



agent unless duly registered by a title insurance company with the Secretary.

3. Section 21(a)(16) of the Act states:

(a) The Secretary may refuse to grant, and may suspend or revoke, any certificate of authority, registration, or license issued pursuant to this Act or may impose a fine for a violation of this Act if he determines that the holder of or applicant for such certificate, registration or license:

(16) has disregarded or violated any provision of this Act or the published rules adopted by the Department to enforce this Act or has aided and abetted any individual, partnership, registered limited liability partnership, limited liability company, or corporation in disregarding any provision of this Act or the published rules.

4. Section 21(h) of the Act states, in relevant part:

The Secretary may issue a cease and desist order to a title insurance company, agent, or other entity doing business without the required license or registration, when in the opinion of the Secretary, the company, agent, or other entity is violating or is about to violate any provision of this Act or any law or of any rule or condition imposed in writing by the Department. The Secretary may issue the cease and desist order without notice and before a hearing.

5. Section 23(a) of the Act provides:

(a) Any violation of any of the provisions of this Act and, beginning January 1, 2013, any violation of any of the provisions of Article 3 of the Residential Real Property Disclosure Act shall constitute a business offense and shall subject the party violating the same to a penalty of \$1000 for each offense.

6. Section 50 Il Admin 8100.1600(b) and (c) provide in part:

(b) Each company shall file supplemental registrations for new title insurance agents. Each new title insurance agent shall be registered with the Division within 30 days after the signing of the agency agreement.

(c) No title insurance agent shall conduct business before:

2) being registered with the Division.

### FACTUAL FINDINGS

7. PNTN is a registered title agent of WFG.
8. WFG National Title Insurance Company (“WFG”) is a registered title insurance agency under the Act.
9. On or about October 1, 2017 the Department became aware that PNTN had created and maintained a program designed for individuals and small firms to do the “usual duties of registered title agents,” as independent contractors with PNTN.
10. PNTN refers to this program as there “Examining Attorney Program”. PNTN facilitates their transactions via the multiple underwriters with whom PNTN is contracted, but primarily with WFG National Title Insurance Company (WFG).
11. PNTN, along with WFG, intentionally facilitate and/or encourage unregistered Title Agents in conducting closings as, and doing the work of, registered title insurance agents for the compensation of a percentage of the collected insurance premium.
12. The examining attorney program is or has been comprised of approximately 103 agent members, who are not registered with the Department. These unregistered agents have conducted 14,056 transactions, between January 1, 2012 and October 1, 2018, while none were registered with the Department via contract with WFG.

### LEGAL FINDINGS


13. Based on the foregoing, the Department finds that PNTN has violated Section 21(a)(16) of the Title Insurance Act and Sections 8100.1600(b) and (c) of the Administrative Code.

### NOW THEREFORE IT IS HEREBY ORDERED:

1. PNTN Cease and Desist, pursuant to Section 21(h) of the Act from using “Examining Attorneys” to do the work of, registered title insurance agents in violation of Section 21(a)(16) of the Title Insurance Act and Section 8100.1600(b) and (c) of the Administrative Code .
2. Pursuant to Section 23(a) of the Act, PNTN shall pay a **Penalty** in the amount of \$14,056,000. Payment shall be made by check or money order payable to the Illinois Department of Financial and Professional Regulation and delivered to the Division of Financial Institutions, Title Insurance Section, 100 W. Randolph Street, 9<sup>th</sup> Floor, Chicago, IL 60601.
3. Such other relief as the court deems just.

Pursuant to Section 21.2(a) of the Act, service by mail shall be deemed complete when the Order is deposited as registered or certified mail in the post office, postage paid, addressed to the last known address specified in the application for the certificate of authority to do business or certificate of registration of the holder or registrant. Pursuant to Section 21(d) of the Act, Diamond may request, in writing, a hearing on the Order within 30 days of the date of service.

ORDERED THIS 2d DAY OF November, 2018.

  
Francisco Menchaca, Director  
Illinois Department of Financial and Professional Regulation  
Division of Financial Institutions

**CERTIFICATE OF SERVICE**

I, Louis Butler, Deputy General Counsel of the Illinois Department of Financial and Professional Regulation, hereby certify that on November 2, 2018, I caused a true copy of the foregoing Notice of Hearing to be served on the party named below, by causing the same to be sent via certified mail (certified mail receipt #70131710000132550602) to the following:

Joseph W. Rogul  
Corporate Counsel Professional National Title Network Inc.  
70 W. Madison St. Suite 1600  
Chicago Il 60602

A handwritten signature in cursive script, appearing to read "Louis Butler", is written over a horizontal line.

Louis Butler



Illinois Department of  
 Financial and Professional Regulation  
 100 West Randolph Street  
 Suite 9-300  
 Chicago, IL 60601



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Sent To: Joseph W. Rogul  
 Corporate Counsel Professional  
 National Title Network Inc.  
 Street, or PO: 70 W. Madison St., Suite 1600  
 City, State: Chicago, IL 60602

PS Form 3800, June 2010

Joseph W. Rogul  
 Corporate Counsel Profess.  
 Network Inc.  
 70 W. Madison St. Suite 16  
 Chicago IL 60602

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**SENDER: COMPLETE THIS SECTION**

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Joseph W. Rogul  
 Corporate Counsel Professional  
 National Title Network Inc.  
 70 W. Madison St., Suite 1600  
 Chicago, IL 60602

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

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4. Restricted Delivery? (Extra Fee)

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2. Article Number

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PS Form 3811, February 2004

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