

No. **2024-8621**

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

Date: 4/25/2024

Subject Considered:

Miller Title, LLC
10185 Custer Rd Ste 300
Plano, Texas 75025-7525

Consent Order
TDI Enforcement File No. 32583

General remarks and official action taken:

This is a consent order with Miller Title, LLC (Miller Title). The Texas Department of Insurance (TDI) alleges that Miller Title failed to timely submit its 2022 annual trust fund account audit report and its 2022 statistical report with TDI. Miller Title has agreed to pay a \$4,500 administrative penalty for these violations.

Waiver

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

Findings of Fact

1. Miller Title, firm identification number 117470, holds a title agency insurance license issued by TDI.

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2. TDI requires title agencies to file an annual trust fund account audit report prepared by a certified public accountant. The report is due before the 91st day after the end of the agency's fiscal year.
3. Miller Title's fiscal year ends on December 31 each year.
4. Miller Title did not timely submit an annual trust fund account audit report for 2022, which was due on March 31, 2023.
5. On April 18, 2023, May 22, 2023, and July 10, 2023, warning letters were sent to Miller Title advising it that the violation could result in disciplinary action and the imposition of sanctions pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021, and 84.022.
6. TDI received Miller Title's annual audit report on February 16, 2024, more than 321 days late.
7. On June 29, 2023, TDI issued Bulletin No. B-0007-23 to Texas title insurance agents regarding the 2022 Title Insurance Agent Data Call for the calendar year ending December 31, 2022. The bulletin required a response by August 21, 2023.
8. Miller Title did not submit its statistical report by August 21, 2023.
9. On October 3, 2023, and October 19, 2023, TDI requested Miller Title's statistical report. Miller Title did not respond.
10. On March 4, 2024, Miller Title filed its statistical report with TDI.

Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, 2551.001, 2551.003, 2651.151-2651.157, and 2703.153; and TEX. GOV'T CODE §§ 2001.051-2001.178.
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.

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3. Miller Title has knowingly and voluntarily waived all procedural rights to which it has 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 hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. Miller Title violated TEX. INS. CODE § 2651.151-2651.157 by failing to timely submit an annual trust fund account audit report.
5. Miller Title violated TEX. INS. CODE § 27.03.153 by failing to timely submit its 2022 statistical report.

Order

It is ordered that Miller Title, LLC pay an administrative penalty of \$4,500 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which TDI 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

/s/ Erik Huhn

Erik Huhn, Attorney
Enforcement

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Affidavit

STATE OF TX §
§
COUNTY OF COLIN §

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

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

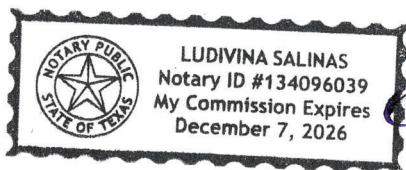
I hold the office of VP and am the authorized representative of Miller Title, LLC. I am duly authorized by said organization to execute this statement.

Miller 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."

Donald Miller
Affiant

SWORN TO AND SUBSCRIBED before me on April 3, 2024.

(NOTARY SEAL)



[Signature]
Signature of Notary Public
Ludivina Salinas
Printed Name of Notary Public