

FILED

APR 28 2026

Department of Insurance  
State of Idaho

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

**STATE OF IDAHO**

In the Matter of:

ALLIANCE TITLE & ESCROW, LLC  
[Kootenai County]

Idaho Title Agency License No. 23276

Docket No. 18-4929-26

**ORDER ADOPTING REPORT  
OF EXCEPTION EXAMINATION  
AS OF DECEMBER 31, 2024**

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 ALLIANCE TITLE & ESCROW, LLC [Kootenai County] (“Alliance”) 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 Alliance for the period of January 1, 2020, to December 31, 2024 (“Report”), as filed.

**FINDINGS OF FACT**

1. Alliance is a title agency licensed by the Department to transact title insurance in Kootenai County, Idaho, under Title Agency License No. 23276.
2. The Department completed an examination of Alliance pursuant to Idaho Code §§ 41-2710(7) and 41-219(1) and (5) on or about February 3, 2026. The Department’s findings are set forth in the Report. In summary, the examiner found that Alliance violated the Department’s rules as follows:

- a. From January 1, 2020, to December 31, 2024, Alliance violated Idaho Code §§ 41-2708(3), 41-2710(7), IDAPA 18.05.01.031.01, 18.05.01.031.04(a), 18.05.01.031.04(b)(i), 18.05.03.011, and 18.05.03.014.01<sup>1</sup>, and Exhibit 1(1), (2), (4)(h), and (4)(i) on seven (7) occasions by providing prohibited items of value to producers of title business, consumers, or members of the general public and by failing to maintain records for such items of value necessary to ascertain compliance.

3. Based on these findings, the examiner recommended Alliance revise its procedures to ensure future items of value provided to producers of title business, and the maintenance of the records of such items of value, comply with Title 41, Idaho Code and related rules.

4. Pursuant to Idaho Code § 41-227(4), a copy of the Report was filed with the Department on February 3, 2026, and was transmitted to Alliance on February 10, 2026. A copy of the Report is attached hereto as Exhibit A.

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

### **CONCLUSIONS OF LAW**

6. 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.

---

<sup>1</sup> When these violations occurred, the following rules were applicable: IDAPA 18.05.03.011 and 18.05.03.014.01. These rules were consolidated and re-designated as IDAPA 18.05.01.031.01 and 18.05.01.031.04(a), respectively, in substantive form, effective March 20, 2020.

7. Having fully considered the Report, the Director concludes that, with regard to the matters examined and information provided by Alliance, the comments and recommendations contained in the Report are appropriate and are 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 ALLIANCE TITLE & ESCROW, LLC [Kootenai County] for the period January 1, 2020, to December 31, 2024, is hereby ADOPTED as filed, pursuant to Idaho Code § 41-227(5)(a).

IT IS FURTHER ORDERED, pursuant to Idaho Code §§ 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, Alliance 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, Alliance will submit to the Department, in writing, proposed revisions of its policies and procedures to ensure future items of value provided to producers of title business and the maintenance of the records of such items of value comply with Title 41, Idaho Code and related rules.

//

//

**IT IS SO ORDERED.**

DATED this 27 day of April 2026.

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:

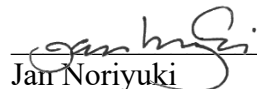
Dean L. Cameron, Director  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

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 party seeking review of the order resides or operates its principal place of business in Idaho; or (4) the real property or personal property that was the 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; (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 29<sup>th</sup> day of April 2026, I caused a true and correct copy of the foregoing ORDER ADOPTING REPORT OF EXCEPTION EXAMINATION AS OF DECEMBER 31, 2024, to be served upon the following by the designated means:

Alliance Title & Escrow, LLC [Kootenai Co.] Mark Mills, CEO/President 2157 N Main St Coeur d'Alene, ID 83814-5768	<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:mark.mills@futatitle.com">mark.mills@futatitle.com</a> <a href="mailto:brad.miles@futatitle.com">brad.miles@futatitle.com</a> <a href="mailto:debbie.shirley@futatitle.com">debbie.shirley@futatitle.com</a>
--	---

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



REPORT OF EXCEPTION EXAMINATION

For the Period January 1, 2020 through December 31, 2024

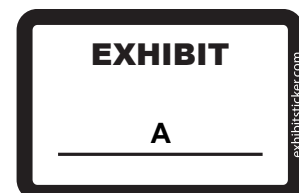
Of

ALLIANCE TITLE & ESCROW, LLC

(a title agent limited liability company - license #23276 – Kootenai County)

