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MAR 3 2025

Department of Insurance  
State of Idaho

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of:

SECURED LAND TRANSFERS, LLC  
[Ada County] DBA TitleOne

Idaho Title Agency License No. 712441

Docket No. 18-4640-25

**ORDER ADOPTING REPORT  
OF EXCEPTION EXAMINATION  
AS OF DECEMBER 31, 2023**

The State of Idaho Department of Insurance (“Department”), having conducted an examination of the affairs, transactions, assets, tract indexes, abstract records, and any other records of SECURED LAND TRANSFERS, LLC [Ada County], doing business as TitleOne (“Secured”) to ascertain compliance with Title 41, Idaho Code, and related rules, pursuant to Idaho Code §§ 41-2710(7) and 41-219(1) and (5), hereby alleges the following facts that constitute a basis for issuance of an order, pursuant to Idaho Code § 41-227(5)(a), adopting the Report of Exception Examination of Secured for the period of January 1, 2019 to December 31, 2023 (“Report”), as filed.

**FINDINGS OF FACT**

1. Secured is a title agency licensed by the Department to transact title insurance in Ada County, Idaho, under Title Agency License No. 712441.

2. The Department completed an examination of Secured pursuant to Idaho Code §§ 41-2710(7) and 41-219(1) and (5) on or about December 19, 2024. The Department’s findings are set forth in the Report. In summary, the examiner found that Secured violated the Department’s rules as follows:

- a. From January 1, 2019, through December 31, 2023, Secured violated Idaho Code § 41-2710(7) and IDAPA 18.05.01.031.01 on multiple occasions by

purchasing and expensing items of value and then by exhibiting a pattern of neglect by failing to maintain the necessary documentation required to ascertain compliance with Title 41, Idaho Code and its related rules.

- b. From January 1, 2019, through December 31, 2023, Secured violated IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a) on one (1) occasion by purchasing and distributing \$325.00 in self-promotional items to producers of title business.
- c. From January 1, 2019, through December 31, 2023, Secured violated IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(b)(i) on one (1) occasion by exceeding the permitted limit of items of value provided to producers of title business by a total excess of \$145.99.
- d. From January 1, 2019, through December 31, 2023, Secured violated IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2) on one (1) occasion by providing a \$250 monetary lunch sponsorship.
- e. From January 1, 2019, through December 31, 2023, Secured violated Idaho Code §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11) on one (1) occasion by providing title reports to producers of title business without marking a charge that is commensurate with the actual cost of the work performed and the material furnished.
- f. From January 1, 2019, through December 31, 2023, Secured violated Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.021.01 on one (1) occasion by failing to follow written instructions and providing items of value to producers of title business.
- g. From January 1, 2019, through December 31, 2023, Secured violated Idaho

Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.022 on one (1) occasion by providing long-term disbursements and by failing to charge escrow fees as filed with the Department to producers of title business.

- h. From January 1, 2019, through December 31, 2023, Secured violated IDAPA 18.05.01.021.09(a) on one (1) occasion by accepting a buyer's personal check and closing the escrow on the same date without allowing prescribed time for the escrow account to contain a credit balance of the collected funds.

3. Based on these findings, the examiner recommended Secured:

- a. Revise its procedures to ensure records pertaining to all future business expense items and items of value are properly documented for the purpose of ascertaining compliance with Title 41, Idaho Code § 41-2710(7) and IDAPA 18.05.01.031.01; and
- b. Revise its procedures to ensure future self-promotional items provided to producers of title business comply with IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a); and
- c. Revise its procedures to ensure future items of value provided to producers of title business comply with IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i); and
- d. Revise its procedures to ensure future items of value provided to producers of title business comply with IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2); and
- e. Revise its procedures to ensure future title reports provided to producers of title business comply with Idaho Code §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11); and

- f. Revise its procedures to ensure future written instructions and items of value provided to producers of title business comply with Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.021.01; and
- g. Revise its procedures to ensure future long-term disbursements and escrow fees comply with Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.022; and
- h. Revise its procedures to ensure future collected funds pertaining to escrow disbursements comply with IDAPA 18.05.01.021.09(a); and
- i. Pay an administrative penalty of \$1,725.00 for violations of IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a), IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2).

4. Pursuant to Idaho Code § 41-227(4), a copy of the Report was filed with the Department on February 5, 2025, and was transmitted to Secured on February 6, 2025. A copy of the Report is attached hereto as Exhibit A.

5. Pursuant to Idaho Code § 41-2710(7), Secured had twenty-eight (28) days from service of the Report within which to review, comment, or request a hearing on the Report.

6. On February 7, 2025, the Department received a Waiver from Secured, signed by Jessica Meade, its Chief Operating Officer. By execution of such Waiver, a copy of which is attached hereto as Exhibit B, Secured consented to the immediate entry of a final order by the Director of the Department (“Director”) adopting the Report without any modifications; waived its right to make a written submission or rebuttal to the Report; and waived its right to request a hearing and to seek reconsideration or appeal for the Director’s final order.

### **CONCLUSIONS OF LAW**

7. Idaho Code § 41-227(5)(a) provides that, after expiration of “the period allowed for

the receipt of written submissions or rebuttals, the Director shall fully consider and review the Report, together with any written submissions or rebuttals and relevant portions of the examiner's work papers" and shall enter an order adopting the report of examination as filed or with modifications or corrections.

8. Secured's actions are considered violations and administrative penalties are appropriate per Idaho Code §§ 41-2708(3), 41-117, and 41-1016.

9. Having fully considered the Report and record, the Director concludes that, regarding the matters examined, the Report's comments, findings, and recommendations are appropriate and should be incorporated herein as if set forth in full.

### **ORDER**

NOW, THEREFORE, based on the foregoing, IT IS HEREBY ORDERED that the Report of Exception Examination of SECURED LAND TRANSFERS, LLC [Ada County] DBA TitleOne for the period of January 1, 2019, to December 31, 2023, is hereby ADOPTED as filed, pursuant to Idaho Code § 41-227(5)(a).

IT IS FURTHER ORDERED, pursuant to §§ 41-2710(7) and 41-227(8), that the adopted Report is a public record and shall not be subject to the exemptions from disclosure provided in Chapter 1, Title 74, Idaho Code.

IT IS FURTHER ORDERED, pursuant to Idaho Code § 41-227(6)(a), that within thirty (30) days of the issuance of the adopted Report, Secured will file, with the Department's Market Examiner & Title Insurance Specialist affidavits executed by each of its directors or, if none, its principal officers, stating under oath that they have received a copy of the adopted Report and related orders.

