

TITLENews

JULY 2020

AMERICAN LAND TITLE ASSOCIATION

**Operation
Healthy
Office**



ALTA ONE GOING 100% VIRTUAL | ALTA.ORG/ONE

MobileUnderwriter

By FIRST AMERICAN®

Quotes on the go!

The quote calculator feature is now available in MobileUnderwriter. In addition to the underwriting content you rely upon, you now have the ability to create title insurance and recording fee quotes instantaneously. Manage your business on the go and exceed your customers' expectations by responding immediately to their request for a quote.

Save, revise, download or email quote.

QUOTES* ARE BASED ON THE STATE, COUNTY, CITY, PROPERTY AND TRANSACTION TYPE SELECTED.

www.firstam.com/MobileUnderwriter

Login using AgentNet® credentials

* In certain markets, Quick Quotes are available and Agents can also customize quotes on demand and deliver to their clients by email. The quotes provided are estimates based upon information provided and may be subject to change. You are invited to contact your local title agent or office for a more precise quote.

The top smartphone displays the MobileUnderwriter app interface with the following input fields:

- State: CT
- County: Middlesex
- Property Type: Residential
- Transaction Type: Purchase with Financing
- Sales Price: \$300,000.00
- Loan Amount: \$175,000.00

The bottom smartphone displays the resulting quote details:

- SELLER'S COST: \$9,937
- Charges: \$2,314
- Buyer: \$2,221
- Seller: \$4,323

CHARGES	BUYER	SELLER
Title Fees	\$2,221	\$4,323
Eagle Owner's Policy	\$0	\$4,323
ALTA Loan Policy - Extended	\$2,221	\$0
[ALTA 8.1-06] Environmental Protection Lien	\$0	\$0
ICLTA 100-061 Restrictions.	\$0	\$0



First American Title™

www.firstam.com

First American Title Insurance Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. First American, the eagle logo, First American Title, AgentNet and firstam.com are registered trademarks or trademarks of First American Financial Corporation and/or its affiliates.

©2020 First American Financial Corporation and/or its affiliates. All rights reserved. NYSE:FAF



iN This Issue

VOLUME 99 | NUMBER 7 | JULY 2020

COVER STORY

10 Operation Healthy Office

Strategies for Title and Settlement Companies to Help Keep Staff, Customers Safe

FEATURES

16 ALTA Survey: Nearly 30 Percent of Title Agencies Offering Versions of Digital Closings During COVID-19 Pandemic

Considered 'Essential Businesses' by U.S. Department of Homeland Security, Most Settlement Companies Remain Open During Health Crisis

18 MISMO Issues ALTA-supported Uniform Closing Instructions

Standardized Templates Help Increase Efficiency by Reducing Mistakes and Cost

22 Title Companies Raise Millions to Improve Real Estate Closings

States Title, Spruce Focused on Digitizing the Process

24 Rhode Island Supreme Court Rules Non-attorneys Can Conduct Closings

DEPARTMENTS

- 5 Publisher's Desk
- 6 ALTA News
- 26 Industry Update
- 32 Movers & Shakers
- 34 Closing Comment



**DON'T MISS THIS MONTH'S
DIGITAL ISSUE OF**

TITLENews

The digital edition of **TITLENews** includes a webinar recording that details employment, health policy and operation issues title and settlement companies will face as staff return to the office. In addition, title industry veterans share how they are approaching new workforce protocols brought on by COVID-19.

Go to alta.org
to get your copy of
Digital TitleNews Today.



TitleNews is published monthly by the American Land Title Association. United States and Canadian subscription rates are \$100 a year for members and \$300 a year for nonmembers. For subscription information, call 800-787-ALTA.

Send address changes to *TitleNews*, American Land Title Association, 1800 M Street, Suite 300 S, Washington, D.C. 20036-5828.

Anyone is invited to contribute articles, reports and photographs concerning issues of the title industry. The Association, however, 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 following credit line: "Reprinted from *TitleNews*, the monthly magazine of the American Land Title Association."

©2020 American Land Title Association

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

TITLENews

OFFICIAL PUBLICATION OF THE **AMERICAN LAND TITLE ASSOCIATION**

PUBLISHER + EDITOR IN CHIEF
Jeremy Yohe

DIRECTOR OF DIGITAL AND PRINT MEDIA
Shawn Sullivan

ASSOCIATION OFFICERS

PRESIDENT
Mary O'Donnell
Westcor Land Title
Insurance Company
Maitland, Fla.

