

No. **2022-7537**

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

**Date: 09/30/2022**

**Subject Considered:**

Yoakum County Title, LLC  
PO Box 266  
Plains, Texas 79355-0266

Consent Order  
TDI Enforcement File No. 30298

**General remarks and official action taken:**

This is a consent order with Yoakum County Title, LLC (Yoakum County Title). The department alleges that Yoakum County Title has failed to file an annual trust fund account audit report for three years. Yoakum County Title has agreed to pay a \$16,000 administrative penalty for these violations.

**Waiver**

Yoakum County Title acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Yoakum 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. Yoakum County Title, firm identification number 112581, holds a title insurance agency license issued by the department.

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2. Title agencies are required to file with the department an annual trust fund account audit report prepared by a certified public accountant. The report is due before the 91<sup>st</sup> day after the end of the agent's fiscal year.
3. Yoakum County Title's fiscal year ends on March 31st.
4. Yoakum County Title's annual trust fund account audit report is due on June 30th.
5. Yoakum County Title has not submitted annual trust fund account audit reports for the years 2020, 2021, and 2022.
6. In June 2021, TDI staff discovered that the annual report had not been filed for the year 2020 and notified Yoakum County Title by phone and email on June 17, 2021.
7. On July 23, 2021, TDI sent another request to Yoakum County Title for the annual report for the years 2020 and 2021.
8. On July 26, 2021, Yoakum County Title responded that it would submit the reports as soon as possible.
9. On December 6, 2021, TDI staff sent a final email requesting the annual trust fund account audit reports.
10. The Commissioner previously disciplined Yoakum County Title for violating TEX. INS. CODE § 2651.151 in Official Order No. 2017-5318, entered on December 20, 2017, for failing to provide the 2016 annual trust fund account audit report.

### **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 4005.102-4005.104, 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.
3. Yoakum County Title has knowingly and voluntarily waived all procedural rights to which it has been entitled regarding the entry of this order, including, but not

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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.

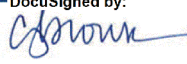
4. Yoakum County Title violated TEX. INS. CODE § 2651.151-2651.157 by failing to timely submit an annual trust fund account audit report.

## Order

It is ordered that Yoakum County Title submit the annual trust fund account audit reports to the department for the years 2020, 2021, and 2022 on or before November 15, 2022.

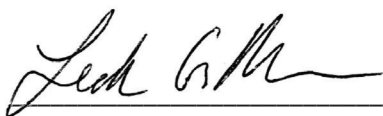
It is ordered that Yoakum County Title must send all submissions required under the terms of this order by email to: EnforcementReports@tdi.texas.gov and TitleExaminations@tdi.texas.gov.

It is ordered that Yoakum County Title pay an administrative penalty of \$16,000 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department 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



Sydney Moore, Staff Attorney  
Enforcement

**Affidavit**

STATE OF TEXAS §

§

COUNTY OF YOAKUM §

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

"My name is Jim Boulter. 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 Manager and am the authorized representative of Yoakum County Title, LLC. I am duly authorized by said organization to execute this statement.

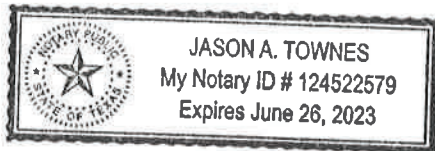
Yoakum County Title, LLC has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

Jim Boulter

Affiant

SWORN TO AND SUBSCRIBED before me on Sept. 19<sup>th</sup>, 2022.

(NOTARY SEAL)



Jason A. Townes  
Signature of Notary Public

Jason A. Townes  
Printed Name of Notary Public