

No. 2018- 5660

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

Date: OCT 11 2018

Subject Considered:

KAUFMAN COUNTY TITLE & ABSTRACT COMPANY
2309 S. Washington Street
Kaufman, Texas 75160

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 14050

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Kaufman County Title & Abstract Company (Kaufman County Title).

WAIVER

Kaufman County Title acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. Kaufman County 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. Kaufman County Title holds title insurance agent license no. 1877181, issued by the Texas Department of Insurance (TDI).
2. TDI requires escrow officers to complete 10 continuing education hours during each reporting period.
3. Patricia Ann Smith (Smith) is employed as an escrow officer for Kaufman County Title.
4. An audit of records revealed that Smith failed to complete one hour of continuing education during the November 1, 2014, through November 1, 2016, reporting period.
5. Kaufman County Title failed to maintain proper evidence of Smith's continuing education compliance.

6. Smith completed the outstanding credit hour and fulfilled the continuing education requirement for the November 1, 2014, through November 1, 2016, reporting period.
7. Kaufman County Title 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. Kaufman County Title 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 Kaufman County Title & Abstract Company pay an administrative penalty of \$1,000. 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 timely complete continuing education.



Kent C. Sullivan
Commissioner of Insurance

APPROVED AS TO FORM AND CONTENT:



Beverly Rosendahl, Director
Texas Department of Insurance