PRESIDENT-ELECT
William Burding Jr. NTP
Orange Coast Title Family of
Companies
Santa Ana, Calif.

TREASURER
Don Kennedy
First American Title Insurance
Company
Santa Ana, Calif.

CHAIR, FINANCE COMMITTEE
Richard H. Welshons
DCA Title
Hastings, Minn.

CHAIR, TITLE INSURANCE UNDERWRITERS
SECTION
Daniel M. Wold
Old Republic National Title Insurance
Company
Minneapolis, Minn.

BOARD REPRESENTATIVES,
TITLE INSURANCE UNDERWRITERS
SECTION

David Townsend MTP, NTP
Agents National Title Insurance Co.
Columbia, Mo.

CHAIR, ABSTRACTERS AND TITLE
INSURANCE AGENTS SECTION
Jack Rattikin III
Rattikin Title Company
Fort Worth, Texas

BOARD REPRESENTATIVES, ABSTRACTERS
AND TITLE AGENTS SECTION
Maureen Pfaff WTP, NTP
Olympic Peninsula Title Company
Port Angeles, Wash.

Sylvia A. Smith-Turk
Western Title Company
Reno, Nevada

IMMEDIATE PAST PRESIDENT
Cynthia Durham Blair NTP
Blair Cato Pickren Casterline LLC
Columbia, S.C.

ASSOCIATION EXECUTIVE STAFF

CHIEF EXECUTIVE OFFICER
Diane Tomb

CHIEF OPERATING OFFICER
Cornelia Horner CMP

SENIOR VICE PRESIDENT
OF PUBLIC AFFAIRS
Chris Morton

VICE PRESIDENT
Kelly Romeo CAE

VICE PRESIDENT OF COMMUNICATIONS
Jeremy Yohe

We Can Make a Difference

AS A PROTECTOR OF PROPERTY RIGHTS, you understand the benefits of owning a home. From making memories to building wealth, homeownership provides a distinct advantage to attaining financial stability.



JEREMY YOHE
ALTA vice president of communications

The equity a person or family builds can provide long-term stability and help fund college tuition and retirement. Homeownership also provides an investment in the community through property taxes and home improvements that support the local economy.

In addition to financial benefits, homeownership also impacts education, civic participation and health. A study titled, “Social Benefits of Homeownership and Stable Housing,” that appeared in the Journal of the Center for Real Estate Studies, measured the emotional well-being of homeowners. The study showed that homeowners, even those in the lower price points, report a higher life satisfaction, self-esteem and perceived control over their lives.

The killing of George Floyd, followed by protests across the country, highlighted the lack of progress of improving homeownership rates among the African American community. Last year, the overall rate was 65.3 percent, compared to 40.6 percent for black households. This was the lowest level in the Census Bureau’s quarterly data going back to 1994. It also was the smallest share recorded for black households since the 1950 decennial census, when it was 34.5 percent.

NAR Chief Economist Lawrence Yun said one solution would be to build more homes to increase supply. With the minority population comprising a higher percentage of potential first-time buyers, this could help this segment lock in a home.

Building homes in Opportunity Zones would be another logical step. There are tax breaks in certain geographically defined Opportunity Zones for developers to go in and build homes, helping the revitalization of economically-distressed areas.

Yun said strengthening the FHA loan program could help many minority households become first-time buyers. Shifting federal dollars to strengthen the FHA program could lower mortgage insurance premiums and monthly mortgage payments. Additionally, expanding the alternative credit scoring models to include rent and utilities payments would help black Americans boost their credit scores.

To help on the housing front, House Financial Services Committee Chairwoman Maxine Waters (D-Calif.) has proposed investing at least \$5 billion in the Housing Trust Fund and \$2.5 billion in the Capital Magnet Fund to spur the production of hundreds of thousands of new units of affordable housing.

The key is to cultivate long-term homeownership rates—not just provide a temporary bump in sales. Keep the conversation going. Educate minorities in your community about the benefits of homeownership. Advocate for housing programs that provide equal access to credit.

We can make a difference and create a more equitable and inclusive industry that provides for economic opportunity and mobility for more Americans.

