

FINAL ORDER

Effective: 03-25-08

**BEFORE THE COMMISSIONER OF INSURANCE
OF THE STATE OF KANSAS**

**In the Matter of the Kansas Nonresident)
Insurance Agency’s License of) Docket No. 3795-SO
Vendor Management Services dba)
Inzura Settlement Services)**

**SUMMARY ORDER
(Pursuant to K.S.A. 2007 Supp. 40-4909 and K.S.A. 77-537)**

Pursuant to authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. 2007 Supp. 40-4909, the Commissioner hereby revokes the nonresident agency license of Respondent by way of Summary Order as provided by K.S.A. 77-537.

This Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made pursuant to K.S.A. 77-542.

Findings of Fact

The Commissioner has been shown the following facts:

1. Records maintained by the Kansas Insurance Department (“KID”) indicate that Vendor Management Services dba Inzura Settlement Services (“Respondent”) is licensed as a nonresident title agency to transact the business of title insurance in the State of Kansas, and has been so licensed since June 29, 2004. KID records further indicate a legal address of 345 Rouser Road Building 5, 4TH Floor, Coraopolis, Pennsylvania 15108 and a mailing address of 8081 Royal Ridge Parkway Suite 175, Irving, Texas 75063.

2. The Commissioner of Insurance (“the Commissioner”) has jurisdiction over the subject matter of this proceeding, and this proceeding is held in the public interest.

3. On or about June 29, 2004, KID sent Respondent a copy of Kansas Statutes Annotated (“K.S.A.”) 40-1137 and other filing requirements. Respondent complied with the requirements

4. In or about February 2008, KID requested from Respondent a report showing the number of closed title orders written and the percentage of the closed title orders that were from a controlled source for each year that Respondent conducted business in Kansas.

5. On February 11, 2008, Respondent reported 100 percent controlled business for 2006 and 2007.

Applicable Law

6. Kansas Statutes Annotated (“K.S.A.”) K.S.A. 2007 Supp. 40-2404(14) states, in relevant part:

(e) As used in paragraphs (e) through (i)(7) of this subpart, unless the context otherwise requires:

(f) No title insurer or title agent may accept any order for, issue a title insurance policy to, or provide services to, an applicant if it knows or has reason to believe that the applicant was referred to it by any producer of title business or by any associate of such producer, where the producer, the associate, or both, have a financial interest in the title insurer or title agent to which business is referred unless the producer has disclosed to the buyer, seller and lender the financial interest of the producer of title business or associate referring the title insurance business.

(g) No title insurer or title agent may accept an order for title insurance business, issue a title insurance policy, or receive or retain any premium, or charge in connection with any transaction

if: (i) The title insurer or title agent knows or has reason to believe that the transaction will constitute controlled business for that title insurer or title agent, and (ii) 70% or more of the closed title orders of that title insurer or title agent during the 12 full calendar months immediately preceding the month in which the transaction takes place is derived from controlled business. The prohibitions contained in this subparagraph shall not apply to transactions involving real estate located in a county that has a population, as shown by the last preceding decennial census, of 10,000 or less.

7. K.S.A. 2007 Supp. 40-4909 states, in relevant part:
 - (a) The commissioner may deny, suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the applicant or license holder has:
 - (2) Violated:

Any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rule and regulation promulgated thereunder.

Conclusions of Law

8. The Commissioner has jurisdiction over Respondent as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

9. Based on the facts and circumstances set forth herein, it appears that Vendor Management Services dba Inzura Settlement Services engaged in a controlled business arrangement for the years 2006 and 2007.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. Vendor Management Services dba Inzura Settlement Services's Kansas Nonresident Agency License is hereby **SUSPENDED FOR THIRTY DAYS**.

It is further ordered that Vendor Management Services dba Inzura Settlement Services shall remit to the Kansas Insurance Department an administrative penalty in the sum of one thousand dollars (\$1,000) for violating K.S.A. 40-2404(14)(g).

2. The Commissioner of Insurance retains jurisdiction over this matter to issue any and all further Orders deemed appropriate or to take such further action as necessary to dispose of this matter.

Notice of Right to Hearing or Appeal

You are entitled to a hearing pursuant to K.S.A. 77-537, the Kansas Administrative Procedure Act. If you desire a hearing, you must file a written request for a hearing with:

John W. Campbell, General Counsel
Kansas Insurance Department
420 S.W. 9th Street
Topeka, Kansas 66612.

This request must be filed within fifteen (15) days from the date of service of this Order. If you request a hearing, the Kansas Insurance Department will notify you of the time and place of the hearing and information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing, before commencement of same.

If a hearing is not requested in the time and manner stated above, this Order shall become effective as a Final Order upon the expiration of time for requesting a hearing, pursuant to K.S.A. 77-613. In the event that you file a petition for judicial review, pursuant to K.S.A. 77-613(e), the agency officer to be served on behalf of the Kansas Insurance Department is:

John W. Campbell, General Counsel
Kansas Insurance Department
420 S.W. 9th Street
Topeka, Kansas 66612.

**IT IS SO ORDERED THIS 28th DAY OF FEBRUARY, 2008, IN THE
CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



/s/ Sandy Praeger
Sandy Praeger
Commissioner of Insurance

/s/ John W. Campbell
John W. Campbell
General Counsel

Approved and Submitted by:

/s/ Deletria L. Nash
Deletria L. Nash
Assistant General Counsel

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the above and foregoing Summary Order was served by placing the same in the United States Mail, first class postage prepared, on this 28th day of February, 2008, addressed to the following:

Vendor Management Services dba
Inzura Settlement Services
8081 Royal Ridge Parkway Suite 175
Irving, Texas 75063.

/s/ Deletria L. Nash
Deletria L. Nash
Assistant General Counsel