

March 2017

Official Publication of the  
American Land Title Association

# TitleNews

## Marketing Mojo: Going Digital Evens the Playing Field

Electronic Age Helps Companies Connect  
With Customers and Influencers, Stay on  
Par With Competitors, Maximize Budget



## Growth.

It's what we all want, but let's be honest, the growth of your business, your influence, or your bottom line can be elusive. Growth demands endless effort and continuous struggle. It requires purpose and direction. Growth expects adherence to principles, but it does not reward conformity. Growth is fickle. However, it can flourish in the right environment, under the right circumstances, with the right partner.

Who can you partner with to truly grow?

**Trust your instincts.**



With you...for what's next

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## 2017 ALTA CONFERENCES

March 8-10	ALTA SPRINGBOARD Fort Worth, TX
May 8-10	ALTA Advocacy Summit Washington, DC
June 20-21	Innovation Boot Camp Nashville, TN
August 23-24	Innovation Boot Camp Baltimore, MD
October 10-13	ALTA ONE Miami, FL

## STATE CONFERENCES

April 6-7	Tennessee Nashville, TN
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Look at What You're Missing in this month's Digital Issue



## Compliance

The digital edition of TitleNews includes a portion of the webinar recording of "The Inside Rap on UDAAP: Unfair, Deceptive or Abusive Acts and Practices." The recording highlights various scenarios that could be considered UDAAP violations.

Go to [www.alta.org](http://www.alta.org) to get your copy of Digital TitleNews Today!

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## The Question You Should Ask

In an interesting move last month, Warren Buffet sold \$900 million of Walmart stock. This comes at a time when Walmart, the largest traditional retailer in the U.S., continues to play catch up to Amazon and other online competitors. At his annual shareholders' meeting last year, Buffet acknowledged brick-and-mortar retailers were struggling to compete against Amazon. "It is a big, big force, and it has already disrupted plenty of people, and it will disrupt more," he said.

In fact, former Walmart CEO Mike Duke said in 2012 that his biggest regret was failing to invest more in e-commerce to better compete with Amazon. "I wish we had moved faster," Duke said at the time. "We've proven ourselves to be successful in many areas, and I simply wonder why we didn't move more quickly. This is especially true for e-commerce. Right now we're making tremendous progress, and the business is moving, but we should have moved faster to expand this area."

During ALTA's winter Board of Governors meeting last month, we discussed innovation, disrupters and threats to the title insurance industry. We contemplated a quote from Amazon CEO Jeff Bezos. Often, he's asked what's going to change in 10 years. However, he says the more important question to ask is "What's not going to change in the next 10 years?" According to Bezos, "You can build a business strategy around the things that are stable over time. In our retail business, we know that customers want low prices, and I know that's going to be true 10 years from now. They want fast delivery; they want vast selection. When you have something that you know is true, even over the long term, you can afford to put a lot of energy into it."

Think about what will hold true for our industry over the next decade. People will still buy homes and other types of real estate. Mortgages will still be refinanced. Consumers will want assurances their property rights are protected. But, customers will have a more active expectation of the service and information they receive in the process. Amazon has changed the customer experience. To meet these new expectations, we must know the essence of our core business and how to provide better services. We also must understand how to reach customers with our message.

The cover article of this month's edition digs into the opportunities digital marketing gives all companies. Similar to bricks-and-mortar retail stores, traditional forms of marketing will cede space to digital channels. Now is the time to start driving a change and taking advantage of tools ALTA provides its members. There's plenty of opportunity. Let's seize it.



— - Michelle L. Korsmo, ALTA chief executive officer



## ALTA Looks Forward to Working With HUD Nominee Carson

Ben Carson testified in January before the U.S. Senate Committee on Banking, Housing and Urban Affairs during his confirmation hearing to serve as the next secretary of the U.S. Department of Housing and Urban Development. Prior to the hearing, ALTA issued a statement announcing that it was encouraged by the opportunity to work with Carson and explore new measures to promote homeownership.

“The nomination of Dr. Ben Carson as the Secretary of the Department of Housing and Urban Development provides the committee the chance to discuss ways to rejuvenate urban cores and strengthen communities,” said Michelle Korsmo, ALTA’s chief executive officer. “ALTA and its members look forward to working with Dr. Carson to promote policies that will strengthen the nation’s housing and ensure all consumers looking to purchase a home have access to affordable credit.”

The Senate Banking, Housing and Urban Affairs Committee unanimously

approved Carson as HUD secretary. His nomination awaits a vote by the full Senate. During his testimony, Carson provided his vision for HUD and said burdensome housing regulations are increasing income inequality.

“When land use for local housing supply is less regulated, workers of all skill types will choose to move to the productive locations,” Carson said. “I want to help heal America’s divisiveness, and I think HUD is positioned to help in that healing.”

“One of our biggest threats right now is this political division, racial conflict, and class warfare. It is ripping this country apart—we need to tamp down this animosity. As Jesus said and later Lincoln built on, ‘A house divided against itself cannot stand.’ I see HUD as part of the solution, helping to ensure housing security and strong communities,” he continued.

Carson raised concern that banks are reluctant to participate in low, down-payment loan programs for fear of getting sued if

borrowers default. When asked if the 30-year fixed mortgage should be preserved, Carson indicated he was supportive of the product and that it enabled millions of people to achieve the American dream. Carson also said he supported some type of governmental financial backstop, but that he also was in favor of introducing more private entities into the market.

Carson said he plans to bring a fresh, holistic approach to housing. It’s a similar approach he’s used as a neurosurgeon and views government programs as a springboard to help people move forward.

“I concentrate on a holistic approach because when I look back historically on an agency such as HUD—and there have been a lot of good programs targeted at specific problems—but the progress has not been as great as one would like to see. I discovered as a neurosurgeon you’re much more effective when you bring in a bigger picture view of things. You need to look at the whole person and how you can bring health to this individual and put them in an environment where they can thrive. We don’t want it to be a way of life; we want it to be a springboard to move forward.”

## Date Change: ALTA Advocacy Summit to be held May 1-3

A change to the U.S. House of Representatives’ 2017 schedule has required ALTA to reschedule its 2017 Advocacy Summit one week earlier in May. The earlier dates were scrapped because the House would not have been in session.