ALTA Donates to D.C. Nonprofit Supply Love

During the COVID-19 pandemic, people across the United States are looking for ways to help make a difference in their communities. For Caroline Greene, what started as a small effort to make face masks with a couple of friends, grew into a nonprofit organization with more than 50 volunteers sewing masks. Supply Love, a locally organized, community-based effort in the Washington, D.C., metro area provides masks and other necessary supplies to hospitals, first responders and community organizations on the front lines of the COVID-19 crisis.

In recognition of Supply Love's critical work, ALTA supported the organization's #GivingTuesdayNow campaign as a corporate donor, contributing \$750 to the group.

"We are so grateful to the volunteers of Supply Love for recognizing the needs of the community and giving their time and resources to fill the gap," said ALTA CEO Diane Tomb. "Supply Love is not only making face masks and supplying much-needed materials, they are also spreading faith and hope in a time when it's desperately needed. ALTA was happy to donate to this effort, and we hope to continue to give to the organization in the future."

Established in March 2020, the volunteers of Supply Love also began collecting other needed materials. Less than a month later, the volunteers had made, collected and donated more than 5,000 surgical masks, 15,000 gloves, gallons of hand sanitizer and countless cleaning supplies to hospitals, children's medical centers, police, firefighters, paramedics, rescue squads, food and wellness programs and many other groups. To date, Supply Love



has donated almost 5,000 masks and hundreds of supplies to organizations throughout the D.C. metro area.

"ALTA's contribution in support of our #GivingTuesdayNow campaign will enable Supply Love to give 150 cloth masks to our partner organizations in the D.C. metro area," said Greene, founder of Supply Love. "We are grateful to partners like ALTA who recognize the need to help provide those serving on the front line of COVID-19 with masks and needed supplies."

Supply Love operates as a partner fund of United Charitable Trust, a 501(c)(3) nonprofit organization, and donations are tax deductible. For more information or to donate, visit supplylove.com.

TrustLink Becomes ALTA Elite Provider

ALTA announced that TrustLink is now an ALTA Elite Provider.

ALTA's Elite Provider Program features distinguished service providers committed to furnishing extensive 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.

For more than 40 years, TrustLink has provided full-service trust accounting. The company offers a complete segregation of duties, daily three-way reconciliation, electronic verification and management approval, comprehensive unclaimed property service and positive pay upload to banks. Along with 1099-S tax reporting and W-9 due diligence, TrustLink's services help industry professionals meet compliance initiatives and industry

best practices.

"TrustLink is proud to be an ALTA Elite Provider," said Pam Sember, TrustLink business development manager. "As the oldest and biggest trust accounting services provider with over \$34 trillion in transaction dollars over the past 40 years, we welcome the opportunity to serve an even greater number of the ALTA membership with our personalized services and their own assigned reconciler."

A six-month, no-obligation reconciliation service is available for ALTA members using the closing software of TrustLink's integration partners.

For more information about the Elite Provider program or to apply, please visit alta.org/elite.



Beware of the Switchtask Thief

Have you heard of switchtasking? Whether or not you have, you've likely done it. In fact, you're probably doing it right now. You're reading this article, and an alert from Outlook, Slack or Microsoft Teams appeared on your screen, or a text message appeared on your phone. Do you read it? If you read it, you are switchtasking. Simultaneously talking on the phone, writing an email and answering a text from a family member all while working on a deadline-driven project is often referred to as multitasking. However, according to American author **Dave Crenshaw**, it is actually switchtasking, and it can be detrimental to work and productivity levels.

“We are confused about whether or not we're being productive. And the reality is, your brain cannot handle multiple active tasks at the same time.”

Crenshaw introduced the term switchtasking in his book, “The Myth of Multitasking: How Doing It All Gets Nothing Done,” and said it's a better way to describe what is occurring when people attempt to multitask, or rather when they attempt to concentrate on more than one thing.

“We are confused about whether or not we're being productive. And the reality is, your brain cannot handle multiple active tasks at the same time. You have to switch back and forth ... and every time you switch, you pay a cost,” said Crenshaw, who is a public speaker and time management expert.

During a recent webinar by Lucid Software on how to avoid remote working fatigue, Crenshaw listed increased time, lower quality and higher stress as the costs, and shared tips on improving productivity levels during the workday by avoiding switchtasking.

To prove how negatively impactful switchtasking is, Crenshaw gave the audience a task. The audience had to write on a piece of paper, “switchtasking is a thief” on one line as one task and the numbers 1-21 on a second line as another task.

