suspend the insurance company certificate of authority of FIRST AMERICAN TITLE INSURANCE COMPANY or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, FIRST AMERICAN TITLE INSURANCE COMPANY, does hereby voluntarily and knowingly surrender and forfeit the sum of two thousand hundred dollars ($2,000.00), such sum to be paid into the Missouri State School Fund. FIRST AMERICAN TITLE INSURANCE COMPANY shall submit this sum to the Department of Insurance, Financial Institutions and Professional Registration, by check made payable to the Missouri State School Fund no later than October 14, 2011.

DATED: 9-27-11

FIRST AMERICAN TITLE INSURANCE COMPANY
BY: ROBERT J DUFFIN
ITS: VICE PRESIDENT / REGIONAL COUNSEL

DATED: 10/5/2011

ANGELA L. NELSON, Division Director
Consumer Affairs

DATED: 10-7-11

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

Return to:
Department of Insurance
Kathleen E. Jolly
P O Box 4001
Jefferson City, MO 65102