

FILED

OCT 28 2016

OFFICE OF
INSURANCE REGULATION
Docketed by: 3 A 6

OFFICE OF INSURANCE REGULATION

KEVIN M. MCCARTY COMMISSIONER

IN THE MATTER OF:

THE TITLE INSURANCE
ASSESSMENTS FOR THE
RECEIVERSHIPS OF
NATIONAL TITLE
INSURANCE COMPANY AND
K.E.L. TITLE INSURANCE
GROUP

Case No. 199144-16

ORDER TO CEASE THE RECOUPMENT PROCESS ORDERED IN SUPPORT OF THE NATIONAL TITLE INSURANCE COMPANY AND K.E.L. TITLE INSURANCE GROUP RECEIVERSHIPS

THIS MATTER originally came on for consideration upon the submission by the Florida Department of Financial Services, Division of Liquidation and Rehabilitation (hereinafter "DFS"), to the Office of Insurance Regulation (hereinafter the "Office") of a Notice of Need for Assessment and an Order from the Second Judicial Circuit Court ordering the Office to assess all title insurance underwriters to support the rehabilitation and receiverships of National Title Insurance Company (hereinafter "National") and K.E.L. Title Insurance Group, Inc. (hereinafter "K.E.L."). As nearly all the title insurance underwriters have collected the assessment ordered by the Second Judicial Circuit Court, the Office, being otherwise duly advised in the premises, hereby finds that:

- 1. The Office has jurisdiction over the subject matter of, and the parties to, this proceeding pursuant to Sections 631.400 and 631.401, Florida Statutes, and other applicable provisions of the Florida Insurance Code.
- 2. Section 631.021(3), Florida Statutes, provides that a delinquency proceeding pursuant to Chapter 631, Florida Statutes, constitutes the sole and exclusive method of liquidating, rehabilitating, reorganizing or conserving a Florida domiciled insurer.
- 4. On separate occasions in 2012, 2014, and 2015, for the Receivership of National and in 2014, for the Receivership of K.E.L., DFS notified the Office of a need for an assessment and filed the Receivers' Status Report and Motion for an Assessment in Accordance with Section 631.400, Florida Statutes, with the Second Judicial Circuit in and for Leon County, Florida.
- 5. Pursuant to the subsequent Orders of the Second Judicial Circuit issued in each of those cases, the Office, on September 4, 2012; June 4, 2014; December 19, 2014; and October 14, 2015, ordered all title insurance underwriters licensed in the State of Florida to pay to DFS an assessment based on a pro rata share of the total direct title insurance premiums written in the State of Florida to meet the Receivers' financial needs as determined by the Court.
- 6. Pursuant to Section 631.401, Florida Statutes, all title insurers have been collecting the aggregate assessment by adding a surcharge on each title policy issued after the date of the Orders referenced above in the amount of three dollars and twenty-eight cents (\$3.28). The surcharge was to continue to be collected until all title insurers had collected the full amount of the aggregate assessment in support of both National and the K.E.L. receiverships.
- 7. As of the date of this Order, all but one title insurance underwriter has fully collected the total amount of assessments to be paid to DFS. Pursuant to 631.401(6), Florida Statutes, "[a]ny surcharges collected by a title insurer in excess of the total amount it was

assessed for aggregate assessments shall be paid quarterly to the receiver to be maintained in the excess surcharge account..." Section 631.401(6)(b), Florida Statutes, states that excess surcharges collected by the Receiver may be used by the Receiver "[t]o reduce the amount of time that consumers in the state are subject to the surcharges by transferring excess surcharges to title insurers that have not fully collected surcharges equal to the amount of the aggregate assessments paid by title insurers pursuant to s. 631.400."

IT IS THEREFORE ORDERED THAT:

- 1. All title insurance underwriters licensed in the State of Florida shall cease collecting the three dollars and twenty-eight cents (\$3.28) surcharge on December 31, 2016.
- 2. As soon thereafter, but no later than the filing of the 2016 annual statement for, all title insurance underwriters shall have deposited all excess surcharges which they have collected with the Receivers. Any title insurance underwriter that has not fully collected shall file with the Receivers a full accounting of the assessment paid and the total surcharges collected as of December 31, 2016, allowing the Receivers sufficient information needed to utilize the provisions of Section 631.401(6)(b), Florida Statutes.

DONE and ORDERED this 28 day of oct, 2016

Varial Atlantice

CONTRACTOR

DAVID ALTMAIER,
COMMISSIONER
OFFICE OF INSURANCE REGULATION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY tha	t a true and co	orrect copy of the	e foregoing has b	oeen furnishe	ed by
U.S. Mail to: all title insurance	underwriters	with a Florida	Certificate of	Authority a	it the
addresses on the attached workshe	eet 🏲	this 281 day	of October	, 2016.	

