

RE 22010891/JEK

STATE OF MINNESOTA
COMMISSIONER OF COMMERCE

In the Matter of the Real Estate
Closer License of Brenda J. Colston
License No. 20297269

CONSENT ORDER

TO: Brenda J. Colston
9080 Tewsbury Gate North
Maple Grove, Minnesota 55311

Commissioner of Commerce Glenn Wilson (hereinafter "Commissioner") has determined as follows:

1. The Commissioner has advised Brenda J. Colston (hereinafter "Respondent") that he is prepared to commence formal action pursuant to Minn. Stat. § 82.27 (2004) against Respondent's real estate closer license based on allegations that Respondent as owner and President of KL Title, Inc. has been shown to be incompetent, untrustworthy, or financially irresponsible as evidenced in an audit performed on behalf of Commonwealth Land Title Insurance Company (hereinafter "Commonwealth") by Land America Financial Group, Inc. during the week of August 16, 2004. The audit evidenced that KL Title, Inc. had an escrow account shortage of \$39,306. Additionally, KL Title, Inc. has an outstanding accounts payable liability of \$90,000 for title evidence prepared by Commonwealth. The audit further evidenced that KL Title, Inc. failed to reconcile its escrow account for nearly two years. KL Title, Inc. recently made two \$5000 payments to Commonwealth to draw down on their title evidence obligation. Both checks were returned "NSF". Commonwealth terminated its agency/underwriter agreement with KL Title, Inc. effective August 31, 2004, in violation of Minn. Stat. §§ 45.027, Subd. 7(4) and 82.27 Subd. 1(f), (2004)

Services effective August 31, 2004, in violation of Minn Stat. § 45.027, Subd. 7(4), and 82.27 Subd. 1(f), (2004).

2. Respondent acknowledges that she has been advised of her rights to a hearing in this matter, to present argument to the Commissioner and to appeal from any adverse determination at a hearing, and Respondent hereby expressly waives those rights.

Respondent further acknowledges that she has been represented by legal counsel throughout these proceedings, or has been advised of her right to be represented by legal counsel, which right she hereby waives.

3. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2004) and Minn. R. 1400.5900 (2003).

4. The following Order is in the public interest.


NOW, THEREFORE, IT IS HEREBY ORDERED, that the real estate closer license of Brenda J. Colston, license no. 20297269 is revoked.

This Order shall be effective upon signature by or on behalf of the Commissioner.

Dated: 01-24-05.

Glenn Wilson

By:

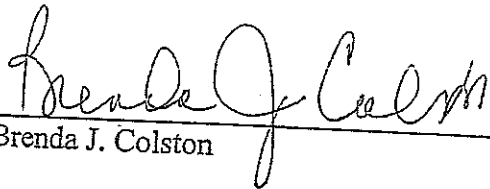


Gary LaVasseur
Director of Market Assurance

85 Seventh Place East, Suite 500
Saint Paul, Minnesota
Telephone: (651)296-2594

CONSENT TO ENTRY OF ORDER

The undersigned, Brenda J. Colston, states that she has read the foregoing Consent Order; that she knows and fully understands its contents and effect; that she has been advised of her right to a hearing in this matter; that she has been represented by legal counsel in this matter, or has been advised of her right to be represented by legal counsel; and that she consents to entry of this Order by the Commissioner. It is further understood that this Consent Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either express or implied.

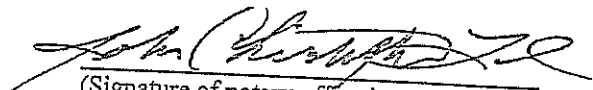

Brenda J. Colston

STATE OF MINNESOTA
COUNTY OF RAMSEY

Signed or attested before me on DECEMBER, 7, 2004 (date)
by BRENDA J. COLSTON (name(s) of person(s)).

(stamp)




(Signature of notary officer)

Title (and Rank)
My Commission expires: 1-31-05