



Attorneys Est. 1875

TEL: 801-521-3200
FAX: 801-328-0537

170 SOUTH MAIN ST, SUITE 1500
SALT LAKE CITY, UTAH 84101

WWW.JONESWALDO.COM

AFFILIATED FIRM
LEAR & LEAR LLP

This document includes the transcribed minutes from Utah's Title and Escrow Commission's October 17, 2011 meeting, the Agenda with line references to the definitions for Escrow and Settlement, the Notary issue, and the proposed move of title insurance regulation to the Division of Real Estate are included.

Every effort has been made to capture the entire meeting. However, the recording devices are not perfect, voices trail off, there is cross talk, and other activity where the conversation is inaudible. You will see _____ to denote something is missing. And sometimes there is not a recording at all.

Please feel free to email me at pstevens@joneswaldo.com with questions or suggestions.



State of Utah

GARY R. HERBERT

Governor

GREG BELL

Lieutenant Governor

NEAL T. GOOCH

Insurance Commissioner

Insurance Department

State of Utah Title and Escrow Commission Meeting Meeting Information

Date: October 17, 2011 **Time:** 9:00 AM **Place:** East Bldg, Copper Room

MEMBERS

COMMISSION MEMBERS

Chair, Dirk Keyes	Jerry M. Houghton, <i>Tooele Cnty</i>
Co Chair, Cortlund G. Ashton, <i>Salt Lake Cnty</i>	Larry Turner Blake, <i>Washington, Cnty</i>
Kirk Donald Smith, <i>Weber Cnty</i>	

Department Staff

Perri Babalis, <i>AG Counsel</i>	Brett Barratt, <i>Deputy Comm.</i>	Mark Kleinfield, <i>ALJ</i>
Suzette Green-Wright, <i>MC Dir.</i>	Brad Tibbitts, <i>P&C Dir.</i>	Tammy Greening, <i>Examiner</i>
Adam Martin, <i>Examiner</i>	Jilene Whitby, <i>PIO Recorder</i>	

AGENDA

General Session: (Open to the Public)

- **Welcome** / Dirk Keyes, Chair
- **Adopt Minutes of Previous Meeting**
- **Executive Session – (If needed)** (Closed to the Public)
- **Roberts Rules & Open Meetings** / Perri
- **Reports**
 - Concur with Licensee Report / Tammy
 - Concur with Complaint & Enforcement Reports / Suzette
 - Discuss Possible Changes in Procedures / Brett
 - Request for Attorney Exemption
 - Miles E. Lignell
 - Tyler Hawkes
- **Administrative Proceedings Action**
 - Pre-Hearing: Cornerstone Title Ins. Agency / Kari M. Holding
 - Defaults or Orders: None
- Line 3 • **Old Business**
 - Line 5 ○ Discuss Definition of Real Estate Escrow Settlements & Real Estate Closings / Perri
 - Line 163 ○ Discuss Unlicensed Activity
- **New Business**
 - Line 210 ○ Letter Regarding Intent of New Law 31A-23a-406(5)(c) / Cort
 - Line 268 ○ Discussion of Regulation of Title Insurance / Cort
- **Other Business**
- **Adjourn:**
- **Next Meeting:** November 14, 2011, Copper Room

2011 Meetings

Oct. 17 Nov. 14 Dec. 12

1 T&E COMMISSION MINUTES 10.17.11

2 Started at 47:13

3 START OLD BUSINESS

4 DEFINITIONS SETTLEMENT & CLOSING

5 Chair: No _____ order, so first the item of old business, um, discussion and
6 definition of real estate escrow set up with real estate closings.

7 Man: Thank you _____.

8 Perri: Well, and _____ this, you know, _____ just kind of came up with
9 this is a starting point. So we contacted some people in the real estate industry,
10 looked at various definitions and just as a reminder, this is um, if we look at the
11 definition of escrow in 31A-1-301 – I think it's 56, but – 57. It says um escrow
12 includes the act of conducting a real estate settlement or real estate closing. And
13 that's been really the sticking point. What do those two terms mean. So that's
14 what we're hoping to answer here. And we would certainly love your input. So,
15 here are just some, some initial stats with definitions. Does everyone have one?
16 As many as I had...