When doing these two tasks separately, the audience could do each faster than they did when they attempted to switch between the two tasks. For example, when writing “s, 1, w, 2, i, 3, t, 4, c, 5, h, 6, etc.,” on the separate lines, switching back and forth between the phrase and numbers, many in the audience claimed it took longer, and they made mistakes and were more stressed in completing the two tasks.

“If [you] can reduce the number of switches, you're going to get more time, you're going to improve the quality of your work and you're going to reduce your stress levels,” Crenshaw said.

In its newly-released, “The Title Agent's Guide to Working Remote,” NATIC offers the title agent community a full-service, how-to-guide to working remote, including: Tips from Crenshaw on how to reduce switchtasking and increase productivity levels; professional insight from NATIC's senior vice president of agency, **Rich Griffin**, on time management; and dispelling the myths of remote work, overcoming the remote struggles, managing a remote workforce, collaboration tools, benefits to working remote, workspace considerations, remote security, company policy and remote training.

View NATIC's
The Title Agent's Guide to
Working Remote HERE.



©2020 States Title Holding, Inc. and its subsidiaries. All Rights Reserved. North American Title Insurance Company and related design and Simple, Done Right, are service marks or registered service marks of States Title Holding, Inc. or its subsidiaries.



SIMPLE. DONE RIGHT.

CoreLogic Partners With ALTA Registry

ALTA announced that CoreLogic Solutions LLC has partnered with the national ALTA Title & Settlement Agent Registry.

“We’re pleased that CoreLogic is including ALTA registry data in its Title and Closing Solution,” said Diane Tomb, ALTA’s CEO. “We share a goal of improving the accuracy of title-agent related data and the emergence of the ALTA Registry as an effective and easy-to-use source of data and information that comes at the perfect time to improve data-driven workflows for title professionals. The national ALTA Registry is a unique real estate utility created specifically for the mortgage industry and technology providers such as CoreLogic. For the first time, the industry has a single source of agent information and national identifier for each location in the form of the ALTA ID.”

ALTA launched the ALTA Registry in 2017 as the first national database of title insurance agents and settlement companies. In addition to contact information and branch locations for agents and title companies, each ALTA Registry listing also includes a

title agent or real estate attorney’s unique seven-digit ALTA ID.

“CoreLogic understands the importance of mortgage lenders having easy access to necessary and accurate provider information,” says Michael Marino, principal of industry solutions for CoreLogic. “With our Title and Closing Solution connecting to the centralized ALTA Registry, lenders are able to quickly access robust verified vendor information, which leads to more accurate and faster order assignment as well as reduced fraud potential. The integration provides benefits to title and settlement agents by allowing automated validation and updating of profile and underwriter information to be shared directly to lender partners. We are thrilled to be working with ALTA and the ALTA Registry as a provider of this comprehensive title data to the broader collateral industry.”

Learn more about the ALTA Registry by visiting altaidregistry.org.

#gooddeeds



Share Your #GoodDeeds

Community is not based on our ability to physically see and touch each other, but rather the connection and care we show for each other—especially in times of need.

ALTA would like to hear how you are continuing to serve your customers and communities during this uncertain and unprecedented time.

We know how involved you are in

your local market even when there’s not a pandemic, so we know you are actively involved in helping those that might need it most. We would like to highlight all the great volunteerism that is happening across our industry and the creative ways you’ve modified processes to get deals closed.

Email your story and photos to communications@alta.org.

ALTA 2020 TIPAC Donors

The Title Industry Political Action Committee (TIPAC) is ALTA’s voluntary, non-partisan political action committee (PAC). TIPAC raises money to help elect and re-elect candidates to Congress who understand and support the issues affecting the title industry. So far in 2020, TIPAC received \$185,000 from 209 donors. In addition, \$122,500 from 20 companies has been pledged to the TIPAC Education Fund. Check out who has supported the industry at alta.org/tipac.



NEWS TO SHARE?

If you have information you’d like us to consider for TITLE News, send company announcements to communications@alta.org.

SOFTPRO SAVED YOU A SEAT

FREE WEBINAR SERIES



JOIN US to hear more on
industry updates, technology trends,
role-related tips, and more!

