

*** Notice ***

On August 28, 2007, Superintendent of Insurance, Morris J. Chavez, issued an order in which he stated:

"It is further ORDERED that the rates established and the premium splits approved in the March 2, 2006 Final Order of the 2005 Title Insurance proceeding at Docket No. 05-00240-IN shall be the Interim Rates commencing September 1, 2007 and continuing during the pendency of this stay..."

For that reason, we are not distributing new rate cards at this time. The existing rates effective July 1, 2006 will remain in effect during the period of time the stay remains in effect.

At the present time, we have no information as to how to implement the remainder of the requirements set forth in the order.

BEFORE THE NEW MEXICO SUPERINTENDENT OF INSURANCE

**IN THE MATTER OF THE
2006 ANNUAL TITLE
INSURANCE HEARING**

**Regarding Matters Related to the
Regulation of Title Insurance Other Than
the Promulgation of Premium Rates**

Docket No. 06-00277-IN

NEW MEXICO
PUBLIC REGULATION
COMMISSION
FILED
JUL 18 2006
1 03 PM

**IN RE: HAYDOCK MILLER'S
REQUEST FOR REVIEW OF TITLE
INSURANCE RATES EFFECTIVE
JULY 1, 2006 AND ALL TITLE
INSURANCE RULES**

Docket No. 06-00193-IN

ORDER

Morris J. Chavez, the Superintendent of Insurance, having duly considered the Motion of the New Mexico Land Title Association for Reconsideration (NMLTA) and Stay of the Superintendent's Findings of Fact, Conclusions of Law and Final Order and Request for Hearing, and being fully advised in the premises, hereby finds as follows:

NMLTA's Motion reiterates three arguments made and considered through their Exceptions to the Recommended Decision of the Hearing Officer. The first one concerns the premium split of 15.8% and 84.2% between the underwriters and the agents respectively. The second argument concerns the overall reduction of 6.36% in title insurance rates. The third argument concerns the deferral of the adoption of a proposed amendment to Form NM 35. These three arguments have already been considered by me in my Final Order of July 20, 2007.

The additional grounds that NMLTA raises as policy considerations to support its motion are mere argument and involve speculation unsupported by any evidence as to what might happen in the market place concerning the title insurance industry in general.

This unsupported speculation provides no basis upon which I can reasonably make any determination to reconsider my Final Order of July 20, 2007. Whatever the industry may do and its impact on the New Mexico consumer is always of concern, however the 2006 rates as they have been adopted in this matter result in an overall decrease of premium rates to the consumer.

Thus, NMLTA's motion for a stay of the order would operate to stay the grant of an immediate cost benefit to all New Mexico title insurance consumers. However, the interests of the public can be protected by the establishment of a trust account to receive the disputed funds at issue in this appeal pursuant to NMSA 1978 § 59A-17-13(E). Furthermore, the review of both the title insurance rates and the non-rate title insurance issues is done on an annual basis in accordance with NMSA 1978 § 59A-30-8. Thus, the impact can and, no doubt, will be reviewed annually in the light of new figures based upon actual experience.

Therefore, based upon the forgoing reasons, it is ORDERED that NMLTA's Motion for Reconsideration be and is hereby denied in all particulars.

It is further ORDERED that NMLTA's Motion for a Stay of the Final Order issued on July 20, 2007 is hereby granted pending the review of this proceeding to the Public Regulation Commission (PRC) through the final determination of the review by the PRC.

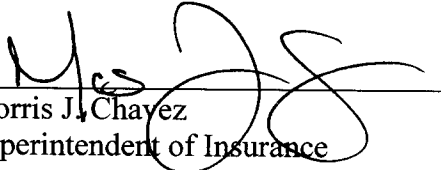
It is further ORDERED that the rates established and the premium splits approved in the March 2, 2006 Final Order of the 2005 Title Insurance proceeding at Docket No. 05-00240-IN shall be the Interim Rates commencing September 1, 2007 and continuing during the pendency of this stay and further that pursuant to the provisions of NMSA

1978 § 59A-17-13(E), 6.36% of the premiums paid pursuant to the interim rates established by this Order will protect the interests of the consumers and said funds shall be placed in an escrow account approved by me. All costs of the escrow account and the reimbursement of premiums to the consumers shall be shared in a *prorata* amount among the agents and underwriters in accordance with premium split amounts derived from the final determination of rates and premium splits. NMLTA shall provide a full accounting of any escrow disbursements as well as of the split adjustment between the agents and underwriters at the conclusion of any appeal to the PRC.