As of

December 31, 2024



*Equal Opportunity Employer*

## **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>6</b>
<b>I. OPERATIONS AND MANAGEMENT .....</b>	<b>6</b>
<b>A. MANAGEMENT, CONTROL AND FINANCIAL INTERESTS.....</b>	<b>6</b>
<b>B. CONTRACTING AUTHORITY.....</b>	<b>7</b>
<b>C. SURETY BOND.....</b>	<b>7</b>
<b>D. CLAIMS.....</b>	<b>7</b>
<b>II. ADVERTISING AND MARKETING .....</b>	<b>7</b>
<b>III. TITLE FILE REVIEW .....</b>	<b>13</b>
<b>IV. ESCROW FIDUCIARY ACCOUNTS AND FILE REVIEW .....</b>	<b>13</b>
<b>A. FIDUCIARY ACCOUNTS .....</b>	<b>13</b>
<b>B. ESCROW FILE REVIEW .....</b>	<b>13</b>
<b>SUMMARY OF RECOMMENDATIONS.....</b>	<b>14</b>
<b>AFFIDAVIT OF EXAMINER.....</b>	<b>15</b>

Boise, Idaho  
October 21, 2025

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;

Alliance Title & Escrow, LLC  
2157 N. Main Street  
Coeur d'Alene, Idaho 83814-5768  
License #23276 – Kootenai 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 Alliance Title & Escrow, LLC, an Idaho Title Agent licensed in Kootenai 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, 2020 through December 31, 2024. 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 **seven (7) exception findings**. Detailed descriptions of each exception, including the applicable violations and recommendations, are provided in the section that follows. An overview is provided below:

### **Advertising and Marketing (Section II, pages 7-13)**

- **Seven (7) Exceptions - Prohibited Items of Value:** The Agent, on seven (7) separate occasions, provided prohibited items of value to producers of title business, consumers, or members of the general public. In certain instances, the items were either insufficiently documented or provided to multiple recipients, which may have resulted in more than one violation per exception. The total value of the impermissible items of value provided across all exceptions amounts to \$1,904.76.

These actions constitute violations of one or more of the following: Idaho Code §§ 41-2708(3), 41-2710(7), IDAPA 18.05.03.011, 18.05.03.014.01, 18.05.01.031.01, 18.05.01.031.04(a), 18.05.01.031.04(b)(i), Exhibit 1(1), Exhibit 1(2), and Exhibit 1(4)(h) and (i). Based on the exceptions summarized above, the report will recommend that the Agent submit a written corrective action plan detailing the steps it will take to correct the identified deficiencies and prevent their recurrence. Any administrative penalties that may result from the exceptions noted will be addressed through a separate enforcement action.

## **HISTORY AND DESCRIPTION**

Futura Title & Escrow, LLC is the parent company of Alliance Title & Escrow, LLC, as well as AmeriTitle, LLC, a separately licensed and branded title agent operating within the state. Headquartered in Boise, Idaho, Futura Title & Escrow oversees a network of title and escrow offices that provide real estate transaction services across multiple states, including Idaho, Oregon, Montana, Washington, and Wyoming.

Alliance Title & Escrow traces its roots back to the late 1800s in the Pacific Northwest. On March 31, 1989, the company was licensed as a title agent in Kootenai County by the Idaho Department of Insurance. In or around the spring of 1995, they were acquired and became part of Futura Corporation, the Agent's current parent company. On October 1, 2020, Alliance Title & Escrow Corporation filed an Amendment of Foreign Registration with the Idaho Secretary of State, officially changing its name to Alliance Title & Escrow, LLC. The company now operates as a licensed title agent in thirty-one (31) counties, with multiple physical locations throughout Idaho. They conduct business in Kootenai County out of offices in Boise and Coeur d'Alene, Idaho.

## **PRIOR EXAMINATION**

Our examination included a review to determine if exceptions were noted and addressed in the preceding report of exception examination dated June 24, 2020, which covered the period of January 1, 2015 through December 31, 2019. No exceptions were noted in that examination report.

