

DEPARTMENT OF INSURANCE  
2100 STELLA COURT  
COLUMBUS, OHIO 43215-1067

IN RE: :  
SUITABILITY OF INDEPENDENCE TITLE :  
AGENCY, INC., aka ITA Title Agency : CONSENT ORDER  
EIN: [REDACTED] :  
TO BE LICENSED AS A BUSINESS ENTITY :  
INSURANCE AGENT :  
IN THE STATE OF OHIO :

Independence Title Agency, Inc., aka ITA Title Agency ("Independence") is licensed as a business entity insurance agent in the state of Ohio pursuant to former Section 3905.01 of the Ohio Revised Code. This section authorizes the Superintendent of Insurance to determine the suitability of insurance agents to be licensed in the state of Ohio.

It is alleged that Independence, through its president Timothy J. Taber, defalcated funds from its escrow account(s). The total amount of the defalcation has not yet been determined. Improperly withholding, misappropriating, or converting any money or property received in the course of doing insurance business is a violation of section 3905.14(B)(4) of the Revised Code.

Independence neither admits nor denies that it committed violations of Revised Code section 3905.14(B)(4).

To resolve this matter, the Superintendent and Independence hereby agree to the following:

1. Independence has been advised that, under Chapter 119 of the Ohio Revised Code, it has a right to a hearing before the Superintendent may impose any sanctions or penalties; that, at a hearing, it would be entitled to appear in person, to be represented by an attorney or other representative who is permitted to practice before the agency, to present its position, arguments or contentions in writing and to present evidence and examine witnesses appearing for or against it. Independence hereby waives all such rights.
2. Independence shall immediately cease and desist from engaging in the misconduct herein described.
3. Independence hereby agrees to the revocation of its insurance licenses, effective January 29, 2003.
4. During the period Independence's licenses are revoked, it shall not engage in any activities which require an insurance license in Ohio, including, but

not limited to, soliciting insurance, taking applications for insurance, delivering contracts of insurance or disseminating any information as to insurance coverage or rates.

5. The insurance companies with which Independence is licensed shall be advised of the revocation of its insurance licenses.
6. Independence waives any and all causes of action, claims or rights, known and unknown, which it may have against the Department of Insurance, and any employees, agents, consultants, contractors or officials of the Department, in their individual and official capacities, as a result of any acts or omissions on the part of such persons for firms.
7. Independence understands that this Consent Order shall have the full force and effect of an order of the Department of Insurance. Independence further understands that if it fails to comply with the terms of this Order, such failure shall constitute a violation of a lawful order of the Superintendent as provided in O.R.C. 3905.49(B)(2).
8. This Consent Order shall be entered in the Journal of the Ohio Department of Insurance.

DATED: January 27, 2003 Independence Title Agency, Inc., aka ITA Title Agency

BY: J. J. Jellw, Pres.

DATED: 1/28/03

Ann H. Womer Benjamin  
ANN H. WOMER BENJAMIN  
Superintendent of Insurance