



T-6A MISSOURI TITLE INSURER'S STATUTORY ONSITE REVIEW REPORT
PURSUANT TO § 381.023, RSMO, AND 20 CSR 500-7.080

Amended Form

Form with fields for AGENCY NAME, MISSOURI AGENCY LICENSE NUMBER, AGENCY DESIGNATED QUALIFIED PRINCIPAL, AGENCY DESIGNATED QUALIFIED PRINCIPAL MISSOURI LICENSE NUMBER, LOCATION OF REVIEW, COMPANY DESIGNATED AGENCY NUMBER, DATE OF LAST REVIEW, REVIEW DATE, INSURER, INSURER 4-DIGIT NAIC GROUP NUMBER, INSURER 5-DIGIT NAIC NUMBER, REVIEWER, TELEPHONE, E-MAIL, CONTACT NAME, TELEPHONE, E-MAIL.

SECTION 1: UNDERWRITING/CLAIMS PRACTICES

UNDERWRITING PRACTICES REVIEW

DOES AGENCY HAVE CURRENT UNDERWRITING MANUALS OF INSURER?

YES NO

DID REVIEWER CONDUCT A RANDOM REVIEW OF AGENCY'S FILES WHERE COMMITMENTS OR POLICIES OF INSURER HAVE BEEN ISSUED?

YES NO

IN THE FILES REVIEWED, WERE THE UNDERWRITING GUIDELINES COMPLIED WITH?

YES NO

CLAIM PRACTICES REVIEW

DID REVIEWER REVIEW AGENCY'S PROCEDURES FOR NOTIFICATION OF CLAIMS IN COMPLIANCE WITH THE TERMS OF THE ISSUING AGENCY CONTRACT BETWEEN INSURER AND AGENCY AND THE TERMS CONTAINED IN THE INSURER'S POLICIES OF TITLE INSURANCE?

YES NO

IN THE FILES REVIEWED WHERE CLAIMS NOTIFICATIONS WERE OR SHOULD HAVE BEEN MADE, WERE CLAIMS NOTIFICATIONS MADE IN COMPLIANCE WITH THE TERMS OF THE ISSUING AGENCY AGREEMENT?

YES NO N/A

SECTION 2: INSURER REMITTANCE

DID REVIEWER VERIFY THAT THE FUNDS HELD ON INSURER'S BEHALF ARE REASONABLY ASCERTAINABLE FROM AGENCY'S BOOKS OF ACCOUNT AND RECORDS AND ARE SUFFICIENT TO SATISFY THE OBLIGATIONS OF THE AGENCY OR AGENT TO THE INSURER?

YES NO

IN THE FILES REVIEWED DID REVIEWER RECONCILE INSURER'S TITLE POLICIES AND COLLECTION OF INSURER'S REMITTANCES BY THE AGENCY?

YES NO

DOES AGENCY REMIT INSURER'S PREMIUMS WITHIN 60 DAYS AFTER THE DATE OF RECEIVING AN INVOICE FROM INSURER AS PROVIDED IN 381.038.3, RSMo?

YES NO

SECTION 3: INSURER-AGENCY CONTRACT

Pursuant to Section 381.023.2(1) NOTE: The reviewer shall ensure that a copy of the most current Issuing Agency Contract is in the Insurer's Agency File.

DOES THE ISSUING AGENCY CONTRACT BETWEEN AGENCY AND INSURER SET FORTH THE RESPONSIBILITIES OF EACH PARTY?

YES NO

IF THOSE RESPONSIBILITIES ARE SHARED IS THERE A DESIGNATION IN THE ISSUING AGENCY CONTRACT OF THE DIVISION?

YES NO N/A

IS THE ISSUING AGENCY CONTRACT CURRENT?

YES NO

IS THE ISSUING AGENCY CONTRACT PROPERLY EXECUTED?

YES NO

SECTION 4: ANNUAL STATEMENT

Pursuant to Section 381.023.2(2)

HAS AGENCY PREPARED AND CERTIFIED AN ANNUAL STATEMENT OF FINANCIAL CONDITION OF AGENCY UNDER OATH OR BY AFFIRMATION AS BEING A TRUE AND ACCURATE REPRESENTATION OF ITS FINANCIAL CONDITION?