17 Suzette: Ok, so maybe we can just verbally look through them.

18 Woman: If you look at the second page under Real Estate Settlement, I contacted Chris
19 _____ who is a personal friend and who's a past State Real Estate chair or
20 whatever, a state chair and also he was Real Estate man of the year or something.
21 His statement is the very last one on the _____ page and I'm, he and I trade off
22 _____ a lot and I said this is a serious matter. We really need definition and he
23 agreed, even in his industry on the real estate side they misuse the term. I said ok,
24 tell me what it really means and this is what he said, it's the simplest one we've
25 had, not sure it's the right one, but it's the simplest one I came up with. Some of
26 these were from other states and some of those were out of Wikipedia and
27 different definitions I could find online. You're _____ would be, this is your
28 industry and we need your help on a definition.

29 Man: So this is consistent, I'd like to look at the language from the new UAR approved
30 form because they define settlement in that form and they define closing
31 consistent with what he has here and I don't know exactly if it's that language or
32 if that language is better or may be able to help us at all but, to be consistent with
33 their approved form maybe that would give us a little direction. I don't know if
34 we'll paragraph it as "a" or "6" or something but it talks specifically defined what
35 a settlement, what is closing, what has to happen in each and defines closing as
36 the final recording of documents and dispersing the funds, different then how we
37 use it in our regular vernacular of the day and settlement being at the time we all
38 sit down and we normally call it a closing so it's a little confusing but I think their
39 contract is pretty clear, it might be instructed towards a look at that too.

40 Woman: Can you get a copy of that?

41 Man: Sure, sure. It's on the website; it's on the division's website.

42 Woman: DRE?

43 Man: DRE's website last time I checked it was there. This discussion is for possible
44 future clarification to the statute.

45 Suzette: Right, it would be in our clean up, just throw these two definitions in our cleanup
46 bill to make it work for us and real estate together.

47 Man: It's identical - obviously tying the timeline on that how soon do you have to pay?

48 Woman: Um, Mark Kleinfeld, but we've been giving him stuff. He has not turned it over
49 to the Legislature yet but it should be going fairly soon so, uh I'd like to have it
50 before November, but . . .

51 Man: Okay. I think what I was thinking about is the revision we're going to state.

52 Woman: This last statement is with _____, you said?

53 Man: Well, that - I mean it's consistent . . .

54 Woman: It's simplified.

55 Man: . . . It's simple and it really is kind of consistent with their contract that they use
56 95% of the time and they engage in transactional as well, so. So, I will get you a
57 copy here.

58 Woman: Okay, thank you. So what actions will it get to take, from here?

59 Man: Is this something that you could work up a definition and then email to get the file
60 numbers or does something have to be observed in Committee pending an escrow
61 meeting?

62 Woman: It should be approved. But we could do it electronically, you know, like meeting,
63 commercial meeting or something.

64 Man: Okay. But he - so he really is part of our intent is to - is to have the clarity to . . .
65 if we say this is a real estate settlement when we meet and we sign documents and
66 we come up with some language according to that kind of definition and we say
67 that a real estate closing is the funding and disbursing and recording of a real
68 estate transaction, um - does that automatically tie to that escrow licensure and
69 how would the definition of - or how would the current actions of a notary who
70 goes out and presents documents to a client for signature, how would that fit?

71 Perri: Well so, and I think the answer to your question raises some comments from me,
72 but when thinking of the definition, think of those terms - is like we're trying to

73 limit really what a notary can do at a settlement or a closing and so maybe we
74 want to expand the definition of closing or settlement so limit what the notary
75 can do. Does that make sense?

76 Man: Uh hum.

77 Woman: So, I mean I think we have to think of the whole big picture when we're coming
78 up with definitions is really, that's why we are agreeing to so many tacklements.

79 Man: We need to make sure we cover the weak . . .

80 Woman: Yeah.

81 Man: . . . not just think of insurance buying its own _____.

82 Man: And, there's another citation or definition not in 31 about closing.

83 Woman: 406? 31823 close it, right?

84 Man: No. I was thinking of the one that's specific to us.

85 Woman: Oh. There's lots.

86 Man: Yeah.

87 [Laughter]

88 Perri: I have a list somewhere. So, here's my 44 pages of – this is where escrow is used
89 in the insurance departments. It's 44 pages long and . . .

