

December 2009

Official Publication of the
American Land Title Association

Title News

The Juice Behind the Squeeze

Evolution of Standardized
Title Policies Lubricate the
Real Estate Transfer Process

Inside This Issue:

Refi Volume Drops in September

2009 Annual Convention Helps
Prepare Industry for Pivotal 2010

Colorado's Land Title Launches
Statewide Food Drive

One of these days
I'll learn how to swim.



Some things are not what they seem.

Like companies that claim to be financially stable but are actually treading water. For your own safety, always look below the surface before you dive into a relationship with a title insurance company.

Old Republic Title has the financial strength, breadth of experience and long-term stability your customers are counting on — and deserve.

Not to mention we are the highest rated title insurance provider in the industry. Make sure you're getting comprehensive title insurance from a reliable, experienced provider.

Don't get caught in the undertow.

Old Republic Title. We've earned our reputation.

Strength and Stability for Over a Century



OLD REPUBLIC TITLE INSURANCE GROUP

612.371.3882 • oldrepublictitle.com

> contents

Title News • Volume 88, Number 7



10

COVER STORY

The Juice Behind the Squeeze

by Jeremy Yohe

Standardized title policies lubricate the entire real estate transfer process, allowing all parties involved to experience the fastest, most reliable and least expensive conveyancing system in the world.

Features

8

STATE PRESIDENT PROFILE

New England Land Title Association

In this profile, get to know Joel Mandell, president of the New England Land Title Association, and why he finds complex commercial deals the most exciting part of his job, as well as some regulatory issues impacting the New England states.

16

INDUSTRY STATISTICS

Refi Volume Drops in September

Fannie Mae and Freddie Mac refinanced more than 3.5 million mortgage loans in 2009 through September of this year, according to the Federal Housing Finance Agency (FHFA).

19

2009 ANNUAL CONVENTION

2009 Annual Convention Helps Prepare Industry for Pivotal 2010

General Sessions were filled with motivational and inspirational speakers aimed to help attendees feel secure and prepared with innovative ideas to help their businesses succeed.

22

TITLE INDUSTRY GIVES BACK

Colorado's Land Title Launches Statewide Food Drive

Eleven, three-member teams from Land Title Guaranty Co. in Colorado helped donate more than 1,500 pounds of food for the Food Bank of Colorado as the title company launched a two-month food drive.

Departments

4

Calendar of Events

5

From the Publishers Desk

6

ALTA News

24

Industry News

26

People on the Move

27

TIPAC Contributors

30

The Last Word

calendar

ALTA EVENTS

February 28 -
March 3

2010 Federal
Conference
& Lobby Day
Washington, DC

May 2-4

Business Strategies
Conference
St. Louis, MO

October 13-16

2010 Annual
Convention
San Diego, CA

STATE CONVENTIONS

December 2 - 4

Louisiana

TitleNews

PUBLISHER
Kurt Pfothenauer

EDITOR IN CHIEF
Jeremy Yohe

DESIGN/ELECTRONIC
PRODUCTION MANAGER
Shawn Sullivan

ASSOCIATION OFFICERS

PRESIDENT
Mark E. Winter
Stewart Title Guaranty
Washington, DC

PRESIDENT-ELECT
Anne L. Anastasi, CLTP
Genesis Abstract, Inc.
Hatboro, PA

TREASURER
John Hollenbeck
First American Title Insurance Co.
Santa Ana, CA

CHAIR, FINANCE COMMITTEE
Diane Evans
Land Title Guarantee Company
Denver, CO

CHAIR, TITLE INSURANCE
UNDERWRITERS SECTION
Christopher Abbinante
Fidelity National Title Group
Jacksonville, FL

BOARD REPRESENTATIVES,
TITLE INSURANCE
UNDERWRITERS SECTION
Peter Birnbaum
Attorneys' Title Guaranty Fund Inc.
Chicago, IL

Robert Chapman
Old Republic National Title Insurance Co.
Minneapolis, MN

CHAIR, ABSTRACTERS AND TITLE
INSURANCE AGENTS SECTION
Frank Pellegrini
Prairie Title, Inc.
Oak Park, IL

BOARD REPRESENTATIVES,
ABSTRACTERS AND TITLE AGENTS
SECTION
Herschel Beard
Marshall County Abstract Co.
Madill, OK

Jack Rattikin, III
Rattikin Title Company
Fort Worth, TX

IMMEDIATE PAST PRESIDENT
Michael B. Pryor
Lenders Title Company
Little Rock, AR

ASSOCIATION STAFF

CHIEF EXECUTIVE OFFICER
Kurt Pfothenauer

SENIOR VICE PRESIDENT
AND CHIEF OF STAFF
Michelle L. Korsmo

DIRECTOR OF COMMUNICATIONS
Jeremy Yohe

DIRECTOR OF EDUCATION
& TECHNOLOGY
Kelly Romeo, CAE

DIRECTOR OF GOVERNMENT AFFAIRS (STATE)
Justin Ailes

DIRECTOR OF GOVERNMENT AFFAIRS (TIPAC)
Alyssa Marois

DIRECTOR OF MEETINGS
Cornelia Horner, CMP

Title News is published monthly by the
American Land Title Association,

Send address changes to Title News,
American Land Title Association, 1828 L
Street, N.W., Suite 705, Washington, DC
20036.

Anyone is invited to contribute articles,
reports, and photographs concerning issues
of the title industry. The Association, how-
ever, reserves the right to edit all material
submitted. Editorials and articles are not
statements of Association policy and do not
necessarily reflect the opinions of the editor
or the Association.

Reprints: Apply to the editor for permission
to reprint any part of the magazine. Articles
reprinted with permission must carry the fol-
lowing credit line: "Reprinted from Title News,
the monthly magazine of the American Land
Title Association."

©2009 American Land Title Association



Protecting the Title Insurance Industry's "Gold Standard"

The Basics

- *This license will be provided at no additional cost to ALTA members who have long supported the creation and maintenance of the policy forms and the work of the association.*
- *Title agencies that don't wish to become an ALTA member may purchase an annual license for \$195 to write on the ALTA Policy Forms.*

To learn more about this initiative,
go to www.alta.org.

AMERICAN
LAND TITLE
ASSOCIATION



Members Call Toll Free: 800-787-ALTA • Members Fax Toll Free: 888-FAX-ALTA
Visit ALTA Home Page: www.alta.org • E-mail Feedback to: service@alta.org

from the publisher's desk

As predicted, 2009 will be remembered as a year in which profound government intervention in the mortgage real estate markets changed many of the rules and assumptions by which these markets operate. In the coming year, we shall see how these changes alter our industry.

From RESPA Reform, TILA changes, the proposed Consumer Financial Protection Agency, to restructuring of the GSEs, the sands indeed shifted in 2009. But the “New ALTA” met these challenges head on. We have built a strong and positive relationship with HUD and engaged the department throughout the year to get industry concerns addressed regarding RESPA implementation.

The Obama Administration kicked up a firestorm on June 30 when it proposed creation of a new independent Consumer Financial Protection Agency (CFPA). However, an ALTA-supported amendment that scales back the CFPA’s oversight of the title industry was approved in the House. We now turn our attention to the Senate and continue battling for the industry’s interests.

All of this happened in a year where the Title Insurance Political Action Committee (TIPAC) surpassed last year’s record, by collecting more money this year than ever before, as we near our goal of \$250,000.

Inside our walls, it was a transitional year as well as ALTA and its Board of Governors decided to implement its forms licensing initiative. First developed in 1929, the ALTA Policy Forms have never been free.

The cost of creating, developing, and updating the forms has been carried by the membership of ALTA for the entire industry.

All Non-ALTA members were mailed a free ALTA membership that began Oct. 1, 2009, along with a license to use ALTA’s forms for the remainder of 2009. These new members will be invited to rejoin ALTA in 2010 as full dues paying members. Those who elect not to rejoin will be billed \$195 for a license.

Licensing of the forms will provide critical resources to the association and protect the value of ALTA forms far into the future. We are doing more than ever to carry the banner for our industry. We want to keep up that level of advocacy on behalf of our members and for all in the title business. And, we want to do it in an environment where all beneficiaries share in the cost.

So, if 2009 was an important year for the land title industry, 2010 will be pivotal as we interact with the new mortgage world and embark on our forms licensing plan. With your help and participation as an ALTA member, we will push the industry forward to renewed prosperity.



– Kurt Pfothauer





ALTA Installs Board of Governors

The American Land Title Association officially installed its 2009-2010 Board of Governors prior to the conclusion of its annual convention held Oct. 21-24 at the Breakers in Palm Beach, Fla.

Serving as president is Mark Winter, executive vice president of public policy for Stewart Title. Winter succeeds Mike Pryor, CEO of Lenders Title Co., who will now serve on the Board of Governors as Immediate Past President. Anne Anastasi, president of Genesis Abstract Co., was named President-Elect.

Rounding out the Board of Governors is Treasurer: John Hollenbeck, senior executive vice president for First American Title Insurance Co.; Chair of Finance Committee: Diane Evans, vice president regulatory/legislative affairs for Land Title Guarantee Co.; Agents Section Chair: Frank Pellegrini, president of Prairie Title Inc.;

Agents Section Representative: Herschel Beard, owner of Marshall County Abstract Co.; Agents Section Representative: Jack Rattikin III, president and CEO of Rattikin Title Co.; Underwriter Section Chair: Chris Abbinante, president of Eastern Operations of Fidelity National Title Group; Underwriters Section Representative: Robert Chapman, vice president and CIO of Old Republic Title; Underwriters Section Representative: Peter Birnbaum, president of Attorneys' Title Guaranty Fund Inc.

Gary Kermott, vice chairman of First American; Ted Rogers, president and CEO of The Security Title Guaranty Corp. of Baltimore; Mark Bilbrey, SVP and COO, Central Title Group of Old Republic National Title Insurance Co.; and Mike Nichols, president of The Jones Abstract & Title Co., all left the board.