It is further ORDERED that the agents and insurers shall provide Notice to all consumers that the Superintendent of Insurance has ordered a reduction in rates and that the amount of the reduction will be placed in escrow pursuant to this Order and that they may be entitled to a rebate of premium depending upon the outcome of any appeal.

This Order can be appealed to the Public Regulation Commission in accordance with NMSA 1978 § 59A-30-9 and 59A-17-34.

DATED this 28 day of August, 2007


Morris J. Chavez
Superintendent of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order was mailed or delivered to the following individuals, as indicated, this 28th day of August, 2007.

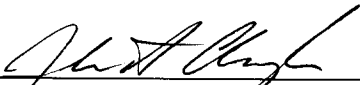
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NEW MEXICO



SCHEDULE OF BASIC PREMIUM RATES FOR TITLE INSURANCE

Effective July 1, 2006

Policy Amount Up to:	Orig Own	Orig Mtg	Subs Issue	Policy Amount Up to:	Orig Own	Orig Mtg	Subs Issue	Policy Amount Up to:	Orig Own	Orig Mtg	Subs Issue	Policy Amount Up to:	Orig Own	Orig Mtg	Subs Issue
1,000	176	158	106	51,000	473	425	284	101,000	755	680	453	151,000	979	881	587
2,000	176	158	106	52,000	478	431	287	102,000	760	684	456	152,000	983	885	590
3,000	176	158	106	53,000	484	436	290	103,000	764	688	459	153,000	988	889	593
4,000	176	158	106	54,000	490	441	294	104,000	769	692	461	154,000	992	893	595
5,000	176	158	106	55,000	495	446	297	105,000	773	696	464	155,000	997	897	598
6,000	176	158	106	56,000	501	451	301	106,000	778	700	467	156,000	1001	901	601
7,000	176	158	106	57,000	507	456	304	107,000	782	704	469	157,000	1006	905	603
8,000	176	158	106	58,000	512	461	307	108,000	787	708	472	158,000	1010	909	606
9,000	176	158	106	59,000	518	466	311	109,000	791	712	475	159,000	1015	913	609
10,000	176	158	106	60,000	524	471	314	110,000	796	716	477	160,000	1019	917	612
11,000	184	166	110	61,000	529	477	318	111,000	800	720	480	161,000	1024	921	614
12,000	193	174	116	62,000	535	482	321	112,000	805	724	483	162,000	1028	925	617
13,000	201	181	121	63,000	541	487	325	113,000	809	728	485	163,000	1033	929	620
14,000	210	189	126	64,000	547	492	328	114,000	814	732	488	164,000	1037	933	622
15,000	218	196	131	65,000	552	497	331	115,000	818	736	491	165,000	1042	937	625
16,000	227	204	136	66,000	558	502	335	116,000	823	740	494	166,000	1046	941	628
17,000	235	212	141	67,000	564	507	338	117,000	827	744	496	167,000	1050	945	630
18,000	244	220	146	68,000	569	512	342	118,000	831	748	499	168,000	1055	949	633
19,000	251	226	151	69,000	575	517	345	119,000	836	752	502	169,000	1059	953	636
20,000	259	233	155	70,000	581	523	348	120,000	840	756	504	170,000	1064	958	638
21,000	266	239	160	71,000	586	528	352	121,000	845	760	507	171,000	1068	962	641
22,000	274	247	164	72,000	592	533	355	122,000	849	764	510	172,000	1073	966	644
23,000	281	253	169	73,000	598	538	359	123,000	854	768	512	173,000	1077	970	646
24,000	289	260	173	74,000	603	543	362	124,000	858	772	515	174,000	1082	974	649
