

AUG 15 2008

DEPT OF INSURANCE
BY CB

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

No. 08A-104-INS

**BOSTON NATIONAL TITLE AGENCY,
LLC,**

**FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

Respondent.

On July 3, 2008, the Arizona Department of Insurance ("Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached and incorporated by this reference. The Notice required Respondent to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On August 6, 2008, counsel for the Department filed a Request for Default. As of this date Respondent has not responded to the Department's request. Pursuant to A.A.C. R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

CONCLUSIONS OF LAW

1. Boston National's conduct, as described above, constitutes violating any provision of Title 20, or any rule, subpoena, or order of the Director, within the meaning of A.R.S. § 20-295(A)(2) as applied to title agents under A.R.S. § 20-1561.

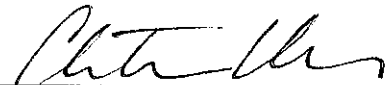
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- 2. Boston National's conduct, as described above, constitutes failure to obtain authorization in writing by a title insurer to act on its behalf, within the meaning of A.R.S. § 20-1562(9).
- 3. Boston National's conduct, as described above, constitutes violation of applicable insurance law, within the meaning of A.R.S. § 20-1581(C).
- 4. Boston National's conduct, as described above, constitutes failure to promptly reply in writing to the Director relative to the business of title insurance, within the meaning of A.R.S. § 20-1582.
- 5. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§ 20-295, 20-1581 and 20-1582.

ORDER

- 1. The Title Agent license held by Respondent is revoked, effective upon the issuance of this Order.
- 2. The hearing set for August 19, 2008, at 1:30 p.m. before Administrative Law Judge, Lewis Kowal shall be vacated.

DATED this 14th day of August, 2008.



CHRISTINA URIAS, Director
Arizona Department of Insurance

COPY of the foregoing mailed this 15th day of August, 2008 to:

Lewis Kowal, Administrative Law Judge
Office of Administrative Hearings
1400 West Washington, Suite 101
Phoenix, Arizona 85007

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Respondent


264151:PHX-AGN-2006-0310

ATTACHMENT NOTICE OF HEARING - REDACTED. The document contains personal information that may be inappropriate for public disclosure, including names, addresses, contract numbers, amount requested by claimant, final determinations of claim amounts and calculated distribution amounts.