The ALTA Advocacy

Summit will now be held May 1-3. ALTA learned about the House’s schedule on Nov. 30 and quickly worked with the hotel for new dates. The room block at the Watergate Hotel is not open yet. For more information, go to [meetings.altavocacy.org](http://meetings.altavocacy.org).

## ALTA Announces National Notary Association as Elite Provider

ALTA announced that the National Notary Association (NNA) has been named an Elite Provider.

ALTA's Elite Provider Program is comprised of premier service providers committed to offering comprehensive benefits to the title insurance and settlement services industry. Elite Providers promote the highest industry standards and provide effective solutions for ALTA members' critical needs.

The NNA offers an annual certification product for Notary Signing Agents. It includes a background screening that meets Signing Professionals Workgroup (SPW) standards as well as a comprehensive exam testing their knowledge

of the mortgage signing process. The NNA also offers continuing education courses, notary errors and omissions insurance products and online verification of the Notary Signing Agent's background screening status.

The NNA offers ALTA members 25 percent off a subscription to the NDA Data Exchange, which synchronizes key data verification points from the Notary Signing Agent's profile at [SigningAgent.com](http://SigningAgent.com) with individual vendor management platforms. Subscribers have access to real-time profile updates of all Notary Signing Agents who are background screened and certified by the NNA.

## ALTA Updates Job Description and Advertisement Library

ALTA's Education Committee's Workforce Development Subcommittee has created five additional job descriptions and sample advertisements for ALTA's Human Resources Library. Job descriptions and

sample advertisements are now available for the positions of escrow assistant, escrow officer, title assistant, title officer and order entry clerk. Check out what's available in the library at [www.alta.org/human-resources](http://www.alta.org/human-resources).

## ALTA Names New Director of Grassroots and State Government Affairs

In February, ALTA named Elizabeth Blosser as its new director of grassroots and state government affairs.

Blosser will focus on enhancing advocacy of the industry at the state level by strengthening ALTA's partnership with state land title associations and representing the interests of ALTA's membership before state legislators and regulators. In addition, Blosser will help drive participation in ALTA's grassroots activities through the Title Action Network.

"State government affairs and grassroots advocacy are closely linked and vitally important to our industry," said Michelle Korsmo, ALTA's chief executive officer. "Elizabeth is a highly motivated strategic thinker with skills to build relationships. Her capacity to understand complex issues and translate data into an effective strategy will help drive successful outcomes for our state advocacy efforts."

Prior to joining ALTA, Blosser most recently served as client services director for FLS Connect, responsible for the overall success and profitability of government and public affairs projects conducted on behalf of corporations,

trade associations and special interest groups. Having worked at FLS since its inception in 2000, she played a vital role in taking it from a start-up to a major, national consulting firm.

Blosser also spent time as a campaign manager for a congressional race and was responsible for directing related activities and conducting fundraising efforts for both individual contributors and PACs. She also was an outreach director for a member of Congress working on behalf of constituents on issues related to immigration, social security, affordable housing and the environment.

"Throughout my career I have gained an exceptional appreciation for working with broad coalitions, and look forward to using my experience to enhance ALTA's grassroots initiatives," said Blosser, who graduated magna cum laude with a Bachelor of Arts in general communications from Northwestern College in St. Paul, Minn. "I'm ready to collaborate with our state land title association leaders and partners and help them identify strengths, weaknesses, opportunities and threats of our industry."

## TIPAC Donors

TIPAC has received \$191,290 from 144 donors in 2017. Check out who has supported the industry at [www.alta.org/advocacy/tipac-contributors.cfm](http://www.alta.org/advocacy/tipac-contributors.cfm).



## It's Back: March Title Madness

Visit ALTA's social media pages March 14-April 3 to participate in our 2017 March Title Madness social media trivia contest! We'll post two industry trivia questions every other day on Facebook and Twitter. Each individual that submits (via comments and tweets) a correct trivia answer will receive entry toward our grand prizes for #MarchTitleMadness. Grand prize is a \$50 American Express gift card and the winner will be selected via a lottery system of all individuals that submit correct answers. The more questions you answer the more you'll entries you can receive.

## Social Media Tip: Use HOP to Train Real Estate Agents, Lenders

We live in a complex, media-saturated world. Every day we face new competition, new regulations and increasing technology threats. Increase your business with the power of the Homebuyer Outreach Program by using new tools to educate your real estate agents and mortgage lenders.

Use the HOP tools to communicate the benefits of owner's title insurance to homebuyers in a clear, optimistic and concise manner. You can even customize the Homebuyer Guide for your business & market to better target your real estate agents and lenders.

Access the Homebuyer Outreach Program at [www.alta.org/homebuyer](http://www.alta.org/homebuyer).

## Have You Used ALTAprints?

ALTA members have exclusive access to ALTAprints.com which helps you customize Homebuyer Outreach Program materials. You can download your customized materials for free or you can take advantage of our discounted print pricing. Check out [www.ALTAprints.com](http://www.ALTAprints.com) today!

## United We Protect

ALTA's "United We Protect" t-shirts are available in the ALTA store at [www.alta.org](http://www.alta.org). With men's and women's sizes ranging from S-3XL, these t-shirts make a great staff gift or office giveaway. Shirts are available to ALTA members for \$20 including shipping. Show your pride and tell consumers that you help protect their property rights by purchasing one of these t-shirts today.

## Register Now for ALTA's Innovation Boot Camp in Nashville or Baltimore

Attendees will draft a full marketing plan to build your business, learn how to respond to new ways of receiving business (i.e., Zillow, Xome, etc.), find out how to easily create sales videos within budget and train your staff on the newest ways of communicating with real estate agents, lenders and consumers. You don't have to spend \$100K on marketing to get results. Attend an Innovation Boot Camp for \$349 + 1 night in a hotel!





## Meet Sergio.

Lawyer. Licensed pharmacist. Father of two teens. Veteran of the title insurance industry. Vice President, Mid-Florida Operations Manager for Old Republic National Title Insurance Company.

As you might expect from a lawyer, pharmacist, father and title pro, Sergio cares about getting the details right. He invests in the well-being of others and does whatever it takes to support them. Whether it's communicating with Spanish-speaking customers in their native language, meeting with title agents where they work to answer underwriting questions, or rolling up his sleeves alongside his team of title examiners, plant operators and account managers... that's doing business the right way.

