

**From:** [Doucette, Lindsay](#)  
**To:** [OIC Rules Coordinator](#)  
**Subject:** Out-of-state title records storage (R 2021-20) - Comments to Stakeholder Draft  
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Ms. Walker:

On behalf of Fidelity National Title Group, including Fidelity National Title Insurance Company, Chicago Title Insurance Company, Commonwealth Land Title Insurance Company, and our Washington title agencies, Ticor Title Company, Chicago Title Company of Washington, and Fidelity National Title Company of Washington (the "Companies"), I offer comments to the stakeholder draft on Out-of-state title records storage (R 2021-20).

The Companies encourage the Office of Insurance Commissioner to consider access capability in Washington, instead of physical storage, as the key criterion for storage of Washington insurance records. In today's digital world, title insurers and title companies utilize electronic storage, including secure cloud storage, to securely retain business records. One benefit to secure cloud storage is that authorized users have access to the records, regardless of the record's or authorized user's physical location. An additional benefit is that use of secure cloud storage for business records would allow for the protection of these records in the event of a disaster, as the records can be quickly moved to a secondary data center site and still be available via a secure virtual environment. These benefits better protect the records and the insurance companies and consumers who may need quick access to them over keeping paper records in a single storage location.

Applying the proposed rule to electronic records would create an inappropriate administrative burden on the OIC of approving insurance companies' disaster recovery and technology plans that include potential spillover data centers in places outside of Washington. If the insurance company can provide secure storage of records with access in the State of Washington, this should satisfy the Rule. Otherwise, insurance companies are deterred from seeking out secure electronic storage over a less secure physical option, to the detriment of the insurance consumers they serve.

Thank you, and please let me know if you have any questions.

Lindsay

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