IT IS FURTHER ORDERED, that within thirty (30) days of the issuance of the adopted Report, Secured will submit to the Department in writing proposed revisions of its policies and procedures to ensure: (a) future business expense items and items of value are properly documented

for the purpose of ascertaining compliance with Idaho Code § 41-2710(7) and IDAPA 18.05.01.031.01; and (b) future self-promotional items provided to producers of title business comply with IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(a); and (c) future items of value provided to producers of title business comply with IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i); and (d) future items of value provided to producers of title business comply with IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2); and (e) future title reports provided to producers of title business comply with Idaho Code §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11); and (f) future written instructions and items of value provided to producers of title business comply with Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.021.01; and (g) future long-term disbursements and escrow fees comply with Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.022; and (h) future collected funds pertaining to escrow disbursements comply with IDAPA 18.05.01.021.09(a).

IT IS FURTHER ORDERED, that within thirty (30) days of the issuance of the adopted Report, Secured will pay the Department an administrative penalty of \$1,725.00.

**IT IS SO ORDERED.**

DATED this 3 day of March, 2025.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE



DEAN L. CAMERON  
Director

### **NOTIFICATION OF RIGHTS**

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The Director will dispose of the motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. See, Idaho Code § 67-5246(4).

Any such motion for reconsideration shall be served on the Director of the Idaho Department of Insurance, addressed as follows:


Dean L. Cameron, Director  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal it by filing a petition for judicial review in the district court of the county in which: (1) the hearing was held; or (2) the final agency action was taken; or (3) the aggrieved party resides or operates its principal place of business in Idaho; or (4) the real property or personal property that was subject of the agency decision is located. A petition for judicial review must be filed within twenty-eight (28) days of: (a) the service date of this final order; or (b) the service of an order denying a motion for reconsideration; or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is later. See, Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. See, Idaho Code § 67-5274.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this 3rd day of March, 2025, I caused a true and correct copy of the foregoing ORDER ADOPTING REPORT OF EXCEPTION EXAMINATION AS OF DECEMBER 31, 2023, to be served upon the following parties by the designated means:

Secured Land Transfers, LLC Jessica Meade, COO 1101 W. River Street, Ste. 201 Boise, ID 83702-7068	<input type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: <a href="mailto:jmeade@titleonecorp.com">jmeade@titleonecorp.com</a>
Secured Land Transfers, LLC Andy Garrison	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: <a href="mailto:agarrison@titleonecorp.com">agarrison@titleonecorp.com</a>

  
\_\_\_\_\_  
Jan Noriyuki  
Paralegal





REPORT OF EXCEPTION EXAMINATION

For the Period January 1, 2019 through December 31, 2023

Of

SECURED LAND TRANSFERS, LLC

d/b/a

TITLEONE

(a title agent limited liability company - license #712441 – Ada County)

As of

December 31, 2023

*Equal Opportunity Employer*

**EXHIBIT**

**A**

exhibitsicker.com

## **Table of Contents**

<b>SALUTATION.....</b>	<b>3</b>
<b>FOREWORD .....</b>	<b>4</b>
<b>PURPOSE AND SCOPE OF EXAMINATION .....</b>	<b>5</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>5</b>
<b>HISTORY AND DESCRIPTION .....</b>	<b>6</b>
<b>PRIOR EXAMINATION .....</b>	<b>6</b>
<b>EXAMINATION FINDINGS AND RECOMMENDATIONS .....</b>	<b>7</b>
<b>I.    OPERATIONS AND MANAGEMENT.....</b>	<b>7</b>
<b>A.    MANAGEMENT, CONTROL AND FINANCIAL INTERESTS .....</b>	<b>7</b>
<b>B.    CONTRACTING AUTHORITY.....</b>	<b>7</b>
<b>C.    SURETY BOND.....</b>	<b>7</b>
<b>D.    CLAIMS.....</b>	<b>8</b>
<b>II.    ADVERTISING AND MARKETING .....</b>	<b>8</b>
<b>III.    TITLE FILE REVIEW.....</b>	<b>12</b>
<b>IV.    ESCROW FIDUCIARY ACCOUNTS AND FILE REVIEW .....</b>	<b>12</b>
<b>A.    FIDUCIARY ACCOUNTS .....</b>	<b>12</b>
<b>B.    ESCROW FILE REVIEW.....</b>	<b>12</b>
<b>SUMMARY OF RECOMMENDATIONS .....</b>	<b>17</b>
<b>AFFIDAVIT OF EXAMINER.....</b>	<b>19</b>
<b>PENALTY, STIPULATIONS AND APPEAL NOTIFICATION.....</b>	<b>20</b>

Boise, Idaho  
December 19, 2024

The Honorable Dean L. Cameron  
Director of the Idaho Department of Insurance  
700 West State Street  
Boise, Idaho 83720

Sir:

Pursuant to your instructions and in conformity with Idaho Code §§ 41-219, 41-220, 41-2710(7) and 41-2713, an examination has been made of the administrative affairs, books, records, and financial condition of;

Secured Land Transfers, LLC  
d/b/a  
TitleOne  
1101 W. River Street, Suite 201  
Boise, Idaho 83702-7068  
License #712441 – Ada County

Hereinafter referred to as “Agent.”

The following Report of Exception Examination is respectfully submitted.

## **FOREWORD**

This is an exception examination report of the practices and procedures of Secured Land Transfers, LLC, d/b/a TitleOne, an Idaho Title Agent licensed in Ada County. The examination was conducted remotely from the offices of the Idaho Department of Insurance (the “Department”) located at 700 West State Street, 3<sup>rd</sup> Floor, Boise, Idaho.

In performing this examination, the examiner(s) reviewed a sample of the Agent’s procedures, files, and documentation. Some noncompliant practices may not have been discovered during this examination. In addition, examiners may have documented practices and procedures that did not appear to be in the best interest of Idaho insurance consumers. However, failure to identify or criticize specific practices, products, or files does not constitute approval thereof by the Department.

The examination comments are restricted to areas of concern and are not intended as commentary on the various favorable aspects of the Agent’s operations. Furthermore, these comments should not be regarded as reflecting the integrity or capabilities of individuals at the Agent. As such, this report may not fully reflect the procedures and practices of the Agent.

This examination report cites Idaho Statute and administrative rules promulgated by the Department. Statute and rule citations are current unless otherwise noted.

The final examination report comprises the examiner’s report, the Agent’s response, if any, and any administrative actions based on the findings of the Department. The goal of the examination team was to produce an examination report that reflects agreement in content with the Agent. The report indicates where agreement was or was not possible.

## **PURPOSE AND SCOPE OF EXAMINATION**

The purpose of this examination is to determine compliance with applicable Idaho Statutes, and promulgated rules issued by the Department.

The period covered by this examination is January 1, 2019 through December 31, 2023. Specific areas examined include operations/management, claims, advertising and marketing, title file review and escrow fiduciary account and file review.

The authority of the Department to perform this examination includes, but is not limited to, Idaho Code § 41-2710(7), which grants authority to the Department to regular examinations of the tract indexes, abstract records, and any other records to ascertain compliance with title 41, Idaho Code, and related rules, of a title agent not more than every fifth year, unless the agent otherwise requests or the director has cause to believe the same does not comply with said title or the rules thereunder.

