

# Minutes

# Title Advisory Council

11/13/2007  
Division of Insurance  
1560 Broadway Ste 850  
Conference Room B  
Denver CO 80202

**Type of meeting:** Quarterly Council Meeting

**Attendees:** Diane Evans, Hon Chan, Bob Howe, Tim Killcoyne, Pat Rice, Garry Wolff, Phil Schreiber, Eric Morgan, Bo Edwards, Curtis Fix,

**Please read:** Attached Resumes

## Agenda topics

Administrative Matters

Diane/Bobbie

### Discussion:

- Tim Killcoyne motioned and Garry seconded the approval of the August 2007 meeting minutes. The motion passed and the minutes were approved.
- Three new individuals were approved to become council members effective November 13, 2007. Curtis Fix, Chris Condie and Gary Hostetter were unanimously accepted by the council.
- Christi Murphy from the Governor's office was introduced.

### Conclusions:

Action items:

Person responsible:

Deadline:

Sunrise Reviews

Julie /Saul Larson

Discussion: Saul discussed the sunrise review process. He indicated the three things he needs to do: 1) talk to interested stakeholders, talk to interested parties and conduct research. He needs to determine if there is current harm to the public. The qualified intermediaries report is due 1/6/08 and the closing agents report is due 1/11/08. During the legislative phase, if regulation of these entities is recommended, then testimony will be necessary.

Conclusions: If anyone has examples of consumer harm, please provide the information to Saul. He needs actual cases, not virtual or potential cases of harm. Someone asked if Saul had looked at other states; yes, NV is the only state to regulate Qualified Intermediaries. Saul handed out business cards to the group and asked them to contact him with additional questions, comments or concerns.

Action items:

Person responsible:

Deadline:

New DOI Employees

Paula/Phil

Discussion: Phil introduced Sam Humpert. Sam filled the SB249 Market Conduct position. Paula announced that Andy Helm had been hired to fill the SB249 Investigation's position. Andy will start on December 5, 2007. Sam and Andy will work together but Sam will focus on the underwriters and Andy will focus on the agents.

Conclusions:

Action items:

Person responsible:

Deadline:

Rate Comparison Website

Stephanie/Damion

Discussion: Staff is currently checking the data to make sure everyone is on the same playing field. Some companies submitted reissue rates and other submitted full premiums. Someone asked what the “final product” is. It is the same as last year – an interactive tool in which consumers can enter the county and a coverage amount to obtain the rates for every company. The Division does not calculate the rates. The Division relies on what the underwriters have provided. If you have any questions or concerns about the data you may want to communicate with your underwriter.

Conclusions:

Action items:

Person responsible:

Deadline:

Trust Funds/Funding source for foreclosures

Diane/Tim

Discussion: Some believe this is a tremendous opportunity to do something good for the community. Several people provided their thoughts regarding this matter; for example, many title companies already contribute to CARHOFF. We don’t want people to think nothing is done for the community. Others indicated this would affect the net income and may be significant. Others indicated the loss of this income would cause the premiums and rates to increase.

Conclusions: There will be further discussions surrounding this issue in the upcoming months. Tim invited anyone who would entertain this idea to a roundtable discussion at his office.

Action items:

Person responsible:

Deadline:

ALTA Initiative		Diane
Discussion: No discussion – included in the Trust Funds issue above		
Conclusions:		
Action items:	Person responsible:	Deadline:

Additional topics:

Julie Hoerner indicated there would be a bill, sponsored by Rep Morgan Carroll, which would require that title companies file actuarial justification with the rate filings. Currently title companies are only required to submit the actuarial justification if requested by Division staff. There is no draft yet of the proposed bill.

Phil Schreiber asked if the Rates and Forms sections would review the filings and make the appropriate distinction between the expenses and claim costs. Garry Wolff suggested a new form (for rate filings) be created. Diane asked that once we have a draft if it would be circulated.

Diane Evans discussed the producers sunset and indicated there were concerns with the removal of the “deceptive” trade names issue. The deceptively similar names should be reviewed by the DOI.

Emergency Regulation 1-2-5 regarding continuing education did not exempt title producers. Paula will look into this and get back with the council.

ALTA has launched a consumer education initiative. They have created a benchmark for conduct. Visit ALTA’s website, [www.alta.org](http://www.alta.org) to view the initiatives such as “good housekeeping standards” and “seal of approval.”

The meeting adjourned at 3:17 PM