

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

**In Re: Old Republic National Title Insurance Company
Docket No: Ins. No. 21-057-EP**

CONSENT ORDER

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and Old Republic National Title Insurance Company (“Respondent”), the terms of which are as follows:

FINDINGS OF FACT

1. Respondent is a Florida domiciled foreign insurer that is authorized to do business in the State of New Hampshire.
2. Respondent sells title insurance through licensed and appointed producers in New Hampshire. Under New Hampshire law all producers submitting policies to Respondent, or any company, must be properly licensed and appointed at all times relevant to the solicitation and issuance of the title policy or other kind of insurance policy. Whenever a producer fails to renew his/her license on or before the expiration date the appointment is automatically terminated.
3. At all relevant times, Respondent had in place procedures and a process to monitor each producer as they came up for licensing renewal in each state in which they are currently licensed. When the Respondent’s monitoring process found that a producer’s license had lapsed for non-renewal, for example, it would notify the producer of their suspension due to the lapse and remove the producers access to Respondent’s systems to prevent issuing title policies.

4. Producers appointed by Respondent typically issue a commitment for title insurance without contacting the Respondent. After the closing, the producer issues the title policy and reports and remits the premium to the Respondent.
5. Two producers failed to renew their producer license on time and their appointments were automatically terminated. However, each producer continued to write New Hampshire title policies while unlicensed and unappointed and submit them to Respondent. One producer submitted 22 policies and the other 16 policies. In both instances, the Respondent's renewal licensing monitoring notification process was initially followed but then the required follow-up process to ensure a renewal license was actually obtained did not occur. This happened through inadvertence or inattention to monitoring process requirements.
6. Respondent has taken corrective action to its licensing monitoring procedures and process to prevent any future occurrence of accepting business from an unlicensed and unappointed producer.

CONCLUSIONS OF LAW

7. Based on the foregoing Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:
 - a. The Respondent is subject to the jurisdiction of the NHID; and
 - b. The Respondent violated NH RSA 402-J:14 by accepting title policies from two unlicensed and unappointed producers.

ORDER


WHEREFORE, the NHID orders and Respondent consents to the following:

- a. The Respondent waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order shall have the full force and effect of an Order fully entered in accordance with the adjudicatory procedure provided for in RSA Chapter 541-A and Ins Part 200.
- b. For the purposes of resolving this matter without a formal administrative hearing, Respondent agrees to pay a \$10,000 administrative penalty upon execution of this Consent Order made payable to “Treasurer, State of New Hampshire” and mailed to the attention of Sarah Prescott, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire 03301.
- c. By entering into this Consent Order, the NHID and the Respondent intend to fully resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution and is in lieu of any other action(s) that could have been brought by the NHID relating to these matters. Provided however, notwithstanding the foregoing, the NHID may take any and all appropriate actions should the Respondent violate any provision of the State’s insurance laws in the future.
- d. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any actions to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.
- e. This Consent Order is considered a public regulatory action and will be reported to the National Association of Insurance Commissioners.

IT IS SO ORDERED.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 10-7-2021


Christopher Nicolopoulos, Commissioner

Date: 9/27/21


Authorized Representative of Old Republic
National Title Insurance Company, Respondent
Robert J. Sylvestre Jr.
S.V.P. New England Manager