## **EXECUTIVE SUMMARY**

The examination identified a total of eight (8) findings of exceptions. For detailed information, including the exceptions, violations, imposed penalties, and recommendations, please refer to the relevant section of this report. Below is an overview of these exceptions:

### **1) Advertising and Marketing (Section II, pages 8-11)**

A total of four (4) findings of exceptions have been identified in this section of the examination. These exceptions are as follows:

- **Exception #1:** The Agent, on multiple occasions, demonstrated a pattern of neglect by failing to maintain the necessary documentation required to ascertain compliance with Title 41, Idaho Code and its related rules. Agents are required to maintain such documents to demonstrate no items of value were provided.
- **Exception #2:** The Agent, on one (1) occasion, purchased several gift cards, which are items of value specifically not permitted, from various vendors for marketing purposes and distributed them to several producers of title business, incurring a total expenditure of \$325.00.
- **Exception #3:** The Agent, on one (1) occasion, provided lunch during its educational program on wire fraud for a total of thirteen (13) producers of title business, incurring an expense of \$406.60. The average cost per person was \$31.23, which exceeds the permissible limit of \$20.00 per person, resulting in an overage of \$11.23 per person and a total illegal inducement amounting to \$145.99.
- **Exception #4:** The Agent, on one (1) occasion, provided a \$250.00 monetary lunch sponsorship, which is an item of value not permitted, for Coldwell Banker Tomlinson's, a producer of title business, educational sales seminar titled Ninja Installation.

## **2) Escrow File Review (Section IV.B, pages 12-17)**

A total of four (4) findings of exceptions have been identified in this section of the examination. These exceptions are as follows:

- **Exception #5:** The Agent, on one occasion, conducted a Commercial Preliminary Research Report and provided it to Ron Nahas, a producer of title business, without charging a fee. This constitutes a rebate or illegal inducement as it is not commensurate with the actual cost of work performed and the material furnished.
- **Exception #6:** The Agent, on one (1) occasion, provided a \$948.00 credit, which constitutes a rebate or illegal inducement, to HHS Construction, a builder, seller, and producer of title business, which was applied to its allocated title insurance premium. This amount was subsequently charged to the buyer in the transaction.
- **Exception #7:** The Agent, on one (1) occasion, provided escrow services, including construction disbursements, for KD Kolnes Construction, LLC, a producer of title business, without charging the escrow fees as filed with the Department of Insurance. This constitutes a rebate or illegal inducement, as fees charged were less than the fees filed for the specific escrow services.
- **Exception #8:** The Agent, on one (1) occasion, accepted a buyer's out-of-state personal check for \$212.76, and closed the escrow on the same date without allowing prescribed time for the escrow to contain a credit balance of collected funds.

## **HISTORY AND DESCRIPTION**

TitleOne Corporation was duly incorporated, with its Articles of Incorporation filed with the Idaho Secretary of State ("ISOS") on May 3, 2000. On May 23, 2000, they were licensed as a title agent by the Department in Ada County. In October 2011, they acquired Idaho Title and Trust, Inc. and merged with Vandelay LLC in September of 2016 wherein TitleOne Corporation was the surviving entity. As a result of the merger, Title Resource Group became the sole shareholder of TitleOne Corporation. On February 7, 2018, Secured Land Transfers, LLC, the current entity and Agent subject to this examination, was formed and issued a Certificate of Registration by the ISOS. On February 22, 2019, a Statement of Merger was filed with the ISOS, merging TitleOne Corporation and TitleOne Exchange Company into Secured Land Transfers, LLC and subsequently an assumed business name of TitleOne was filed. On March 1, 2019, as a result of the merger, a restructured and new title agent license number was issued by the Department. They operate across much of the state, holding a title agent license in twenty-five (25) counties. They conduct business in Ada County out of offices in Boise, Meridian, and Eagle, Idaho.

## **PRIOR EXAMINATION**

Our examination included a review to determine if the six (6) exceptions noted in the preceding report of exception examination, dated December 10, 2019, which covered the period of January

1, 2015 through December 31, 2018, were satisfactorily addressed. We determined that the Agent satisfactorily addressed those exceptions.

## **EXAMINATION FINDINGS AND RECOMMENDATIONS**

### **I. OPERATIONS AND MANAGEMENT**

The examination included a review of the Agent's operations and management. The focus of this section of the examination includes review of management and control, contracting authority, surety bond, claims, and financial interests of the title entity management and ownership.

#### **A. MANAGEMENT, CONTROL AND FINANCIAL INTERESTS** **IDAPA 18.05.01.014 & 015**

As of February 7, 2024, the Idaho Secretary of State shows the Agent's status as active-existing, listing Corporate Creations Network, Inc. as the registered agent and the managing members as Stephanie E. Witmer and Lisa Estevan. The Agent's in-state executive management comprises Jason Vickrey as President, with serving Directors listed as Logan Coulter, Patricia M. Coulter, Michael Stephen Hammer, Veronica Hern, Cameron McFaddan, Jessica D. Meade, Laura Page, Randal A Rabehl, Ryan Taylor, and Amy Wilcoxson. No exceptions were noted as a result of this portion of the examination.

#### **B. CONTRACTING AUTHORITY** **Idaho Code § 41-2710(2)**

The Agent has underwriting contracts with Chicago Title Insurance Company, Commonwealth Land Title Insurance Company, DOMA Title Insurance, Inc, Fidelity National Title Insurance Company, First American Title Insurance Company, Old Republic National Title Insurance Company, Stewart Title Guaranty Company, Title Resources Guaranty Company, and Westcor Land Title Insurance Company. The underwriting contracts are subject to high liability limits, without underwriter approval, ranging from \$4,000,000.00 to \$5,000,000.00 with deductibles for loss of \$5,000.00. No exceptions were noted as a result of this portion of the examination.

#### **C. SURETY BOND** **Idaho Code §§ 41-2710(6), 2711** **IDAPA 18.05.01.021.07 & 08**

The Department has on file surety bond #285059775 in the amount of \$50,000.00 issued by Liberty Mutual Insurance Company on behalf of the Agent. We confirmed during the examination that this bond is currently active. No exceptions were noted as a result of this portion of the examination.

**D. CLAIMS**  
**Idaho Code § 41-2708(1) & (2)**

The Agent reported fifty-four (54) claims filed within the examination period. Several of the claims appear to pertain to alleged missed easements, encroachments, liens, rights of access, or other related matters. Other reported claims may include employee errors and improperly indexed publicly recorded instruments. There does not appear to be any substantive issue with the title plant. No exceptions were noted as a result of this portion of the examination.