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Relocation Services | Timeshare/Fractional Interest Services | Residential Information Services

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# Marketing Mojo: Going Digital Evens the Playing Field

Electronic Age Helps Companies  
Connect With Customers and  
Influencers, Stay on Par With  
Competitors, Maximize Budget

**D**igital advertising is still new and relatively untested in the title insurance industry. Historically, title insurance companies have done little direct-to-consumer advertising, instead relying on marketing to build up relationships with referral partners. Also, digital advertising requires a skill set not usually found in industry marketing and sales departments. Finally, title companies have shied away from reaching out directly to buyers and sellers, fearing a backlash from their real estate agents, lenders and attorney relationships. However, it's time for the status quo to go.

>>

By Jeremy Yohe



“If you’re in the title business, it’s about having key meetings with real estate agents or the manager of the lending office that can bring business into your office,” said Bill Risser, vice president of digital strategy for Fidelity National Title’s Tampa district. “But it’s all changing, and it’s changing pretty quickly because of the evolving consumer.”

According to the National Association of Realtors 2016 Profile of Home Buyers and Sellers, the Internet is the most popular resource for home buyers (95 percent) to get information about properties. Not surprisingly, mobile devices and tablets are increasingly becoming a resource for homebuyers. Mobile usage lifted to 72 percent in this year’s survey, which is up from 61 percent in 2015. Furthermore, 58 percent of buyers indicated they found the home they purchased on a mobile app.

Small- and medium-sized businesses (SMB) plan to target consumers with an increased digital marketing presence. According to a survey by GetResponse of 200 companies, 70 percent of SMBs plan to increase digital/web-based marketing budgets over the next year.

Social, mobile and email are poised to drive growth. Among the SMB executives surveyed who projected increased marketing budgets, 59 percent said that marketing on social networks—such as Facebook, LinkedIn and Twitter—would be the primary driver for growth. Rounding out the top-three were mobile marketing (50 percent)—either app or web-based—followed by email marketing (42 percent).

“Mobile marketing is increasingly important given the surging content consumption numbers across smartphones and tablets,” said Simon

## How effective is video in email marketing?

Marketers who integrate video in email generate **40% higher monthly revenues** than those who do not use video. They also report a rise in all important performance metrics:



55%

increased click-through rates



44%

increased time spent reading an email



41%

increased email sharing and forwarding



24%

increased conversion rate



20%

increased ROI



14%

increased average sales order value

Marketers who use video in email have a **10% higher average order value** than marketers who don’t take advantage of video, while their **average monthly revenue is 40% higher** than those who don’t use video in their email marketing.

Source: GetResponse

Grabowski, GetResponse CEO and founder. “And social media usage has only grown in tandem with mobile consumption, as the most popular platforms are mobile-first. Email, too, has become a mobile-driven activity. Ultimately, mobile is the reason why these areas will drive spending.”

From costs-per-lead to ad servers, the world of digital marketing can seem pretty overwhelming. Since

actions can they take after viewing the ad?

- Examples: Click here to visit our website. Follow us on Facebook.

### Affordable

- Create an advertising budget that you or your firm can afford. What marketing strategy fits within your budget?
- Lerch said that although it

“Mobile marketing is increasingly important given the surging content consumption numbers across smartphones and tablets. And social media usage has only grown in tandem with mobile consumption.”

2011, digital media consumption has drastically increased, outpacing television consumption. The Internet has changed the way that people shop for everything. Google’s Steve Lerch offers the following tips for engaging customers through digital marketing.

### Actionable

- Millions of people turn to YouTube to research products before making a purchase; actually, behind Google, YouTube is the most used online search engine. There’s a huge market for online video content, and, in turn, a huge market for potential consumer actions. Lerch said videos are among the most actionable content.
- What is your ad asking consumers to do? What specific

might require more skill, video advertising is one of the most affordable marketing strategies. Costs can be as low as pennies per view. YouTube, the leading online video platform, only charges for ads that are viewed in their entirety (or until the 30-second mark).

- Many search advertisements are “pay-per-click,” meaning the advertiser is only charged when a viewer clicks through to a landing page. With Google AdWords, you establish the highest amount you will pay per click.

### Targeted

- What is your target audience? How can you direct your ads to your specific audience?

- Video advertisements are easily targeted to specific audiences. According to Lerch, video ads can be put before videos that feature related content or videos that are tagged with matching keywords.
- If your target audience includes buyers of title insurance in Houston, you may want to play your ad on videos with the keywords “title insurance” and “Houston.”

### Measurable

- How will you measure your progress toward your goal? Will it be page views, link clickthroughs, or the number of purchases?
- A display advertisement leads to 250 new page views.
- 40 percent of ad viewers continue to search for the brand or project advertised.
- Beyond measuring clicks and views, one tool specifically created for YouTube ads is Google’s Brand Lift. On Brand Lift, you can survey both viewers and non-viewers of your advertisement. “Comparing these surveys, you can measure brand recognition, brand favorability and intent to purchase,” Lerch said.

### Important things to consider:

**Budget:** How much money do you have to spend on advertising? While some firms may only want to spend a few dollars a day on advertising, others may be able to spend tens of thousands of dollars a day. Both options are easily available, along with everything in between.

**Which strategy is best for you or your firm?** Depending on your needs,

certain strategies may be better for you than others. There are three main types of digital advertisements that Google offers:

1. **search ads:** These appear as sponsored links in Google search results
2. **display ads:** These appear on websites
3. **video ads:** video advertisements that play before videos on YouTube

It's important to do some research to determine where your consumers spend the most time and what price points are the most feasible for you. You want to make sure:

- **That the right ads reach the right people:** The Internet is expansive, with billions of users. However, not every user is looking for title insurance. Do everything you can to target the consumers who are.
- **Keep in mind what people are searching for.** Many homebuyers may be unfamiliar with title insurance. Instead, they may do searches for words like "insurance," "real estate" or other mortgage-related terms.

"Devise a list of keywords that describe or relate to your business," Lerch said. "When these keywords are searched, your search ads will appear in the search results. In videos tagged with those keywords, your video ads may play and your display ads may be shown on websites tagged with those keywords."

