



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of)
)
STEWART TITLE GUARANTY COMPANY,)
)
Its Officers, Directors, Trustees, Agents, Employees))
and Affiliates,)
Respondents)
_____)

No. D 07-288

ORDER TO CEASE AND DESIST

Pursuant to RCW 48.02.080 the Insurance Commissioner (OIC) orders Respondents to immediately cease and desist from:

Directly or indirectly offering, promising, allowing, giving, setting off, or paying anything of value exceeding twenty-five dollars, calculated in the aggregate over a twelve-month period on a per person basis in the manner specified in RCW 48.30.140(4), to any person as an inducement, payment, or reward for placing or causing title insurance business to be given to the title insurer.

This Order specifically applies to and prohibits Respondents from providing inducements and rewards to real estate agents and brokers, lawyers, mortgagees, mortgage loan brokers, financial institutions, escrow agents, persons who lend money for the purchase of real estate or interests therein, building contractors, and real estate developers, who are in a position to influence the selection of a title insurer. This Order does not apply to payments by Respondents which are commensurate with the value received by Respondents for legitimate items and services.

THIS ORDER IS BASED ON THE FOLLOWING:

A review of Stewart Title of Snohomish County, Inc.'s checkbook, ledger, expense account documents and realtor continuing education class expenses from December 1, 2006 through and including March 30, 2007 evidenced the following violations of RCW 48.30.140:

Respondents charged real estate agents \$49.00 per transaction for "transaction coordinator" services, which generally cost \$150.00 to \$175.00 per transaction in the Pacific Northwest region.

DECEMBER 2006

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| Gift to Sutton Real Estate | \$90.78 |
| Refreshments for RE/MAX Champs Foreclosure Class | \$33.47 |
| To RE/MAX NW Agent For Party | \$150.00 |



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| Donation to Windermere/Lake Stevens, Inc.'s Auction | \$725.00 |
| Donation to RE/MAX Auction | \$1,550.00 |
| Donation to Preview Properties' Christmas Fund | \$75.00 |
| "Desk Fee" to Signature Properties NW, Inc. | \$1,000.00 for November |
| "Desk Fee" to Signature Properties NW, Inc. | \$1,000.00 for December |
| "Desk Fee" to Skyline Properties, Inc. | \$600.00 |
| "Desk Fee" to Preview Properties, Inc. | \$1,050.00 |
| Disproportionate Share of Co-Advertising in Snohomish Real Estate Guide | \$775.00 |
| Advertising for RE/MAX NW Agent | \$200.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for Executive Real Estate Agent | \$50.00 |
| Advertising for The Dillon Team Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$125.00 |
| Realty Generator Web for Keller Williams Agent | \$433.00 |
| Advertising for Keller Williams Agent | \$200.00 |
| Advertising for RE/MAX NW Agent | \$150.00 |
| Advertising for RE/MAX NW Agent | \$150.00 |
| Advertising for RE/MAX NW Agent | \$150.00 |
| Advertising for Century 21 Agent | \$150.00 |
| Advertising for John L. Scott Agent | \$150.00 |
| Advertising for Preview Properties, Inc. Agent | \$125.00 |
| Advertising for RE/MAX NW Agent | \$125.00 |
| Advertising for John L. Scott Agent | \$100.00 |
| Advertising for Windermere Agent | \$100.00 |
| Advertising for Century 21 Agent | \$100.00 |
| Advertising for Windermere Agent | \$175.00 |
| Advertising for Windermere Agents | \$150.00 |
| Disproportionate Share of Co-Advertising in Snohomish Real Estate Guide | \$775.00 |
| Website Support for Signature Properties Agent | \$60.00 |
| Disproportionate Share of Co-Advertising in The Real Estate Book | \$1,750.00 |

JANUARY 2007

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| Contribution to Real Estate Agent Golf Tournament | \$500.00 |
| "Desk Fee" to Signature Properties NW, Inc. | \$1,000.00 |
| "Desk Fee" to Preview Properties, Inc. | \$1,050.00 |
| "Desk Fee" to E2P | \$300.00 |
| Disproportionate Share of Co-Advertising in Snohomish Real Estate Guide | \$775.00 |
| Advertising for Keller Williams Realty Everett | \$300.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for RE/MAX NW & Master Builders Assn. | \$500.00 |
| Advertising for RE/MAX NW Agent | \$275.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for Keller Williams Agent | \$200.00 |
| Realty Generator Web for Keller Williams Agent | \$433.00 |

