

No. 2018-5753

OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE

Date: DEC 12 2018

Subject Considered:

TRI POINTE ASSURANCE, INC.
16340 Park Ten Place, Suite 325
Houston, Texas 77084-5196

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 13305

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Tri Pointe Assurance, Inc. (Tri Pointe Assurance).

WAIVER

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

FINDINGS OF FACT

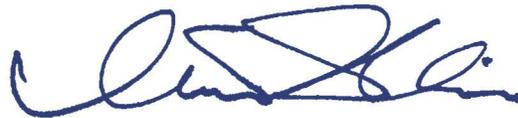
1. Tri Pointe Assurance holds title insurance agent license no. 1975523, issued by the Texas Department of Insurance (TDI).
2. TDI requires escrow officers to complete 10 continuing education hours during each reporting period.
3. Tina Renee Samuel (Samuel) is employed as an escrow officer for Tri Pointe Assurance.
4. An audit of records revealed that Samuel failed to complete 10 hours of continuing education during the February 1, 2015, through February 1, 2017, reporting period.
5. Tri Pointe Assurance failed to maintain proper evidence of Samuel's continuing education compliance.

6. Samuel completed the outstanding credit hours and fulfilled the continuing education requirement for the February 1, 2015, through February 1, 2017, reporting period.
7. Tri Pointe Assurance established internal procedures to assure accuracy when verifying the fulfillment of the escrow officers' continuing education requirement.

CONCLUSIONS OF LAW

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.056, 84.021-84.044, 2651.001, 2651.301, 2652.002, 2652.058, and 4005.102-4005.104; 28 TEX. ADMIN. CODE § 9.1, which adopts by reference the Texas Title Insurance Basic Manual, Procedural Rule P-28 (Basic Manual, Rule P-28); and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. GOV'T CODE § 2001.056, TEX. INS. CODE § 82.055, and 28 TEX. ADMIN. CODE § 1.47.
3. Tri Pointe Assurance violated Basic Manual, Rule P-28, by failing to maintain all continuing education records and evidence of compliance of its licensees.

It is ordered that Tri Pointe Assurance, Inc., pay an administrative penalty of \$3,000. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Section, Division 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104. TDI is taking appropriate regulatory action against the escrow officer discussed in this order to address the failure to comply with the continuing education requirement.



Kent C. Sullivan
Commissioner of Insurance

APPROVED AS TO FORM AND CONTENT:



Beverly Rosendahl, Director
Texas Department of Insurance

2018- 5753

CALIFORNIA JURAT WITH AFFIANT STATEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss.
County of Orange)

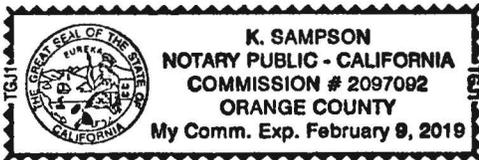
Subscribed and sworn to (or affirmed) before me on this 17th day of September 2018, by Christopher J. Martin, proved to me based on satisfactory evidence to be the person who appeared before me.

(Seal)



Signature of Notary

K. Sampson
Print Name



My commission expires: 02/09/19