ALTA Supports Congress Act to Extend Fannie, Freddie, FHA Loan Limits

President Obama signed into law ALTA backed legislation shortly after Congress took action Nov. 1 to extend the current higher Fannie Mae, Freddie Mac and FHA loan limits through 2010. The present loan limits, which were a provision of the Housing and Economic Recovery Act of 2008, expired at the end of 2009. The resolution extends the present loan limits for FHA, Fannie and Freddie through the 2010 calendar year at 125

percent of local median home sales prices, up to a maximum of \$729,750 in high-cost areas. The floor for FHA is \$271,050; the floor for Fannie Mae and Freddie Mac conforming loan limits is \$417,000.

In October, immediate past president Mike Pryor testified before Congress urging for an increase to provide needed credit to the "move up" buyers, "thereby creating a velocity throughout the real estate column."

2010 ALTA Conferences Scheduled

The American Land Title Association has secured dates and locations for its three major conferences in 2010.

ALTA's first event, the Federal Conference and Lobby Day, will be held Feb. 28-March 3 at the Marriott Metro Center in Washington, D.C. ALTA has negotiated a significant savings for members by

changing to the Marriott. Room rates will be \$199 per night, saving over \$115 per night.

The Business Strategies Conference will be held May 2-4 at the Hyatt Regency in St. Louis, Mo., while the Annual Convention will be held at the Manchester Grand Hyatt San Diego, Calif., from Oct. 13-16.

ALTA Forms Partnership to Protect Data on Your Company's Laptops

Recognizing that you have limited time to dedicate to the issue of protecting data on your company's laptops in the event one is lost or stolen, the American Land Title Association has partnered with MobileSecure Inc. to offer members Laptop Protective Services (LPS).

LPS is a comprehensive, highly secured, fully-managed service that is easy to use. Using LPS, you can monitor the activity of

a laptop, if you are concerned that it is at risk you can remotely lock it down. Utilizing LPS reporting, you can determine what customer data might have been exposed. All of this supports your legal requirement to put in place a data security plan.

For more information, visit the Laptop Protective Services at alta.mobilesecure.com.

FTC Delays Red Flags Implementation

The Federal Trade Commission for the fourth time has extended the compliance date for the "Red Flags" rule, from Nov. 1, 2009, to June 1, 2010.

The rule, authorized under the Fair and Accurate Credit Transactions Act, requires any organization that extends credit to its clients, to take specific steps to minimize the potential for identity theft. These include developing and implementing written identity theft prevention programs that help identify, detect and respond to patterns, practices or specific activities,



known as "red flags," that could indicate identify theft, according to the FTC.

The agency agreed to a new delay in response to requests from members of Congress as several industries seek exemptions.

The American Land Title Association sent a letter to the FTC in October seeking clarification on whether or not the title insurance industry falls under jurisdiction of the Red Flags Rule.

LTI Offers Course on Ethics in the Title Industry

The newest Land Title Institute course is designed to address title-related ethical issues. All title industry professionals, from closers to legal counsel and from owners to administrative assistants, would benefit from taking this course.

Course objectives include:

- Introducing students to the basic rules and regulations surrounding the land title industry and the federal, state and local agencies responsible for compliance
- Expose students to common fraud schemes and provide methods for avoiding/preventing fraud in the industry
- Introduce students to the ALTA Principles of Fair Conduct and discuss how they can act as a guide to assisting title companies and employees

- Acquaint students with some of the personal ethical challenges that they may face on the job and provide basic guidance on how to avoid pressure and temptation on the job

- Discuss how companies can create a code of ethics in order to set firm objectives for their employees

The course includes more than 50 pages of material and a 30-question test that is delivered via email. Cost is \$160 for ALTA members, \$260 for non-members and \$60 for sponsored students (Must have access code). Ethics CE credit is available in select states. For more information, contact Kevin Russell, education manager at krussell@alta.org or 800-787-2582.



New England Land Title Association

President: Joel Mandell

Title: Special Counsel, Commercial Services

Company: Connecticut Attorneys Title Insurance Co.

Industry experience: Real estate attorney for 43 years

Education: University of Connecticut, B.A. 1961; University of Connecticut School of Law, J.D. 1966



What facet of your job do you find the most rewarding and why?

I enjoy advising our agent attorneys on title/real estate matters. It is like being a lawyer's lawyer.

What's your favorite book or movie, and why?

"The Greatest Generation" by Tom Brokaw – It is a great story about true Americans.

What's your best success story from your time in the industry?

Being the lead attorney in the bulk transfer of 39 shopping centers with a closing that lasted 7 days.

There is a great magnitude in dealing with 39 different sets of documents, deeds and releases, and the coordination to get everything signed, and getting documents signed multiple times because there are many attorneys and parties involved. The arrangement to record in various states is a major feat and takes great

synchronization. Determining what states have what type of transfer taxes was a major coordination.

If you weren't in the title industry, what would you be doing?

A writer/author

What activities do you participate in to let off some stress?

Golf and politics

Industry Issues:

What are the major issues impacting the industry in your state?

1. The consolidation of title insurance companies.
2. Policing the legal community for attorney defalcations.

Has any recent legislation been enacted in your state impacting the industry? Are there any pending bills that loom on the horizon, and what impact could it have?

In June 2009 The Connecticut Legislature passed a major amendment to The Common Interest Community Act Conn. Gen. Statutes 47-200 et seq. The amendment to CIOA impacts changes in the administration of Common Interest Communities in Connecticut.

What advice do you have for agents looking to compete in the new market?
Service! Service! Service!

How many members does the state LTA have? Has membership held steady the past few years? What are you doing to grow membership and keep members engaged?

Our current membership is 325. We obtain a fair amount of our members through our educational programs.

How do you see RESPA reform and the new GFE/HUD-1 forms impacting the industry?

I do not see a major impact if the rules are followed.

Take out your crystal ball, and give us an idea when you believe the market will recover in your state?

Middle 2010

Submit Your Profile

If you would like to profile your state's leadership, send an email to Jeremy Yohe at jyohe@alta.org.

Yep, RamQuest's RESPA Ready Checklist Is Done.



Invest our finest business and technical resources to ensure we are prepared for the impending 2010 changes.



Commit countless hours to strategic planning, task force meetings and collaboration with governing bodies to gain insight into changes.



Leverage our unique insight into the RESPA regulatory changes to drive a 2010 solution that goes beyond mere compliance.



Deliver the industry's only "smart" 2010 HUD-1 solution that anticipates and compensates for common pitfalls.

At RamQuest we understand that the 2010 RESPA regulation is about so much more than just a form change. We know that this change will have a far reaching impact on the way that you do business today and we can help. But don't wait. January 2010 will be here before you know it. Call RamQuest and let us show you how to finish your RESPA checklist today.

**Contact us at
ramquest.com
or call 800.542.5503**



The Juice Behind the Squeeze

Standardized title policies lubricate the entire real estate transfer process, allowing all parties involved to experience the fastest, most reliable and least expensive conveyancing system in the world

Imagine real estate transactions without a standardized title insurance policy. Imagine the time and resources title agents would need to expend in order to convince each client that their product would protect their interests in a property. Fortunately, for the livelihood of title agents across the country, that isn't the reality of today's marketplace. The American Land Title Association's standardized forms have been developed over the years through the tireless efforts of Forms Committee members, adapting to the needs of those in the marketplace, including title agents, consumers, lenders and investors.

by Jeremy Yohe

Association

Owner's Policy
Adopted & Title

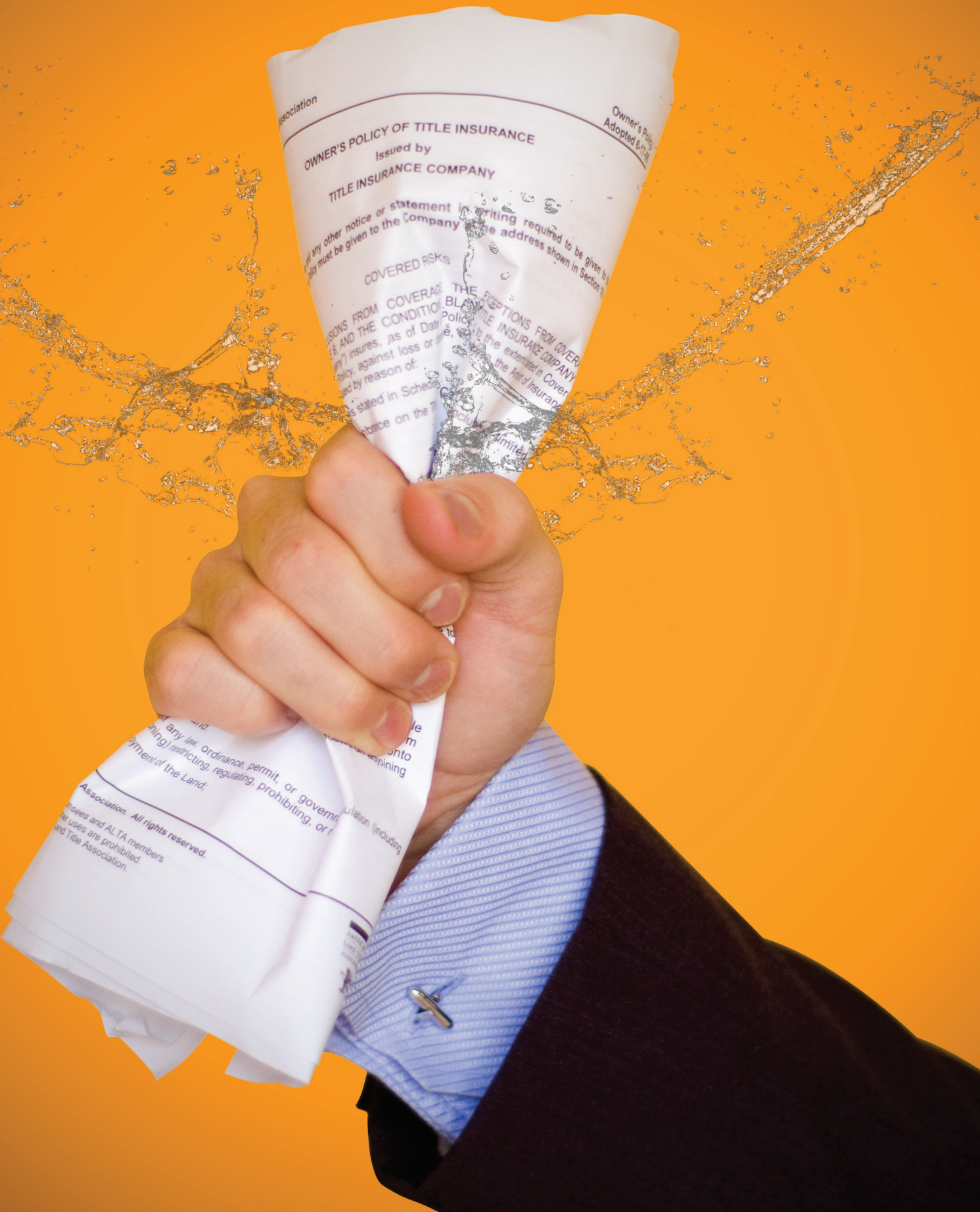
OWNER'S POLICY OF TITLE INSURANCE
Issued by
TITLE INSURANCE COMPANY

and any other notice or statement in writing required to be given to the Company must be given to the Company at the address shown in Section 11.

