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## **CEA NEWSFLASH**

**January 11, 2007**

### **DOI FORWARDS PROPOSED REGS FOR APPROVAL**

Very late on Friday, January 5, the Department of Insurance forwarded proposed regulations on title premiums and escrow fees to the Office of Administrative Law for approval. "OAL" is the state agency charged with reviewing proposed regulations to insure that they were adopted in conformity with the Administrative Procedures Act, are authorized by statute, and are clearly worded. OAL has the ability to approve the regulations or reject them; in some cases, regulations may be resubmitted to correct deficiencies.

We have previously reported that the proposed regulations mandate escrow fee reductions, on a geographic basis, based upon the ludicrous premise that the escrow industry is non-competitive.

The deadline for OAL to act on proposed regulations is 30 working days. Because the package was apparently delivered after 5:00 p.m. on Friday, it is unclear whether the 30-day window began on Friday, January 5, or Monday, January 8.

OAL bases its review solely on the administrative record submitted by the Department of Insurance. For this reason, there is no ability for CEA to submit additional arguments beyond that which we have already submitted. Thus we are not requesting any action from members at this time.

Should OAL approve the regulations, it is likely that one or more organizations will file suit to enjoin their implementation.

We will keep you advised of further developments, and as always, appreciate your support of CEA.

**Members of the  
American  
Escrow Association**