

No. 2020 - 6220

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

Date: JAN 30 2020

Subject Considered:

Texas Heritage Title, LLC
135 S Mount
Fairfield, Texas 75840

Consent Order
TDI Enforcement File No. 21877

General remarks and official action taken:

This is a consent order with Texas Heritage Title, LLC. The Texas Department of Insurance (TDI) alleges that Texas Heritage Title, LLC did not timely submit its annual escrow audit reports for the years 2015 through 2018. Texas Heritage Title, LLC has agreed to pay a \$20,000 administrative penalty.

Waiver

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

Findings of Fact

1. TDI issued Texas Heritage Title, LLC a title agency license, no. 1877291, on January 19, 2007.
2. Title agents are required to submit an annual trust fund account audit report performed by an independent certified public accountant not later than the 90th

day after the end of the agent's fiscal year to TDI and to each title company the agent represents.

3. According to TDI records, Texas Heritage Title, LLC's fiscal year ends on December 31st of every year.
4. In May 2019, TDI conducted a compliance audit of Texas Heritage Title, LLC.
5. Texas Heritage Title, LLC did not timely submit its annual trust fund audit reports to TDI for the years 2015 through 2018.
6. On July 29, 2019, Texas Heritage Title, LLC submitted its 2015 through 2018 annual trust fund audit reports to TDI.

Conclusions of Law

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 31.002, 82.051-82.056, 84.021-84.022, 2651.151, 2651.154; TEX. GOV'T CODE §§ 2001.051-2001.178; and 28 TEX. ADMIN. CODE §§ 21.4001, 21.4002 and 21.4003.
2. The commissioner has authority to informally dispose of this matter as set forth under TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 36.104 and 82.055, and 28 TEX. ADMIN. CODE § 1.47.
3. Texas Heritage Title, LLC has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not 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. Texas Heritage Title, LLC violated TEX. INS. CODE § 2651.151 because it did not submit its annual trust fund audit reports to TDI.

2020-6220

Commissioner's Order
Texas Heritage Title, LLC
Page 3 of 4

Order

It is ordered that Texas Heritage Title, LLC must pay an administrative penalty of \$20,000 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" and transmitted to the Texas Department of Insurance, Attn: Enforcement Section, Division 60851, MC 9999, P.O. Box 149104, Austin, Texas, 78714-9104.

Kent C. Sullivan
Commissioner of Insurance

By: _____


Doug Slape
Chief Deputy Commissioner
Commissioner's Order No. 2018-5528

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Enforcement Division



Jeannie Ricketts, Staff Attorney
Enforcement Division

2020- 6220

Commissioner's Order
Texas Heritage Title, LLC
Page 4 of 4

Affidavit

STATE OF Texas §
§
COUNTY OF Freestone §

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

"My name is Michelle Fowler. 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 Texas Heritage Title, LLC. I am duly authorized by said organization to execute this statement.

Texas Heritage 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."

Michelle Fowler
Affiant

SWORN TO AND SUBSCRIBED before me on 11-19, 2019.

(NOTARY SEAL)

Suzanne Legg
Signature of Notary Public

Suzanne Legg
Printed Name of Notary Public