COVERED RISKS

INSURANCE FROM COVERAGE EXCLUSIONS FROM COVERAGE AND THE CONDITIONS OF THIS POLICY, against loss or damage caused by reason of the risks stated in Schedule A, subject to the limitations on the amount of insurance provided hereunder.

of any law, Ordinance, permit, or governmental regulation (including any law, Ordinance, permit, or governmental regulation) restricting, regulating, prohibiting, or otherwise affecting the use, enjoyment, or value of the Land, or the Association. All rights reserved. The uses and ALTA members are prohibited. and Title Association.



Cliff Morgan may know this better than anyone. Having spent more than 40 years with First American, he served as a special member to the Forms Committee from 1984-87 when ALTA and the California and New York state associations formed a joint task force to create what became the 1987 ALTA Policy. He then served on the Forms Committee for 13 years and chaired the committee for five years before leaving the post in the fall of 2008.



According to Morgan, without standardized forms investors in mortgages would not know what type of coverage they will receive for each of the loans they are purchasing. They would correctly believe that their risk is greater and their security is less certain. Therefore, they would want to have a higher rate of return to invest in mortgages. If this were the case, lenders would charge a greater rate of interest or higher loan origination fees to make up for the additional investor costs.

“This would drive up costs for consumers. Lenders would have to take longer in the lending process and make more representations and guarantees in order to find investors for their newly originated mortgages,” Morgan said. “The secondary mortgage market process would slow, resulting in less fluidity, thus there would be less money available to lenders to make more loans. This would mean that fewer people would be able to purchase new homes or refinance existing homes.”

The forms also streamline the transaction for title agents. Without the ALTA standardized forms, the marketing cost of each title insurance company and its agents would

go up substantially. Each company would have to spend extra money to market its proprietary product and try to convince those in the marketplace that their product is as good as, and certainly not inferior, to their competitors. This would result in higher costs to consumers for title insurance.

As a small agent, Herschel Beard said standardized forms and policies help him compete on a level playing field with even the largest agents in the country because he can provide the same product with the same coverage as everyone else.



“Having standardized forms allows us all the same access to coverage demanded by our customers,” said Beard, owner of Oklahoma-based Marshall County Abstract Co. “I often have to explain to customers who may think I can’t provide certain title insurance products in large deals that I can provide anything they can get elsewhere. So, standardized policies are a big marketing tool in being able to keep the business locally.”

Consumers would need the assistance of attorneys to help them determine which title insurer offers the best coverage for them for their transaction. This would mean lawyers must necessarily take the time to keep track of what type of coverage is offered from time to time by the various title insurers and which agents can write on which underwriters. This would further slow the real estate sales or refinancing process thereby costing consumers even more.

The ALTA standardized forms establish the “gold standard” when it comes to title insurance policy forms. As a result lenders, according to Morgan, lawyers, Realtors,

government agencies, investors and other real estate professionals know that when they are dealing virtually anywhere in the country they can receive the same coverage they are used to receiving in other areas of the country.

“This fact alone lubricates the real estate process making it easier and less expensive for everyone to do business with greater security,” Morgan said. “It is because of the ALTA and the infrastructure created by our great title industry that the United States has the fastest, most reliable and least expensive conveyancing system in the world.”

The Beginnings

Morgan said one of the many issues ALTA dealt with from the beginning was the development of standardized forms of title insurance contracts.

It was essential to provide the same type coverage to customers operating in multiple states. In the early years, there was no form of owner’s policy of title insurance promulgated by the American Association of Title Men (AATM) or American Title Association (ATA). The AATM was founded in 1907, changed its name to ATA in 1924 and again in 1962 to ALTA.

The association determined to promulgate a standardized loan policy only. There were two different versions of the ATA loan policy. One was known as the American Title Association Standard Loan Policy, and the other was the American Title Association Standard Loan Policy-Additional Coverage. This second version with “Additional Coverage” contained coverage for loss due to unmarketability of the title to the land of the mortgagor. Morgan said this “marketability” coverage would

later be known as “form B coverage” when included in the owner’s policy. It would be 50 years before the association even started to work on a standardized owner’s policy.

A review of a 1929 ATA loan policy form reveals that the coverage was very good for the time and would be desired by customers from state to state. Morgan said it provided the essentials for a lender such as indemnity coverage for loss due to:

- The title being vested at date of policy other than as shown in the policy
- Any defect in the execution of the insured mortgage or by reason of the invalidity of the lien thereof
- Any defect in, or lien or encumbrance on the title at the date of policy not shown as an exception in Schedule B
- Any statutory lien for labor or material which now has gained or hereafter gains priority over the lien of the insured mortgage unless excepted in Schedule B

While there were standardized loan policy forms going as far back as the 1920s, there was no standing title insurance forms committee to work on standardizing forms for the association on a regular basis. Because there would be no standardized owner’s policy form until the late 1950s, this complicated things for purchasers and their attorneys. If the purchaser wanted title insurance, they would have to determine if the title insurance company they were dealing with had its own proprietary form of owner’s policy. If there was more than one title insurer in their community, the purchaser or lawyer had



A Members of ALTA’s Forms Committee meet to discuss form changes during the 1984 Annual Convention.

to determine which one provided the best coverage.

Owner’s Policy Emerges

It wasn’t until 52 years after the founding of the association that an owner’s policy would be promulgated. In 1957, the ATA appointed a forms committee for the specific purpose of creating an owner’s policy.

At the 1959 Annual Convention of the ATA, the very first ATA owner’s policy was approved by the Association as a standardized form for the title industry. There were two identical forms for this new owner’s policy. One contained coverage against loss for unmarketability of the title and the other did not. The loan policies were re-written as well and adopted at the 1959 Annual Convention. There have been many changes to the policy forms over the years. These changes have taken different forms. Sometimes there are simple modifications. Other times, the policies have been totally re-written. Likewise, there have been many new forms of policies created to cover certain types of transactions or market segments.

“In the early years of the association, the purpose for the changes made to the policy forms most often appear to be for clarifying coverage but sometimes it was to tighten or reduce coverage in areas where the industry believed the claims experience was too high,” Morgan said. “Starting in the 1970s, there was a marked change in the attitude of the title industry regarding coverage. The industry began focusing on expanding coverage and making it easier to understand the policy language. This would result in much better policies as the years went by and more changes were made to the ALTA forms.”

Forms Evolve Through Strong Committees

For the last 30 years, in most situations where changes have been made to ALTA forms, or a new form has been drafted, these changes have been made to clarify and increase coverage for the insured. It has been a goal of ALTA to, whenever possible, make changes or create new forms that are easier to understand and increase efficiencies in the transaction process.

A policy form that creates additional efficiencies in the transaction process benefits everyone involved in the transaction including the title insurer, title agent, Realtors, lenders and owners. It has been important for the ALTA to amend or create new policy forms in order to keep up with changes in our laws, terminology, lending programs and the needs of the various customer groups.

For instance as the lending community has changed the types of loan programs available to consumers and the way those loan programs are delivered, the title industry has needed to make changes in policy forms, increase the coverage and change the way those forms can be delivered to the insured.

Unlike in the 1950s when there was no standing forms committee, for the last four decades ALTA has had a standing committee charged with the express responsibility to review, create or otherwise amend the title insurance forms that are or will be promulgated by the association.

The ALTA Title Insurance Forms Committee (ALTA Committee) is made up of members from a few of the many title insurance companies that are members of the ALTA. The Forms Committee has only a small number of members in order for it to work more efficiently and quickly.



The current committee is chaired by James Gosdin, who took over the committee when Morgan retired in 2008.

Others on the committee include: Jonathan Anderson, Robert Bozarth, Paul Hammann, Patricia Jones, Ken Jannen, Keith Pearson, Joe Bonita, Jonathan Richards, Jerry Gorman, James Russick, James Lanzetta, Charles Hoyum and Don Cole.

Each member, in most instances, is an employee of one of the major title insurance companies. Many are part of their company's home office senior staff of underwriters or claims attorneys. Most of the ALTA Committee members have vast experience in both underwriting risks and claims administration.

"They are the brightest, most knowledgeable and best in the industry when it comes to understanding the title industry's products, claims and needs of the customers," Morgan said. "It has been a major goal of the ALTA that these professionals come from different parts of the country.

in the late 1990s and early 2000s issued only on one-to-four family residential properties. Another striking change was the approval of the ALTA 2006 policy forms that could be issued on any type of property.

Gosdin said these changes were made for the benefit of the consumer – something that had never been done before. The ALTA 2006 policy forms got the approval of virtually all customer groups of the title industry from the very beginning – something that did not happen with prior versions of ALTA policies.

"We want to develop products that are acceptable to our customers on a

"We want to develop products that are acceptable to our customers on a uniform basis. We have forms available from the East Coast to the West Coast that are acceptable by a variety of lenders."

Having a cross-section of the industry enables ALTA to create forms that serve a broader spectrum of needs, provide better coverage and allow local practices of the customer to continue regardless of which part of the country the customer lives or conducts their business.