25,000	296	266	178	75,000	609	548	365	125,000	863	776	518	175,000	1086	978	652
26,000	304	274	182	76,000	615	553	369	126,000	867	780	520	176,000	1091	982	654
27,000	311	280	187	77,000	620	558	372	127,000	872	785	523	177,000	1095	986	657
28,000	319	287	191	78,000	626	563	376	128,000	876	789	526	178,000	1100	990	660
29,000	327	294	196	79,000	632	569	379	129,000	881	793	528	179,000	1104	994	662
30,000	334	301	200	80,000	637	574	382	130,000	885	797	531	180,000	1109	998	665
31,000	342	308	205	81,000	643	579	386	131,000	890	801	534	181,000	1113	1002	668
32,000	348	313	209	82,000	649	584	389	132,000	894	805	536	182,000	1118	1006	671
33,000	355	320	213	83,000	654	589	393	133,000	899	809	539	183,000	1122	1010	673
34,000	361	325	217	84,000	660	594	396	134,000	903	813	542	184,000	1126	1014	676
35,000	368	331	221	85,000	666	599	399	135,000	907	817	544	185,000	1131	1018	679
36,000	375	338	225	86,000	671	604	403	136,000	912	821	547	186,000	1135	1022	681
37,000	381	343	229	87,000	677	609	406	137,000	916	825	550	187,000	1140	1026	684
38,000	388	349	233	88,000	683	615	410	138,000	921	829	553	188,000	1144	1030	687
39,000	394	355	236	89,000	689	620	413	139,000	925	833	555	189,000	1149	1034	689
40,000	401	361	241	90,000	694	625	417	140,000	930	837	558	190,000	1153	1038	692
41,000	407	366	244	91,000	700	630	420	141,000	934	841	561	191,000	1158	1042	695
42,000	414	373	248	92,000	706	635	423	142,000	939	845	563	192,000	1162	1046	697
43,000	421	379	253	93,000	711	640	427	143,000	943	849	566	193,000	1167	1050	700
44,000	427	384	256	94,000	717	645	430	144,000	948	853	569	194,000	1171	1054	703
45,000	434	391	260	95,000	723	650	434	145,000	952	857	571	195,000	1176	1058	705
46,000	440	396	264	96,000	728	655	437	146,000	957	861	574	196,000	1180	1062	708
47,000	447	402	268	97,000	734	661	440	147,000	961	865	577	197,000	1185	1066	711
48,000	454	409	272	98,000	740	666	444	148,000	966	869	579	198,000	1189	1070	713
49,000	460	414	276	99,000	745	671	447	149,000	970	873	582	199,000	1194	1074	716
50,000	467	420	280	100,000	751	676	451	150,000	974	877	585	200,000	1198	1078	719

For amounts of insurance	Portion of rate (per thousand) subject to agent commission add	Agent retention percentage	Additional rate per \$1000 to be collected on policy amounts in excess of \$10 million (solely for underwriter)	Total charged to consumer
over \$50,000 to \$100,000	\$5.68	78-80%		\$5.68
over \$100,000 to \$500,000	\$4.47	78-80%		\$4.47
over \$500,000 to \$2,000,000	\$3.51	78-80%		\$3.51
over \$2,000,000 to \$5,000,000	\$2.82	75%		\$2.82
over \$5,000,000 to \$10,000,000	\$2.34	70%		\$2.34
over \$10,000,000 to \$25,000,000	\$2.01	65%	\$0.25	\$2.26
over \$25,000,000 to \$50,000,000	\$1.75	60%	\$0.25	\$2.00
over \$50,000,000	\$1.40	50%	\$0.25	\$1.65

Mortgage Policy - 90% Owner rate Subsequent Issue - 60% Owner Rate

Great care has been taken to make these tables correct though there is no warranty of complete accuracy