**Metrics:** How many clicks did your advertisement receive? Did you notice an increase in page views or purchases? Are you meeting your goals? If not, why? It's important to keep track of your digital campaigns' metrics. If something is doing well, repeat it. If something isn't doing very

## Facebook Advertising Campaign

Creating an advertising campaign on Facebook can be accomplished in just a few steps.

1. From your Facebook page, select "Create Ads," which can be found by clicking on the arrow in the upper right-hand corner of the screen.
2. Next, choose an advertising objective. You can select from Awareness, Consideration or Conversion. As an example, if you want to get more consumers to know about your title company, select "Brand awareness" under the Awareness column. Then click Continue.
3. Next, you can choose to advertise your page, website or event and then choose the audience, budget, images and text for the ad before placing the order.

well, either stop doing it or figure out why and how you can fix it.

### First Steps

1. **Determine your goals and how you'll measure your performance**  
Whether your goal is 10 clicks per day or 1,000, keep track of your metrics and measure your success.
2. **Establish your budget**  
Big or small, settle on an amount that works for you.
3. **Decide which strategy is best for you and your firm**  
If you have a large Facebook following, display ads may work best for you. If you're more seasoned in digital marketing, video may be the next step.

Figure out what works best for you and what you can afford.

4. **Create a keyword list**  
Which words describe or relate to your business. Be sure to tag your website and your ads with these words. Google AdWords has some great keyword research tools.
5. **Start with a low-budget campaign**  
Start small and look at your metrics. When you've mastered your first campaign, move on to something more complex.
6. **Test and optimize your marketing campaigns!**  
The only way to improve your strategy is to test, test, test! After each test, see how your metrics have changed and optimize your advertisements based on those changes.

### Advertise for Only \$5 Per Day

ALTA has embarked on an aggressive campaign to shift the messaging to the consumer. The Homebuyer Outreach Program (HOP) is ALTA's initiative to connect with buyers and sellers and convey the benefit of title insurance before a purchase contract is signed. Content created by ALTA is available to members as companies begin their outreach efforts to educate future homeowners and raise brand awareness. (At [www.altaprints.com](http://www.altaprints.com), ALTA members can customize and download marketing material. A HOP box also is available that includes many of the most popular materials at a discounted price.)

Digital advertising is everywhere and provides a targeted approach. Ads appear on every major social network. Every Google search shows paid or sponsored results (ads) along with

organic search results. Retargeting allows advertisers to “follow” potential customers via cookies and pixels everywhere they go on the web. Anyone viewing an item on Amazon or any other online retailer has experienced retargeting when that product starts appearing on unrelated websites in the form of display ads.

How can the title insurance industry capitalize on digital advertising? There are two distinct

■ “You can’t discount Facebook. It’s the number one place to advertise other than AdWords on Google. It’s insanely cheap, and you can start a campaign for as little as \$5 a day.”

target audiences the industry can reach out to via digital advertising: industry partners and consumers. Messaging is different for each as well as the channels to access each group. Does the call to action associated with the advertising direct people to click through to content? Perhaps the goal is more geared toward brand awareness rather than clicks. (ALTA plans to target first-time homebuyers through a Google ad campaign and Pandora, directing them to [HomeClosing101.org](http://HomeClosing101.org).)

Retargeting and using Facebook, Instagram and YouTube are suggested advertising avenues to reach industry partners. With Facebook and Instagram, title companies can build a custom audience that will see targeted ads appearing in newsfeeds. For YouTube, you can create a video ad,

select an audience and only pay each time the recording is viewed.

“You can’t discount Facebook,” Risser said. “It’s the number one place to advertise other than AdWords on Google. It’s insanely cheap, and you can start a campaign for as little as \$5 a day and see how it works and reach 1,000 people in your market.”

The cost to advertise on Facebook is expected to increase over the next two years, however, as more companies

attempt to reach consumers through this channel. For the consumers, it’s all about education and providing information. While it’s more difficult to reach consumers, Facebook allows you to be very specific about the type of person you want to reach, such as consumers who are likely to purchase a home in a specific geographic location. Facebook has also created lead forms that allow you to capture the lead without the potential customer from ever leaving the social media platform.

When attempting to reach consumers, however, the messaging used to explain the industry matters tremendously. ALTA has found that words and phrases that evoked positive feelings from consumers include confidence, protection,

peace of mind, eliminating risk and efficient.

An example of how using a certain word drives the conversation involved “benefit” versus “value.” Rich Griffin NTP, vice president and national sales manager for North American Title Insurance Co., said that ALTA research found that when talking to consumers about the value of title insurance, the conversation quickly turned to price.

“When you talk about the benefit a consumer receives, the conversation goes in a different direction and focuses on the advantages rather than cost and claims,” he added.

In addition, it’s important to avoid industry jargon when explaining title insurance. Instead, use terms that consumers can relate to. Terms such as “liens” and “encumbrances” are examples of words consumers just don’t understand.

“Homebuyers don’t want to hear about liens and encumbrances,” Griffin said. “To many, you might as well be saying liens and cucumbers.”

The key is that you want to educate homebuyers about title insurance before they get to the closing. ALTA’s Homebuyer Outreach Program provides a treasure trove of content for members to use.

“The material includes messaging that resonates with consumers,” Risser said. “You can be all official on the commitment, but when you are talking to a consumer, we need to use words and language that they understand.” ■



**Jeremy Yohe** is vice president of communications for ALTA. He can be reached at [jyohe@alta.org](mailto:jyohe@alta.org).



# Give your business an efficiency boost!

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# Market Your Title Company Like Beer

## Promote Security and Compliance When Communicating to Customers Through Various Channels

BY ELIOT DILL

**W**hat in the world does beer have to do with title insurance?

In the early 1940s, Schlitz beer was one of the least popular beers in the country. So the company brought in a legendary marketer, Claude Hopkins, to tour the factory and create a new advertising campaign for them.

Schlitz showed Hopkins how they had dug their own wells to get the cleanest water, even though most other brewers used water from Lake Michigan at the time.

They showed Hopkins, the cooling rooms with filtered air and how they sterilized the bottles not once, not twice, but four times before filling them with beer.

At the end of the tour, Claude Hopkins, asked why Schlitz wasn't telling people about all of the ways they made quality beer in their marketing. Their reply was simple: Every brewery makes beer the same way. Hopkins' predicted that the first brewery to tell people about it would



gain a huge advantage over other companies.