YES NO

**SECTION 4: ANNUAL STATEMENT (CONTINUED)**

*NOTE: If the above is not available at the time of the review, the reviewer shall make note of such in its report to the Department and shall take necessary steps to obtain this documentation at a later time. Any documentation provided by the Agency or Agent in support of the Statement of Financial Condition shall be maintained by the Insurer for not less than four years.*

The Statement of Financial Condition of Agency and any documentation attached thereto including, but not limited to income statements, balance sheets or federal tax return shall be deemed by the Department to be a trade secret as defined by section 471.453(4), RSMo, inasmuch as such data possess economic value by virtue of its confidential status; the same or like information is unavailable through other sources; and insurers have made reasonable efforts to maintain the confidentiality of the data. As such, Section 4 of Form T-6A shall be considered confidential communications and immune from requests made under chapter 610, RSMo, nor shall such data otherwise made available to the public or unauthorized individuals except in the manner and form prescribed by this rule.

**SECTION 5: AFFILIATED BUSINESSES**

*Pursuant to Section 381.023.2(3)*

DOES AGENCY ENGAGE IN AFFILIATED BUSINESS RELATIONSHIPS AS DEFINED IN 20 CSR 500-7.070?

YES  NO

BASED ON THE FILES REVIEWED WHERE COMMITMENTS OR POLICIES OF INSURER HAVE BEEN ISSUED, IS AGENCY IN COMPLIANCE WITH THE REQUIREMENTS OF 20 CSR 500-7.070 REGARDING NOTICE OF AFFILIATED BUSINESS ARRANGEMENT (FORM T-4)?

YES  NO

DOES THE AGENCY HAVE POLICIES AND PROCEDURES RELATED TO REGULATORY COMPLIANCE?

YES  NO

IF ANSWER TO PREVIOUS QUESTION IS "YES", ANSWER IS REQUIRED FOR THIS QUESTION: BASED UPON THE ON-SITE REVIEW, IS THE AGENCY IMPLEMENTING ITS POLICIES AND PROCEDURES RELATED TO REGULATORY COMPLIANCE?

YES  NO  N/A

DOES THE AGENCY HAVE POLICIES AND PROCEDURES RELATED TO CONFLICTS OF INTEREST?

YES  NO

IF ANSWER TO PREVIOUS QUESTION IS "YES", ANSWER IS REQUIRED FOR THIS QUESTION: BASED UPON THE ON-SITE REVIEW, IS THE AGENCY IMPLEMENTING ITS POLICIES AND PROCEDURES RELATED TO CONFLICT OF INTEREST?

YES  NO  N/A

**SECTION 6: ORDERS**

*Pursuant to Section 381.023.2(4)*

DOES AGENCY MAINTAIN AN ORDER LOG?

YES  NO

DID REVIEWER REVIEW AGENCY'S ORDER LOG?

YES  NO  N/A

IN THE FILES REVIEWED DID REVIEWER RECONCILE AGENCY'S ORDERS WITH INSURER'S COMMITMENTS AND TITLE POLICIES?

YES  NO

**SECTION 7: COMMITMENTS**

*Pursuant to Section 381.023.2(5), (6), (7)*

DOES AGENCY HAVE PROCEDURES FOR TRACKING INSURER'S ISSUED COMMITMENTS AND ARE THEY ACCEPTABLE TO THE INSURER?

YES  NO

IN THE FILES REVIEWED DID AGENCY FOLLOW THESE PROCEDURES?

YES  NO

DOES AGENCY HAVE PROCEDURES FOR FOLLOW-UP ON COMPLETION OF REQUIREMENTS IN INSURER'S COMMITMENTS ON FILES THEY CLOSE?

YES  NO

DOES AGENCY HAVE PROCEDURES FOR FOLLOW-UP ON COMPLETION OF REQUIREMENTS IN INSURER'S COMMITMENTS ON FILES THEY DO NOT CLOSE?

YES  NO

DOES AGENCY COMPLY WITH THE REQUIREMENTS OF 20 CSR 500-7.060, DISCLOSURE OF COVERAGE LIMITATION, REGARDING RESIDENTIAL REAL ESTATE COMMITMENTS OF THE INSURER ISSUED WITH A CLOSING PROTECTION LETTER (FORM T-3)?

YES  NO

**SECTION 8: VOIDING POLICIES**

*Pursuant to Section 381.023.2(8)*

DOES AGENCY FOLLOW THE CORRECT PROCEDURES FOR VOIDING INSURER'S POLICIES?

YES  NO

**SECTION 9: FILE TRACKING**

*Pursuant to Section 381.023.2(9)*

DOES AGENCY TRACK ITS OPEN ESCROW, SETTLEMENT AND/OR CLOSING FILES?

YES  NO

DOES AGENCY TRACK ITS OPEN SECURITY DEPOSIT FILES?

