Commonwealth Land Title Insurance Company vs. Stephen W. Robertson, Insurance Commissioner of the State of Indiana, on behalf of the Indiana Department of Insurance

Year: 2013
Court: Indiana Court of Appeals
Case Number: 49A04-1302-PL-00084

Title insurance rates (and profits) continue to rise despite the fact that expenses have dropped considerably due to automation and the ease of internet-based records searches. UP weighed in on this case in support of title insurance policyholders and the Indiana Department of Insurance's efforts to curb excessive title insurance rates.UP's amicus brief was referenced in the decision by the Indiana Court of Appeal. The Court upheld the Indiana Department of Insurance's Administrative Order to Commonwealth Title for violations of Indiana's Rate Statute and Unsafe Business Practices Statute and federal Gross Premium Tax Statute. UP applauds the decision as a positive step toward bringing title insurance rates into line with the decreased risk and expenses associated with real property title transfers in the modern world.

UP's brief was written pro bono by Brian Kabateck, Evan Zucker and Josh Haffner of Kabateck Brown Kellner LLP and Stephen J. Peters of Harrison & Moberly, LLP

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