And that's exactly what they did. Within a year Schlitz was the best-selling beer in the country and remained first or second until the 1970s.

With all of the new regulations, the same is true in the title business. Just because everyone has to be compliant doesn't mean they are using the compliance message effectively to market their services.

**1. Best Practices Certified alone isn't enough:** Is your website secure? Do you back up your data

offsite? Do you have a clean desk policy? If so, don't just tell your customers and prospects that you are "ALTA Best Practices Certified." It's likely they don't know what that means. Instead, show them and explain to them why you take extra precautions with their data. For example, you might instead say, "with all of the cyber fraud today, we take extra precautions to safeguard your information," and then list the ways you've implemented Best Practices.

- 2. Mobile website:** 86 percent of Facebook's traffic and 55 percent of Google searches now come from mobile devices. Google even penalizes company websites that do not re-format properly on mobile phones by bumping them to the bottom of the search rankings. According to Moz, Google is expected to give even more priority to mobile-friendly websites in 2017.
- 3. Video rules:** YouTube is the second-largest search engine for a reason. Video is easier and more enjoyable to consume than text. In fact, 78 percent of people watch web videos at least once per week. Use video on your website to explain topics like TRID or Closing Disclosures and you'll rank higher in search and in social media.

- 4. Directory sites:** Third-party sites like Yelp, Google Places and Zillow not only often rank higher than your website, they also already have their own traffic, mobile apps and star ratings. Having a professional listing and a few reviews on these sites makes your brand easier to find and gives you more opportunities for people to do business with you.
- 5. Utilize Facebook:** Facebook is one of the world's most active websites, with over 1.7 billion active users, according to CNN. Instead of posting about recent closings, offer to take a picture of your clients at the closing table with their camera phone and then ask them to tag your

company in any posts related to buying their house. Since a home purchase is an emotional post, it is likely to stay active for multiple days—giving you organic exposure and free marketing to all of their friends. In addition, use Facebook's advertising platform to promote your page, website, and events you might be hosting. This ad platform even lets you target very specific demographics, such as "millennials who are in the market to purchase a home within 20 miles of your office, who also make over \$75,000 a year."

- 6. Stay top-of-mind:** Have you ever found a product on Amazon or a car on a dealership's website, only to see that product or car

advertised in your Facebook news feed or on some other website? This is remarketing (also called retargeting). It is a very effective yet underutilized way for you to stay top of mind among real estate agents, lenders, buyers and sellers because you are only advertising to people who are familiar with you and most likely to use your services. ■



**Eliot Dill** is co-founder of Title Tap, which provides turn-key websites and marketing tools for title agents and real estate attorneys. To learn more ways

to effectively market your company, visit [www.titletap.com/articles](http://www.titletap.com/articles).

## Get Some Marketing Mojo

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# NTP Designation Helps Validate Industry Expertise, Achievement

## Why did you become an NTP?

As a staunch supporter of the national program, I wanted to obtain the designation to prove that it was possible and so that I could use it to market my company in a more professional manner. Having the designations (Anastasi also has earned the Certified Land Title Professional from the Pennsylvania Land Title Association) also shows a commitment to knowledge, learning and participation that is recognized by the people with whom we work in the real estate and lending communities who also have professional designations.

## How have you used the NTP designation to advance your career or promote your business?

The initials from both Pennsylvania's designation program and ALTA's program have followed my signature on every email, letter and introduction since I obtained them.

## Who do you think should get their NTP? What Types of Professionals Would Benefit?

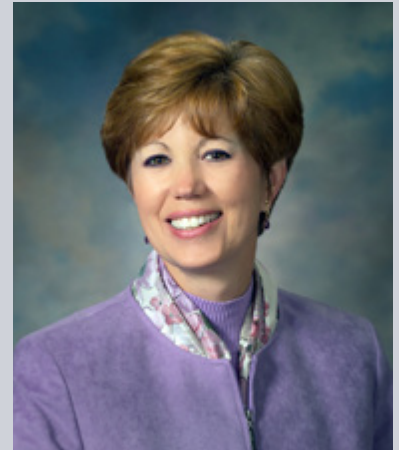
All title insurance professionals could benefit from going through the process to obtain the NTP designation because it makes you realize how much you have learned, how valuable your participation is in ALTA and your state association, and it tells others in your company that you are a true professional. But you must also be committed to promoting your achievement and not just letting the plaque hang on your wall and hope that someone will ask you to explain the initials.

## How have your ALTA connections benefited your career?

Some of my best friends have come into my life because I met them at ALTA functions. And importantly,

## Get Your NTP

The NTP designation recognizes title professionals who demonstrate the knowledge, experience and dedication essential to the safe and efficient transfer of real property. Learn more at [www.alta.org/ntp](http://www.alta.org/ntp).



**Anne L. Anastasi CLTP, NTP**

**Company:** Old Republic Title

**Title:** First Vice President

**Hometown:** Hatboro, Pa.

**Date of NTP Designation:**

March 2013

**Industry Experience:**

40 years

because of the connections made through ALTA, I truly feel that I can pick up the phone and call any ALTA member in any state to get help or answers so that I can better serve my clients.

## Why should others get their NTPs?

In an industry where the product is the same, this designation sets you apart from your competition, and it is particularly helpful when pursuing commercial transactions. Obtaining it also gives you a sense of achievement and a validation that you are a true professional. ■

# Quiz Time: Unfair, Deceptive, or Abusive Acts and Practices

**T**he Consumer Financial Protection Bureau (CFPB) has continued to expand its authority to enforce unfair, deceptive, and abusive acts and practices (UDAAP) over the past few years. While the CFPB has authority over many statutes, it has relied heavily on UDAAP. It's reported that half of all bureau enforcement actions have included alleged UDAAP violations. Unfortunately, the CFPB consent orders do not provide a factual record or legal rationale for UDAAP. Take this quiz to help get an idea of what the CFPB considers UDAAP. Answers were provided by Donald Lampe of the law firm Morrison & Foerster LLP.

**Q: A title company owned in part by closing attorneys fails to give proper AfBA form notice.**

**A. Yes.** This is an example where technical non-compliance with the law can result in a UDAAP violation. A good example of this is the Borders and Borders case. The allegations is that the failure to provide a proper form of AfBA disclosure was unfair and deceptive.