Jeffrey W. Joseph

Assistant General Counsel

Office of Insurance Regulation

Legal Services Office 612 Larson Building

200 E. Gaines Street

Tallahassee, Florida 32399-4206

00000	COMMONNY NAME	FIRST NAME	AST NAME	ADDRESS	CITY	STATE	412 P	MOHS	EMAIL ADDRESS
NAIC COCODE	COMPANY TOWNS	Cordon	Hampton	1831 Lefthand Circle, Suite G	Longmont	8	80201	303-682-9800	ghampton@alliantnational.com
1200 MC0011 1000000	ECOCO ACCOMO DO LOGRANDO TITLO MOSTRO CONTRADA DO CONTRADA DE CONT	histopher	Links	400 Second Syenus South	Minneapolis	S	55401	512-371-4914	chiebert@oldrepublicutie.com
STATE HISEMONIA GONDA	SEATT THE PROPERTY OF THE INCOMPANY COMMITTEE	C. C. C. C. C.		601 8:	lacksonville	<u> </u>	32204	964-854-8100	erik.deppe@fnf.com
50229 CHICAGO TITLE INSURANCE COMPANY	UKANCE COMPANY	CLX.	Ceppe	COT WINGSTON WAS	- 1	•	3	POA PE 4-9100	and decrease of the com
SDOR3 COMMONWEALTH	SDOR3 COMMONWEALTH LAND TITLE INSURANCE COMPANY	Erik	Deppe	601 Riverside Avenue	Jacksonville	Æ	32204	904-854-8100	carract permitten
STATE INCLIBANCE COMPANY	YNASMOJE	Maryse	Jean-Pierre	3 Summit Park Drive, Suite 525	Independence	9	44131	216-524-3400	MaryseJean-Pierre@EntifieDrrect.com
PERSONAL PROPERTY OF THE PERSON OF THE PERSO	COMPANY COMPANY		1	601 Bivercide Avenue	Jacksonville	æ	32204	904-854-8100	erik.deppe@fnf.com
SISS FIDELITY NATIONAL	SISSE FILECTIA NATIONAL PLICE INSURANCE CONTAINS	9	200	000000000000000000000000000000000000000		2	62707	714-750-3377	mecna/@firstam.com
S1624 FIRST AMERICAN TITLE GUARANTY COMPANY	ITLE GUARANTY COMPANY	John	Megna	1 First American Way	Santa Ana	: Ş	92,07	**************************************	ing me man com
50824 FIRST AMERICAN YI	50824 FIRST AMERICAN YITLE INSURANCE COMPANY	John	Megna	1 First American Way	Santa Ana	Ş	70/26	/14-250-33/2	jmegna@mstam.com
S0369 INVESTORS TITLE INSURANCE COMPANY	VSURANCE COMPANY	Diane	Crater	P.O. Drawer 2687	Chapel Hill	Š	27515-2687	919-945-2399	ocrater@inville.com
17953 K E I TITLE INCIDENCE GROUP INC.	NCF GROUP INC	Yamile	Benitez-Torviso	Benitez-Torviso 8240 NW 52nd Terrace - Suite 102	Doral	77	33166	786-336-1382	Yamile.Benitez-Torviso@myfloridacto.com
SOSTA NATIONAL INVESTO	SOTT NATIONAL INVESTORS TITLE INSURANCE COMPANY	Diane	Crater	P.O. Drawer 2687	Chapel Hill	N	27515-2687	919-945-2399	dcrater@invtitle.com
SUPERIOR OF THE IN	C1020 NATIONAL TELE INCLINANCE OF NEW YORK INC.	Erik		601 Riverside Avenue	Jackspowille	72	32204	904-854-8100	erik.deppe@fnf.com
COLOR STORY OF THE	TITLE INICIDENCE COMPANY	Vennica		700 NW 107th Ave. Suite 300	Mami	'n	33172	305-229-6599	vbrizuela@nat.com
COLOR MONTH CANADA	COLOR COLLEGISTICS CONTROL HITE STREET BASING COMPANY	Theirson		Ann Second Avenue Sporth	Minneapolis	<u>ड</u>	55401	612-371-4914	chiebert@oldrepublictitle.com
SUSZO OLD REPUBLIC INA	SOZO OLD BELOBEIC INC. IOXAC III EE INCONSINCE COMIT PIN		The Bear	D 8- 19900	בונים אבונים	₹	75219	214-981-6263	ben holliday@titlemail.com
S0026 PREMIER LAND TRILE INSURANCE COMPANY	LE INSURANCE COMPANY	ben	nomay	F.O. 60X 133000	00000	\$:	10000	San And Chees	DOTEMIA DE DE COMA BEINI COM
50792 SOUTHERN TITLE INSURANCE CORPORATION	VSURANCE CORPORATION	Brenda	Stewart	11401 Century Oaks Terrace, Suite 310	Austin	×	/8/58	ST2-404-655S	BUILTY BY INTERCONDUCTION
S0121 STEWART TITLE GUARANTY COMPANY	IARANTY COMPANY	3	Peterson	P. O. Box 2029	Houston	×	77252	/15-625-8044	Kpeterson@stewart.com
SOOTE THIS BESOLIBORS GLIABANTY COMPANY	SIABANTY COMPANY	Jeffrev	Gueiss	8111 LBJ Freeway, Ste 1200	Dallas	Ħ	75251	856-914-8806	jeff.gueiss@trgc.com
TOTAL STOCKED OF	Control Control	MICHAEL	CHEESTAN	875 Concourse Phys South Ste 200	Maitland	77	32751	407-629-5842	mschefstad@wltic.com
SUDSO MESTICOR CONDITITE INSORANCE COMPANY	TE INDOMESICE CONTRACTOR	The state of the s	200	Control of the second s	2	Ę	70776 0407	700-507-7617	impolatides@willistonfoantial.com
TIT IANOITAN SOW COLLS	STISS WEG NATIONAL TITLE INSURANCE COMPANY	john	Wooldridge	7401 Carmel Executive Park Dr. Suite 105	Charlotte	2	2040-07707	/10/~24C+0/	ACCIOUS SAISTONNIE CONTRACTOR

DATASOURCE:

NAIC TABLES: COMPANY CONTACT, FINANCIAL STATEMENT CONTACT (from DIR 2014 TITLE PREMIUMS