After the adoption of the first owner's policy, ALTA adopted and amended many owner's and loan policy forms over the past 50 years. Some of the most dramatic and progressive changes were included in the adoption of the ALTA Homeowner's Policy and its sister Expanded Coverage Residential Loan Policy adopted

uniform basis," Gosdin said. "With some minor changes, we have forms available from the East Coast to the West Coast that are acceptable by a variety of lenders and are pro consumer."

A Detailed, Slow Process

In most instances, the Forms Committee takes two to four years to develop a new policy. The members of the ALTA Committee historically meet twice a year to discuss or work on projects. However, when a large complicated project develops, such as re-writing a policy form, the chair of

the ALTA Committee calls members to meet several times a year.

“It is not good to move to fast because important matters will be overlooked, mistakes will be made and the coverage will not be as good as it otherwise would,” Morgan said. “A lot of thought, research, discussion and consideration must be given to many divergent ideas.”

Differing views of the members of the ALTA Committee are argued by their proponents very aggressively at times. Once the ALTA Committee has finished a draft of the new or amended product that it believes is sufficiently developed that it should be viewed by various customer groups, copies of the draft are sent to representatives of these groups for review and comment. The ALTA Committee sends drafts of proposed forms to different groups depending upon the nature of the product at issue and who is involved.

Groups that are provided drafts for review and comment include Fannie Mae, Freddie Mac, the American College of Real Estate Lawyers (ACREL) and the American College of Mortgage Attorneys (ACMA). Other groups have been included occasionally in this review and comment process as well, such as state trade associations, some of the title insurance companies that do not have representatives on the Forms Committee, HUD and various large national lenders. With some of products, certain interested groups receive drafts to review and will make appearances before the ALTA Committee to share their thoughts. This is especially true with ACREL, Fannie Mae and Freddie Mac.

“It has always been very important to ALTA that we provide an opportunity to hear from the various

ALTA Approves New Policy Forms

The ALTA Board of Governors approved five forms during a meeting on Oct. 22 at the Annual Convention. The forms are in a comment and review period. Comments will be reviewed by the Forms Committee and finalized for publication Dec. 22, 2009.

The forms approved include:

- ALTA Endorsement Form 11.1-06 Mortgage Modification with Subordination
 - This new Endorsement Form 11.1-06 is designed for issuance when an intervening lien is subordinated by agreement to the insured mortgage in connection with the modification of the insured mortgage.
- ALTA Endorsement Form 3.1-06 Zoning-Completed Structure
 - Endorsement Form 3.1-06 (Zoning-Completed Structure) is designed for issuance when structures on the Land are completed. The existing endorsement, which was adopted in 2006, modified the prior Zoning Endorsement to conform to the newly adopted ALTA Loan and Owner's Policies.
- ALTA Endorsement Form 14-06 Future Advance – Priority
- ALTA Endorsement Form 14.1-06 Future Advance – Knowledge
- ALTA Endorsement Form 14.3-06 Future Advance – Reverse Mortgage
 - The existing ALTA Series 14 Endorsements are designed to provide insurance of the validity, priority, and enforceability of the Insured Mortgage as security for Future Advances, subject to the terms and conditions of the Endorsements.

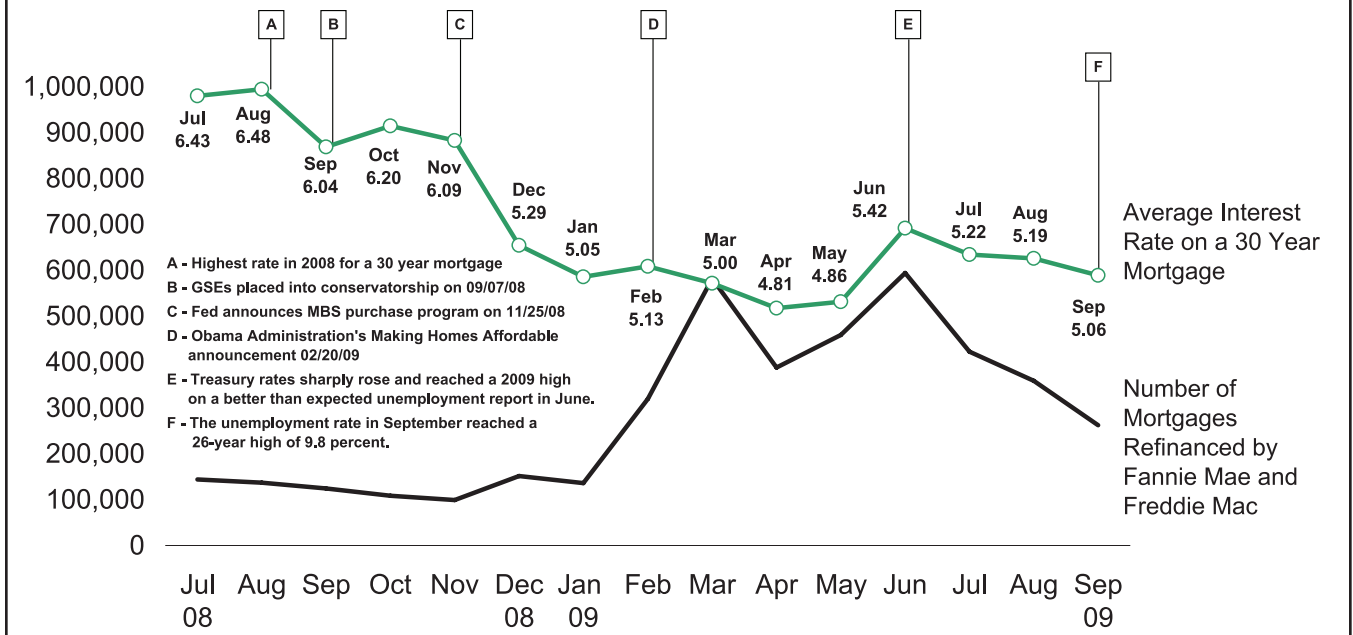
interested parties for new or amended products,” Morgan said. “All of this slows down the process, but at the end of the day, most of the time, the ALTA product contains ideas presented by the interested groups making comments. By following this process, ALTA is able to develop a better product than would exist if they simply rushed to get the product finished.”

Standardization of title insurance forms is extremely important. Life would be miserable for everyone if there were no standardized forms. The Secondary Market insists upon it. Major law firms representing

principals in real estate transactions demand it.

“ALTA’s attention to the need for revisions in the policies helps its members stay on the cutting edge of what lenders and other customers are requiring,” Beard said. “Certainly, we can’t make these revisions ourselves, but periodic review and necessary revisions help us respond better to the needs of the purchasers of title insurance. It’s another way ALTA serves its membership.”

The June-to-September decline in the average rate for a 30 year mortgage had little effect on refinance volumes as consumers finished taking advantage of a much larger rate drop that ran from 2008 to the spring of 2009.



GSEs Refi 3.5 Million Loans Through 3Q 2009

Fannie Mae and Freddie Mac refinanced more than 3.5 million mortgage loans in 2009 through September of this year, according to the Federal Housing Finance Agency (FHFA). In the month of September, 262,000 mortgages were refinanced — a drop from the volume of the preceding month — with mortgage rates still higher than levels observed in the spring.

The report covers Jan. 1, 2009 through Sept. 30, 2009. It shows that refinance volume decreased from August to September as the average interest rate on a 30-year mortgage in July and August — 5.22 and 5.19 percent respectively as reported by Freddie Mac — was at a level higher than the rates observed earlier in 2009.

Refinancing volumes are strongly influenced by mortgage rates with the effect most visible on a one- to two- month lag. Mortgage rates have declined since August.

In July, FHFA announced the expansion of HARP to allow borrowers with LTVs up to 125 percent to participate.

Fannie Mae began accepting deliveries of refinanced whole loans with LTVs over 105 percent up to 125 percent on September 1 and began accepting mortgage-backed-securities (MBS) for loans with LTVs over 105 percent up to 125 percent on October 1.

Fannie Mae and Freddie Mac Refinance Volumes

	September 2009	Inception to Date ¹	Year to Date
Total Refinances			
Fannie Mae	163,989	1,465,538	2,069,220
Freddie Mac	98,048	1,018,335	1,452,072
HARP LTV >80% -125%			
Fannie Mae	14,818	62,364	62,364
Freddie Mac	8,685	54,313	54,313
All Other Streamlined Refis			
Fannie Mae	23,417	158,135	158,135
Freddie Mac	7,562	43,357	43,357

Fannie Mae: HARP Refinance Loans are defined as Fannie Mae to Fannie Mae refinance loans with limited and no cash out that are owner occupied with LTV's over 80 to 125. Fannie Mae began accepting deliveries of refinanced whole loans with LTVs over 105 percent up to 125 percent on September 1. Fannie Mae began taking deliveries for mortgage-backed securities (MBS) for loans with LTVs over 105 percent up to 125 percent on October 1.

Freddie Mac: HARP Refinance Loans are defined as first lien Freddie Mac to Freddie Mac refinance loans with limited and no cash out that are owner occupied with LTV's over 80 to 105. On October 1, Freddie Mac began taking deliveries of HARP loans with LTVs greater than 105 and less than or equal to 125.

All Other Streamlined Refis are streamlined refinances that do not qualify as HARP >80% - 125% refinances. Fannie Mae implements streamlined refinances through the Refi Plus product for manual underwriting and DU Refi Plus product for loans underwritten through Desktop Underwriter. The product is available for refinances of existing Fannie Mae loans only. Freddie Mac implements streamlined refinances through the Relief Refinance Mortgage product. Loans may be originated by any Freddie Mac approved servicer.

Fannie Mae and Freddie Mac Refinance Volumes

	September 2009	Inception to Date ¹	Year to Date
Total Refinances	262,037	2,483,873	3,521,292
HARP LTV >80% - 125%	23,503	116,677	116,677
All Other Streamlined Refis	30,979	201,492	201,492

Notes

Fannie Mae: HARP Refinance Loans are defined as Fannie Mae to Fannie Mae refinance loans with limited and no cash out that are owner occupied with LTV's over 80 to 125. Fannie Mae began accepting deliveries of refinanced whole loans with LTVs over 105 percent up to 125 percent on September 1. Fannie Mae began taking deliveries for mortgage-backed securities (MBS) for loans with LTVs over 105 percent up to 125 percent on October 1.