**Q: A foreclosure law firm assures a consumer that his/her foreclosure will be postponed, pending a loan modification.**

**A. Yes and no.** This is a bit of a trick question. This is a classic example of the CFPB alleging a deceptive practice. If the foreclosure law firm was correct and there were a pending loan modification and processed properly, it may not be a deceptive

practice. But if the scenario plays out in which the borrower suffered harm because the postponement of the foreclosure didn't give them the benefit that was expected, there would be a UDAAP violation.

**Q: A closing agent fails to release a mortgage lien after consumer pays off mortgage.**

**A. Probably.** The CFPB said this is a potential violation. The bureau has cited this in one of its supervisory highlights. This issue was found during an examination of settlement service providers. Most state laws require lien release by the responsible party. In this case, the CFPB found the practice was unfair and deceptive. This highlights how far the doctrine can go. ■

**Digital TitleNews Extra:  
The Inside Rap on UDAAP: Unfair, Deceptive  
or Abusive Acts and Practices**



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# CFPB Says It Will Fine Both Sides of Improper Arrangements

## Bureau Fines Lender, Real Estate Brokers for Involvement in Illegal Kickback Scheme

The Consumer Financial Protection Bureau (CFPB) took action in January against a major mortgage lender for paying illegal kickbacks for mortgage business referrals to real estate brokers and a servicer.

According to a consent order, Prospect Mortgage LLC will pay a \$3.5 million civil penalty for its illegal conduct. Meanwhile, ReMax Gold Coast and Keller Williams Mid-Willamette was ordered to pay \$230,000 in consumer relief, repayment of ill-gotten gains and penalties.

“Today’s action sends a clear message that it is illegal to make or accept payments for mortgage referrals,” said CFPB Director Richard Cordray. “We will hold both sides of these improper arrangements accountable for breaking the law, which skews the real estate market to the disadvantage of consumers and honest businesses.”

From at least 2011 through 2016, the CFPB alleged that Prospect

Mortgage used a variety of schemes to pay kickbacks for referrals of mortgage business in violation of the Real Estate Settlement Procedures Act. For example, Prospect established marketing services agreements, lead agreements and desk-license agreements with companies, which were framed as payments for advertising or promotional services, but in this case actually served to disguise payments for referrals.

Specifically, the CFPB found that Prospect Mortgage:

- **Paid for referrals through agreements:** Prospect maintained various agreements with over 100 real estate brokers, including ReMax Gold Coast and Keller Williams Mid-Willamette, which served primarily as vehicles to deliver payments for referrals of mortgage business. Prospect tracked the number of referrals made by each broker and adjusted the amounts paid accordingly. Prospect also had other, more informal, co-marketing

arrangements that operated as vehicles to make payments for referrals.

- **Paid brokers to require consumers – even those who had already prequalified with another lender – to prequalify with Prospect:** One particular method Prospect used to obtain referrals under its lead agreements was to have brokers engage in a practice of “writing in” Prospect into their real estate listings. “Writing in” meant that brokers and their agents required anyone seeking to purchase a listed property to obtain prequalification with Prospect, even consumers who had prequalified for a mortgage with another lender.

According to the consent order, a marketing services agreement required Prospect to pay Keller Williams Mid-Willamette \$4,250 per month. The broker promised to perform certain marketing activities to help promote Prospect’s lending services. After five months of operating under the MSA, the companies switched to a lead agreement. No longer paying a fixed monthly fee, Keller Williams provided client information to Prospect, which would pay a variable fee based on the volume of consumer data it received. The lead agreement didn’t require Keller Williams to perform any marketing services. In addition to the MSA and lead agreements, Prospect made monthly payments to Keller Williams for allowing loan officers to lease space in the broker’s office.



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ALTA's new HOP Box is a tool for title agents, underwriters, state land title associations and others to highlight the great materials available in the ALTA Homebuyer Outreach Program.

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- Business Cards
- ALTA Prints Ad
- Marketing Flyer
- House Magnet
- Table Top Easel

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### **CFPB Expects to Finalize TRID Amendments by Mid-2017**

In its latest semi-annual report, the Consumer Financial Protection Bureau (CFPB) reported it expects to finalize its proposed amendments to the TILA-RESPA Integrated Disclosures (TRID) rule in mid-2017.

The bureau proposed amendments to TRID in July 2016. According to the CFPB, the proposed changes correct technical problems, add clarity and incorporate informal guidance provided by the bureau in webinars into the official staff commentary. The CFPB said it did not intend to revisit major policy decisions in this rulemaking. Because

of this, the proposed changes do not correct the inaccurate disclosure of title insurance premiums, an issue ALTA has been emphasizing since the rule was originally passed”

The bureau is proposing tolerance provisions for the total of payments, an adjustment to a partial exemption mainly affecting housing finance agencies and nonprofits, extension of coverage of the integrated disclosure requirements to all cooperative units, and guidance on sharing the disclosures with various parties involved in the mortgage origination process.

### **Best Practices Plus Updates Software for Creation of Best Practice Manuals**

Best Practices Plus recently updated its manual creation software to incorporate the modifications included in ALTA’s Title Insurance and Settlement Company Best Practices version 2.5. According to company President Mike Sikora, Best Practices Plus brings

the simplicity of an online question and answer-style solution to the process of documenting a title company’s processes and procedures. By answering questions and providing details specific to the title company, Best Practices Plus generates audit-ready documentation.

### **Title Agent Licensing Bill Introduced in Kentucky**

A bill introduced in Kentucky would require title insurance agents to be licensed by the state’s Department of Insurance.

Introduced by Kentucky Rep. Bart Rowland, HB 159 would require a title insurance agent to provide a good-faith estimate of the premium to consumers and obtain continuing education. The bill also provides an agency for consumers to contact in the event there are consumer concerns about an agent or to verify the agent is in good standing and licensed.

“The Kentucky Land Title Association (KYLTA) supports HB 159, which would require title insurance agents and real estate attorneys—acting as title insurance agents—operating in Kentucky to be licensed by the

Department of Insurance, like all other lines of insurance, as a way to discourage dishonest practices and ensure consistency throughout the industry,” KYLTA said in a statement. “The licensing of title insurance agents has been a long-time goal of KYLTA. Licensing competency examinations and continuing education requirements will maintain the high standards of professionalism necessary for title insurance agents to properly conduct business.”

