

**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 09-09-009

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 First American Title Insurance Company of Oregon (First American Title).

First American Title desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.417(3).

First American Title waives all rights relative to an administrative hearing and judicial review thereof.

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

Facts and Conclusions

Licensing Information

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

Failed to Promptly Respond to Director's Inquiry

First American Title is subject to enforcement action pursuant to ORS 731.296 because of the following circumstances. ORS 731.296 requires a person who is licensed in Oregon in any capacity under the Insurance Code to promptly and truthfully respond to an inquiry from the director.

On 7/23/07, the Insurance Division sent an e-mail to First American Title requesting it provide to the Insurance Division certain information about a claim by 8/6/07. On 8/14/07, when First American Title did not respond by the due date, the

Insurance Division sent a follow up e-mail to First American Title. On 8/15/07, the Insurance Division received an e-mail from First American Title providing some but not all of the requested information. On 8/22/07, when First American Title did not provide the remainder of the requested information, the Insurance Division sent by certified mail a follow up letter to First American Title. On 8/23/07, First American Title received the letter. On 9/10/07, when First American Title did not provide the remainder of the requested information, the Insurance Division sent by first class mail and facsimile transmission a follow up letter to First American Title. On 10/4/07, 59 days late, the Insurance Division received by e-mail from First American Title the remainder of the requested information.

On 9/10/07, the Insurance Division sent by first class mail and facsimile transmission a letter to First American Title requesting it provide to the Insurance Division certain information about the above claim by 9/28/07. On 10/3/07, when First American Title did not respond by the due date, the Insurance Division sent a follow up e-mail to First American Title continuing to request some of the information requested on 9/10/07 and additionally requesting monthly status reports about the claim beginning in November 2007. On 10/4/07, the Insurance Division received by e-mail from First American Title some but not all of the requested information on 9/10/07. On 11/29/07, when First American Title did not provide a monthly status report for November 2007, the Insurance Division sent another follow up e-mail to First American Title. First American Title has not provided the remainder of the information requested on 9/10/07 and did not provide seven of the 13 monthly status reports requested on 10/3/07.

Action

Pursuant to ORS 731.988(1), First American Title is assessed a civil penalty of \$18,000.00. 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, 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 10/15/09

/s/ Lenore A. Martinez

[Signature of Representative]

Lenore A. Martinez

[Printed Name of Representative]

Vice President/Division Counsel

[Printed Title of Representative]

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 11/12/09

/s/ Cory Streisinger

Cory Streisinger

Director

Department of Consumer and Business Services

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