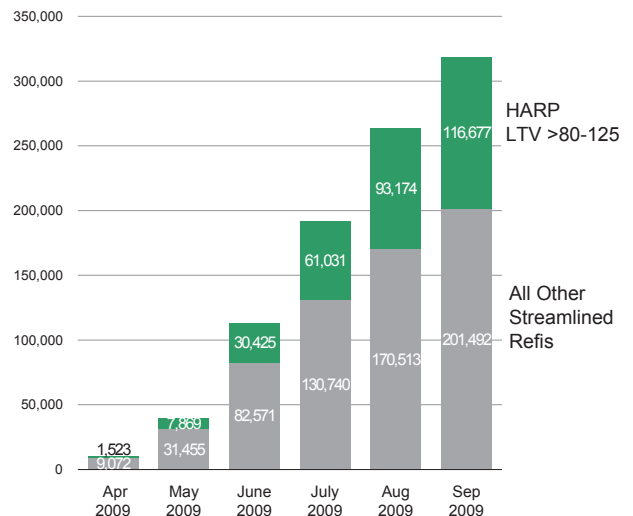
Freddie Mac: HARP Refinance Loans are defined as first lien Freddie Mac to Freddie Mac refinance loans with limited and no cash out that are owner occupied with LTV's over 80 to 105. On October 1, Freddie Mac began taking deliveries of HARP loans with LTVs greater than 105 and less than or equal to 125.

All Other Streamlined Refis are streamlined refinances that do not qualify as HARP >80% - 125% refinances. Fannie Mae implements streamlined refinances through the Refi Plus product for manual underwriting and DU Refi Plus product for loans underwritten through Desktop Underwriter. The product is available for refinances of existing Fannie Mae loans only. Freddie Mac implements streamlined refinances through the Relief Refinance Mortgage product. Loans may be originated by any Freddie Mac approved servicer.

¹Inception to Date - Since April 1, 2009

Monthly totals may change due to ongoing reconciliation.

Fannie Mae and Freddie Mac Cumulative Refinance Volumes





We're in this together.

Thank you for working with First American.

Getting through challenging times takes hard work and great partners. All of us at First American want to thank our agents for the work you've done to meet these challenges, and let you know that we look forward to the opportunities our partnership will continue to bring.

Now, more than ever, your dedication—and partnership—is appreciated.



First American Title

800.854.3643 ▼ www.firstam.com

Annual Convention Prepares Industry for Pivotal 2010

General Sessions filled with motivational and inspirational speakers aimed to help attendees feel secure and prepared with innovative ideas to help their businesses succeed.

Despite uncertainties in the housing and mortgage markets, the mood at the 2009 American Land Title Association percolated with renewed optimism for the future of the industry.

Nearly 500 title industry professionals gathered for the event held from Oct. 21-24 at the Breakers in Palm Beach, Fla., looking to connect with business partners, network with potential clients, discuss operation concerns and learn new trends in the industry.

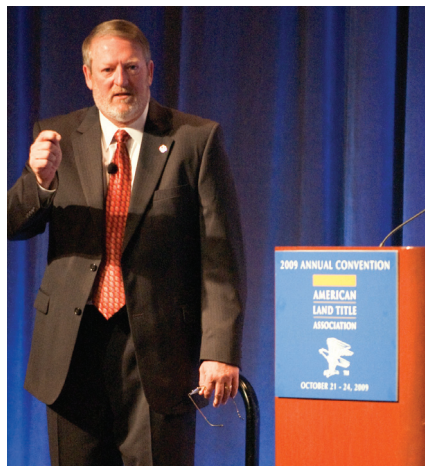
Giving his final speech as ALTA president, Mike Pryor told attendees that they are the guardians of the property transfer system and need to continue working together to strengthen the industry. He then said better days are in store.

“Our finest hour at the American Land Title Association is yet to come,” he said. “It is in our grasp and

is near term for us, but we have much preparation yet to do.”

During his speech, Pryor turned his attention to agents, urging them to make sure they are performing their jobs with the highest standards.

“Every time there is a bad headline, whether it’s a claim or an agent defalcation, it takes resources away



▲ Mike Pryor gives his final speech as ALTA president.

from what we can do,” he said. “We need to make sure advocacy efforts help operations, not apologize for bad actions.”

Following Pryor during the opening day General Session, bestselling author and sports journalist Don Yaeger offered personal accounts from some of the greatest winners in sports and provided a passionate description of what it takes to exude greatness.

Over his many years of working with the great ones, including Michael Jordan, John Wooden and Walter Payton, he has distilled 16 consistent characteristics of greatness.

He shared some of those characteristics during his riveting dialogue, interjecting emotion-laced stories of how certain athletes used adversity as a driving force to succeed.

One of the traits Yaeger said all champions understand is the value in rubbing elbows – realizing the importance of working with others to help each other grow.

“The value of an association is why you are here,” Yaeger told the ALTA



▲ Best-selling author Don Yaeger signs one of his books for John Voso, chairman of ALTA's TIPAC.

2009 annual convention

convention attendees. “You are here to grow from each other.”

On day two of the conference, leaders of the four national underwriters took the stage with ALTA CEO Kurt Pfothenhauer who moderated the discussion.

Participating in a discussion on the health and future of the title industry were Chris Abbinante, president of Eastern Operations for Fidelity National Title Group; Dennis Gilmore, president of First American Title Insurance Co.; Malcolm Morris, chairman of Stewart Title Guaranty Co.; and Rande Yeager, CEO of Old Republic National Title Insurance Co.

In 1993, no single lender held more than 5 percent of the market. Today,

Abbinante said the consolidation challenges the model of the industry that everyone’s familiar with.

“That model is that this is a local business,” he said. “When it’s consolidated, the feel of local business changes. I don’t think lenders will be able to direct the sell piece, but they can direct the refi business.”

When asked if their companies were ready for the Jan.1 implementation deadline of the RESPA Rule, all of the panelists agreed they were prepared.

“The problem is with the lenders,” Yeager said. “They are not prepared for this. Many of them will ignore it. They will try to shift liability for not complying with the rules onto the

documents now. We are doing some dry runs to get the glitches out before Jan. 1, 2010. We suggest working with your local lenders and practice the new forms.”

A standing-room only crowd packed the Ponce de Leon ballroom of The Breakers as attendees listened to one of the world’s most renowned economists offer insight into the value of the land transfer system.

Hernando de Soto, president of the Institute of Liberty and Democracy, which is considered as one of the two most important think tanks in the world, served as the keynote speaker of ALTA’s annual convention and closed out the second-day general session.

De Soto, the author of two best-



▲ ALTA CEO moderates a panel of leaders from the four national underwriters, including Dennis Gilmore (First American), Chris Abbinante (Fidelity), Malcolm Morris (Stewart) and Rande Yeager (Old Republic).

three banks account for more than half of the mortgage market. Pfothenhauer asked the panelists what impact the consolidation will have on the industry.

“We spend a lot of time talking with the big three,” Gilmore said. “They think they will control the placement of the transaction. They want us to deliver something that is faster, cheaper and error free.”

settlement service provider.”

Morris told attendees to not change fees after giving a quote to a lender because it will only cause confusion with the consumer.

“The public will be looking for truth and what is disclosed,” he said. “If you need to raise your fee, do it on the next quote. We are going to our lenders and saying ‘Hey, we don’t want to get you in a bind.’ We are asking lenders to practice with the new



▲ Renowned global economist Hernando de Soto discusses the value of the land title insurance industry and how it helps the United States create wealth.

selling books about economic and political development, including “The Other Path” and “The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else,” shared the immense value of the title insurance industry and how it enables the United States to create wealth.

“As a third-world person, I see the U.S. in a different light,” said de Soto,

whose presentation was sponsored by Fidelity, First American, Stewart and Old Republic. “And what I do is try to find the quickest way to get where the United States is as fast as possible for third-world countries.”

To begin, he said, you must consider the rule of law – which is basically a social contract and determines how we relate to each other. “To do that, you have to start with property because it’s the first basic thing that is needed,” de Soto said.

In many third-world countries, only a small percentage of people enjoy clear property rights, and you can’t get wealth unless you are part of the system.

“The majority of the people are outside the rule of law system,” de Soto said.

De Soto touched on the value of having a standard system that people across the world can understand. Items such as thermometers, stethoscopes and microscopes – all items that raise the standard of living and things we need – are possible because they allow many micro-facts to become one large fact, provide assurance and aid communication. He added that this is why he admires the title insurance industry because it combs through many facts in order to bring trust to the transfer of property.

“What stands behind the success of Western style of economics is essentially that you have a system of standards where you quickly know the other party and gives you elements of information packaged in such a way that it produces trust,” he said. “That’s what’s missing in the rest of the world.”

In the transfer of real estate, trust is built around the services the title insurance and settlement services industry provides to the transaction, he said. There would not be a credit market if there was not trust, and there would be no credit market without the docu-



▲ Fannie Mae Chief Economist Doug Duncan expects a “jobless recovery” in 2010.

mentation of the transfer of property, according to de Soto.

“After documenting land, then you can start to create identities,” he said. “Once you have that information in place, other things begin working correctly.”

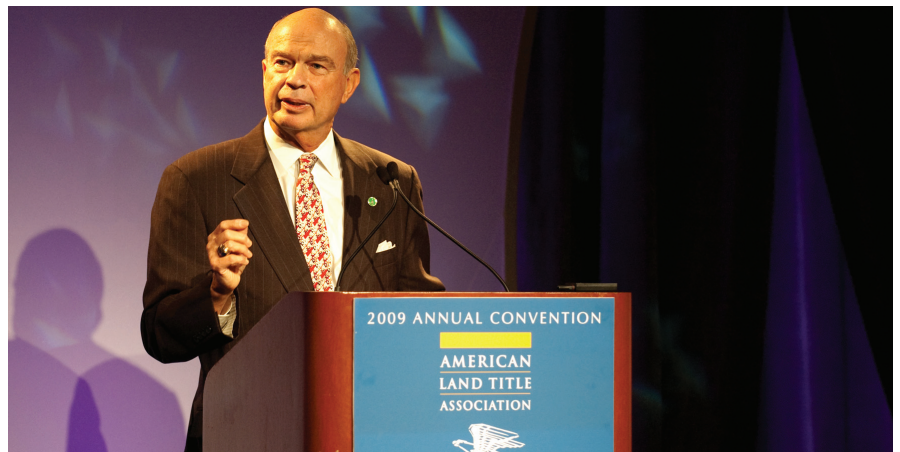
Doug Duncan, Fannie Mae’s chief economist, opened Saturday’s General Session with some sobering news about his projections for a “jobless recovery.” He forecasted the real gross domestic product will only grow by 2.5 percent

next year. That compares to a typical 6.5 percent spike the first year of an economic recovery after a recession. “This will be a relatively weak expansion,” Duncan said.