**II. ADVERTISING AND MARKETING**  
**Idaho Code § 41-2708(3) & (4)**  
**IDAPA 18.05.01.031 & Exhibit 1**

The examination included a review of the Agent's marketing and sales practices. A general ledger for each year under examination for all accounts involving contributions, donations, sales expenses, travel and meal expenses, Agent/staff function expenses, as well as samples of listing packages or property profiles were requested and received. After a cursory review of the general ledgers, samples were picked within our examination parameters. Supporting documents for the samples were requested, received, and reviewed.

A total of four (4) exceptions were noted as a result of this portion of the examination, detailed as follows:

Violations of Idaho Code § 41-2710(7) and IDAPA 18.05.01.031.01	
Exception Number	Examination Findings
1	The Agent, on multiple occasions, demonstrated a pattern of neglect by failing to maintain the necessary documentation required to ascertain compliance with Title 41, Idaho Code and its related rules.

**Idaho Code § 41-2710(7)** states, in relevant part, with emphasis added: "Regular examination of the tract indexes, abstract records, and **any other records** to ascertain compliance with Title 41, Idaho Code, and related rules . . ."

The above provision impliedly requires agents to keep records necessary such that the Director of the Department of Insurance may ascertain compliance with title 41, Idaho Code and related rules. It will be the burden of the title entity to be prepared to present documentation to the Department of Insurance that no items of value were provided.

**IDAPA 18.05.01.031.01** states, in relevant part, with emphasis added: "**Items of Value**. A title entity **will not** provide items of value to a producer of title business, consumer or member of the general public **except** as permitted in Sections 031.02, 031.03, 031.04 and 031.05 of this chapter. If a providing of things of value **does not clearly fit into the rules . . . then it is not allowed.**"



**Violations, Exception #1:** The Agent, on multiple occasions, was in violation of Idaho Code § 41-2710(7) and IDAPA 18.05.01.031.01 for purchasing and expensing items of value without maintaining and presenting corroborating documentation necessary to ascertain compliance with Title 41, Idaho Code and its related rules.

**Recommendations, Exception #1:** Considering that this is the first occurrence of these specific types of findings and associated violations, it is recommended that no administrative penalties be imposed at this time. However, the Department retains the right to impose administrative penalties for any future occurrences of these same violations.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that records pertaining to all future business expense items and/or items of value are properly documented for the purpose of ascertaining compliance with Title, 41 Idaho Code and its related rules.

Violations of IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a)	
Exception Number	Examination Finding
2	On or about May 18, 2020, the Agent, on one (1) occasion, purchased several gift cards, which are items of value specifically not permitted, from various vendors for marketing purposes and distributed them to several producers of title business, incurring a total expenditure of \$325.00.

**IDAPA 18.05.01.031.01** states, in relevant part, with emphasis added: “**Items of Value.** A title entity **will not** provide items of value to a producer of title business, consumer or member of the general public **except** as permitted in Sections 031.02, 031.03, 031.04 and 031.05 of this chapter. If a providing of things of value **does not clearly fit into the rules . . . then it is not allowed.**”

**IDAPA 18.05.01.031.04(a)** states, in relevant part, with emphasis added: “**Self-Promotional Advertising.** A title entity may distribute self-promotional items having an acquisition value of less than twenty-five dollars (\$25) to producers of title business, consumers, and members of the general public. These self-promotional items are **limited to** novelty gifts, advertising novelties, and generic business forms and **specifically do not** include food, beverages, gift certificates, **gift cards**, or other items that have a specific monetary value on their face or that may be exchanged for any other item having a specific monetary value. . . .”

**Violations, Exception #2:** The Agent, on one (1) occasion, was in violation of IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a) for distributing several gift cards to producers of title business, with a cumulative face value and total expenditure of \$325.00.

**Recommendations, Exception #2:** The prior examination of the Agent, dated December 10, 2019, identified Advertising and Marketing exceptions related to the distribution of prohibited items of value to producers of title business, which were issued without administrative penalty.

Considering that these previous violations are specifically related to the current violations, it is recommended that the Director issue an order of administrative penalty for violations of IDAPA

18.05.01.031.01 and IDAPA 18.05.01.031.04(a). The penalty should be three (3) times the rebate or illegal inducement, amounting to \$975.00, in accordance with Idaho Code § 41-2708(3).

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that any future items of value provided to producers of title business are in strict compliance with IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a).

Violations of IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(b)(i)	
Exception Number	Examination Finding
3	On or about December 16, 2021, the Agent, on one (1) occasion, purchased and provided lunch, catered by Open Table Boise, LLC, during its educational program on wire fraud for a total of thirteen (13) producers of title business, incurring an expense of \$406.60. The average cost per person was \$31.23, which exceeds the permissible limit of \$20.00 per person. This resulted in an overage of \$11.23 per person and a total rebate or illegal inducement amounting to \$145.99.

**IDAPA 18.05.01.031.01** states, in relevant part, with emphasis added: “**Items of Value.** A title entity **will not** provide items of value to a producer of title business, consumer or member of the general public **except** as permitted in Sections 031.02, 031.03, 031.04 and 031.05 of this chapter. If a providing of things of value **does not clearly fit into the rules . . . then it is not allowed.**”

**IDAPA 18.05.01.031.04(b)(i)** states, in relevant part, with emphasis added: “A title entity is permitted to conduct educational programs. The education programs will only address title insurance and escrow and other topics related thereto. A title entity is permitted to expend **no more than twenty dollars (\$20) per person** at an educational program. . . .”

**Violations, Exception #3:** The Agent, on one (1) occasion, was in violation of IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(b)(i) for purchasing and providing items of value exceeding permissible limits, specifically a catered lunch, for producers of title business during its educational seminar. This expenditure exceeded the permissible limits by a total of \$145.99.

**Recommendations, Exception #3:** Considering that this is the first occurrence of this specific type of finding and associated violations, it is recommended that no administrative penalties be imposed at this time. However, the Department retains the right to impose administrative penalties for any future occurrences of these same violations.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that any future items of value provided to producers of title business are in strict compliance with IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(b)(i).

Violations of IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2)	
Exception Number	Examination Finding
4	On or about March 21, 2023, the Agent, on one (1) occasion, provided a \$250.00 monetary lunch sponsorship, which is an item of value not permitted, for Coldwell Banker Tomlinson's, a producer of title business, which hosted an educational sales seminar titled Ninja Installation.

**IDAPA 18.05.01.031.01** states, in relevant part, with emphasis added: “**Items of Value.** A title entity **will not** provide items of value to a producer of title business, consumer or member of the general public **except** as permitted in Sections 031.02, 031.03, 031.04 and 031.05 of this chapter. If a providing of things of value **does not clearly fit into the rules . . . then it is not allowed.**”

**IDAPA 18.05.01.031.04(b)(i)** states, in relevant part, with emphasis added: “. . . A title entity may participate in or make presentations at educational programs which are conducted or presented by other entities. The title entity is **not** permitted to expend **any money** to sponsor or cosponsor these programs . . .”