YES  NO

**SECTION 10: POLICY REGISTER**

*Pursuant to Section 381.023.2(10)*

DID REVIEWER RECONCILE AGENCY'S POLICY REGISTER WITH INSURER'S OUTSTANDING POLICY JACKET INVENTORY?

YES  NO

**SECTION 11: POLICY ISSUANCE***Pursuant to Section 381.023.2(11)*

DOES AGENCY KEEP A LOG OF FILES THAT NEED TO HAVE INSURER'S POLICIES ISSUED?

 YES  NO

IN THE FILES REVIEWED WHAT IS THE AVERAGE LENGTH OF TIME BETWEEN COMPLIANCE WITH THE REQUIREMENTS OF INSURER'S COMMITMENT FOR INSURANCE AND THE ISSUANCE OF INSURER'S TITLE POLICY BY THE AGENCY?

NUMBER OF INSURER'S POLICIES REVIEWED THAT WERE NOT IN COMPLIANCE WITH THE REQUIREMENTS OF 20 CSR 500-7.090, SPECIAL CIRCUMSTANCES FOR POLICY DELAY.

**SECTION 12: ESCROW PRACTICES AND ACCOUNT RECONCILIATION***Pursuant to Section 381.023.2(9), (12)*

DID AGENCY CERTIFY A LIST OF ALL ITS TRUST, ESCROW, SETTLEMENT, CLOSING AND SECURITY DEPOSIT ACCOUNTS TO THE REVIEWER?

 YES  NO

ARE EACH OF AGENCY'S TRUST ACCOUNTS PROPERLY MAINTAINED AS FIDUCIARY TRUST ACCOUNTS BY THE DEPOSITORY INSTITUTIONS? (I.E., "TRUST" AND/OR "ESCROW")

 YES  NO

MONTHLY RECONCILIATIONS REVIEWED TO VERIFY THE FOLLOWING ITEMS:

IN THE FILES REVIEWED DID AGENCY DEPOSIT ALL ESCROW FUNDS IN SEPARATE FIDUCIARY TRUST ACCOUNTS WITH A QUALIFIED DEPOSITORY INSTITUTION PURSUANT TO § 381.022.2?

 YES  NO

DID REVIEWER VERIFY THE 3-WAY RECONCILIATION FOR EACH OF AGENCY'S FIDUCIARY TRUST ACCOUNTS CERTIFIED BY THE AGENCY?

 YES  NO**FOR THE FILES REVIEWED:**

NUMBER OF AGENCY'S FILES WITH ACTUAL NEGATIVE BALANCES OVER \$100

TOTAL DOLLAR AMOUNT OF ALL AGENCY'S ACTUAL NEGATIVE FILE BALANCES (THIS SHOULD BE A NEGATIVE NUMBER)

NUMBER OF AGENCY'S DEPOSITS IN TRANSIT OVER TWO (2) BUSINESS DAYS OLD

TOTAL DOLLAR AMOUNT OF AGENCY'S DEPOSITS IN TRANSIT OVER TWO (2) BUSINESS DAYS OLD

DOES AGENCY HAVE PROCEDURES FOR ASSURING THAT ESCROW FUNDS ARE DEPOSITED NO LATER THAN THE SECOND BUSINESS DAY AFTER RECEIPT PURSUANT TO § 381.022.2?

 YES  NO

IN THE FILES REVIEWED, DID THE AGENCY FOLLOW THESE PROCEDURES?

 YES  NO  N/A

DOES AGENCY HAVE PROCEDURES FOR ASSURING THAT DEEDS AND SECURITY INSTRUMENTS HAVE BEEN PRESENTED FOR RECORDING WITHIN 5 BUSINESS DAYS OF COMPLETION OF ALL CONDITIONS PRECEDENT THERETO, AS REQUIRED BY § 381.026?

 YES  NO  N/A

IN THE FILES REVIEWED, DID AGENCY FOLLOW THESE PROCEDURES?

 YES  NO  N/A**SECTION 13: SUMMARY OF ONSITE REVIEW RESULTS**

| FILE TYPE            | NUMBER OF FILES REVIEWED BY INSURER | NUMBER OF FILES NOT IN COMPLIANCE |
|----------------------|-------------------------------------|-----------------------------------|
| Title Files          |                                     |                                   |
| Closing/Escrow Files |                                     |                                   |

IF THE ANSWER TO ANY OF THESE QUESTIONS IS "NO," PLEASE PROVIDE AN EXPLANATION

OTHER AREAS REVIEWED NOT INCLUDED ON FORM T-6A (OPTIONAL)

ACTION PLAN, IF ANY