Take a look at some of our past featured episode topics:

Remote Online Notarization » Living and Working Remotely
Tips, Tricks & Tools for SoftPro Software » Don't Social Distance Your Marketing!
SoftPro Select Secrets to Success & **MORE!**

REGISTER NOW:

softprocorp.com/saved-you-a-seat

Do you have an idea or topic you'd like to see covered in a future episode of SAVED YOU A SEAT?
You can reach out to us on social media using the hashtag #SoftProSavedYouASeat



800-848-0143 | sales@softprocorp.com
www.softprocorp.com



OPERATION HEALTHY

AS STATES CONTINUE TO ENTER DIFFERENT PHASES OF REOPENING, employers are confronted with a lack of uniformity and inconsistent guidance. The landscape can be confusing enough for an employer with a single location, but for those operating across multiple states, or even across county lines, monitoring what is required will be quite the endeavor. Business owners and managers must consider an assortment of employment issues affecting health and operations policies as employees transition back to the office. Liability is a major concern, beginning with what to do if an employee or customer gets sick and how to screen people entering the office.

While many businesses across the United States have closed due to the COVID-19 pandemic, the title and settlement industry has remained resilient. An ALTA survey found that 98 percent of respondents reported their offices remain open during the crisis. Additionally, only six percent of those surveyed said they've temporarily ceased operations at any of their business locations. Title and settlement companies are deemed "essential businesses" by the U.S. Department of Homeland Security and allowed to remain open. Because of this, the issue is more about ensuring the

proper policies and procedures are in place to keep everyone safe and healthy.

To develop a plan of action, Elliot Griffin, an associate with the law firm Ballard Spahr, encourages business leaders to establish a team or task force to oversee planning, execution and monitoring. This group will need to conduct a COVID-19 risk/hazard assessment and develop a reopening plan, establishing monitoring and update protocols and documenting the process.

"The task force should look at things from an employee's perspective from start to finish," Griffin

Strategies for Title and Settlement Companies to Keep Staff and Customers Safe

OFFICE

By Jeremy Yohe

said. “Things to consider include whether you have a lot of employees taking public transportation, if you’re a tenant in a commercial office, how are employees getting in and out of the building, how will they get to bathrooms, while mitigating any exposure to COVID-19”

While companies don’t want to think about it, Griffin said the reality is that a company may have an employee test positive for COVID-19. A business will want procedures in place to limit the possibility of infection and to notify employees and customers if an exposure occurs.

Prevention Policies and Protocols

■ **Social distancing:** Griffin said employers should revisit their employee handbook and develop social distancing protocols for the workplace. Social distancing protocols can address a broad range of issues. For example, employers should consider engineering controls and administrative practices to provide at least six feet of space among workers, whether in motion or stationary in their work areas. This may include reconfiguration of workspaces,

erection of barriers such as Plexiglas shields, marking floors for directional movement and spacing, and limiting the numbers of individuals who can congregate in common areas. It also may include new schedules and staggered shifts, different and staggered breaks and meal periods, and greater use of virtual meetings.

- **Hand washing:** Employers should make sure that employees returning to the office have access to facilities to allow for regular hand washing, according to Griffin. If soap and water are not available, hand sanitizer (with at least 60% alcohol content) is acceptable as a substitute.
- **Cleaning and disinfecting:** Employers should establish updated and enhanced cleaning and disinfection protocols, particularly for high-use and high-touch areas. Griffin said this may be done through the employer’s regular workforce and/or through outside vendors. It may be necessary to hire additional staff or to expand cleaning contracts. Some public health orders mandate consideration of janitorial staffing.

- **Workspace and movement (entry, exit, elevators, common space):** For employers in leased space and/or in buildings with shared common space, such as elevators, halls, lobbies, etc., the employer should consult with the landlord or building management about how cleaning and disinfection will be handled.
- **PPE (face coverings, gloves):** Companies will need to think through whether face coverings will be mandatory, Griffin said. Face coverings or shields, respirators, gloves and other personal protective equipment (PPE) may be mandated, depending on the state and industry. For example, some states, including Pennsylvania and

New Jersey, have adopted public orders mandating face coverings, both for employees and for customers. Others have issued guidance on what are appropriate face coverings and how to make them. Usually, the employer is responsible for providing PPE. Some workers may have health or religious objections to the use of PPE, giving rise to the need to consider accommodations under the ADA or Title VII.

- **Scheduling, breaks, shifts, interaction:** Griffin suggested modifying the work schedule to ensure only a portion of staff is in the office each day.
“Companies that have offices across the country may want to have a workplace

coordinator on site,” Griffin recommended. “That person should have an open-door policy for employees to bring concerns.”