NM	Code	Transaction Type	NMAC	Rate	Premiums (2)
none	1	Charge for Additional Chain of Title	13.14.9.16	\$50.00	
none	2	Charge for Unplatted Tract of Unusual Complexity	13.14.9.16	15% of full basic rate	
none	3	Abstract Retirement Credit	13.14.9.24	25% credit but not more than \$100	
none	4	Loan Policy Insuring Construction Policy - Mechanic's Lien with	13.14.9.40G	\$25.00	
none	5	Loan Policy Insuring Construction Policy - Mechanic's Lien w/out	13.14.9.40G	\$5.00 per \$1,000.00	
none	6	Owner's Policy - Mechanic's Lien Coverage - Filing Period Expired	13.14.10.9A	\$25.00	
none	7	Owner's Policy - Mechanic's Lien Coverage - Filing Period Not	13.14.10.9B	\$3.00 per \$1,000.00	
none	8	Survey Coverage Endorsement	13.14.10.10	15% of full basic rate	
none	9	Duplicate Original Policy	13.14.9.33	\$25/65	
none	10	Navigable Streams, Lakes, etc. - Standard Exception 6	13.14.10.29	\$25.00	
none	11	Permissible Modification - Standard Exception No. 7	13.14.10.35	\$25.00	
none	12	Waiver of Arbitration	none	NC	
none	13	Cancellation Fee	13.14.9.19B	Reasonable and appropriate	
none	14	Permissible Deletion - Standard Exception No. 8	13.14.10.46	\$25.00	
1	101	Owner's Policy	13.14.9.20	full basic rate	
1	102	Owner's Policy - With Bulk Rate	13.14.9.23	75% of full basic rate not less than 90% on min. basic rate	
1	103	Multiple Owner's on Same Land - Simultaneous Issue	13.14.9.32	second policy shall be 30% of basic rate	
1	104	Replacement Owner's Policy	13.14.9.26	35% of full basic rate	
1	110	Owner's Policy - Reissue (10% Discount)	13.14.9.35	10% credit	
1	115	Owner's Policy - Reissue (15% Discount)	13.14.9.35	15% credit	
1	120	Owner's Policy - Reissue (20% Discount)	13.14.9.35	20% credit	
1	125	Owner's Policy - Reissue (25% Discount)	13.14.9.35	25% credit	
2	201	Loan Policy - Single Issue	13.14.9.22	90% of full basic rate	
2	202	Loan Policy - Simultaneous Issue -	13.14.9.30	\$30 or higher if MTP exceeds OTP	
2	203	Loan Policy - Second Mortgage or Subsequent Issue	13.14.9.36	60% of full basic rate above the amount 90% of basic rate	
2	204	Replacement Loan Policy	13.14.9.26	35% of full basic rate	
2	205	NMFA "HELP" Program Simultaneous Issue Rate	13.14.9.34	\$30.00 per \$1000.00	
2	240	Loan Policy - Substitution Rate (less than 2 years - 40%)	13.14.9.39	40% of full basic rate for the amount of unpaid balance	
2	245	Loan Policy - Substitution Rate (more than 2 years, less than 3 -	13.14.9.39	45% of full basic rate for the amount of unpaid balance	
2	250	Loan Policy - Substitution Rate (more than 3 years, less than 4 -	13.14.9.39	50% of the premium for the amount of the unpaid balance	
2	255	Loan Policy - Substitution Rate (more than 4 years, less than 5 -	13.14.9.39	55% of the premium for the amount of the unpaid balance	
2	260	Loan Policy - Substitution Rate (more than 5 years, less than 6 -	13.14.9.39	60% of the premium for the amount of the unpaid balance	
2	265	Loan Policy - Substitution Rate (more than 6 years, less than 7 -	13.14.9.39	65% of the premium for the amount of the unpaid balance	
2	270	Loan Policy - Substitution Rate (more than 7 years, less than 8 -	13.14.9.39	70% of the premium for the amount of the unpaid balance	
