

No. **2016-4753**

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

Date: OCT 27 2016

**Subject Considered:**

**MBL Title, LLC**  
17330 Preston Road, Suite 250D  
Dallas, Texas 75252-6018

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 11360

**General remarks and official action taken:**

The commissioner of insurance considers whether disciplinary action should be taken against MBL Title, LLC of Texas, which holds a title agency license issued by the Texas Department of Insurance.

**Waiver**

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

Pursuant to TEX. INS. CODE § 82.055(b), MBL Title, LLC agrees to this consent order with the express reservation that it does not admit to a violation of any provision of the Insurance Code or rule or regulation of the department and MBL Title, LLC maintains the existence of any violation is in dispute.

**Findings of Fact**

1. MBL Title, LLC holds title agency license no. 1959670, which was issued on November 18, 2014, and is effective until December 1, 2016.
2. TDI concluded an audit of MBL Title, LLC on June 25, 2015. TDI identified:
  - a. 155 delinquent files for which premium had been collected, but not remitted to the underwriter. TDI auditors could not determine the total amount of delinquent premium within reasonable time limits because MBL Title, LLC records did not contain an aged breakdown by guaranty file of the underwriter payable account.
  - b. 10 files with underwriter remittances totaling \$7,647.09, which had not been sent timely. MBL Title, LLC drafted, but never sent checks covering the underwriter remittances to Fidelity National Title Insurance Company.

- c. 12 files with underwriter remittances totaling \$3,273.19, where the underwriter, Old Republic National Title Insurance Company, had been paid late.

### Conclusions of Law

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.022; and 28 TEX. ADMIN. CODE § 9.1, adopting the *Texas Title Insurance Basic Manual* (Basic Manual); and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has the authority to dispose of this case informally pursuant to the provisions of TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 82.055 and 36.104, and Basic Manual, Section, III, Rate Rule R-2.
3. MBL Title, LLC. violated Basic Manual, Section III, Rate Rule R-2 by failing to remit the portion of the premium due to the title insurance company no later than the 15<sup>th</sup> day of the second month following the month in which the premium was collected.

### Order

The commissioner orders MBL Title, LLC to pay an administrative penalty of \$4,500. The penalty must be paid in full on or before 30 days from the entry of this Order. The administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas" and transmitted to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.

  
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David Mattax  
Commissioner of Insurance

For the Staff:

  
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Jeannie Ricketts, Staff Attorney  
Compliance Division, Enforcement Section  
Texas Department of Insurance