Wrapping up the final portion of the meeting, Mark Winter was officially installed as the 2009-10 president for ALTA. Winter said he was humbled to be following Pryor as the association’s leader, “His passion, wisdom and commitment resonated from sea to shining sea this year. It’s an honor to follow in his footsteps. It’s an honor and a privilege to serve this association.”

Winter was introduced by three of his four sons, Tim, Sean and Patrick, who each offered a personal speech about how their father impacted their lives.

“He instilled in us a love of sports,” said Patrick Winter. “We come from Maryland and when it comes to baseball, the Baltimore Orioles were the only game in town. And if you were a Baltimore fan, you were a fan of Cal Ripken, who was known as the Iron Man. Well, our dad was the Iron Fan. He cheered, filmed and coached each of us. If he brings a tenth of the loving dedication that he embodies as a father to this organization, this is one lucky organization.”



▲ Mark Winter gives a presentation after being installed as ALTA’s 2009-2010 president.

Colorado's Land Title Launches Statewide Food Drive

Eleven, three-member teams from Land Title Guaranty Co. in Colorado helped donate more than 1,500 pounds of food for the Food Bank of Colorado as the title company launched a two-month food drive.

In two, five-minute shopping waves, employees of Land Title Guaranty Co. raced along the aisles of Safeway loading their decorated grocery carts with food that was donated to the Food Bank of the Rockies.

All told, 11 teams with names such as Can Can Girls, Shop in the Name of Love and Short Sales Shoppers, collected 1,500 pounds of food us-

ing \$2,200 in gift cards purchased by Land Title. The event kicked off Land Title's two-month food drive that concluded Dec. 12.

"Even though the housing industry has been hard hit, we know our Colorado families are in dire need," said John Freyer, president of Land Title. "Demand in all of our Colorado communities is great, and the



▲ Land Title Guaranty employees race through the grocery store collecting food for the needy.

demands on everyone's time and resources are equally great, but we want to help make a difference in people's lives. Half of the households served by Food Bank of the Rockies have children under age 18 and those families have to decide whether to pay for food or housing. We encourage all of our colleagues in the community and in the real estate industry to support all our area food banks,"

The program was spearheaded by Rita Carver, who retired earlier this year as vice president of sales after spending 20 years with Land Title. Throughout the two-month food drive, donations from Land Title's 47 offices will go to nine different food banks across the state. Through the first week of November, the company collected more than 4,000 pounds of food.



▲ Land Title Guaranty has donated more than 4,000 pounds of food for Colorado's food banks.

“We can notify people who are coming to a closing and will be moving, and if they don’t want to throw away non-perishable items, they can bring them to the closings,” Carver said.

Over the past decade, Land Title and its principals have donated time and resources to more than 1,500 charities and events.

■ “Even though the housing industry has been hit hard, we know our Colorado families are in dire need. Demand in all of our Colorado communities is great.”

“Community involvement is our corporate culture,” Freyer said. “Our statewide food drive presents this side of our culture to the community as we partner with our clients to make a difference.”

Food banks in Colorado have reported a 30 percent increase in people needing assistance. According to Kevin Seggelke, president of the Food Bank of the Rockies, every \$1 donated equates to four meals or more than five pounds of food.

“Given the current state of the economy, need is at an all-time high,” he said. “Assistance from companies like Land Title and Safeway is vital to our mission of fighting hunger and feeding hope.”

Resource Title Celebrates 25th Year by Donating Portion of Revenue to Cleveland Charities

Ohio-based Resource Title Agency, Inc. will celebrate 25 years of service in the Cleveland area by donating a

portion of its revenue from July to December to Cleveland-area charities.

For each residential purchase (mortgage) or refinance transaction Resource Title conducts through December, \$25 will be donated to a local charity. For every commercial transaction conducted, the company will donate \$100.

The charities to benefit from Resource Title’s donations will be Cornerstone of Hope, a comprehensive grief center; RAI, a non-profit organization focused on counseling adolescents and young adults impacted by cancer; and The Cleveland Food Bank, a non-profit organization seeking to alleviate hunger in the Cleveland area by providing food and support to multiple organizations.

“People have heard many negative things about the mortgage and real estate industry in the past two years, and in some cases, justifiably,” said Andrew Rennell, executive vice president for Resource Title. “But Resource Title is very proud to be a long standing member of the Cleveland corporate community, and even prouder to be able to give back to the people of this region. We would like Clevelanders to know that there are good, honest operators in this industry as well, and that they take their civic responsibilities very seriously.”

TitleVest Makes Meals Possible for Homebound Elderly

TitleVest, a Manhattan, N.Y.-based provider of title insurance and related real estate services, earlier this year supported Citymeals-on-Wheels as an Extraordinary Patron of the nonprofit’s annual Chef’s Tribute to Citymeals at Rockefeller Center.

Marcia Stein, executive director of Citymeals-on-Wheels, said TitleVest’s contribution will bring more than 1,500 meals to the doors of frail aged New Yorkers at times when they would otherwise be hungry and alone.

“We are pleased to support Citymeals-on-Wheels and this great event,” said Bill Baron, president of TitleVest. “In this challenging economic climate, non-profits’ needs are even greater and we are happy to support an organization that profoundly impacts the lives of so many New York residents.”

Established in 1981 by Gael Greene and the late James Beard, Citymeals-on-Wheels funds 85 community-based agencies that bring weekend, holiday and emergency meals to homebound elderly New Yorkers who can no longer shop or cook for themselves.

Highlight Your Company’s Charitable Efforts

There are plenty of good deeds performed by the title insurance industry every day. Let them be heard. Share how your operation has given back to its community by sending information to Jeremy Yohe at jyohe@alta.org.

Defalcations Rip Through Industry

Title agents in Florida and Minnesota were charged for stealing money from their agencies' escrow accounts, while a third agent in Pennsylvania was sentenced to seven and a half years in prison for stealing more than \$1.7 million in mortgage and tax payments.

Florida

Roger and Peggy Gamblin, who owned and operated Flagler Title Co. in West Palm Beach, Fla., were accused of defrauding companies and individuals out of about \$10 million, the United States Attorney's Office for the Southern District of Florida reported. According to an indictment returned by a federal grand jury, the Gamblins allegedly stole the money from escrow accounts between July 2005 and May 2008.

The fraud was committed by promising its underwriters, Chicago Title Insurance Co. and Lawyers Title Insurance Co., and various companies and individuals with outstanding real estate transactions that money in the Flagler Title escrow accounts would be used solely in connection with real estate transactions and their

fees would not be disbursed until the transactions occurred and Flagler had earned their fee. Instead, the Gamblins transferred money without completing the transactions or obtaining permission from the title insurers, buyers, sellers and mortgagees involved in the property transactions, the indictment alleged.

Earlier this year, Flagler Title abruptly closed its doors after being in operation for more than 30 years. The Gamblins haven't been seen since.

Minnesota

Roseann Wagner, a title insurance agent who owned Tri-Star Title Inc. in Richfield, Minn., has been charged by federal prosecutors with misappropriating \$470,000 in fees from hundreds of property transactions and failing to file accurate 2007 income tax forms, according to court documents.

Wagner, for most of 2007, failed to make those payments on hundreds of real estate deals, potentially wrecking them, court documents allege. Wagner allegedly used the money that was supposed to go to settle the transaction for personal expenses.

She allegedly wired the money from a Tri-Star account to her personal account, and didn't include the money on her tax returns. The government is seeking to recover the money.

Tri-Star Title was as an agent for Stewart Title Guaranty Co. Stewart has since paid the title insurance premiums, title search costs and recording fees in the affected deals.

Pennsylvania

Jason Bloom, who was owner of A Great Title Co. in Marlton, Pa., was sentenced to seven and a half years in prison for stealing more than \$1.7 million in mortgage and tax payments., according to the U.S. Attorney's Office in Pennsylvania.

Bloom committed the crimes from at least March 2004 through January 2008. He also sent checks to financial institutions knowing that there were insufficient funds available, the U.S. Attorney's Office said.

In addition to ordering a prison term, U.S. District Court Judge Curtis J. Joyner ordered Bloom to pay back \$1.73 million.

Regional Underwriter Retreats from 11 States

Sioux Falls, S.D.-based Dakota Homestead Title Insurance Co. reported Oct. 16 that it has ceased operations in all states except South Dakota. Dakota Homestead President Chad Hansen said the decision to pull out of 13 states was based on cost-saving measures and impacts about 100 agents. The underwriter

generated \$7.7 million in premiums in 2008, with \$3.4 million of that coming from South Dakota. The company reported \$5.2 million in premiums through the first half of 2009. In 2007, the underwriter reported \$4.1 in premiums.

Nevada Issues Cease and Desist Against Escrow Company

The Nevada Department of Business and Industry Division of Mortgage Lending issued a cease-and-desist order against Las Vegas-based Escrow Unlimited for violations of the state's escrow agency law. Action was taken against Pea Management Group Inc., dba Escrow Unlimited, due to insolvency, failure to properly

reconcile bank accounts, improper designation of escrow accounts, and failure to properly maintain records, according to the Division of Mortgage Lending.

Title Agency Becomes First to Offer eNotaries in New Mexico

Stewart Title of Albuquerque, part of the Stewart family of companies, announced the first eNotary-outfitted title operation in New Mexico. Tons of paper and lengthy transaction closing times have long been synonymous with real estate transactions. Fortunately, that's a thing of the past, particularly in New Mexico, where all Stewart Title of Albuquerque offices are now capable of electronically notarizing documents and expediting the transaction process.