90 Man: Just cites – citations or . . .

91 Woman: Yeah. And so some apply to title and some don't.

92 Man: . . . Okay.

93 Woman: Um, maybe – I'm not seeing – you know, maybe a third to you know – a third or
94 more do not apply to title.

95 Man: Those are all in 31?

96 Woman: Yes.

97 Man: There was another reference in . . .

98 Woman: Oh, in financial institutions.

99 Man: . . . financial institutions, yes.

100 Man: 7-20-7

101 Man: That's what I thought. Um . . .

102 Perri: And, you've looked in here – I've got it right here. So that – if you want me to
103 read it? Uh, it's kind of long, but escrow means, and it gives four different things:
104 Any agreement, express or implied that provides for one or more parties to deliver
105 or entrust any money, certificate of deposit, security, negotiated instrument, deed
106 or other property or asset to another person be held, favored, delivered in
107 _____ terms of the agreement and this includes and this is similar – a
108 settlement or closing involving the global zone, grazing rights, water rights, the
109 act of conducting real estate settlement or real estate closing. I don't know if
110 that's . . .

111 Man: Well, there's a third term that I'm looking to find here, seeing the need to define
112 that as escrow. Because it's defined there, but it's not – it's part of what we do,
113 it's part of our function but you need to also add that in as a defined term as we
114 try to clear up and cleanup what we are.

115 Woman: So, escrow is defined in the Insurance Code.

116 Man: But, it's defined as the real estate settlement and real estate closing.

117 Woman: Right.

118 Man: But it doesn't talk about the function

119 Woman: So he's saying changing the term – the definition?

120 Man: Well, it doesn't talk about some of those elements in 7, my wife, I mean holding
121 document, holding money and that really more toward the definition of an escrow
122 in terms of its An option for us. It is – in defining escrow, we need to include
123 some of those elements that we see in 7 I guess.

124 Woman: Yeah.

125 Man: What about _____. So do we put it down there?

126 Man: Let's keep it on.

127 Man: Leave it on and then have them forward a comment that – we didn't get a chance
128 to get to it. In the interim – we couldn't quite settle on something before the next
129 meeting that can happen. The phone number or something or didn't see the
130 section that it incurs so you guys can get it to go – would that be okay?

131 Woman: And even we can't, you know, we're still able to make an amendment to it.

132 Man: Okay.

133 Brett: However, Mr. Chair, I would strongly encourage the Commission to work as
134 quickly as possible. I think it will be better for all of us if we're able to come up
135 with a definition to put into the Commissioner's cleanup requested bill at the
136 beginning as opposed to what kind of amendments, I just think it's just a clean
137 way to do it, so if time permits and there is a consensus, I would encourage you
138 and certainly us, as a department to work towards that goal.

139 Man: Okay.

140 Brett: The Commissioner had requested internally that all requested legislation be
141 submitted to Mark. The Judge you just heard from, by the end of September. So,
142 you know, we're kind of that month to where we're over his time limit but as
143 Suzette pointed out, we are not to the point where it's been submitted to the
144 Legislature yet.

145 Suzette: And it could end up – sometimes we are able to get our Cleanup Bill in the
146 November-December interim meetings that moves us back to two sessions and we
147 would like to that while we can.

148 Man: Okay. If we were to have a week to review and get all suggestions with that and
149 so the following next Monday, would that be enough time or is that not long
150 enough for you. What are your thoughts?

151 Brett: You know, I think ideally, if we could have – or if we could get the Richey
152 consensus by the end of the month, which is just over a week from now, I think
153 that would be ideal, but you know, as quickly as we are able to move forward.
154 Speaking for the Commissioner, this is a big deal – this is huge and he's asked
155 that we do everything we can to assist in moving this issue forward and hopefully,
156 getting a resolution to this issue, which apparently has been plaguing those in the
157 real estate, escrow and notary industry – the title industry for some time.

158 Man: You guys – [inaudible]. I don't think we are necessarily making this a priority, to
159 let's shoot for that - the end of a month timeframe.

160 Brett: If we can get comments back to Suzette and let her reading pile and then try to get
161 above before the end of the month, would that be acceptable?

162 Woman: Okay.

163 UNLICENSED ACTIVITY

164 Man: We'll shoot for that. Um, on to the discussion of unlicensed activity. We don't
165 really have a leader on this. Would anybody want to . . .

166 Cort: I'll be the leader. Did we – didn't we, I think we just kind of left it so we can
167 keep an eye what's made progress, maybe happenings – Suzette might know.

168 Suzette: This is one we wanted to support on – last year?

169

170 Man: Oh, that too. Um, so I had sent out copies to all of the – in our last meeting, we
171 talked about the Title and Escrow Commission writing a letter to the Lt.
172 Governor’s office. Um, I helped – I took the assignment to help draw up that
173 letter and I sent it out, I think to all of the members of the Commission for
174 comment and we had sent that a week or two ago?