A businesses’ COVID team will need to regularly review public orders and guidance from CDC and OSHA. Additionally, there are media and public relations concerns. A company’s reopen plan and how it plans to bring employees back to the office may be considered newsworthy by local media.

“You’ll want to think about how you’ll respond to media inquiries,” Griffin said. “Internal PR strategy is equally important in how you are communicating with employees. You need to be transparent in all the steps you are taking to prioritize their health and safety.”

OPERATION HEALTHY OFFICE: TOP 10 TIPS TO PROTECT EMPLOYEES’ HEALTH



American Land
Title Association
Protect your property rights



Develop other flexible policies for scheduling and telework (if feasible) and create leave policies to allow employees to stay home to care for sick family members or care for children if schools and childcare close.



Have conversations with employees about their concerns. Some employees may be at higher risk for severe illness, such as older adults and those with chronic medical conditions.



Actively encourage sick employees to stay home. Develop policies that encourage sick employees to stay at home without fear of reprisals, and ensure employees are aware of these policies.



Perform routine environmental cleaning. Routinely clean and disinfect all frequently touched surfaces, such as workstations, countertops, handrails, and doorknobs. Discourage sharing of tools and equipment.



Talk with companies that provide your business with contract or temporary employees about their plans. Discuss the importance of sick employees staying home and encourage them to develop non-punitive “emergency sick leave” policies.



Consider the need for travel and explore alternatives. Check CDC’s Travelers’ Health for the latest guidance and recommendations. Consider using teleconferencing and video conferencing for meetings, when possible.



Promote etiquette for coughing and sneezing and handwashing. Provide tissues, no-touch trash cans, soap and water, and hand sanitizer with at least 60% alcohol.



Provide education and training materials in an easy to understand format and in the appropriate language and literacy level for all employees, like fact sheets and posters.



Plan to implement practices to minimize face-to-face contact between employees if social distancing is recommended by your state or local health department. Actively encourage flexible work arrangements such as teleworking or staggered shifts.



If an employee becomes sick while at work, they should be separated from other employees, customers, and visitors and sent home immediately. Follow CDC guidelines for cleaning and disinfecting areas the sick employee visited.

Source: Centers for Disease Control and Prevention

Liability Mitigation

■ **Third-party agreements:** Title and settlement companies may use staffing agencies. Griffin said employers will want to work with these agencies to assess what their requirements will be.

■ **Lease agreements:** In addition, if an office is in a building with a lot of common space, “you’ll want to look at those agreements and determine what your landlord is responsible for and what measures they are instituting,” Griffin said.

■ **Insurance:** Companies may get workers’ compensation claims from employees saying they contracted COVID in the workplace. In some states, employee infections may be covered. Griffin said companies will also want to review coverage under their general liability policy and assess what’s covered if any customers, vendors or third parties who enter your office claim to have contracted COVID there.

Shannon Farmer, a partner with Ballard Spahr, said one of the main questions the law firm receives is about liability if an employee contracts COVID in the office. She said several wrongful-death lawsuits have been filed against employers by estates of employees, claiming negligence and accusing employers of allowing employees to work without adequate safety measures.

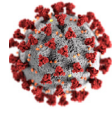
“Whether those cases go anywhere or are barred by worker’s compensation statutes, there are other areas of liability,” Farmer said.

These relate to the general OSHA Standard of Care, which says employers have a general duty to provide a workplace “free from recognized hazards that are causing or are likely to cause death or serious physical harm.” OSHA has not yet adopted mandatory COVID-19 standards.

Protective Personal Equipment

For the title and settlement industry this mainly involves masks and gloves. Whether a company must require employees to wear masks will be determined by local and state guidance, according to Farmer. The CDC only recommends face coverings. If a company requires masks, this becomes

What you should know about COVID-19 to protect yourself and others



Know about COVID-19

- Coronavirus (COVID-19) is an illness caused by a virus that can spread from person to person.
- The virus that causes COVID-19 is a new coronavirus that has spread throughout the world.
- COVID-19 symptoms can range from mild (or no symptoms) to severe illness.



Know how COVID-19 is spread

- You can become infected by coming into close contact (about 6 feet or two arm lengths) with a person who has COVID-19. COVID-19 is primarily spread from person to person.
- You can become infected from respiratory droplets when an infected person coughs, sneezes, or talks.
- You may also be able to get it by touching a surface or object that has the virus on it, and then by touching your mouth, nose, or eyes.