2	275	Loan Policy - Substitution Rate (more than 8 years, less than 9 -	13.14.9.39	75% of the premium for the amount of the unpaid balance	
2	280	Loan Policy - Substitution Rate (more than 9 years, less than 10 -	13.14.9.39	80% of the premium for the amount of the unpaid balance	
3	300	Construction Loan Policy	13.14.9.40A	\$30.00 plus \$1.00 per \$1,000.00	
6	600	Commitment for Title Insurance	13.14.9.19A	\$50.00 initial 6 months/ \$50.00 each additional 6 months	
7	700	U.S. Policy, ALTA 1963	13.14.9.25	full basic rate	
9	900	Notice of Availability of Owner's Title Insurance	none	NC	
10	1000	Facultative Reinsurance Agreement	none	NC	
11	1101	Construction Loan Extension Endorsement	13.14.9.40B	\$25.00	
11	1102	Pending Disbursement Clause - Subsequent Attachment	13.14.9.40F	-0- if issued at time of policy, \$32.00 if subsequent issue	
11	1103	Pending Disbursement Clause - Simultaneous Insertion or Attach	13.14.9.40F	NC	
11	1104	Correction Endorsement	13.14.10.17	\$25.00 / difference in premium collected	
11	1105	Renewal, Extension, Modification & Partial Release Endorsement.	13.14.10.20	\$25.00 if within 6 months, \$65.00 if beyond 6 months	
11	1106	Extension of Commitment for Title Insurance	13.14.9.19A	\$50.00	
11	1108	Increase in Coverage	13.14.6.8D	current - previous	
12	1200	Condominium Endorsement to Loan Policy	13.14.10.14	\$25.00	
13	1300	Planned Unit Development Endorsement	13.14.10.15	\$25.00	
14	1400	Variable Rate Mortgage Endorsement	13.14.10.12	\$25.00 if issued at time of policy, \$50.00 if subsequent issue	
15	1500	Variable Rate Mortgage Endorsement (Negative Amortization)	13.14.10.12	\$25.00 if issued at time of policy, \$50.00 if subsequent issue	
16	1600	Manufactured Housing Unit Endorsement	13.14.10.13	\$50.00	
17	1700	Revolving Credit Endorsement	13.14.10.12	\$25.00 if issued at time of policy, \$50.00 if subsequent issue	
18	1800	Construction Loan Policy Endorsement A	13.14.9.40D	\$5.00 per \$1,000.00 at time of issue, \$32.00 for each draw	
19	1900	Construction Loan Policy Endorsement D	13.14.9.40E	\$25.00	
20	2001	Leasehold Owner's Endorsement (to create policy)	13.14.10.19	NC	
20	2002	Leasehold Policy - Simultaneous Issue -	13.14.9.31		
20	2003	Leasehold Policy - Subsequent Issue -	13.14.9.31	30% of Owner policy	
20	2010	Leasehold Policy - Reissue (10% Discount)	13.14.9.35	90% of Owner policy	
20	2015	Leasehold Policy - Reissue (15% Discount)	13.14.9.35	85% of Owner policy	
20	2020	Leasehold Policy - Reissue (20% Discount)	13.14.9.35	80% of Owner policy	
20	2025	Leasehold Policy - Reissue (25% Discount)	13.14.9.35	75% of Owner policy	
21	2100	Leasehold Loan Endorsement (to create policy)	13.14.10.19	NC	
22	2200	Pending Disbursement Down Date Endorsement	13.14.10.18	-0- if issued at time of policy, \$32.00 if subsequent issue	
23	2300	Pending Improvements Endorsement	13.14.10.23	\$25.00	
24	2401	Assignment of Mortgage Endorsement - Within 6 Months	13.14.10.8	\$25.00	
24	2402	Assignment of Mortgage Endorsement - Beyond 6 Months	13.14.10.8	\$65.00	
25	2500	Additional Advance Endorsement	13.14.10.11	\$25.00 plus difference / minimum \$50.00	
