

defined to include anything that has a monetary value. An intermediary is defined to include a builder, lender, and realtor. One exception is OAR 836-080-0325(2) which permits a title company to “give a thing of value to an intermediary in connection with an activity sponsored only by the title company if the net cost to the title company is \$10 or less per individual reasonably expected to attend, when six or more individuals actually attend and when one of the individuals is an employee of the title company.” The amount is adjusted annually pursuant to OAR 836-080-0345. The adjusted monetary limit in 2007 was \$13.04. There are no other applicable exceptions. First American Title sponsored an activity called “Cruising for Credits.” The activity was held from 1/13/07 to 1/20/07. The activity was attended by 350 builders, lenders, and realtors and their guests, and employees of First American Title. First American Title paid for advertisement about the activity; occasional food, beverages, and entertainment for some of the builders, lenders, and realtors; transportation for some of First American Title’s employees, and for the educational classes attended by the builders, lenders, and realtors during the cruise. First American Title was permitted to spend only $350 \times \$13.04 = \$4,564.00$. However, First American Title spent more than it should have for this activity.

Action

Pursuant to ORS 731.988, First American Title is assessed a civil penalty of \$6,000. 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 (4th 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.

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Dated March 24, 2008

/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 April 15, 2008

/s/ Cory Streisinger

Cory Streisinger

Director

Department of Consumer and Business Services

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