## **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 September 12, 2024, the Idaho Secretary of State shows the Agent's status as active-existing, listing CT Corporation System as the Registered Agent. The Members of the Agent include Futura Title & Escrow, LLC, Larry Matney, and Mark Mills. The executive management of Futura Title & Escrow, LLC consists of Mark Mills, Chief Executive Officer, and Brad Miles, Chief Financial Officer, SVP. The Agent's in-state management includes Jack Wheir, serving as Division Manager, Senior Vice-President, and Lindsey Chichester as Branch Manager. 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, Fidelity National Title Insurance Company, First American Title Insurance Company, National Title Insurance of New York, Inc., Stewart Title Guarantee Company, WFG National Title Insurance Company, Old Republic National Title Insurance Company, Commonwealth Land Title Insurance Company and Westcor Land Title Insurance Company. The underwriting contracts are subject to high liability limits, without underwriter approval, ranging from \$2,000,000.00 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 # 2170615 in the amount of \$50,000.00 issued by North American Specialty 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 nine (9) claims filed within the examination period. The claims appear to pertain to missed or improperly posted documents, access rights, alleged easements and encroachments, legal descriptions, or other related matters. 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 seven (7) exceptions** were noted as a result of this portion of the examination, detailed as follows:

Prohibited Items of Value (Rebates and Illegal Inducements)		
Exception Number	Date of Expense (Exact or Approximate)	Examination Findings / Violations
1	January 22, 2020	<p><b>Finding:</b> The Agent (Heather Erickson, employee) purchased two (2) \$50.00 Texas Roadhouse, and two (2) \$50.00 Olive Garden gift cards from Walgreens, resulting in a total expenditure of \$200.00, and provided them to Sylvan Seely, Stuart Seely, James Gneiting, and Jared Sommer, producers of title business, in connection with University Gateway and Desert Rose Apartment Buildings. These items constitute items of value that are specifically not allowed in connection with self-promotional activities.</p> <p><b>Violations:</b> The Agent, on four (4) occasions, violated Idaho Code § 41-2708(3), IDAPA 18.05.03.011, and 18.05.03.014.01 by providing a \$50.00 in self-promotional items of value, which are prohibited, to four (4) separate producers of title business, totaling \$200.00.<sup>1</sup></p>
2	July 22, 2020	<p><b>Finding:</b> The Agent (Janie Givas, former employee) completed three (3) separate transactions at Dutch Bros: 1) purchased five (5) \$5.00 Dutch Bros gifts cards and one (1) iced coffee for a total of \$30.25; 2) purchased ten (10) \$5.00 Dutch Bros gift cards for a total of \$50.00; and 3) purchased five (5) \$5.00 Dutch Bros gift cards for a total of \$25.00, resulting in a <b>total collective expenditure of \$105.25</b>, and provided them to Gwen &amp; Karl Dalien (Keller Williams), producers of title business, in connection with a business meeting to discuss marketing. These items constitute items of value that are specifically not allowed in connection with self-promotional activities.</p> <p><b>Violations:</b> The Agent, on two (2) occasions, violated Idaho Code § 41-2708(3), IDAPA 18.05.01.031.01, and 18.05.01.031.04(a) by providing a total of \$105.25 in self-promotional items of value, which are prohibited, to two (2) separate producers of title business.</p>

<sup>1</sup> When these violations occurred, the following rules were applicable: IDAPA 18.05.03.011 and 18.05.03.014.01. These rules were consolidated and re-designated as IDAPA 18.05.01.031.01 and 18.05.01.031.04(a), respectively, in substantive form, effective March 20, 2020.

3	October 31, 2020	<p><b><u>Finding:</u></b> The Agent (Jared Janke, employee) purchased and provided Jimmy Johns for lunch during an educational class held and conducted by Keller Williams, producers of title business, for its top producers, resulting in a total expenditure of \$186.70. This expense item constitutes items of value not permitted in connection with co-sponsoring an educational class held and conducted by a producer of title business.</p> <p><b><u>Violation:</u></b> The Agent violated Idaho Code § 41-2708(3), IDAPA 18.05.01.031.01, 18.05.01.031.04(b)(i), and Exhibit 1(2) by providing a total of \$186.70 in items of value, which are prohibited, to producers of title business.</p>
4	August 31, 2022	<p><b><u>Finding:</u></b> The Agent (Jack Wheir, employee) purchased and provided business entertainment at the Roundtop Public House for sixteen (16) unidentified producers of title business, resulting in a total expenditure of \$682.63, and failed to maintain records necessary to ascertain compliance with Title 41, Idaho Code and related rules. This expense item constitutes items of value that must be substantiated with supporting documentation; otherwise, it is not allowed.</p> <p><b><u>Violations:</u></b> The Agent violated Idaho Code § 41-2708(3), IDAPA 18.05.01.031.01, and Exhibit 1(1) by providing a total of \$682.63 in self-promotional items of value, which are prohibited, to producers of title business. Additionally, the Agent violated Idaho Code § 41-2710(7) by failing to maintain records necessary to ascertain compliance with Title 41, Idaho Code, and related rules governing the provision of such items of value.</p>
5	May 14, 2024	<p><b><u>Finding:</u></b> The Agent (Jared Janke, employee) purchased and provided Caruso's for lunch during the Red Day charity event held and conducted by Keller Williams, producers of title business, resulting in a total expenditure of \$250.00. This expense item constitutes items of value not permitted in connection with co-sponsoring an event held and conducted by a producer of title business.</p> <p><b><u>Violation:</u></b> The Agent violated Idaho Code § 41-2708(3), IDAPA 18.05.01.031.01, Exhibit 1(2) and Exhibit 1(4)(h) and (i) by providing a total of \$250.00 in items of value, which are prohibited, to producers of title business.</p>
6	June 17, 2024	<p><b><u>Finding:</u></b> The Agent (Jared Janke, employee) purchased and provided Jimmy Johns for lunch during an educational class on farming and marketing, which was held and conducted by Eileen Crossley, Productivity Coach for Keller Williams, producers of title business, resulting in a total expenditure of \$180.18. This expense item constitutes</p>

