

No. 2016-4754

**OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE**

Date: OCT 27 2016

Subject Considered:

HILL COUNTRY TITLES, INC.
Post Office Box 836
Fredericksburg, Texas 78624-4208

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 11599

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against Hill Country Titles, Inc.

Waiver

Hill Country Titles, Inc. acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Hill Country Titles waives all of these rights in consideration of the entry of this consent order.

Findings of Fact

1. Hill Country Titles, Inc., organization identification no. 92743, holds a title insurance agency license issued by the Texas Department of Insurance.
2. In April 2016, TDI concluded an audit of Hill Country Titles' business. The audit identified 120 files where Hill Country Titles had failed to timely remit a total of \$71,000 of title insurance premium to underwriters. Hill Country Titles has since paid these amounts and is current on all its remittances to underwriters.

Conclusions of Law

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE chs. 82, 84, and 2651; 28 TEX. ADMIN. CODE § 9.1, which adopts the *Texas Title Insurance Basic Manual* (Basic Manual) by reference; and TEX. GOV'T CODE §§ 2001.051-2001.178.

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COMMISSIONER'S ORDER

Hill Country Titles, Inc.

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2. The commissioner has the authority to dispose of this case informally pursuant to TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 36.104 and 82.055, and 28 TEX. ADMIN. CODE § 1.47.
3. Hill Country Titles failed to timely remit the portions of title insurance premium due to the title insurance company, as contemplated by Rate Rule R-2 of the Basic Manual and TEX. INS. CODE § 2651.013.

The commissioner orders that Hill Country Titles, Inc. pay an administrative penalty of \$6,500.00. Hill Country Titles, Inc. must pay the penalty in full by no later than 30 days from the entry date of this consent order. The penalty must be paid by cashier's check or money order made payable to the "State of Texas" and sent to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.



David C. Mattax

Commissioner of Insurance

APPROVED AS TO FORM AND CONTENT:



Erin Dinsmore, Staff Attorney

Compliance Division, Enforcement Section

Affidavit

STATE OF TEXAS

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COUNTY OF GILLESPIE

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Before me, the undersigned authority, personally appeared the affiant, who was duly sworn by me and deposed as follows:

"My name is GORDON E. SAUER. 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 PRESIDENT and am the representative of Hill Country Titles, Inc. I am duly authorized by said organization to execute this statement.

Hill Country Titles, Inc. waives rights provided by the Texas Insurance Code and other applicable laws, and acknowledges the jurisdiction of the commissioner.

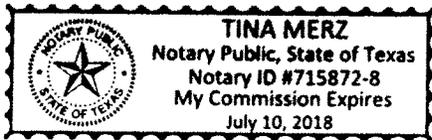
Hill Country Titles, Inc. knowingly and voluntarily enters into this consent order, and consents to the issuance and service of the consent order by the commissioner of insurance of the state of Texas."

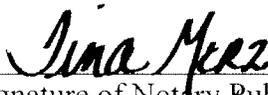


Affiant

SWORN TO AND SUBSCRIBED before me on Oct. 10, 2016.

(NOTARY STAMP)





Signature of Notary Public