New Partnership Forms Title Agency in New York

Douglas Forsyth and TitleVest Agency have joined forces to form Excalibur Title Agency LLC. The Manhattan-based agency is a policy-issuing agent of Fidelity National Title, First American Title of New York, Old Republic Title and Stewart Title, with service capabilities throughout the United States. TitleVest is also a policy-issuing agent of Chicago Title and Commonwealth Land Title. Prior to launching Excalibur, Forsyth spent 12 years at Commonwealth Land Title where he was one of its top-producing sales executives, ranking in the prestigious Achiever's Circle for five consecutive years.

stewart

Stewart Title Expands in Italy, Costa Rica

Stewart Title Ltd. and Stewart Title Costa Rica both recently announced expansions of their operations. Stewart Title Ltd., the underwriter for UK, European, Australian and New Zealand transactions for Stewart Information Services Corp., announced the opening of its office in Milan, Italy, and the appointment of Caterina Tosello as country and regional market director. Stewart Title Costa Rica, which is a wholly owned subsidiary of Stewart Title Latin America, which is an independently owned agent of Stewart Title Guaranty Co., and Pacifico Retail Village have entered into an exclusive agreement to provide Post Closing Services (PCS), loan processing and underwriting, as well as title and closing services to Pacifico homebuyers.

Minnesota Suspends Title Agency's License

The Minnesota Department of Commerce has suspended the title insurance agency license of Scenic Title & Abstract, Inc. of Duluth and Two Harbors, Minn., the insurance producer licenses of Kevin D. Eckholm and Sharyn K. Hill, both of Duluth, who were employed at Scenic Title & Abstract, and the Notary Commissions of both Eckholm and Hill and also Linda E. Eckholm. Department of Commerce investigators allege that, between 2006 and 2009, there were at least 237 instances where Scenic Title & Abstract never remitted premiums.

Regional Underwriter Reports Second-Quarter Growth

Westcor Land Title Insurance Co., an independent underwriter based in Florida, reported continued growth despite the challenging economic market conditions. Westcor has increased market share in many of the states in which they are licensed, with the most significant growth occurring in the Western region. The underwriter advanced its national market share from the second quarter of 2008 to second quarter 2009 and reported a 62 percent increase in premiums written for the period.

New e-Closing Platform Debuts

eLynx, a portfolio company of American Capital, announced a new electronic closing network (eCN) service that lenders are integrating into their existing closing process to increase loan quality and provide more control in order to meet the government's new demands for more accurate closings. eLynx said lenders and their customers will benefit from eCN's settlement agent management component, which provides information about the agents who handle the closings, their processes and disbursement, eLynx said.

St. Louis to Automate Recording

Officials in St. Louis, Mo., recently signed an agreement with eRecording Partners Network that will allow the city to automate the receipt of land record documents. Under the terms of the agreement, individuals from anywhere in the nation can now submit documents to the city for electronic recordation.

Stewart Lender Services

Stewart Lender Services (SLS), a wholly owned subsidiary of Stewart Title Co., announced the appointment of **Matthew Lichtner** to the position of senior vice president, national account manager. In this role Lichtner will be responsible for increasing Stewart's services to existing clients, as well as helping SLS enter into new strategic lender relationships with a primary focus on the nation's top 20 lenders. Lichtner previously was senior vice president, national accounts director for First American Title Insurance Group National Lenders Advantage.

Baillie & Hershman

The Connecticut-based Law Firm of Baillie & Hershman P.C. announced that **Sharon Dunlap**, a relocation expert with more than 20 years' industry experience, has joined the firm as client service manager. Dunlap will support the firm's growing real

estate practice focusing on its client and corporate relationships. As client service manager, Dunlap will build and expand client and corporate relationships on behalf of the firm. She will also work closely with the firm's subsidiary, Associated Attorney Title & Closing Co. P.C. (AATC) to help clients achieve their relocation goals throughout North America.

Long & Foster

The Long & Foster Companies has selected **Darryl Schroeder** to serve as controller of affiliated business, a newly created position within the company. The affiliated businesses Schroeder will serve as controller of include Prosperity Mortgage Co., Walker Jackson Mortgage Corp., Long & Foster Insurance Agency Inc. and Long & Foster Settlement Services. Schroeder comes to The Long & Foster Companies with years of experience from his career at Stewart Title. His career with

Stewart Title began in 1996, where he served as regional controller for a 10-state region in the Midwest. His leadership and expertise were key in expanding the affiliate operating region from six affiliates in 1996 to over 30 in 2006.

ServiceLink

ServiceLink, Fidelity National Financial's national lender platform, announced that **George Schwartz**, former managing director for Bank of America, has been named executive vice president and division president of default services. Schwartz will direct ServiceLink's strategy for the company's default services, including loss mitigation, title, closing and escrow, valuations, and asset management and disposition. Schwartz has more than 25 years experience in the areas of default administration, loss mitigation and mortgage servicing.

ALTA® Offers Guidance Regarding the January 2010 RESPA Rule Implementation

The ALTA® RESPA Implementation Taskforce has been working with HUD for more than one year to better understand the new RESPA Rule. Tap into their expertise to educate yourself and your staff!

Educational CD-ROM

"Closing Real Estate Transactions in 2010: The New RESPA Rule, GFE & HUD-1"

Pricing

\$99 ALTA Members

\$149 Non-Members

Updates, including information from HUD's latest FAQs will be sent for no extra charge when they are available!



Rely on LTI

Order your copy today:
www.alta.org/respa or
(800) 787-2582

TIPAC 2009 contributors

TIPAC would like to thank all our 2009 Club Level Contributors. Thanks to you we are well on our way to reaching our \$250,000 goal. Thank you!

TITLE INDUSTRY
POLITICAL ACTION
COMMITTEE



Diamond Club Members \$5,000

Christopher Abbinante
Fidelity National Financial Group, Inc.

Anne Anastasi
Genesis Abstract, Inc.

Mark Bilbrey
Old Republic National Title Insurance Company

Pamela Day
Day Title Services, LC

Diane Evans
Land Title Guarantee Company

John Hosking
First Nebraska Title

Donald Kennedy
First American Title Insurance Company

Kurt Pfothenauer
American Land Title Association

Michael Pryor
Lenders Title Company

Richard Rennell
Resource Title Agency, Inc.

Emerald Club Members \$2,500 - \$4,999

Diane Calloway
Specialized Title Services, Inc.

John Freyer
Land Title Guarantee Company

Dennis Gilmore
First American Corporation

John Hollenbeck
First American Title Insurance Company

Gregory Kosin
Greater Illinois Title Company

Steven Napolitano
First American Title Insurance Company

Frank Pellegrini
Prairie Title Services, Inc.

William Vollbracht
Land Title Guarantee Company

Mark Winter
Stewart Title Guaranty Company

Platinum Club Members \$1,000 - \$2,499

Marty Askins
Stephens County Abstract Company

J. Herschel Beard
Marshall County Abstract Company

Rick Beeson
Brandt & Beeson, PC

John Broderick
Sterling Land Title North, LLC

Karen Brown
Boone-Central Title Company

Terry Bryan
First American Title Insurance Company

Robert Burgess
Chicago Title Insurance Company

Richard Carlston
Miller, Starr, & Regalia

John Casbon
First American Title Insurance Company

Curt Caspersen
First American Title Insurance Company

Chris Christensen
PeirsonPatterson, LLP

Mike Conway
First American Title Insurance Company

Cara Detring
Preferred Land Title Company

Matthew Filpi
PeirsonPatterson, LLP

William Fitzgerald
Independence Title Company

Jeffrey Green
Knight-Barry Title, Inc.

Robert Grubb
Alliant National Title Insurance Company

Blake Hanby
Waco Title Company

Thomas Hartman
First American Title Insurance Company

Craig Haskins
Knight-Barry Title, Inc.

Nick Henderson
First Nebraska Title

Patricia Hosking
First Nebraska Title

Donald Huey
Magie City Title

Curt Johnson
First American Title Insurance Company

R. Josephson
Sweet Grass Title Company

William Kahalley
Surety Land Title, Inc.

Kay Keller
Trail County Abstract & Title Company

Parker Kennedy
First American Corporation

Gary Kermott
First American Title Insurance Company

Michelle Korsmo
American Land Title Association

Ted Lovec
American Title and Escrow

Andy Maloney
Nashville Title Insurance Corporation

Robert McCorkle
Magie City Title

J. Larry McDaniel
Trinity Title Insurance Agency, Inc.

Mark McElroy
RamQuest Software

Erika Meinhardt
Fidelity National Financial

William Miller
Land Title Company of Alabama

Malcolm Morris
Stewart Title Guaranty Company

Keith Newlon
Pioneer Title Agency

Rodney Newman
Metro National Title

Michael Nichols
The Jones Abstract & Title Company

Diana Nichols
Nichols & Associates

Michael Price
Price & Price

Jack Rattikin
Rattikin Title Company

Brenda Rawlins
First American Title Insurance Company

Joshua Reisetter
Dakota Abstract & Title Company

Theodore Rogers
The Security Title Guarantee Corporation of Baltimore

Bill Ronhaar
Land Title Company of Skagit County

Tom Rostad
Dane County Title

TIPAC 2009 contributors

Richard Rothfuss
Accutitle Agency, Inc.

Alfred Santoro
Esquire Title Services, LLC

Paul Sawtell
Dominion Title Corporation

Bradley Stratton
American Land Title Company

Jeff Ulsh
Federated Land Title

John Voso
Old Republic National Title Insurance Company

Marilyn Wille
The Title Company, Inc.

Tony Winczewski
Commercial Partners Title, LLC

Rande Yeager
Old Republic National Title Insurance Company

Gold Club Members \$500-\$999

Justin Ailes
American Land Title Association

Louis Andrew
Guaranty Title Services, Inc.

Kathy Austen
Fidelity National Title Group

John Betts
First Montana Title Company of Helena

Peter Birnbaum
Attorneys' Title Guaranty Fund, Inc.

Michael Brandner
Gowey Abstract & Title Company, Inc.