175 Man: Yeah.

176 Man: So it’s probably a good idea for us to add that as part of our – that letter, to get a
177 copy of that and have it be part of our official communication somewhere.

178 Man: I can probably find a copy.

179 Suzette: You say that it had been sent to the Lt. Governor?

180 Man: And uh, it was just basically a request per our meeting. It was a request from us
181 to see if the Lt. Governor would help clarify the notaries and the department’s
182 position, it was the department’s position that – it was from 2006, if I remember
183 right, that we had talked about. Just reminding them of some specific activities
184 that they were not allowed to participate in and – so let’s, that would be great to
185 get that as part of the record. But, it would be nice – I don’t know if we have any
186 update from that or anybody on anything that is happening as we move forward
187 with these.

188 Man: I believe the letter from 2006 was in line with the letter we receive from the
189 National Notary Association, basically outlining things that they can and can’t do.
190 You know their position on the same thing. It’s – they’re not licensed to perform
191 the function that they should be doing. It’s like, oh – there was a form that we
192 handed into Jared, so I’ll give that to Jilene, a copy already with what we our
193 saying so.

194 Man: Um, as I look and maybe just confirm, six of this last page worth of alleged
195 unlicensed activity, is that all the complaints that have come in about companies
196 bringing business outside of the state of Utah, about proper licensure, is that safe
197 to say those are – with everything we’ve talked about, we’ve generated six
198 complaints on that?

199 Tammy: Um, are you talking – that are still open? Looking at to open this or close this?

200 Cort: Open investigation summary report – the last page . . .

201 Tammy: They can do anything from letting their license lapse to not having it renewed for
202 two months to – I think activity is the company from outside the state of Utah.

203 Cort: Okay. So, licensed class would be under _____.

204 Tammy: But you will notice, we don't have a lot open right now.

205 Man: Yes. Looking at my notes – that for years, you've closed more than you've
206 opened, so thank you for working through the backlog.

207 Man: Okay. Member discussion? All right, under new business, the letter regarding the
208 law, 31A-23a-406 that closes the Cort as well?

209 START NEW BUSINESS

210 INTENT OF 31A-23a-406

211 Man: Yeah. This is the agenda item was – we've actually talked about it for a few
212 months, um – but, what we had talked about in our meeting in July, I think, we
213 actually gave some specific wording to try to make some changes as the law came
214 out. This is our good funds law, pardon me for not remembering the reference
215 right. Uh, we had come up with a couple of sentence changes to that – we would
216 hope to include in the Department's bill. Perri was going to review that and in the
217 interim, we thought about – to give the direction, we – title companies are all over
218 the map as is the real estate community in general on whether they accept
219 cashier's checks or whether they require wires over \$10,000 and so we had
220 thought about just perhaps a letter to clarify what the intent was because of the
221 ambiguities and the challenges that it creates for or has created, I think in the
222 industry. As I mentioned you know, I'll talk to you know, different title
223 companies who is accepted cashier's checks like they've always done. I'll talk to
224 another who is requiring wires over \$10,000. I'll talk to another who doesn't
225 know if they can even accept cashier's check over \$10,000. Um, so it has really
226 kind of created a little bit of confusion out there in terms of its applications, so.

227 Woman: Do you think a bulletin or a letter from the Commission would be helpful?

228 Man: What's appropriate? Um, we have – I think Tammy in our meeting saying she's
229 not jumping out there to enforce this yet until we can kind of get clarification or
230 get amendments or something, so what would be appropriate to help the industry
231 know what the intent was or – I don't know.

232 Woman: Can we _____?

233 [Laughter]

234 Woman: Maybe a _____ exchange? Um, we could do a bulletin, but I'm not sure it's
235 – you know it's you know to enforce the law, but what it does is tell you where we
236 think it is.

237 Man: I think that would be terrific, because right there – and maybe I'm wrong. I don't
238 know if any others want to comment on this confusion that seems to exist about
239 half the world knows about the new law and has a good, firm interpretation and
240 the other half of the world doesn't even know about the new law. So, there seems

241 to be a [inaudible]. Any other comments from members of the Commission on
242 that?

243 Man: Well, that _____ extends not only to our industry, but to you know – realtors,
244 buyers, sellers, lenders. So, yeah – that would be helpful.