		<p>items of value not permitted in connection with co-sponsoring an educational class held and conducted by a producer of title business.</p> <p><b>Violation:</b> The Agent violated Idaho Code § 41-2708(3), IDAPA 18.05.01.031.01, 18.05.01.031.04(b)(i), and Exhibit 1(2) by providing a total of \$180.18 in items of value, which are prohibited, to producers of title business.</p>
7	October 23, 2024	<p><b>Finding:</b> The Agent (Kootenai County) provided a \$300.00 sponsorship to Adam Ratigan of Keller Williams, a producer of title business, for the purpose of supporting a charitable initiative through the purchase of a Newby Ginnings sponsorship table. This expense item constitutes items of value that are not permitted, either directly or indirectly, to producers of title business.</p> <p><b>Violation:</b> The Agent violated Idaho Code § 41-2708(3), IDAPA 18.05.01.031.01, Exhibit 1(2) and Exhibit 1(4)(h) and (i) by providing \$300.00 in items of value, which are prohibited, to a producer of title business.</p>

**Contextual Overview of Findings:**

Following a review of the current examination report, and with reference to the preceding examination report dated June 24, 2020, the following determinations were made. These findings represent the first documented occurrences of these specific violations involving prohibited items of value, as identified during both the current and preceding examinations.

**Exception and Illegal Inducement Summary:**

Exception Number	Illegal Inducement Amount (USD)
1	\$200.00
2	\$105.25
3	\$186.70
4	\$682.63
5	\$250.00
6	\$180.18
7	\$300.00
<b>Total Illegal Inducement Amount</b>	<b>\$1,904.76</b>

## **APPLICABLE STATUTES & REGULATORY CITATIONS:**

**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. . .”

**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 18.05.03.011** states, in relevant part, with emphasis added: “**PROHIBITED THINGS OF VALUE.** A title entity **shall not** provide things of value to a producer of title business, consumer or member of the general public **except as permitted** in Sections 012, 013, 014, and 015 of this chapter. If a providing of things of value does not clearly fit into the rules in Sections 012, 013, 014, and 015, then it is a prohibited act. Exhibit 1, attached hereto, is a partial, but not all-inclusive, list of acts and practices that are considered illegal inducements prohibited by Title 41, Idaho Code . . .”

**IDAPA 18.05.03.014.01** states, in relevant part, with emphasis added: “**Self-Promotional Items.** 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...”

**IDAPA 18.05.01.031.01** states, 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** in Sections 031.02, 031.03, 031.04, and 031.05, **then it is not allowed.** Exhibit 1, located on our website at <https://doi.idaho.gov/>, is a partial, but not all-inclusive, list of acts and practices that are considered illegal inducements disallowed by Title 41, Idaho Code.”

**IDAPA 18.05.01.031.04(a)** states, in relevant part, with emphasis added: “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 . . .”