Jules Carville
Carville Law Office

Jason Chun
Island Title Company

Patrick Connor
Old Republic National Title Insurance Company

Maureen Dalton
Monarch Title Company

Steven Day
Chicago Title Insurance Company

Quinn Donovan
First Montana Title Company of Billings

Nancy Farrell
Venture Title Agency, Inc.

Tommye Frost
Fidelity National Financial

Michael Halpin
Stewart Title Wisconsin

J. Brian Hamilton
Land Title Guarantee Company

Paul Hammann
First American Title Insurance

Amy Holder
DataTrace

Robert Ibler
Fidelity National Title Group

Rodney Ives
First American Title Insurance Company

Todd Jones
First American Title

Amy Kaspar
KasparNet, Inc.

Gene Kennedy
Land Title Company of Kitsap County

John Korsmo
Korsmo Consulting Services

John LaJoie
First American Title Insurance Company

Deborah Lewis
Taylor Abstract & Title Company, Inc.

John Magness
Old Republic Title

Alyssa Marois
American Land Title Association

Sally McCash
O'Malley, Miles, Nysten & Gilmore, PA

Daniel Mennenoh
H. B. Wilkinson Title Company

Carolyn Monroe
Old Republic National Title Insurance Company

Scott Pierce
Old Republic National Title Insurance Company

Robert Ptolemy
Colorado Land Title Company

Brenda Rawlins
First American Title Insurance Company

Henry Rogers
Lawyers Title Insurance Corporation

Susan Rossburg
First American Title

Tracy Row
Claremore Abstract & Guaranty Company

James Russick
Old Republic National Title Insurance Company

Mark Rutherford
First American Title Insurance Company

Jody Schimek
Alexandria Title Company

Mary Schuster
RamQuest

James Smyithe
Title & Abstract, Inc.

Kirk Sterling
Old Republic National Title Insurance Company

Donna Stevenson
Northwest Title

J. Scott Stevenson
Northwest Title

Joe Strohmier
Land Title

Sal Turano
Abstracts Incorporated

Darryl Turner
Darryl Turner Companies

Sally French Tyler
First American Title Insurance Company

Janette Waller
First American Title Insurance Company

Duane Want
Union Title Company

Barbara Warren
Conway Title Services

Jay Williams
First American Title Holding Company

Stephen Wilson
Old Republic National Title Insurance Company

Van Winton
Clay County Abstract, Inc.

Silver Club Members \$250-\$499

Kenneth Aalseth
First American Title Insurance Company

Ellen Albrecht
First American Title Insurance Company

Ralph Anderson
A. M. Anderson Abstract Company

Dennis Anderson
First Dakota Title

Jo Bandy
The First American Corporation

Brian Beckner
Tri-County Title

Roger Bell
The Security Abstract & Title Company, Inc.

Sandra Bell
First American Title Insurance Company

Doug Bello
D. Bello Associates

Paul Bender
Chicago Title Insurance Company

Cory Berkram
Security Title Company of Montana

Dwight Bickel
LandAmerica Financial Group, Inc.

Timothy Bolger
First American Title Insurance

James Bondurant
Tennessee Valley Title Insurance Company

Gregory Booth
Land Title, Inc.

Jefferey Bosse
Bosse Title Company

Chris Bramwell
First American Title Insurance Company

Michael Brandner
Gowey Abstract & Title Company

David Broadbrooks
Phillips County Title Company

Marie Byrne
Sapphire Title & Settlement Agency, Ltd.

Debra Carr
Old Republic National Title Insurance Company

Clayton Christian
Stewart Title of Missoula

Chris Condie
ATGF Company

Jeffrey Danielson
Kandiyobi Abstract & Title Company

Larry Deal
First American Title Insurance Company

Tami Demers
Johns & Lee Real Estate

Don Denny
Enterprise Title

Cara Detring
Preferred Land Title Company

Ric Eborall
Alliance Title & Escrow Corporation

Rick Enright
DataTrace, LLC

Luther Estes
Southwest Title Company, Inc.

Tim Evans
Evans Title Agency, Inc.

Beau Fast
Lenders Title Company

Marilyn Fife
First American Title Insurance Company

Michael Gallaher
First American Title Insurance Company

Alison Gareffa
KasparNet, Inc.

David Gerner
Gerner & Kearns Company, LPA

Mike Gilbert
Clear Creek/Gilpin County Abstract

Leslie Godec
First American Title Insurance Company

William Gowen
Helena Abstract and Title Company

Russell Gowen
Helena Abstract & Title Company

Julie Han
Closing Corporation

Miriam Hankins
American Land Title Association

Catherine Harold
American Land Title Association

Kris Harriman
Security Title Company

John Haviland
South Ridge Abstract and Title Company

Chaney Haynes
American Guaranty Title Company

Melissa Herring
First American Title Company of Montana

Gary Horn
Old Republic Title

Cornelia Horner
American Land Title Association

Jim Johnson
LandAmerica Financial Group, Inc.

Rodney Johnson
Lake County Abstract & Title Company

Cheryl Jones
Old Republic National Title Insurance Company

Brandt Keefe
Stewart Title Guaranty

Ross Keller
Trail County Abstract & Title Company

Gene Kenney
Hill County Title Company

Nick Koester
Fidelity National Title Group Inc.

Linda Larson
Old Republic National Title Insurance Company

Randy Lee
Stewart Title Guaranty Company

Mark Levin
O'Malley, Miles, Nylen & Gilmore, PA

Sue Loggains
Adams Abstract Company, Inc.

Michael Lorber
Nova Title Agency, Inc.

Ken Mackay
First American Title Insurance Company

Matt McBride
Continental Title Company

Guy McDill
Lenders Title Company

Douglas McFarlane
Corporate Title Agency

Darlene Missler
First American Title Insurance Company

Richard Mitchell
Security Abstract & Title Company

Matt Morris
Stewart Information Services Corporation

Kathie Nathan
Dodge County Title & Escrow

Margaret Palmes
TRN Abstract & Title

Paul Pendry
Commerce Title, LLC

Kelly Peyton
Mountain Land Title

Brian Pitman
Independence Title

Marvin Ripp
First American Title Insurance Company

W. Gary Robison
Land Title Guarantee Company

Kelly Romeo
American Land Title Association

Sandra Schoen
Old Republic National Title Insurance Company

Julie Schumacher
Security Title Company

Deborah Scroggins
First American Title Insurance Company

Robert Sewell
First American Title Company of Montana

Michael Sikora
Sikora Law, LLC

Gerald Sjodahl
Data Trace, LLC

Dana Solms
Old Republic National Title Insurance Company

Mitch Steeves
First American Title Insurance Company of Oregon

Jim Stipanovich
Old Republic National Title Insurance Company

James Stovitz
North American Title Company

Dwain Stuffelbeam
First American Title Insurance Company

Greg Thurman
Kings River Title

Collen Vanderlinden
First American Corporation

David Welshons
Dakota County Abstract and Title

John Wiles
Wiles Abstract & Title Company

Roy Worthington
Charlson & Wilson Bonded Abstracters, Inc.

John Younglove
Genesis Abstract

Brent Zanto
Security Title Company

Education Built by Title Professionals for Title Professionals



I have been employed in the title insurance industry for over 35 years now, and I had always thought there was very little I didn't know about my chosen profession. However, I was appropriately humbled when I made one simple decision – I volunteered to serve on the Education Committee for the American Land Title Association (ALTA) just as they started the development of “Title Triumph – The Game of Land Title Knowledge”.

My term of service was to begin following the 2002 Annual Convention at The Breakers in West Palm Beach, Florida (the site of the 2009 convention as well). As it was, Patricia L. Berman, then director of Education at ALTA, invited me to attend their committee meeting at that convention. It was during that meeting that Len Karmel, president of Advance Abstract Corporation in Great Neck, N.Y., and a seasoned veteran of the Education Committee, laid out a board game that was sponsored by the mortgage industry's trade association. He asked, “Why can't we take the questions from LTT's Title 101 (also known as Course 1) and use those as a basis to create a board game for our industry?”

The Education Committee loved the idea and worked feverishly the following year to develop the game. J. Herschel Beard, owner of Marshall County Abstract Company in Madill, Okla., and a member of the Executive Committee of the ALTA's Abstracters & Title Insurance Agents section, is blessed with an artistic flair. He headed the sub-committee that designed the game board itself, including the logo and color schemes of the board and its cards. It was an amazing team effort that allowed us to copyright the game and introduce it at the 2003 Annual Convention at the Biltmore in Phoenix, Ariz., with a subsequent roll-out of Title Triumph Level 2 in 2005.

It was during the initial development of the game that I first realized I did not have all the answers to the questions we were editing for inclusion in the game. Furthermore, it still happens each time I play the game ... I get stumped by at least one question.

For the record, personal experience has confirmed that it does the soul good to be humbled on occasion.

Don't miss a coming edition of TitleNews for a feature on Title Triumph, which will highlight how several agents have used the game as a training opportunity.

Bill Ronhaar,
Chair of the ALTA Education Committee
Corporate Manager, Land Title and Escrow Company of Skagit and Island County, Wash.

New HUD-1 Check List:

- My software provider has all of the new HUD-1 changes in place that I need.
- I've updated all of my reports and documents that will be affected.
- My staff is trained on the new HUD-1 regulations and forms.
- I've notified my lenders that my firm is ready to accept the new GFE.
- My lenders have sent me their new closing instruction formats.
- I am confident that we are ahead of the competition in closing on the new HUD-1.



**SoftPro is ready,
and we've got the
solution for you.**

BE PREPARED Call SoftPro at **800-848-0143** to learn more.

Presorted Standard
US Postage
PAID
Permit 312
Harrisonburg VA

DON'T MISS YOUR CHANCE TO BE HEARD

We the People of the
insure domestic Tranquility, provide for the common defence,
and our Posterity, do ordain and establish this Constitution

Article 1
Power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives

ALTA 2010 Federal Conference and Lobby Day
FEBRUARY 28-MARCH 3
Marriott Metro Center • Washington, D.C.



This annual industry event is an opportunity for title professionals nationwide to meet with Congressional leaders about the importance of the industry and to share how federal decisions impact the future of your business.

You will also hear from key government officials, regulators and experts on several issues and legislation that your business will face in 2010.

Visit www.alta.org for more information and updated schedule