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**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Escrow Agent Registration Act of Washington by:

NO. C-08-160-08-CO01

NORTH AMERICAN TITLE COMPANY, *INC.*  
Respondent.

CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and North American Title Company, *INC.* (hereinafter Respondent), by and through its attorney Robert W. Sargeant, and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 18.44 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

**AGREEMENT AND ORDER**

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-08-160-08-SC01 (Statement of Charges), entered June 3, 2008, (copy attached hereto). Pursuant to chapter 18.44 RCW, the Escrow Agent Registration Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the above captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve the Statement of Charges.

Based upon the foregoing:

**A. Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of the activities discussed herein.

CONSENT ORDER  
C-08-160-08-CO01  
NORTH AMERICAN TITLE COMPANY

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DEPARTMENT OF FINANCIAL INSTITUTIONS  
Division of Consumer Services  
150 Israel Rd SW  
PO Box 41200  
Olympia, WA 98504-1200  
(360) 902-8703

1           **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a hearing  
2 before an administrative law judge, and that Respondent has waived this right to a hearing and any and all  
3 administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.

4           **C. Agreement to Cease and Desist.** It is AGREED that Respondent has provided the Department with  
5 a Declaration and Agreement to Cease and Desist (copy attached hereto) in which Respondent has agreed to  
6 permanently cease and desist from providing escrow services in the State of Washington until such time as  
7 Respondent and its employees obtain the appropriate license(s) from the Department or Respondent and its  
8 employees meet an exclusion to the licensing requirements as delineated in the Act.

9           **D. Application for License.** It is AGREED that Respondent shall not apply to the Department for any  
10 license issued pursuant to the Act under any name for a period of three (3) years from the date of entry of this  
11 Consent Order. It is further AGREED that, should Respondent apply to the Department for any license issued  
12 pursuant to the Act at any time later than three (3) years from the date of the entry of this Consent Order,  
13 Respondent shall be required to meet any and all application requirements in effect at the time of such application.

14           **E. Fine.** It is AGREED that Respondent shall pay to the Department a fine of \$20,000, in the form of a  
15 cashier's check made payable to the "Washington State Treasurer," upon entry of this Consent Order.

16           **F. Investigation Fee.** It is AGREED that Respondent shall pay to the Department an investigation fee  
17 of \$2,500, in the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of this  
18 Consent Order.

19           **G. Records.** It is AGREED that Respondent shall maintain all records related to all escrow transactions  
20 involving property located in the State of Washington for a period of six (6) years following the completion of  
21 such escrow transactions. It is further AGREED that Respondent shall provide the Department with the location  
22 of such records and the name, address, and telephone number of the individual responsible for the maintenance of  
23 such records.

1           **H. Authority to Execute Order.** It is AGREED that the undersigned have represented and warranted  
2 that they have the full power and right to execute this Consent Order on behalf of the party represented.

3           **I. Non-Compliance with Order.** It is AGREED that Respondent understands that failure to abide  
4 by the terms and conditions of this Consent Order may result in further legal action by the Director. In the  
5 event of such legal action, Respondent may be responsible to reimburse the Director for the cost incurred in  
6 pursuing such action, including but not limited to, attorney fees.

7           **J. Voluntarily Entered.** It is AGREED that the undersigned Respondent has voluntarily entered into  
8 this Consent Order, which is effective when signed by the Director's designee.

9           **K. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read this Consent  
10 Order in its entirety and fully understand and agree to all of the same.

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1 **RESPONDENTS:**

2 **North American Title Company**

3 By:

*[Handwritten signature of Donald LaBarre]*

4 Individual Name Donald LaBarre  
5 Title(s) President, Northern California  
6 Senior Vice President Region

Date 8/28/08

7 Individual Name Douglas Murphy  
8 Title(s) President, Southern California  
9 Senior Vice President Region

Date 8/28/08

10 WILLIAMS KASTNER + GIBBS PLLC

11 *[Handwritten signature of Robert W. Sargeant]*  
12 Robert W. Sargeant, WSBA No. 12816  
13 Attorney for Respondent

Date 9/12/08

14 *[Handwritten signature]*  
15 Approved as to form

16 DO NOT WRITE BELOW THIS LINE

17 THIS ORDER ENTERED THIS 16<sup>th</sup> DAY OF September, 2008.

*[Handwritten signature of Deborah Bortner]*

18 DEBORAH BORTNER  
19 Director  
20 Division of Consumer Services  
21 Department of Financial Institutions

22 Presented by:

*[Handwritten signature of Mark T. Olson]*

23 MARK T. OLSON  
24 Financial Examiner

25 Approved by:

*[Handwritten signature of James R. Brusselback]*

JAMES R. BRUSSELBACK  
Enforcement Chief



CONSENT ORDER  
C-08-160-08-CO01  
NORTH AMERICAN TITLE COMPANY

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