Illinois and Kentucky are the only two states that don’t require title agents to be licensed. In Illinois, title agents must annually register with the state’s Department of Financial Services. New York’s agent licensing law went into effect in September 2016.

### **Integrity Title Expands Texas Footprint**

Hidalgo, San Patricio and several other Texas counties are now available for access from Integrity Title Records. Integrity Title reported that it

provides title evidence and examination services in 57 of 254 Texas counties, according to company President Paul Cones.

### Kroll Says Title Sector Well Positioned for 2017

Despite projections that mortgage origination volume will decrease in 2017, Kroll Bond Rating Agency (KBRA) reported the title insurance industry is well positioned to manage this considerable decline.

As of year-end 2016, KBRA reported that the industry's aggregated policyholders' surplus (PHS) will be at an all-time high, driven by strong earnings in recent years. Piggybacking on the rebound of the housing market and commercial transactions following the financial crisis, title insurers have reported significantly improved financial metrics such as net written premium to PHS as well

as expense ratios and loss ratios at or near 15-year lows.

Although the industry is much improved, Kroll reported that some regulatory concerns remain such as market share concentration, licensing and consumer value. However, despite these persisting issues and the anticipated decline in mortgage originations, KBRA believes the title industry will be able to navigate through this environment. Additionally, companies with more favorable expense management and relatively lower fixed costs should continue to report strong operating results.

### Virginia-based Bank Acquires Title Company

F&M Bank Corp., parent company of Farmers & Merchants Bank, completed its acquisition of Valley Southern Title Ltd. (VSTitle) on Jan. 1.

VSTitle, which has been in operation since 1985, has offices in Harrisonburg, Fishersville and Charlottesville, Va.

"This acquisition will allow us to utilize the infrastructure that is already in place at VSTitle, while leveraging that with the significant volume

of business that will be derived from Farmers & Merchants Bank and our subsidiary, VBS Mortgage," said Dean Withers, president and CEO of F&M Bank.

F&M Bank Corp. is a community bank holding company with \$745 million in assets. Its subsidiary, Farmers & Merchants Bank, has 12 offices in Rockingham, Shenandoah, Page and Augusta counties in Virginia.

### Majesty Title Services Increases Footprint in Florida

Majesty Title Services announced its expansion into Brandon, Fla. The new office will be managed by Cathy Thompson, a seasoned title and escrow officer who is transferring from the company's main office in South Tampa. Relationship Manager Allen Denham will be responsible for business development in the area, while Dori Sullivan has been brought on to assist with processing and closing transactions.

Vince Cassidy, Majesty Title's chief executive

officer, said the company continues to execute on its strategic expansion, opening its fourth Tampa Bay office in the Brandon market.

"Brandon is a logical extension of our plan," he said. "It's a great opportunity because of its high density. It's a mature market and it enjoys continued appreciation of the median sale price. Majesty has several clients in that market and we always wanted to open an office to make it more convenient for them."

### WACO Title Grows Arkansas Footprint

WACO Title expanded its footprint in Arkansas with the acquisition of Saline County Abstract on Jan. 16. The addition of Saline County Abstract gives WACO Title additional coverage in the central Arkansas market. Patrick Curry, president of WACO Title, said the Saline

County Abstract office will continue to be managed by Harry Allen, a longtime veteran of the Arkansas title and closing industry. WACO Title Company, which opened in 1885 and employs over 190 professionals, has 21 locations in Arkansas and Missouri.

### CATIC Completes ResWare Integration

Adeptive announced that its ResWare platform is now integrated with Connecticut Attorney's Title Insurance Company (CATIC) policy jackets and insured closing letter services. This integration enables CATIC's agents

to quickly generate policy jackets. Additionally, agents are able to produce closing protection letters without ever having to leave their ResWare title software and process flow management system.

## Title Company Owner Involved in \$10M Fraud Scheme, Lawsuit Alleges

The owner of a Florida-based title company along with a former newspaper publisher who was a real estate agent and mortgage broker face federal charges for allegedly participating in a \$10 million mortgage fraud conspiracy in the Sunshine State.

According to the U.S. Attorney's Office for the Southern District of Florida, Michelle Cabrera—owner of Florida Elite Title & Escrow—helped Marco Laureti carry out the scheme involving a condominium complex in Fort Lauderdale. Also accused are Felix Mostelac

and Pedro Melian.

According to the U.S. Attorney's office, Laureti, Mostelac and Melian made false and fraudulent statements to a financial institution on loan applications and closing statements for the multimillion dollar condominiums.

Once the loans were approved, Laureti—a former newspaper publisher and owner of Laureti Publishing Company—would have Cabrera divert loan proceeds to various companies owned by Laureti and Mostelac.

## ResWare Integrates With Ops Insights

Adeptive's ResWare platform is now integrated with Ops Insights, which is a SaaS operational reporting solution provided by ProcessFast that helps identify business trends. The solution allows ResWare users

to confidently determine whether they are on the right path to a better bottom line. The analytics-driven platform can be customized to each ResWare database, providing data on marketing efforts and ROI.

## Qualia Adds Custom Reporting to Title Settlement System

Qualia released an advanced reporting module that equips title and closing professionals with a customizable tool to analyze revenue sources, business relationships and operational efficiency.

Within the "Reports" tab, Qualia users can access and create custom reports based on tasks, contacts and any of the other 4,000 pieces of data involved in the settlement transaction.

## News to Share?

If you have information you'd like us to consider for *TitleNews*, send company announcements to [communications@alta.org](mailto:communications@alta.org).

## ServiceLink Fined \$65M for LPS Foreclosure Activities

Three federal banking agencies fined ServiceLink Holdings LLC \$65 million for improper actions by its predecessor company, Lender Processing Services Inc. (LPS), which resulted in significant deficiencies in the foreclosure-related services that LPS provided to mortgage servicers.

The new agreement—with the Federal Reserve Board, the Federal Deposit Insurance Corporation and the Office of the Comptroller of the Currency—replaces portions of an April 2011 order against LPS requiring the company to change how it handled its default management services. The agencies continue to monitor the company's

compliance with other provisions of that order. The fine will be remitted to the U.S. Treasury.

According to the consent order, LPS "engaged in unsafe or unsound practices in providing default management services" before the acquisition by ServiceLink.