Protect yourself and others from COVID-19

- There is currently no vaccine to protect against COVID-19. The best way to protect yourself is to avoid being exposed to the virus that causes COVID-19.
- Stay home as much as possible and avoid close contact with others.
- Wear a cloth face covering that covers your nose and mouth in public settings.
- Clean and disinfect frequently touched surfaces.
- Wash your hands often with soap and water for at least 20 seconds, or use an alcohol-based hand sanitizer that contains at least 60% alcohol.



Practice social distancing

- Buy groceries and medicine, go to the doctor, and complete banking activities online when possible.
- If you must go in person, stay at least 6 feet away from others and disinfect items you must touch.
- Get deliveries and takeout, and limit in-person contact as much as possible.



Prevent the spread of COVID-19 if you are sick

- Stay home if you are sick, except to get medical care.
- Avoid public transportation, ride-sharing, or taxis.
- Separate yourself from other people and pets in your home.
- There is no specific treatment for COVID-19, but you can seek medical care to help relieve your symptoms.
- If you need medical attention, call ahead.



Know your risk for severe illness

- Everyone is at risk of getting COVID-19.
- Older adults and people of any age who have serious underlying medical conditions may be at higher risk for more severe illness.



[cdc.gov/coronavirus](https://www.cdc.gov/coronavirus)

a respiratory program under OSHA and must adhere to its rules.

Considerations include:

- Whether employers should (or must) provide?
- What kinds of PPE (gloves, shields, face coverings) will be mandated?
- How PPE will be procured
- How much PPE is enough?
- Will PPE be required for just employees, or for vendors, clients and customers too?
- What if limited quantities are available?

“You need to be realistic in thinking about what you’re going to require,” Farmer advised.

Screening and Testing Programs

Employers may consider implementing temperature screenings, health questionnaires and/or infection or antibody testing for COVID-19 (if available). Screening, if done, generally should consider all persons entering the workplace, including employees, contractors, vendors and visitors.

Some states, under public health orders, require screenings, especially after a positive COVID-19 incident in the workplace. Any screening and testing measures or health assessment policies should be implemented thoughtfully, with consideration of issues

related to the Americans with Disabilities Act (ADA), including confidentiality of medical information, as well as other privacy concerns. Farmer said employers must have separate files and limit access to those on a need-to-know basis. There also may be an OSHA requirement to retain records for up to five years.

Any testing or screening measures should be applied to all employees consistently, to prevent any inference of discrimination. If an employee is singled out for testing or questioning about symptoms, the employer must have a “reasonable belief based on objective evidence” that the employee may have the disease. Employers should also be mindful of federal and state anti-discrimination laws, which may apply. Also, some state agencies, including Pennsylvania, have advised employers that its state anti-discrimination statute may be interpreted more broadly than its federal counterpart.

Farmer said Ballard Spahr has a client developing a platform where employees can login, record their temperature and answer a couple of questions.

“I would say a lot of employers outside of large companies that have medical facilities onsite are going to have people do self-screening,” Farmer said.

Companies will need to determine what they expect employees to report. In addition, Farmer said employers will need to assess whether time spent undergoing screenings (or waiting in line for screening) will be considered compensable time under wage and hour laws.

“Generally, under federal law, the answer is probably going to turn out to be no,” Farmer said. “This is due to the way federal law looks at what’s called activities as opposed to things that are integral to the work. However, state laws are different. Some states have ruled going through security checks can be applied to hours worked.”

Employers also should establish clear guidelines for when employees will be sent home based on screening and when they can return to work. The CDC has issued guidance on these issues.

Finally, Farmer said there should be

consideration given to who will conduct screenings. This may be done by staff or an outside vendor or a combination of the two. Also, the configuration of the screening location(s) must be thoughtfully planned, particularly in light of social distancing protocols. High-traffic screening locations also merit special cleaning and disinfection procedures.

Sick Employees

Employees exhibiting COVID-19 symptoms (fever, cough, shortness of breath) should immediately be separated from others and sent home, according to the CDC. Sick employees should not be permitted to return to work until they have met the CDC’s latest criteria to discontinue home isolation. Employees should stay at home at least 10 days after symptoms first appeared and three days since recovery.

“The CDC also advises that employers do not need a doctor’s note or COVID test for employers to return to work,” Griffin said.

Signs/Postings

Businesses are encouraged to post reminders about the new policies in the workplace, such as reminders to wash hands and social distance, one-direction hallways, and breakroom/lunchroom etiquette.