245 Man: I would ask – well I would love to ask – well I’ll ask the Department then, if they
246 would consider a bulletin explaining the intent of the new law and, perhaps you
247 know, even some – well I guess you really can’t talk about potential legislative
248 change, but you can talk certainly about the intent was to protect consumers and
249 title companies against, you know, fraudulent checks and this is where we
250 intended it to go, so.

251 [Inaudible]

252 Male: We need a motion?

253 Woman: Yeah, you’re asking the department to do something.

254 Male: So I make that motion.

255 Male: I’ll second that. _____ in the court.

256 Male: All in favor?

257 Group: Aye.

258 Male: Any oppose?

259 [Silent]

260 Male: Mr. Chair may I ask a follow-up question? The bulletin that invested the
261 department to prepare with the would the commission like to review a draft of that
262 next month before it is finalized, signed and submitted to the commissioner.

263 Chair: That would be great.

264 Male: I don’t mean to prolong it another month but I want to make sure, we want to
265 make sure that it’s meets, that’s what you intended to do.

266 Chair: That would be great.

267 Male: Ok.

268 REGULATION OF TITLE INSURANCE

269 Chair: Discussion about regarding the regulation of Title Insurance it still be your turn
270 Cort.

271 Cort: So you guys are free to come up with agenda items. We got a the Utah Land Title
272 Association or Tom Hatch received some communication that's filtered it's way
273 around a couple of places. There was an email sent, I believe to Commissioner
274 Gooch that he forwarded on to Tom for Tom's review and it, I don't remember the
275 name of the gentleman, but he's a member of one of the Governor's boards trying
276 to look at deficiencies and I just remember distant email to _____. He brought
277 up a question that seems to be getting a little traction about whether or not it
278 makes sense for the Department of Insurance to regulate title insurance. His point
279 was real estate regulates the realtors the appraisers and the mortgage broker/loan
280 officers. So why doesn't it make sense to have title over there. The Utah Land
281 Title Association is going to be meeting today as well to talk about their
282 comments and their thoughts. I just would maybe want to give a little color to our
283 discussion today and say that this is not the first time this has been talked about.
284 I've gone to a meeting that was hosted by the UAR talking about this same exact
285 thing; let's move everything over under the Division of Real Estate. I guess so the
286 Commissioner may be helpful to the department and the Commissioner to get our
287 thought as a commission on the appropriateness of who should regulate it. Should
288 it be the DRE? One of the things that he talked about in his letter or in his email
289 was that real estate will conduct an investigation and they'll do all their things and
290 they've got the realtors, they've got the appraiser and they've got the mortgage
291 broker and they'll conduct the investigation and then all of a sudden they have to
292 hand off for title stuff. As I look at our cases and how many of them seem they'll
293 go back and forth, there's only a couple of categories maybe one for sure that
294 might go multi license kind of investigation and that will be fraud. We just don't
295 get a lot of fraud. Perhaps there are some other categories that spill over into
296 other license things but as I look at our list they are very specific. They are
297 marketing rule oriented and they are very specific on some of these things.
298 Maybe there could be some other marketing rule violations that might violate
299 some realtor or mortgage loan officer rules as well. I don't see a ton of overlap or
300 inefficiency with the exception of an occasional fraud case. That would be one
301 comment I have. The second comment would be the title insurance business it is
302 the business of insurance and if the folks could know the business of insurance,
303 wouldn't they be the best to regulate us? The folks that know insurance, at least
304 they understand and have other lines, some other experience with insurance. So
305 for those would two thought I would have to say, the Department of Insurance is
306 the appropriate place for us to be. The escrow function, is there, he also
307 addressed maybe splitting off the escrow and title functions and right now they
308 have all been lumped together and that's part our authority to do escrow comes
309 because of our _____ to the title insurance policy. I bring that out just to say,
310 should we give a response and is there other thoughts we want to consider in our
311 discussion?

312 Male: I think we need to get some kind of response. This came from the current person
313 of the Utah County Association of Realtors to the Governor's office. _____ to
314 that part. My concern is they're trying to lump everything in and to me, I think
315 we have an argument to make it's better to be separated because then you get, you
316 have multiple sets of eyes looking at it and not being lumped _____ the whole

317 _____ trends and real estate transactions only ____ for one. It appears to me they
318 are looking to try and get control over us so that they can make us follow with
319 what they want us to do for them to make their transaction go instead of actually
320 benefitting the consumer and having it separate so there are some checks and
321 balances.