**EXHIBIT 1(1)(2)** states, in relevant part, with emphasis added: “A title entity shall not provide items of value except as provided in Sections 031.02, 031.03, 031.04, and 031.05 of IDAPA 18.05.01. The following is a partial, but not all inclusive, list of acts and practices which are considered illegal inducements not permitted by the Idaho Insurance Code: **1.** A title entity **will not sponsor** any activity **off its premises unless** the producer of title business bears the entire cost of the activity. . . . **2.** A title entity **will not sponsor**, subsidize, supply prizes or labor, or **otherwise provide items of value for promotional activities of producers of title business . . .**”

**Violations, Exception #4:** The Agent, on one (1) occasion, was in violation of IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2) for providing a \$250.00 monetary lunch sponsorship for an educational event hosted by and for the benefit of Coldwell Banker Tomlinson's, a producer of title business.

**Recommendations, Exception #4:** The prior examination of the Agent, dated December 10, 2019, identified Advertising and Marketing exceptions related to the distribution of items of value specifically not permitted to producers of title business, which were issued without administrative penalty.

Considering that the previous violations are specifically related to the current type of violations, it is recommended that the Director issue an order of administrative penalty for violations of IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2). The penalty should be three (3) times the rebate or illegal inducement, amounting to \$750.00, in accordance with Idaho Code § 41-2708(3).

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that any future items of value provided to producers of title business are in strict compliance with IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2).

### **III. TITLE FILE REVIEW**

**Idaho Code §§ 41-2702, 2708 & 2709**

**IDAPA 18.05.01.012, 013 & Exhibit 1(9)**

The title department is managed by Matthew Carey and is comprised of seventeen (17) Title Officers and four (4) Title Assistants. The title plant in Ada County is provided through a two-year, automatically renewing lease agreement. Under this agreement, the lessor is responsible for all posting and maintenance activities, which is conducted and managed in Boise, Idaho. A sample of title files were reviewed within the parameters of our examination for the rates charged, the correct insured amount of the owner's and mortgagee's policies, proper countersignatures, double sales, proper use of the Standards of Liability and liens and encumbrance rules, and unique kind or class of risk. No exceptions were noted as a result of this portion of the examination.

### **IV. ESCROW FIDUCIARY ACCOUNTS AND FILE REVIEW**

The escrow department is managed by Samantha Keller and is comprised of sixteen (16) Escrow Officers, and twenty-six (26) Escrow Assistants.

#### **A. FIDUCIARY ACCOUNTS**

**IDAPA 18.05.01.021.04, 05 & 09**

The examination included a review of the fiduciary accounts utilized during the examination period. The accounts were reviewed for correct labeling, separation from operating funds, reconciliation, and negative balances. The fiduciary accounts are balanced on a daily basis and reconciled on a monthly basis by the Agent's corporate Accounting Team. The monthly reconciliations are reviewed by Randy Rabehl, Director and Chief Financial Officer of the Agent. No exceptions were noted as a result of this portion of the examination.

#### **B. ESCROW FILE REVIEW**

**Idaho Code § 41-2705(3)**

**IDAPA 18.05.01.021 & 022**

The examination included a review of the escrow files opened during the examination period. A sample of the escrow files were reviewed within the parameters of our examination for adequate written instructions, conformity to the written instructions, rates charged as filed, signed settlement statements, receipt and disbursement ledgers, evidence of receipts and disbursements made, file overdrafts, and business interests of the escrow officers.

A total of four (4) exceptions were noted as a result of this portion of the examination, detailed as follows:

Violations of §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11)		
Exception Number	Agent File Number	Examination Finding
5	21437680	On or about October 23, 2021, the Agent, on one (1) occasion, conducted a Commercial Preliminary Research Report and provided it to Ron Nahas, a producer of title business, without making a charge that is commensurate with the actual cost of work performed and the material furnished.

**Idaho Code § 41-2708(3)** states, in relevant part, with emphasis added: “**Rebates.** Section 41-1314(1), Idaho Code, shall be applicable to any person or entity and all employees, officers, agents, attorneys and solicitors thereof engaging in the title insurance business as to rebates and illegal inducements as in said section defined. The words "as inducement to such insurance" and "or in connection therewith" shall be construed to include but not be limited to underwriting premium, agent's commission, abstracting charges, title examination fees, closing charges, escrow fees, trustee fees, and foreclosure fees relating to deeds of trust. No insured in a policy nor any other person directly or indirectly connected with the transaction involving the issuance of a title insurance policy, including but not limited to mortgage brokers, real estate brokers and agents, builders or attorneys, nor any employee, agent or representative or solicitor thereof, shall knowingly receive or accept, directly or indirectly, any such rebate or illegal inducement. No title insurance company or title insurance agent shall quote or make any charge for title insurance to any person less than the currently filed rate for such risk with the department of insurance.”

**Idaho Code § 41-2708(4)** states, with emphasis added: “**Forwarding fees.** No person forwarding or directing title insurance business to a title insurer or title insurance agent in Idaho, nor such insurer or agent receiving such business, shall give or receive anything of value, or a portion of the premium, therefor.”

**IDAPA 18.05.01.031.02(c)** states, with emphasis added: “Market value information, demographics, additions, addenda, photographs (other than as described in Paragraph 031.02.b) or other attachments, which attachments may be construed as conclusions reached by the title entity regarding matters of marketable ownership or encumbrances, may be provided, but only upon receipt of a charge commensurate with the actual cost of the work performed and the material furnished.”

**EXHIBIT 1(11)** states, with emphasis added: “A title entity will not furnish reports containing publicly recorded information, appraisals, estimates, or income production potential, information kits or similar packages containing information about one or more parcels of real property (other than as permitted in Section 031.02) helpful to any producer of title business, consumer, or member of the general public without making a charge that is commensurate with the actual cost of the work performed and the material furnished (e. g. "farm packages", lot book reports, tax information, title commitments).”

**Violations, Exception #5:** The Agent, on one (1) occasion, was in violation of §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11) for providing a Commercial Preliminary Research Report to Ron Nahas, a producer of title business, without making a charge that is commensurate with the actual cost of work performed and the material furnished.

**Recommendations, Exception #5:** Considering that this is the first occurrence of this specific type of finding and associated violations, it is recommended that no administrative penalties be imposed at this time. However, the Department retains the right to impose administrative penalties for any future occurrences of these same violations.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that any future title reports, items of value, that are provided to producers of title business are in strict compliance with §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11).

Violations of §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.021.01		
Exception Number	Agent File Number	Examination Finding
6	21400400	On November 30, 2021, the Agent, on one (1) occasion, provided HHS Construction, a builder, seller, and producer of title business involved in a sales purchase agreement, with an additional \$948.00 temporary loan policy credit. This credit was applied to the cost associated with the owner's policy of title insurance, which, according to signed instructions, was to be paid for by HHS Construction, but instead subsequently paid by the buyer.

