

No. **2024-8451**

**Official Order
of the
Texas Commissioner of Insurance**

Date: 1/2/2024

Subject Considered:

MBL Title, LLC
5728 Lyndon B Johnson Freeway, Suite 150
Dallas, Texas 75240

Consent Order
TDI Enforcement File No. 32347

General remarks and official action taken:

This is a consent order with MBL Title, LLC (MBL). The department alleges that MBL failed to appoint an escrow officer. MBL has agreed to pay an administrative penalty of \$1,200 for this violation.

Waiver

MBL acknowledges that the Texas Insurance Code and other applicable law provide certain rights. MBL waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

Findings of Fact

Licensure and Previous Department Action

1. MBL, firm identification no. 102323, holds a title insurance agent license issued by the department on November 18, 2014.
2. The department conducted a routine audit of MBL in 2015. The audit identified files for which premiums had been collected but not remitted to the underwriter,

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and files with underwriter remittances which were not timely sent. MBL agreed to settle the matter with Order No. 2016-4753 and payment of an administrative penalty of \$4,500.

Unappointed Person Performing the Duties of an Escrow Officer

3. On September 1, 2015, the licensing requirements for escrow officers were amended by H.B. 2491. Escrow officers now individually maintain their licenses, while the title insurance agent or direct operation is responsible for filing an Escrow Officer Appointment form with the department and ensuring the escrow officer is covered by a surety bond or deposit.
4. On January 18, 2022, MBL hired a new escrow officer. This escrow officer was licensed by the department on September 22, 2017. MBL added the escrow officer to its surety bond, effective August 1, 2022, but did not submit the required Escrow Officer Appointment form to the department.
5. From January 18, 2022, to April 11, 2023, MBL employed an unappointed escrow officer, in violation of the Texas Insurance Code. During that time, the escrow officer closed at least 52 transactions.
6. On discovering the oversight, MBL took immediate corrective action and filed the appointment form. The department received the form on April 10, 2023, and it was effective April 11, 2023.

Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, 2501.001 *et seq*, 2551.001 *et seq*, 2602.001 *et seq*, 2651.001 *et seq*, 2652.001 *et seq*, and 28 TAC § 9.1, adopting the *Texas Title Insurance Basic Manual* (Basic Manual).
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056; TEX. INS. CODE §§ 36.104 and 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. MBL has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of

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hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.

4. MBL permitted an unappointed escrow officer to perform the duties of an escrow officer, in violation of TEX. INS. CODE §§ 2652.001, 2652.002, and 2652.1511, and Administrative Rule L-2(III)(A)(2,3) of the Basic Manual, as contemplated by TEX. INS. CODE § 2501.003(4).

Order

It is ordered that MBL Title, LLC pay an administrative penalty of \$1,200 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

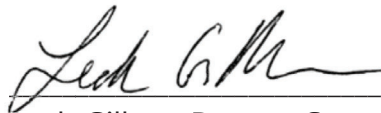
DocuSigned by:


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Cassie Brown

Commissioner of Insurance

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Stephanie Daniels, Staff Attorney
Enforcement

Affidavit

STATE OF Texas §
§
COUNTY OF Collin §

Before me, the undersigned authority, personally appeared Debra Sutton, who being by me duly sworn, deposed as follows:

"My name is Debra Sutton. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

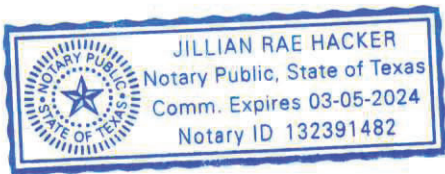
I hold the office of Chief Operating Officer and am the authorized representative of MBL Title, LLC. I am duly authorized by said organization to execute this statement.

MBL Title, LLC has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

Affiant

SWORN TO AND SUBSCRIBED before me on December 6, 2023.

(NOTARY SEAL)



Jill Hacker
Signature of Notary Public

Jill Hacker
Printed Name of Notary Public