

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 1, 2022

SCC-CLERK'S OFFICE
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2022 APR -1 P 1:57

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2022-00027

SERVICELINK, LLC,
Defendant

SETTLEMENT ORDER

Based on an investigation conducted by the Bureau of Insurance ("Bureau"), it is alleged that Servicelink, LLC ("Defendant"), duly licensed by the State Corporation Commission ("Commission") to transact the business of insurance in the Commonwealth of Virginia ("Virginia"), in certain instances violated § 55.1-903 of the Code of Virginia ("Code") by failing to record a deed and not disbursing the settlement proceeds within two business days of settlement; § 55.1-1004 A of the Code by failing to exercise reasonable care regarding financial responsibility when the Defendant had insufficient funds to record a deed; and § 55.1-1008 A 1 of the Code by failing to handle funds in connection with an escrow, settlement, or closing in a fiduciary capacity as evidenced by the Bureau's investigation which revealed the Defendant disbursed and escheated funds to a party outside of the transaction; as well as 14 VAC 5-395-50 D of the Commission's Rules Governing Settlement Agents, 14 VAC 5-395-10 *et seq.* ("Rules"), by failing to comply with the annual escheatment requirement for unclaimed property as revealed during the Bureau's review of the Defendant's November 2020 Virginia escrow accounts that identified 88 outstanding disbursements from 2016 through 2019; and Rule 14 VAC 5-395-60 A by failing to maintain a separate fiduciary trust account for the purpose of handling funds received in connection with escrow, closing, or settlement services involving real

estate located only in Virginia when the Defendant commingled funds with funds from real estate transactions outside of Virginia and disbursed funds related to settlements involving Virginia properties to an account that was known to be used for settlements from various states.

The Commission is authorized by §§ 38.2-218, 38.2-219 and 55.1-1015 of the Code to impose certain monetary penalties, issue cease and desist orders, and revoke or suspend a defendant's license upon a finding by the Commission, after notice and opportunity to be heard, that a defendant has committed the aforesaid alleged violations.

The Defendant has been advised of the right to a hearing in this matter whereupon the Defendant, without admitting or denying any violation of Virginia law, has made an offer of settlement to the Commission wherein the Defendant has tendered to the Treasurer of Virginia the sum of Five Thousand Dollars (\$5,000) and has waived the right to a hearing.

The Bureau has recommended that the Commission accept the offer of settlement of the Defendant pursuant to the authority granted the Commission in § 12.1-15 of the Code.

NOW THE COMMISSION, having considered the record herein, the offer of settlement of the Defendant, and the recommendation of the Bureau, is of the opinion that the Defendant's offer should be accepted.

Accordingly, IT IS ORDERED THAT:

- (1) The offer of the Defendant in settlement of the matter set forth herein is hereby accepted.
- (2) This case is dismissed.

A COPY hereof shall be sent by the Clerk of the Commission by electronic mail to:
Servicelink, LLC, Attention: George Fitzsimmons, at George.Fitzsimmons@svclnk.com, 1400
Cherrington Parkway, Moon Township, Pennsylvania 15108-4356; and a copy shall be delivered
to the Commission's Office of General Counsel and the Bureau of Insurance in care of Deputy
Commissioner Michael Beavers.