

No. 2017- 5016

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

Date: MAR 3 1 2017

**Subject Considered:**

**FIRST TITLE OF LIMESTONE COUNTY, INC.**  
P.O. Box 229  
Groesbeck, Texas 76642

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 12094

**General remarks and official action taken:**

The commissioner of insurance considers whether disciplinary action should be taken against First Title of Limestone County, Inc.

**WAIVER**

First Title of Limestone County, Inc. acknowledges that the Texas Insurance Code and other applicable law provide certain rights. First Title of Limestone County, Inc. waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

**FINDINGS OF FACT**

1. First Title of Limestone County, Inc., firm identification number 91832, holds a title insurance agency license issued by the Texas Department of Insurance.
2. Benjie Sims Reed is the president of First Title of Limestone County, Inc.
3. Bobby Lynn Reed, Benjie Sims Reed, Justin Elliott Reed, and Diana Kay Nabors are employed as escrow officers for First Title of Limestone County, Inc.
4. The department requires escrow officers to complete a certain number of continuing education hours during each reporting period.
5. The department received renewal applications from Bobby Lynn Reed, Benjie Sims Reed, and Justin Elliott Reed on July 17, 2015, which indicated that each completed 10 hours of continuing education for the August 1, 2013, through August 1, 2015, reporting period.

6. A First Title of Limestone County employee other than Bobby Lynn Reed, Benjie Sims Reed or Justin Elliott Reed completed parts of the applications, including question number four, which indicated that the applicants completed 10 total hours of continuing education.
7. Bobby Lynn Reed, Benjie Sims Reed, and Justin Elliott Reed further signed the "Escrow Officer Certification" on the renewal, certifying that they personally answered each question and that each was true and correct.
8. First Title of Limestone County, Inc. signed the "Title Agent or Direct Operation Certification," certifying that they verified Bobby Lynn Reed, Benjie Sims Reed, and Justin Elliott Reed completed all continuing education requirements.
9. The department received a renewal application from Diana Kay Nabors on July 17, 2015, which has her certification that she did not complete continuing education requirements.
10. An audit of records revealed that Bobby Lynn Reed failed to complete 10 hours of continuing education, during the applicable period.
11. An audit of records revealed that Benjie Sims Reed failed to complete 10 hours of continuing education, during the applicable period.
12. An audit of records revealed that Justin Elliott Reed failed to complete 10 hours of continuing education, during the applicable period.
13. An audit of records revealed that Diana Kay Nabors failed to complete 10 hours of continuing education, during the applicable period.

**CONCLUSIONS OF LAW**

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.056, 84.021, 2651.001, 2651.301, 2652.002, 2652.051, 2652.058, 2652.201, 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 has the 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. Pursuant to TEX. INS. CODE §§ 82.052 and 2651.301, and Basic Manual, Rule P-28, the department may discipline a title agent or direct operation for misrepresenting it verified that its escrow officers had completed all continuing education requirements, including fine, suspension, revocation, or cancellation of a license.
4. First Title of Limestone County, Inc. violated TEX. INS. CODE §§ 2651.301 and 2652.051 by misrepresenting that they verified Bobby Lynn Reed, Benjie Sims Reed, and Justin Elliott Reed completed all of their continuing education requirements.

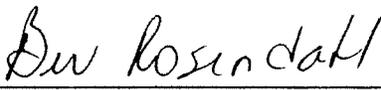
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COMMISSIONER'S ORDER  
First Title of Limestone County, Inc.  
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The commissioner orders First Title of Limestone County, Inc. to pay an administrative penalty of \$4,000. First Title of Limestone County, 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.

  
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David C. Mattax  
Commissioner of Insurance  
~~By: Kevin Brady, Deputy Commissioner~~  
~~Delegation Order 4506~~

APPROVED AS TO FORM AND CONTENT:

  
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Beverly Rosendahl  
Staff Attorney, Compliance Division  
Texas Department of Insurance

AFFIDAVIT

STATE OF TEXAS

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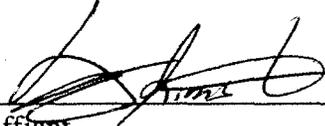
COUNTY OF LIMESTONE

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

"My name is Benjie Sims Reed. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I am the representative of First Title of Limestone County, Inc. I hold the position of President, and I am authorized to execute this statement on behalf of the company.

First Title of Limestone County, Inc. knowingly and voluntarily enters into this consent order. The company agrees with and consents to the issuance and service of the consent order by the Texas commissioner of insurance."

  
\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me on Feb. 28, 2017.

(NOTARY SEAL)

  
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Signature of Notary Public