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| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for Century 21 Agent | \$150.00 |
| Advertising for John L. Scott Agent | \$100.00 |
| Advertising for Preview Properties Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for John L. Scott Agent | \$100.00 |
| Advertising for Windermere Agent | \$100.00 |
| Advertising for Windermere Agent | \$200.00 |
| Advertising for Windermere Agents | \$100.00 |
| Disproportionate Share of Co-Advertising in The Real Estate Book | \$1,100.00 |

FEBRUARY 2007

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| Gift to Washington Mutual Mortgage Lender | \$41.34 |
| Silver Sponsor Century 21 Awards Banquet | \$1,000.00 |
| "Desk Fee" to Sutton Real Estate | \$1,000.00 |
| "Desk Fee" to Skyline Properties, Inc. | \$1,200.00 |
| "Desk Fee" to Signature Properties, Inc. | \$1,000.00 |
| "Desk Fee" to Preview Properties, Inc. | \$1,050.00 |
| "Desk Fee" for Keller Williams Realty Everett | \$300.00 |
| "Desk Fee" for Century 21 All Stars | \$300.00 |
| "Desk Fee" for FlatListingFee.com Brokerage | \$550.00 for January & February |

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| Disproportionate Share of Co-Advertising in Snohomish Real Estate Guide | \$775.00 |
| Advertising for RE/MAX NW Agent | \$200.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$200.00 |
| Advertising for John L. Scott Agent | \$100.00 |
| Advertising for Keller Williams Agent | \$200.00 |
| Realty Generator Web for Keller Williams Agent | \$433.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for Century 21 Agent | \$150.00 |
| Advertising for John L. Scott Agent | \$100.00 |
| Advertising for Preview Properties Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for Windermere Agent | \$100.00 |
| Advertising for Windermere Agent | \$200.00 |
| Website support for Signature Properties Agent | \$60.00 |
| Advertising for Windermere Agents | \$100.00 |
| Disproportionate Share of Co-Advertising in The Real Estate Book | \$1,050.00 |

MARCH 2007

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| "Desk Fee" for FlatListingFee.com Brokerage | \$275.00 |
| "Desk Fee" to Sutton Real Estate | \$1,000.00 |

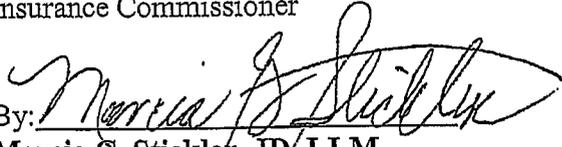
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| "Desk Fee" to Skyline Properties, Inc. | \$600.00 |
| "Desk Fee" to Signature Properties, Inc. | \$1,000.00 |
| "Desk Fee" to Preview Properties, Inc. | \$1,050.00 |
| "Desk Fee" for Keller Williams Realty | \$300.00 |
| "Desk Fee" for E2P | \$300.00 |
| "Desk Fee" for Century 21 All Stars | \$300.00 |
| Disproportionate Share of Co-Advertising in Snohomish Real Estate Guide | \$775.00 |
| Advertising for RE/MAX NW Agent | \$200.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for John L. Scott Agent | \$100.00 |
| Advertising for Keller Williams Agent | \$200.00 |
| Realty Generator Web for Keller Williams Agent | \$433.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for Century 21 Agent | \$150.00 |
| Advertising for John L. Scott Agent | \$100.00 |
| Advertising for Preview Properties Agent | \$100.00 |
| Advertising for RE/MAX NW Agent | \$100.00 |
| Advertising for Windermere Agent | \$100.00 |
| Advertising for Windermere Agent | \$200.00 |
| Advertising for Windermere Agents | \$100.00 |
| Website support for Signature Properties Agent | \$60.00 |
| Disproportionate Share of Co-Advertising in The Real Estate Book | \$950.00 |
| Respondent Hosted a Free Seminar for Real Estate Professionals Featuring Ted C. Jones, Ph.D., Stewart's National Chief Economist on "The Internet; Real Estate, Interest Rates, Bubbles and the Economy." | \$1,262.00 |

Any violation of the terms of this Order by Respondents will render the violator(s) subject to the full penalties authorized by RCW 48.02.080 and other applicable Code sections.

Respondents have the right to demand a hearing pursuant to chapters 48.04 and 34.05 RCW. This Order shall remain in effect subject to the further order of the Commissioner.

THIS ORDER IS EFFECTIVE IMMEDIATELY and is entered at Tumwater, Washington, this 6th day of August, 2007.

MIKE KREIDLER
Insurance Commissioner

By: 
Marcia G. Stickler, JD, LLM
Legal Affairs Division