

No. 2025-9406

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

**Date: 7/10/2025**

**Subject Considered:**

Evergreen Settlement Services, LLC  
3300 Dallas Parkway Spaces Office #2088  
Plano, Texas 75093

Consent Order  
TDI Enforcement File No. 36559

**General remarks and official action taken:**

This is a consent order with Evergreen Settlement Services, LLC (Evergreen). The Texas Department of Insurance (TDI) conducted a title agent compliance audit and found violations of Texas Insurance Code and the Title Insurance Basic Manual. Evergreen has agreed to pay an administrative penalty of \$13,500.

**Waiver**

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

**Findings of Fact**

Background and Licensure

1. Evergreen, firm identification number 213378, holds a title agency license issued by TDI on April 25, 2024.

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2. TDI conducted a comprehensive compliance audit of Evergreen as of December 16, 2024.

### Unappointed Escrow Officers

3. Evergreen failed to timely submit Escrow Officer Appointment forms (FINT09) to TDI for two escrow officers.
4. One escrow officer was employed by Evergreen for only a few weeks and TDI's auditor found no files showing that escrow officer closed any transactions.
5. The other escrow officer closed 48 transactions from May 6, 2024, to January 29, 2025, during the time he was not appointed.
6. Evergreen submitted the FINT09 to TDI to appoint the latter escrow officer, effective January 29, 2025.
7. Evergreen represents that the two escrow officers it hired failed to meet its expectations and have since been terminated.

### Untimely Unencumbered Assets Certification Report

8. Evergreen failed to timely file its Unencumbered Assets Certification Report (Form T-S1), in September 2024.
9. Evergreen filed this report on February 11, 2025, approximately five months late.

### Failure to File Quarterly Tax Reports

10. Texas law requires title agents to provide TDI on a quarterly basis with a copy of its quarterly withholding tax report or its equivalent and proof of payment of the tax, no later than 45 days after the end of the quarter.
11. Evergreen failed to file its Certifications of Agent's Quarterly Tax Report (Form T-S5) for the second and third quarter of 2024.

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## Minimum Escrow Account Procedures and Internal Controls

12. Comprehensive audit procedures were performed on Evergreen's accounting records for September and October 2024.
13. Evergreen failed to have its September and October three-way reconciliations reviewed by a manager, supervisor, or other employee.
14. After TDI's audit, on January 23, 2025, Evergreen reviewed the three-way reconciliations and submitted signed copies to TDI.

## Guaranty Files Errors

15. TDI reviewed three comprehensive files and found that Evergreen failed to disclose all parties receiving a portion of the real estate commission.

## **Conclusions of Law**

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, 2602.103, 2651.051, and 2651.301; and 28 TEX. ADMIN. CODE § 9.1, which adopts the *Texas Title Insurance Basic Manual* ("Basic Manual").
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056, and TEX. INS. CODE §§ 36.104 and 82.055.
3. Evergreen 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. Evergreen violated TEX. INS. CODE § 2652.1511(b) and Administrative Rule L-2(III)(A)(2) of the Basic Manual, Section VI, by failing to appoint an escrow officer before the escrow officer acted in that capacity.
5. Evergreen violated Rule S.1 of the Basic Manual, Section VI, by failing to timely file its annual Title Agent's Unencumbered Assets Certification Report for 2024.
6. Evergreen violated Rule S.5 of the Basic Manual, Section VI, by failing to timely file two T-S5 Forms, the Title Agent Certification of Agent's Quarterly Tax Report.

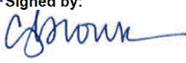
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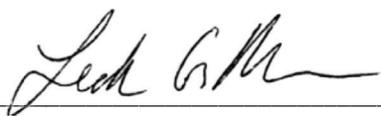
7. Evergreen violated Minimum Escrow Accounting Procedures and Internal Controls Requirement 3 of the Basic Manual, Section V, by failing to have a three-way reconciliation reviewed by a manager, supervisor, or employee.
8. Evergreen violated Procedural Rule P-73 of the Basic Manual, Section IV, by failing to disclose all parties receiving a portion of the real estate commission.

## Order

It is ordered that Evergreen Settlement Services, LLC pay an administrative penalty of \$13,500 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.

Signed by:  
  
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Cassie Brown  
Commissioner of Insurance

Recommended and reviewed by:

  
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Leah Gillum, Deputy Commissioner  
Fraud and Enforcement Division

  
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Sarah White, Staff Attorney  
Enforcement

