



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

BULLETIN 2015-05

TO: ALL LICENSED TITLE INSURANCE PRODUCERS

FROM: JAMES J. DONELON, COMMISSIONER OF INSURANCE

**RE: RESCISSION OF BULLETIN No. 2011-02 AND RESCISSION OF
ADVISORY LETTER No. 2012-01**

DATE: JUNE 3, 2015

All title insurance producers licensed in the state of Louisiana are hereby given notice that Bulletin No. 2011-02, issued on November 30, 2011, and Advisory Letter No. 2012-01, issued on April 30, 2012, are rescinded.

The aforementioned and rescinded guidance related to prohibited practices in the area of real estate settlement services. The Real Estate Settlement Procedures Act of 1974 (RESPA), Public Law 93-533, codified at 12 U.S.C. 2601 *et seq.*, and implementing federal regulations in Title 12 of the Code of Federal Regulations, as well as applicable jurisprudence, specifically govern prohibited practices regarding real estate settlement services.¹ The Louisiana Title Insurance Act, La. R.S. 22:511 *et seq.* does not have specific provisions regarding commissions, fees, marketing or rebates in the area of real estate settlements. Title insurance producers should govern their practices in accordance with applicable federal and state law in addition to provisions of the Louisiana Insurance Code for which title insurance producers are not exempt, including but not limited to the Unfair Trade Practices Act, La. R.S. 22:1961-1973.

Baton Rouge, Louisiana, this 3rd day of June 2015.



JAMES J. DONELON
COMMISSIONER OF INSURANCE

¹ See 12 USC 2607 and 12 C.F.R. 1024.14 for specific federal prohibitions relating to prohibited kickbacks and unearned fees.