**Idaho Code § 41-2708(3)** states, in relevant part, with emphasis added: “**Rebates.** Section 41-1314(1), Idaho Code, shall be applicable to any person or entity and all employees, officers, agents, attorneys and solicitors thereof engaging in the title insurance business as to rebates and illegal inducements as in said section defined. The words “as inducement to such insurance” and “or in connection therewith” shall be construed to include but not be limited to underwriting premium, agent’s commission, abstracting charges, title examination fees, closing charges, escrow fees, trustee fees, and foreclosure fees relating to deeds of trust. No insured in a policy nor any other person directly or indirectly connected with the transaction involving the issuance of a title insurance policy, including but not limited to mortgage brokers, real estate brokers and agents, builders or attorneys, nor any employee, agent or representative or solicitor thereof, shall knowingly receive or accept, directly or indirectly, any such rebate or illegal inducement. No title insurance company or title insurance agent shall quote or make any charge for title insurance to any person less than the currently filed rate for such risk with the department of insurance.”

**Idaho Code § 41-2708(4)** states, with emphasis added: “**Forwarding fees.** No person forwarding or directing title insurance business to a title insurer or title insurance agent in Idaho, nor such insurer or agent receiving such business, shall give or receive anything of value, or a portion of the premium, therefor.”

**IDAPA 18.05.01.021.01** states, in relevant part, with emphasis added: “**Written Instructions.** An escrow agent will not accept funds or papers into escrow without dated written instructions signed by the parties . . . Funds and documents deposited will be used only in accordance with such written instructions. If additional instructions are needed, the agent will obtain the consent of both parties . . .”

**Violations, Exception #6:** The Agent, on one (1) occasion, was in violation of §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.021.01 for providing HHS Construction, a producer of title business, with an additional temporary loan policy credit of \$948.00. This credit is construed to be a rebate or illegal inducement, which was subsequently paid by the Buyer.

**Recommendations, Exception #6:** Considering that this is the first occurrence of this specific type of finding and associated violations, it is recommended that no administrative penalties be imposed at this time. However, the Department retains the right to impose administrative penalties for any future occurrences of these same violations.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure future written instructions, and items of value to producers of title business, are in strict compliance with 41-2708(3), 41-2708(4), IDAPA 18.05.01.021.01.

Violations of §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.022		
Exception Number	Agent File Number	Examination Finding
7	21424201-2	On or around June 7, 2022, the Agent, on one (1) occasion, conducted an escrow closing and/or construction disbursement file for KD Kolnes Construction, LLC, a producer of title business, without charging and collecting an escrow and/or construction disbursement fee as filed with the Department for this specified escrow service.

**Idaho Code § 41-2708(3)** states, in relevant part, with emphasis added: “**Rebates.** Section 41-1314(1), Idaho Code, shall be applicable to any person or entity and all employees, officers, agents, attorneys and solicitors thereof engaging in the title insurance business as to rebates and illegal inducements as in said section defined. The words "as inducement to such insurance" and "or in connection therewith" shall be construed to include but not be limited to underwriting premium, agent's commission, abstracting charges, title examination fees, closing charges, escrow fees, trustee fees, and foreclosure fees relating to deeds of trust. No insured in a policy nor any other person directly or indirectly connected with the transaction involving the issuance of a title insurance policy, including but not limited to mortgage brokers, real estate brokers and agents, builders or attorneys, nor any employee, agent or representative or solicitor thereof, shall knowingly receive or accept, directly or indirectly, any such rebate or illegal inducement. No title insurance company or title insurance agent shall quote or make any charge for title insurance to any person less than the currently filed rate for such risk with the department of insurance.”

**Idaho Code § 41-2708(4)** states, with emphasis added: “**Forwarding fees.** No person forwarding or directing title insurance business to a title insurer or title insurance agent in Idaho, nor such insurer or agent receiving such business, shall give or receive anything of value, or a portion of the premium, therefor.”

**IDAPA 18.05.01.022** states, in relevant part, with emphasis added: “**Escrow Fees.** Title insurers and title insurance agents **will not charge less than** the fees filed with the Department of Insurance for a specified escrow service . . .”

**Violations, Exception #7:** The Agent, on one (1) occasion, was in violation of §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.022 for providing escrow services without charging an escrow and/or construction disbursement fee as filed with the Department for this specified escrow service.

**Recommendations, Exception #7:** Considering that this is the first occurrence of this specific type of finding and associated violations, it is recommended that no administrative penalties be imposed at this time. However, the Department retains the right to impose administrative penalties for any future occurrences of these same violations.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure future escrow and/or construction disbursement fees are in strict compliance with 41-2708(3), 41-2708(4), IDAPA 18.05.01.022.

Violation of IDAPA 18.05.01.021.09(a)		
Exception Number	Agent File Number	Examination Finding
8	22455493	On February 16, 2023, the Agent, on one (1) occasion, accepted an out-of-state personal check from a buyer in the amount of \$212.76, and subsequently closed the escrow on the same date without allowing the prescribed time for the escrow to contain a credit balance of collected funds.

**IDAPA 18.05.01.010.13** states, in relevant part, with emphasis added: “**Definitions Pertaining to Collected Funds.**

**a.** Business Day means a calendar day other than Saturday or Sunday, and also excluding most major holidays. If January 1, July 4, November 11, or December 25 fall on a Sunday, the next Monday is also excluded from the definition of a business day. **b. Collected Funds means** . . . (vi) non-local State and government checks, non-local on-us checks, non-local personal or corporate checks or non-local third party checks **on the fifth business day after deposit.** For purposes of this section a deposit is considered made on (1) the same day the item is delivered in person to an employee of a federally insured financial institution, or (2) the first business day following an after business hours deposit of an item to a federally insured financial institution.”

**IDAPA 18.05.01.021.09** states, in relevant part, with emphasis added: “**Disbursement of Funds or Documents From Escrow -- Requirement for Collected Funds.** **a.** Notwithstanding any agreement to the contrary, **no disbursement of funds or delivery of documents from an escrow**



for recording or otherwise may be made unless the escrow contains a credit balance consisting of collected funds, other than funds of the escrow agent or its affiliates, sufficient to discharge all monetary conditions of the escrow . . .”

**Violation, Exception #8:** The Agent, on one (1) occasion, was in violation of IDAPA 18.05.01.021.09(a) for disbursing escrow funds and delivering documents from an escrow for recording or otherwise, without the escrow containing a credit balance consisting of collected funds.

**Recommendations, Exception #8:** Considering that this is the first occurrence of this specific type of finding and associated violations, it is recommended that no administrative penalties be imposed at this time. However, the Department retains the right to impose administrative penalties for any future occurrences of these same violations.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure future escrow disbursements are in strict compliance with IDAPA 18.05.01.021.09(a).

