

## **DEPARTMENT OF INSURANCE'S AUTOMATED APPLICATION PROCESS FOR TITLE MARKETING REPRESENTATIVE APPLICANTS UNDER SB 133**

SB 133 requires all "title marketing representatives" to become registered with the Department of Insurance in order to market title insurance in California. This document is intended to help title companies and "title marketing representatives" to more easily register.

### **Automatic registration process will soon be available:**

The California Department of Insurance (Department) will be accepting electronically submitted applications from title marketing representatives through the automated system on its Website. ***No written applications will be accepted.***

***The Department expects the automated system to be up and running in the first week of December. The CLTA and/or the Department will provide you with the online application link as soon as it is available.***

### **Each title marketing representative applicant is responsible for registering:**

Each employee operating as a "title marketing representative" in a title company is responsible for registering with the Department by January 1, 2009. However, we suggest you talk with your company's Compliance Officer to see if your employer is helping to coordinate the registration process for all applicants.

### **If an application is found to be defective or incomplete, the title marketing representative applicant must contact the Department:**

If an individual title marketing representative's online application is found to be defective or incomplete, he or she is required to respond back to the Department within 15 days. The contact information for the Department personnel in charge of this program is listed below.

### **Each title marketing representative applicant must have 12404 training:**

In addition to registering with the Department, each title marketing representative applicant must get the requisite 12404 training about allowable marketing practices under the new law. ***We strongly suggest you contact your title company Compliance Officer to get this training.***

In addition to the online application process, an officer within the title company must provide a statement certifying that this training has taken place for each individual title marketing representative applicant.

***This certification of training process will be handled through an automated process provided by Department staff, and will be separate from the application process itself.*** It is our understanding that the officer will be able to forward these certification statements in bulk through this process.

Again, the contact information for the Department personnel in charge of this program is listed below if you have questions.

**Application Cost:**

The application cost will be \$200 per application and title marketing representatives will be able to pay for the application with a credit card.

**Fingerprinting and a Department of Justice (DOJ) Background Check will be Required:**

In addition to filling out the automated form online through the Department website, the Department will be requiring each title marketing representative applicant to submit fingerprints for a Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) background check.

As part of this process, each title marketing representative will be required to fill out a "Live Scan Service Request," Department Form LIC 442-39A, and present it to the live scan fingerprint technician at the time their fingerprint impressions are made. The "Live Scan Service Request," Form LIC 442-39A, can be printed by going to the link provided below under the heading entitled: "Live Scan Service Request Form."

The information below provides the steps an applicant would need to complete in order to have their fingerprint impressions processed.

## **HOW TO SUBMIT YOUR FINGERPRINTS**

### **Schedule an appointment:**

Applicants – or their employers – are to schedule a live scan fingerprint appointment. The Department of Justice (DOJ) maintains a listing, by county, of authorized Live Scan Fingerprinting vendors that are available to California resident license applicants on its Website at:

<http://ag.ca.gov/fingerprints/publications/contact.php>

***Please note, that while you are free to use any vendor listed on the DOJ site, the Department of Insurance Live Scan contracted vendor, Integrated Biometric Technology (IBT), may be the easiest option for most title marketing representative applicants and their employers.***

### **How to use IBT for fingerprinting:**

The Department's contracted vendor, Integrated Biometric Technology (IBT), has live scan fingerprint technicians available throughout California. IBT's Live Scan Services can be located using the following Web page:

<http://www.ibtfingerprint.com/locations/?st=ca>

The total live scan processing fee for the fingerprint impressions taken by IBT is \$60.95, which includes the revised FBI processing fee of \$19, the DOJ processing fee of \$32, and the Department contractor's rolling fee of \$9.95. The applicant may pay by check, VISA, or MasterCard. ***Cash will not be accepted.***

Individuals may schedule their own appointments, but we suggest you contact your company compliance officer to see if he or she is setting up group appointments to get all title marketing representatives fingerprinted at once.

### **Typical Live Scan Fees Charged by Vendors other than IBT:**

Title marketing representatives are not required to use IBT, and may choose other vendors from the DOJ website listed above. Typical fees charged by other Live Scan vendors include the Federal Bureau of Investigation (FBI) processing fee of \$19, DOJ processing fee of \$32, and an additional "rolling fee" charged by the DOJ authorized vendor.

The additional "rolling fee" will vary depending on the vendor and is noted on the DOJ's listing of authorized Live Scan Fingerprint vendors.

Applicants are encouraged to contact the Live Scan provider in advance in order to verify their current operating hours, location, fees, and their acceptable method of payment (i.e. credit card, cash, ATM). Vendors other than IBT can be found in the link provided above under “Schedule an Appointment.”

**Live Scan Service Request Form and Getting Your Fingerprints Taken:**

To ensure that the fingerprint impressions are properly recorded, the applicant must do the following:

- (1) Complete the Request for Live Scan Service form, LIC 446-39A. This form may be printed from this link:  
  
[Live Scan Service form, LIC 446-39A](#)
- (2) Schedule an appointment with the Live Scan Service Provider or check with the applicant’s employer to see if they are scheduling those appointments.
- (3) Take the completed Request for Live Scan Service form to the live scan vendor.
- (4) Complete the fingerprint impressions.
- (5) Retain a copy of the Request for Live Scan Service form, LIC 442-39A for the applicant’s records. The applicant’s employer may also wish to have a copy of this form as well.
- (6) The live scan service vendor will provide the applicant with an “Automated Transaction Identifier (ATI) number” that is assigned to that applicant's fingerprint impressions. The applicant’s employer may also wish to get a copy of this number for their records.
- (7) If for some reason the applicant's fingerprint impressions are rejected, the ATI number will allow the applicant to have the fingerprint impressions redone at no charge.

**Each title company employer should submit a list of title marketing representative applicants in advance:**

The Department encourages applicants to submit their fingerprints early. ***The Department is also asking each employer to provide a list of the names of the individuals that have had their fingerprints processed.***

The Department is requesting this early submission of names so that they can research each individual's results before receiving certificate of registration applications. This early submission is intended to help expedite the process, and place the Department in a position from which it can better resolve any unforeseen problems (such as fingerprint rejections or delays) before January 1, 2009.

**DEPARTMENT Producer Licensing Staff Contact:**

Any title market representative applicant who has any licensing questions\* please contact:

Producer Licensing Bureau  
California Department of Insurance  
(800) 967-9331 or (916) 322-3555

\* The Producer Licensing Bureau (PLB) can only assist title marketing representative applicants with application and licensing concerns.

The PLB cannot respond to telephone inquiries concerning marketing activities regulated under this new law. ***For guidance as to what is, and is not, permissible under the new law, consult with your internal Compliance Officer and/or counsel.***