

**STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
INSURANCE DIVISION**

In the Matter of **Title Insurance Company of Oregon dba First American Title Insurance Company of Oregon** ) **STIPULATION** and  
 ) **FINAL ORDER**  
 ) Case No. INS 06-08-005

**STIPULATION**

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against Title Insurance Company of Oregon dba First American Title Insurance Company of Oregon (FATICO).

FATICO desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.415(5).

FATICO waives all rights relative to an administrative hearing and judicial review thereof.

FATICO stipulates to the following facts, conclusions, action, and to the issuance of a final order incorporating this stipulation.

**Facts and Conclusions**

Licensing Information

FATICO has been licensed in Oregon as a domestic insurer since 11/1/37. FATICO's last recorded principal business address is located in Portland, Oregon.

Gave a Thing of Value to an Intermediary

FATICO is subject to enforcement action pursuant to OAR 836-080-0315 because of the following circumstances. OAR 836-080-0315 prohibits a person licensed in Oregon as an insurer or insurance producer that is authorized to transact title insurance (title company) from giving, either directly or indirectly, a thing of value, as defined in OAR 836-080-0310(4)-(5), to an intermediary, as defined in OAR 836-080-0310(2), unless permitted by OAR 836-080-0320 to OAR 836-080-0340.

One exception is OAR 836-080-0335 which permits a title company to give “a plant or flowers to an intermediary *in connection with an open house of a new or substantially remodeled office of the intermediary* if the net cost to the title company is \$50 or less.” (Emphasis added.)

In December 2005, FATICO gave a flower or plant costing \$12.00 to each of 19 financial institutions, home builders, mortgage companies, and realtors located in Linn County, Oregon. Also in December 2005, FATICO gave a flower or plant costing \$4.63 to each of seven financial institutions, home builders, and realtors located in Marion County, Oregon. The financial institutions, home builders, mortgage companies, and realtors were intermediaries. FATICO gave the items as holiday gifts. FATICO did not give the items in connection with an open house of a new or substantially remodeled office of the intermediary.

#### **Action**

Pursuant to ORS 731.988, FATICO is assessed a civil penalty of \$4,000. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE, Room 440 (4<sup>th</sup> Floor), Salem, Oregon; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be *received* by the Insurance Division by the date of the final order.

Dated August 17, 2006

/s/ Alan K. Brickley

[Signature of Representative]

Alan K. Brickley

[Printed Name of Representative]

Counsel

[Printed Title of Representative]

Title Insurance Company of Oregon

dba First American Title Insurance Company  
of Oregon

**FINAL ORDER**

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated September 6, 2006

/s/ Cory Streisinger

Cory Streisinger

Director

Department of Consumer and Business Services

//  
//  
//