## **SUMMARY OF RECOMMENDATIONS**

The recommendations made below identify corrective measures the Department finds necessary as a result of the exceptions noted in this Report of Exception Examination (“Report”). Location in the Report is referenced in parenthesis.

### **1) Advertising and Marketing (Section II, pages 8-11)**

- **Exception #1:** It is recommended that no administrative penalties be imposed at this time.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that records pertaining to all future business expense items and/or items of value are properly documented for the purpose of ascertaining compliance with Title, 41 Idaho Code and its related rules.

- **Exception #2:** It is recommended that the Director issue an order of administrative penalty for violations of IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a). The penalty should be three (3) times the rebate or illegal inducement, amounting to \$975.00, in accordance with Idaho Code § 41-2708(3).

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that any future items of value provided to producers of title business are in strict compliance with IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a).

- **Exception #3** It is recommended that no administrative penalties be imposed at this time.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that any future items of value provided to producers of title business are in strict compliance with IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(b)(i).

- **Exception #4:** It is recommended that the Director issue an order of administrative penalty for violations of IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2). The penalty should be three (3) times the rebate or illegal inducement, amounting to \$750.00, in accordance with Idaho Code § 41-2708(3).

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that any future items of value provided to producers of title business are in strict compliance with IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2).

## 2) Escrow File Review (Section IV.B, pages 12-17)

- **Exception #5:** It is recommended that no administrative penalties be imposed at this time.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure that any future title reports, items of value, that are provided to producers of title business are in strict compliance with §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11).

- **Exception #6:** It is recommended that no administrative penalties be imposed at this time.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure future written instructions, and items of value to producers of title business, are in strict compliance with 41-2708(3), 41-2708(4), IDAPA 18.05.01.021.01.

- **Exception #7:** It is recommended that no administrative penalties be imposed at this time.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure future escrow and/or construction disbursement fees are in strict compliance with 41-2708(3), 41-2708(4), IDAPA 18.05.01.022.

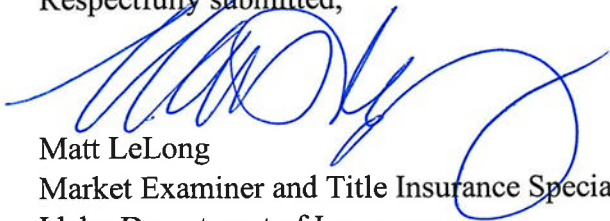
- **Exception #8:** It is recommended that no administrative penalties be imposed at this time.

It is further recommended that the Agent prepare and submit a written proposal to the Department. This proposal should delineate the procedures that will be implemented to ensure future escrow disbursements are in strict compliance with IDAPA 18.05.01.021.09(a).

## AFFIDAVIT OF EXAMINER


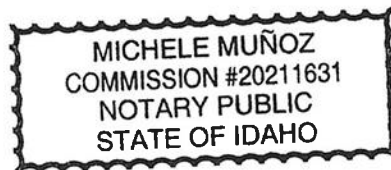
I certify and attest that I have examined the Agent's tract indexes, abstract records, as well as other records, and the operation of the Agent's business and other matters relevant to the affairs of the Agent. I further certify that I have no relationship, other than in my capacity as examiner and/or regulator, with the Agent or its employees and that no conflict of interest exists that would prevent me from conducting the examination. I acknowledge the assistance and cooperation of the Agent and its employees during the examination. Based on my examination, I prepared this Examiner's Report of Exceptions (the "Report") in accordance with Idaho Code § 41-2710(7). I confirm that the findings, conclusions, and recommendations contained in this Report are my own.

Respectfully submitted,



Matt LeLong  
Market Examiner and Title Insurance Specialist  
Idaho Department of Insurance

SUBSCRIBED AND SWORN to before me this 5<sup>th</sup> day of February, 2025



Notary Public for Idaho  
Residing at: Boise, ID  
Commission Expires: 03-30-2027

## **PENALTY, STIPULATIONS AND APPEAL NOTIFICATION**

This matter comes before the Department as a result of this Report of Exception Examination ("Examination"). The Department has fully considered and reviewed this Examination, any written submissions and rebuttals provided by the Agent in response to the Examination and the recommendations of the Examiner.

The Department makes the following findings of fact and imposes penalties and stipulations:

- 1) The Agent, on multiple occasions, purchased and expensed items of value and then exhibited a pattern of neglect by failing to maintain the necessary documentation required to ascertain compliance with Title 41, Idaho Code and its related rules.

These actions constitute violations of Idaho Code § 41-2710(7), and IDAPA 18.05.01.031.01. Administrative penalties are appropriate pursuant to Idaho Code §§ 41-117, 41-1016, and 41-2708(3). However, as this is the first occurrence of these violations, no administrative penalties will be imposed at this time, with the stipulation that the Department retains the right to impose new penalties based on any future occurrences of these same violations.

No later than thirty (30) days from the service date of the Final Order's adoption, the Agent shall submit to the Department, in writing, the proposed procedures to be implemented to ensure records pertaining to all future business expense items and items of value are properly documented for the purpose of ascertaining compliance with Idaho Code § 41-2710(7) and IDAPA 18.05.01.031.01.

- 2) The Agent, on one (1) occasion, purchased several gift cards, which are self-promotional items of value specifically not permitted, from various vendors for marketing purposes and distributed them to producers of title business, incurring a total expenditure of \$325.00.

The Department shall impose an administrative penalty of \$975.00 for violations of IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a), pursuant to Idaho Code §§ 41-117, 41-1016, and 41-2708(3).

No later than thirty (30) days from the service date of the Final Order's adoption, the Agent shall remit a penalty payment of \$975.00 to the Department. Additionally, within the same period, the Agent shall submit to the Department, in writing, the proposed procedures to be implemented to ensure any future self-promotional items of value to producers of title business comply with IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(a).

- 3) The Agent, on one (1) occasion, purchased and provided items of value exceeding permissible limits, specifically a catered lunch, for producers of title business during its educational seminar. This expenditure exceeded the permissible limits by a total of \$145.99.

This action constitutes violations of IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(b)(i). Administrative penalties are appropriate pursuant to Idaho Code §§

41-117, 41-1016, and 41-2708(3). However, as this is the first occurrence of this violation, no administrative penalties will be imposed at this time, with the stipulation that the Department retains the right to impose new penalties based on any future occurrences of these same violations.

No later than thirty (30) days from the service date of the Final Order's adoption, the Agent shall submit to the Department, in writing, the proposed procedures to be implemented to ensure that any items of value provided to producers of title business comply with IDAPA 18.05.01.031.01 and IDAPA 18.05.01.031.04(b)(i).