322 Male: Mr. Chair I would just add the name of that task force is the Optimization and
323 Streamlining Task Force for the Governor. I would agree with _____, I just think
324 the business of insurance is the key part there where insurance department has
325 that expertise where the Division of Real Estate may not.

326 Male: So as far as a response, should we respond to the Governor's office as a rebuttal to
327 what he said or do one of you want to respond?

328 Male: Probably, to Commissioner Gooch I would imagine. He was the one looking for
329 the information from Tom. Tom Hatch by the way is in Africa for the next two
330 years for those who know Tom, he's the public relations manager for the church in
331 Africa, he and his wife. He was supposed to be this year past President of the
332 ULTA but then he left for Africa so he forwarded that on literally as he was on the
333 way to get on the airplane, "sorry I'm out of here, help us out".

334 Male: Mr. Chair may I? The other argument they make is that when they do an
335 investigation, the Division of Real Estate and when the insurance department
336 comes in, they start from scratch. Not that that's accurate or not but that's one of
337 the arguments they optimize the _____ saying no. Which doesn't make sense if
338 that that would be the case but that's the argument, one of the arguments in the letter
339 that is that why start again from scratch when we've done all this work up to that
340 point.

341 Male: Another one quoting from the same email, Department of Insurance does not
342 focus on does not focus on the escrow function which involves a mutual third
343 party to receive money. I think most of what we see are escrow.

344 Female: Well, the commissioner sent that same email to me I responded back to his email
345 and for the most part, that gentleman is largely misinformed.

346 Male: _____ What timeline do we have at this point to draft a letter?

347 Male: I believe the commissioner may have already had a telephone call with Mr. Hatch
348 on this issue and as Tammy indicated, we did discuss it internally. Some of the
349 feedback the commissioner received internally was, I don't know if you want to
350 expand Tammy a little on what you sent back about the investigations being we
351 have to start over.

352 Tammy: With regards to that particular statement, I said no. We don't start over. In
353 working with the investigators at the DRE, they have a very limited knowledge of
354 title insurance. They are quick to blame title insurance, like it's always the title
355 person's fault. In order to do a complete investigation, we need all parts of that.

356 It just so happens that three parts are over at the DRE and then are part is with us.
357 I can do my investigation without their work, they can't complete their work
358 without mine. Depending on the allegation, if the allegation is regarding the
359 entire closing, the title agency has and usually does an entire copy of the entire
360 file with exception to the appraisal that you all have. I typically don't need the
361 appraisal but if I do, then I can call the DRE and they can _____ to me. Largely
362 they'll need my expertise, part of my expertise, in trying to figure out things to
363 solve their cases.

364 Brett: I misspoke a moment ago. Mr. Hatch he's the ___ past President in Africa not the
365 person and the efficiency board. When I read that email, his argument seems to be
366 based on the system we have now is inefficient. I do not there are very good
367 points that he made I think any response to the commissioner should include that
368 consumer protection of that _____ between real estate and title. I think some
369 of the other information the commissioner received internally and what I shared
370 with him from my perspective is that real estate professionals often look at a real
371 estate from the point of view, all they see generally is the escrow function and I
372 don't know that they understand what the department does is more than just
373 escrow and title on the _____ and agency side but we also have obligations on the
374 title insurer side there are other solvency concerns, licensure concerns of the
375 insurers when an insured becomes insolvent when we saw case about two years
376 now in Nebraska. Those are types of larger issues the department also deals with.
377 It may be one idea to move escrow over. I'm dealing with another state which I
378 have a little more experience in Nevada a title agent licensed by the insurance
379 division can do escrow and title and then the real estate division in the state of
380 Nevada also has a license to the real estate division issues and enforces for just
381 escrow. There are some talking areas perhaps some middle grounds there but I
382 think as far as the efficiency argument goes, the department is not convinced it
383 would not be more efficient it would move the title functions to real estate
384 considering the more global area of responsibility that the department has outside
385 of just escrow. If the commission even just give us some bullet points or some
386 talking points to the commissioner then he can say in his discussions he's
387 reviewed input from the Governors title commission and this is the Governors
388 title commissions these are their thoughts. I was not privy and involved in the
389 telephone and or whatever the correspondence the commissioner had with this
390 gentleman that's brought this up. Certainly the commissioner permission to bring
391 back and report where we are next month with the commissioners

392 [Inaudible]

393 Male: Just some bullet points.

394 Chair: Alright, any other business?

395 Female: I have something. You wanted to review the language of 23(a)406 right?

396 Male: That's correct.