In 2013, LPS agreed to pay \$35 million in fines and pay 46 states and the District of Columbia \$127 million to settle claims of unlawful foreclosure practices. Nearly a year later, Fidelity National Financial completed the acquisition of LPS and divided its business between ServiceLink and Black Knight Financial Services.

## Data Trace Adds New Title Plants in Texas

Data Trace Information Services LLC introduced four new geographically indexed, P-12 compliant thick title plants in Texas. The new plants cover Dallas, Denton, Kaufman and Tarrant counties, with additional depth in Collin

County. According to Data Trace President Robert Karraa, the company now has plants in 29 Texas counties, covering more than 73 percent of the state's housing.



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## Stewart Title Executive Receives Prestigious Lifetime Achievement Award

Dr. Mary Ann Reynolds-Wilkins, vice president and senior business development officer at Stewart Title Guaranty Co., recently received the first Lifetime Achievement Award from the Greater Houston Women's Chamber of Commerce.

The award recognizes female business leaders who have made significant strides in empowering and advancing women in their

personal and professional lives while supporting the chamber's mission. Reynolds-Wilkins joined Stewart Title in 2000 after a successful career in academia.

Reynolds-Wilkins has served the chamber as chair of the board, chair of the Greater Houston Conference for Women and Thought Leaders and co-founder of the Thought Leaders Institute.

## NATIC Names Manager of Education and Research

North American Title Insurance Co. (NATIC) has named Amy Tankersley manager of education and research. In this role, she will manage the company's publications, educational materials and customer outreach. In addition to serving as the editor of NATIC's flagship publication,

LookingNorth, Tankersley will produce webinars and other instructional tools to further NATIC's educational outreach to its agents in the title insurance and settlement services marketplace. Prior to joining NATIC, Tankersley served as editor of The Title Report and The Legal Description.

## DocuSign Hires New CEO

DocuSign announced that it has named Daniel Springer as chief executive officer. He previously served as chairman and CEO for 10 years at Responsys,

where he transformed the business from private start up to a leading global cross-channel marketing automation platform and a publicly traded company.

## North American Title Realigns Geographic Regions

Realigning its geographic regions, North American Title Co. (NATC) recently promoted Michael A. Montalvo to the new position of central region president for Colorado, Illinois and Minnesota, while Chad Barth was promoted to area president for Arizona, Nevada and Utah. Montalvo had served

as Illinois division president for NATC since 2010. He began his career in the title industry in 1991 as a scheduling clerk with the Professional National Title Network. Barth had served as NATC Northern California/Nevada area manager for nearly four years.

## Agents National Title Appoints CSO

Missouri-based Agents National Title Insurance Co. named industry veteran Pat Carney as chief strategy officer (CSO). In his new position, Carney will be charged with identifying, prioritizing opportunities and driving innovative solutions that influence Agents National Title's growth and expansion opportunities via organic

or through strategic acquisitions. He will work closely with all players within the mortgage ecosystem to drive creativity and implement forward-thinking solutions. Carney was most recently chief innovation officer at ClosingCorp. Prior to that, he was chief operations officer and chief strategy officer at reQuire.

## WFG Adds Agency Resource in Chesapeake Region

The Agency Group for WFG National Title Insurance Company (WFG) has named Ned Livornese as assistant vice president and underwriter/account manager for the company's Chesapeake

region. Livornese will serve as a resource for WFG title agents in Maryland, Delaware, the District of Columbia and Virginia. He most recently served as Maryland state counsel for a national underwriter.

## We Protect

There have been plenty of results over the past year that reinforce never giving up. Look no further than President Donald Trump's election. Pundits didn't even him a chance to win the Republican nomination.

The world of sports, meanwhile, authored a litany of dramatic endings the past 12 months. Villanova made a three-point shot at the buzzer to crush the hearts of North Carolina to win the men's NCAA National Basketball Tournament in April. In basketball, LeBron James delivered Cleveland's first professional sports championship in 52 years as the Cavaliers won three games in a row to defeat Golden State in seven games in the NBA Finals. Following that, the Chicago Cubs overcame a 3-1 deficit to defeat the Cleveland Indians in the best-of-seven series and end 108 years of waiting until next season. In February, Tom Brady led the Patriots to overcome the largest deficit in Super Bowl history, defeating the Atlanta Falcons and winning New England its fifth NFL title.

What do all of the exhilarating sports finishes have in common with the presidential election? Not much in terms of the health of the country and economy. But all are a testament to persevering and taking advantage of opportunity.

In May, we have another opportunity to participate in the title industry's Super Bowl! For 20 years, ALTA has brought members to Washington, D.C., to amplify our voice and to advance the industry's interests. We've rebranded our Federal Conference and Lobby Day as the ALTA Advocacy Summit. The change elevates our position as an industry and confirms that we are coming together at a high place, designated for those with influence, strength and a voice that resonates.

The Advocacy Summit (May 1-3) is our moment to exercise our political rights and use a collective voice to strengthen the industry and focus on its purpose—protecting property rights. Advocacy is in ALTA's mission as an association and we are prepared to lead the way, but our members are the heart and soul of our advocacy efforts. Whether you're a state leader, first-time attendee or you've attended 20 events in the past, the Summit is the cornerstone of the title industry's advocacy efforts where we leave a legacy of contributions for future generations. For more info, go to [meetings.alta.org/advocacy](http://meetings.alta.org/advocacy).

We've also received great support for TIPAC, which for the first time raised more than \$1 million during the election cycle. Our profile in D.C. has never been higher.

There's a myriad of policies being debated on Capitol Hill—everything from financial and tax reform to the future of Dodd-Frank and the Consumer Financial Protection Bureau. Amid all the noise, we'll stay focused on our mission: We are the investigators, analysts and counselors. The protectors of property rights.

— Daniel D. Mennenoh ITP, NTP, ALTA president





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# ALTA ADVOCACY SUMMIT™

*We the Protectors*

of American property rights, in order to defend land privileges and provide peace of mind to homeowners, do plan to meet May 1-3, 2017, in Washington, D.C., to shape the future of the title industry.

**May 1-3, 2017 | The Watergate Hotel | Washington, D.C.**

[meetings.alta.org/advocacy/titlenews](http://meetings.alta.org/advocacy/titlenews)