26	2600	Partial Coverage Endorsement	none	NC	
27	2700	U. S. Policy, ALTA 1963 Down Date Endorsement	13.14.10.16	\$25.00	
28	2800	Non-Imputation Endorsement	13.14.10.21	\$1.00 per \$1,000.00	
29	2900	Environmental Protection Lien Endorsement	13.14.10.22	\$25.00	
30	3000	Condominium Endorsement to Owner's Policy	13.14.10.24	\$25.00	
31	3100	Owner's Leasehold Conversion Endorsement	13.14.10.19	NC	
32	3200	Coordinate and Proportionate Endorsement	none	NC	
33	3300	Change of Name Endorsement	none	NC	
34	3400	U.S. Policy, ALTA 1991	13.14.9.25	full basic rate	
36	3600	Limited Title Search Policy (LTSP)	13.14.9.27	0 to \$20,000 - \$100; \$20,001 to \$40,000 - \$150	
37	3700	Continuation Endorsement for LTSP	13.14.10.25	\$25.00	
38	3800	Revolving Credit, Variable Rate Endorsement For LTSP	13.14.10.26	\$25.00 if issued at time of policy, \$50.00 if subsequent issue	
39	3900	Lenders' Creditors' Rights Endorsement	13.14.10.28	-0- if issued at time of policy, \$25.00 if subsequent issue	
40	4000	Owner's Creditors' Rights Endorsement	13.14.10.27	-0- if issued at time of policy, \$25.00 if subsequent issue	
41	4101	Foreclosure Guarantee Policy (55% rate)	13.14.9.28	55% of full basic rate	
41	4102	Foreclosure Guarantee Policy (50% rate)	13.14.9.28	50% of full basic rate	
42	4200	Foreclosure Guarantee Policy Down Date Endorsement	13.14.10.18	\$25.00	
43	4300	Insuring Around Endorsement	none	NC	
44	4400	Revolving Credit, Increased Credit Limit Endorsement	13.14.10.30	\$25.00 plus difference / minimum \$50.00	
45	4500	Residential Limited Coverage Junior Loan Policy	13.14.9.29	40% of full basic rate but not less than \$65.00	
46	4600	Down Date End. to Residential Limited Coverage Junior Loan Policy	13.14.10.32	\$25.00	
47	4700	Revolving Credit, Variable Rate Endorsement to Residential Limited	13.14.10.33	\$25.00	
48	4800	Truth-in-Lending Endorsement	13.14.10.31	9% of full basic rate	
50	5000	Restrictions, Encroachments and Minerals Endorsement	13.14.10.34	10% of full basic rate/ but not less than \$250.00	
51	5100	Land Abuts Street Endorsement	13.14.10.36	\$25.00	
52	5200	Designation of Improvements, Address Endorsement	13.14.10.37	\$25.00	
53	5300	Same as Survey Endorsement	13.14.10.38	\$25.00	
54	5400	Contiguity of Parcels Endorsement	13.14.10.39	\$100.00	
55	5500	Named Insured Endorsement	13.14.10.40	-0- if issued at time of policy, \$25.00 if subsequent issue	
56	5600	Restrictions, Encroachments, & Minerals Endorsement-Unimproved	13.14.10.34	with written authorization	
57	5700	Restrictions, Encroachments, & Minerals Endorsement-Improved	13.14.10.34	with written authorization	
58	5800	First Loss Endorsement	13.14.10.41	\$25.00	
59	5900	Last Dollar Endorsement	13.14.10.42	\$25.00	
60	6000	Loan Policy Acquisition Endorsement	13.14.10.43	\$25.00	
61	6100	Foundation Endorsement	13.14.10.44	\$25.00 - one to four family / \$50.00 - commercial	
62	6200	Assignment of Rents/Leases Endorsement	13.14.10.45	\$100.00	
63	6300	Short Form Residential Loan Policy	13.14.9.22	full basic rate	
64	6400	Zoning Endorsement, Unimproved Land	13.14.18.77	15% of full basic rate	
65	6500	Zoning Endorsement, Completed Structure	13.14.18.78	23% of full basic rate	