**EXHIBIT 1 (Attachment to Rule 18.05.01)** states, 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:

- **Exhibit 1(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**. A title entity **will not** cosponsor, subsidize, contribute fees, prizes, gifts, or otherwise provide items of value for a promotional function off the title entity's premises regardless whether the function is self-promotional or not. Off premises functions/activities include, but are not limited to, meetings, luncheons, dinners, conventions, installation ceremonies, celebrations, outings, or related activities of producers of title business, cocktail parties, hospitality room functions, open house celebrations, dances, fishing trips, motor vehicle rallies, sporting events of all kinds, gambling trips, hunting trips or outings, golf tournaments, artistic performances, and outings in recreation areas or entertainment areas. **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.**
- **Exhibit 1(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**. This does not prevent a title entity from attending activities of producers of title business **if there is no cost to the title entity other than** the title entity's own entry fees, registration fees, meals, etc., and provided that these fees are no greater than those charged to producers of title business.
- **Exhibit 1(4)(h) and (i)** A title entity **will not** pay or offer to pay, **either directly or indirectly**, with respect to any producer of title business for: **(h) Money, prizes, or other items of value in any kind of a contest or promotional endeavor; (i) Any advertising effort made in the name of, for, or on behalf of any producer of title business.**”

### **RECOMMENDATIONS:**

The Agent shall be required to submit, in writing, its proposed internal procedures and compliance measures that it intends to implement to ensure that any future provision of items of value to producers of title business, consumers, or members of the general public will comply with Idaho Code §§ 41-2708(3), 41-2710(7), IDAPA 18.05.03.011, 18.05.03.014.01, 18.05.01.031.01, 18.05.01.031.04(a), 18.05.01.031.04(b)(i), Exhibit 1(1), Exhibit 1(2), and Exhibit 1(4)(h) and (i). The Agent shall further acknowledge that its prior internal procedures intended to ensure such

compliance were insufficient, as evidenced by the findings of this examination. Accordingly, the Agent shall provide a detailed explanation of the deficiencies in those prior procedures and demonstrate how the newly proposed measures materially strengthen oversight, accountability, and adherence to applicable statutes and regulations. Any administrative penalties that may result from the exceptions noted will be addressed through a separate enforcement action.

**III. TITLE FILE REVIEW**  
**Idaho Code §§ 41-2702, 2708 & 2709**  
**IDAPA 18.05.01.012, 013 & Exhibit 1(9)**

The title department, under the management of Jack Wheir, comprises seven (7) title officers, and two (2) title assistants. The title plant for Kootenai County is owned, posted, and maintained by the Agent in Coeur d'Alene, 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, under the management of Jennifer Scherneck, comprises three (3) escrow officers, and four (4) 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. Under the management of Debbie Shirley, Corporate Banking Manager, the fiduciary accounts are balanced on a daily basis and reconciled on a monthly basis by Lucinda Schultz, Bank Administrator. The monthly reconciliations are reviewed by the Agent's trust accounting department and Debbie Shirley, Corporate Banking Manager. 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. No exceptions were noted as a result of this portion of the examination.

## **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.

### **Advertising and Marketing (Section II, pages 7-13)**

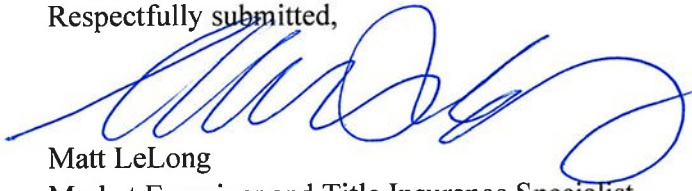
- **Exceptions No. 1-7 - Prohibited Items of Value**

It is recommended that the Agent submit, in writing, its proposed internal procedures and compliance measures that it intends to implement to ensure that any future provision of items of value to producers of title business, consumers, or members of the general public will comply with the applicable statutes and regulations. The Agent shall further acknowledge that its prior internal procedures intended to ensure such compliance were insufficient, as evidenced by the findings of this examination. Accordingly, the Agent shall provide a detailed explanation of the deficiencies in those prior procedures and demonstrate how the newly proposed measures materially strengthen oversight, accountability, and adherence to applicable statutes and regulations. Any administrative penalties that may result from the exceptions noted will be addressed through a separate enforcement action.

**AFFIDAVIT OF EXAMINER**

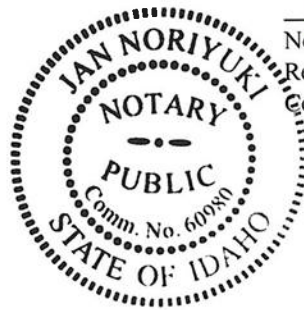
I certify and attest that I have examined the Agent's tract indexes, abstract records, as well as other records, and the operation of the Agent's business and other matters relevant to the affairs of the Agent. I further certify that I have no relationship, other than in my capacity as examiner and/or 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 3rd day of February, 2026.



Jan Noriyuki  
Notary Public for Idaho  
Residing at: Boise  
Commission Expires: 01-26-2031