- 4) The Agent, on one (1) occasion, provided a \$250.00 monetary lunch sponsorship, which is an item of value not permitted, for Coldwell Banker Tomlinson's, a producer of title business, educational sales seminar titled Ninja Installation.

The Department shall impose an administrative penalty of \$750.00 for violations of IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2), pursuant to Idaho Code §§ 41-117, 41-1016, and 41-2708(3).

No later than thirty (30) days from the service date of the Final Order's adoption, the Agent shall remit a penalty payment of \$750.00 to the Department. Additionally, within the same period, the Agent shall submit to the Department, in writing, the proposed procedures to be implemented to ensure any future items of value to producers of title business comply with IDAPA 18.05.01.031.01, IDAPA 18.05.01.031.04(b)(i), and Exhibit 1(1)(2).

- 5) The Agent, on one occasion, conducted a Commercial Preliminary Research Report and provided it to Ron Nahas, a producer of title business, without marking a charge that is commensurate with the actual cost of work performed and the material furnished.

This action constitutes violations of Idaho Code §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11). Administrative penalties are appropriate pursuant to Idaho Code §§ 41-117, 41-1016, and 41-2708(3). However, as this is the first occurrence of this violation, no administrative penalties will be imposed at this time, with the stipulation that the Department retains the right to impose new penalties based on any future occurrences of these same violations.

No later than thirty (30) days from the service date of the Final Order's adoption, the Agent shall submit to the Department, in writing, the proposed procedures to be implemented to ensure that any future title reports provided to producers of title business comply with Idaho Code §§ 41-2708(3), 41-2708(4), IDAPA 18.05.01.031.02(c), and Exhibit 1(11).

- 6) The Agent, on one (1) occasion, failed to follow signed written instructions and provided HHS Construction, a producer of title business, with an additional temporary loan policy credit of \$948.00, which was subsequently paid for by the buyer in the transaction.

This action constitutes violations of Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.021.01. Administrative penalties are appropriate pursuant to Idaho Code §§ 41-117, 41-1016, and 41-2708(3). However, as this is the first occurrence of this violation, no

administrative penalties will be imposed at this time, with the stipulation that the Department retains the right to impose new penalties based on any future occurrences of these same violations.

No later than thirty (30) days from the service date of the Final Order's adoption, the Agent shall submit to the Department, in writing, the proposed procedures to be implemented to ensure that future written instructions and items of value to producers of title business comply with Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.021.01.

- 7) The Agent, on one (1) occasion, provided escrow services, including construction disbursements, for KD Kolnes Construction, LLC, a producer of title business, without charging the escrow fees as filed with the Department of Insurance.

This action constitutes violations of Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.022. Administrative penalties are appropriate pursuant to Idaho Code §§ 41-117, 41-1016, and 41-2708(3). However, as this is the first occurrence of this violation, no administrative penalties will be imposed at this time, with the stipulation that the Department retains the right to impose new penalties based on any future occurrences of these same violations.

No later than thirty (30) days from the service date of the Final Order's adoption, the Agent shall submit to the Department, in writing, the proposed procedures to be implemented to ensure that future escrow rates and long-term disbursements comply with Idaho Code §§ 41-2708(3), 41-2708(4), and IDAPA 18.05.01.022.

- 8) The Agent, on one (1) occasion, accepted a buyer's out-of-state personal check for \$212.76, and closed the escrow on the same date without allowing prescribed time for the escrow to contain a credit balance of collected funds.

This action constitutes a violation of IDAPA 18.05.01.021.09(a). Administrative penalties are appropriate pursuant to Idaho Code §§ 41-117, 41-1016, and 41-2708(3). However, as this is the first occurrence of this violation, no administrative penalties will be imposed at this time, with the stipulation that the Department retains the right to impose new penalties based on any future occurrence of this same violation.

No later than thirty (30) days from the service date of the Final Order's adoption, the Agent shall submit to the Department, in writing, the proposed procedures to be implemented to ensure that future collected funds pertaining to escrow disbursements comply with IDAPA 18.05.01.021.09(a).

The total amount of the imposed administrative penalties is \$1,725.00, which encompasses all violations identified in this Examination.

State of Idaho  
**DEPARTMENT OF INSURANCE**

**BRAD LITTLE**  
Governor

700 West State Street, 3rd Floor  
P.O. Box 83720  
Boise, Idaho 83720-0043  
Phone 208-334-4250  
Fax 208-334-4398  
Website: <https://doi.idaho.gov>

**DEAN L. CAMERON**  
Director

**WAIVER**

In the matter of the Reports of Exception Examination as of December 31, 2023, of:

**Secured Land Transfers, LLC**

d/b/a

**TitleOne**

**1101 W. River Street, Suite 201**

**Boise, Idaho 83702-7068**

Lic #712441 - Ada County	Lic #3002401554 - Bingham County	Lic #16942151 - Blaine County
Lic #712451 - Boise County	Lic #723313 - Bonner County	Lic #712468 - Bonneville County
Lic #712469 - Butte County	Lic #712480 - Canyon County	Lic #712473 - Cassia County
Lic #3002775530 - Elmore County	Lic #720776 - Gem County	Lic #712485 - Gooding County
Lic #712489 - Jefferson County	Lic #712499 - Jerome County	Lic #712500 - Kootenai County
Lic #712502 - Lincoln County	Lic #712503 - Minidoka County	Lic #831395 - Nez Perce County
Lic #820744 - Owyhee County	Lic #773779 - Payette County	Lic #879243 - Teton County
Lic #712505 - Twin Falls County	Lic #3002269498 - Valley County	Lic #773777 - Washington County

By executing this Waiver, Jessica Meade [print or type officer/director name], on behalf of Secured Land Transfers, LLC, hereby acknowledges receipt of the above-described examination reports, verified as of the 5th day of February 2025, and by this Waiver hereby consents to the immediate entry of a final order by the Director of the Department of Insurance (the "Director") adopting said report without any modifications, except under circumstances the Director under his lawful duties and powers may abate, adopt, or amend, any recommendations and/or penalties imposed by the examiner-in-charge.

By executing this Waiver, Secured Land Transfers, LLC, also hereby waives:

1. its right to examine the report for up to twenty-eight (28) days as provided in Idaho Code section 41-2710(7),
2. its right to make additional written submissions or rebuttals to the report prior to entry of a final order as provided in Idaho Code section 41-2710(7) and,
3. any right to request a hearing under Idaho Code sections 41-2710(7) and 41-232(2)(b), or elsewhere in the Idaho Code, and
4. any right to seek reconsideration and appeal from the Director's order adopting the report as provided by section 41-227(6)(a), Idaho Code, or elsewhere in the Idaho Code.

Dated this 7<sup>th</sup> day of February, 2025

**Secured Land Transfers, LLC**

Jessica Meade / CDO  
Name / Title (print)

Jessica Meade  
Name (signature)

*Equal Opportunity Employer*

**EXHIBIT**

B

exhibiticker.com