OSHA and the Centers for Disease Control and Prevention (CDC) have made available a wide variety of signs that can be posted in the workplace to remind employees about health and safety protocols. Either of these or workplace-specific versions should be printed and displayed prominently throughout the workplace. The Department of Labor also requires a poster advising employees of their rights under the Families First Coronavirus Response Act.

What Are Title Companies Doing?

Craig Haskins, chief operating officer of Knight Barry Title Group, said his company is taking a phased approach to returning employees to the office.

“Basically, we are not changing,” Haskins said. “We have offered employees the option to work from home. That’s been the number

one question on our calls as states reopen.”

Haskins said about half of Knight Barry’s 400 employees has worked exclusively from home, while the other half has worked hybrid hours.

“It’s worked, so we are not rushing to bring everyone back,” he added. “We’ve decided if an employee is effectively working from home, then we will continue to let them until we go into another phase. We’ve eliminated non-essential meetings and minimized in-person sales calls. Our sales team has done a great job getting creative to continue engaging customers.”

Mary O’Donnell, chief executive officer of Westcor Land Title Insurance Co., says her company has taken the same tactic. The national underwriter has coined it the “Office Optional Approach.” O’Donnell said the company has held virtual town halls to discuss “reoccupying” the office.

“Communication has been the ultimate key,” she said. “We wanted to be sure that employees knew that if one of their managers elected to come back to the office, they shouldn’t feel peer pressure that they need to return as well. On the flip side, if an employee comes back, we don’t want the manager to feel obliged to come back. We’ve worked hard on being totally open about expectations.”

To ensure proper social distancing, Westcor has removed chairs from conference rooms and elected to not reopen break rooms during the first phase of reopening.

“This is not a one-size fits all approach,” O’Donnell said. “Even within counties, the approach is different.”

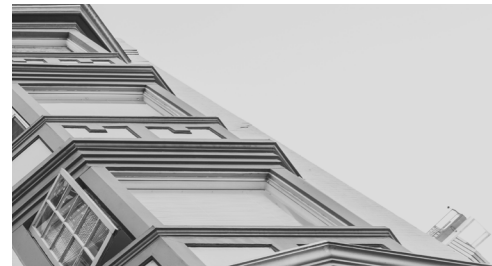
Because of regional differences, Westcor gives local managers freedom to determine how they want to reoccupy their offices through understanding what’s happening in their areas and listening to staff.

Haskins added that Knight Barry, which operates in several states, said it’s important to be flexible with staff working on the office.

“Staff is our number one asset,” Haskins said. “If they aren’t comfortable coming to work, then we don’t have a business.” ■



JEREMY YOHE is ALTA’s vice president of communications. He can be reached at jyohe@alta.org.



The DataTrace Difference

- 7 billion document images
- 545+ Title Plants
- Full coverage of U.S. Housing Stock Data

From the nation's most trusted source of title data and automation for over 50 years

Introducing DataTrace® TaxSource™

Property tax reporting that delivers full national coverage with the most current tax status and rapid results built on the latest technology and data resources.

DataTrace TaxSource provides a single solution to all your tax processing needs. Eliminate the challenges of managing your in-house tax searches or multiple regional vendors. Our robust integration provides the tax data you need, the way you need it - directly to your production system. With TaxSource, trusted, validated tax status information is delivered through an efficient, nationwide network of data and expertise.

TaxSource - Tax status reporting made easy

 DataTraceTitle.com/TaxSourceALTA

 800.221.2056

Nationwide Coverage & Expertise

Nationwide property tax records, supported by the strongest network of regional specialists in the industry



Trusted, Reliable Tax Record

Comprehensive tax records combining essential assessor, tax agency and tax bill data that is validated for tax currency and data integrity



Seamless System Integration

Tax status data integrated through robust APIs to title production systems



Single Source Solution

Single source access provides a standardized response from any jurisdiction, improving process efficiencies





SURVEY

ALTA Survey: Nearly 30 Percent of Title Agencies Offering Some Form of Digital Closings During COVID-19 Pandemic

Considered 'Essential Businesses' by U.S. Department of Homeland Security, Most Settlement Companies Remain Open During Health Crisis

Title and settlement companies across the country have implemented new processes including digital closings to help consumers complete their real estate and mortgage transactions, according to a survey conducted by the American Land Title Association (ALTA).

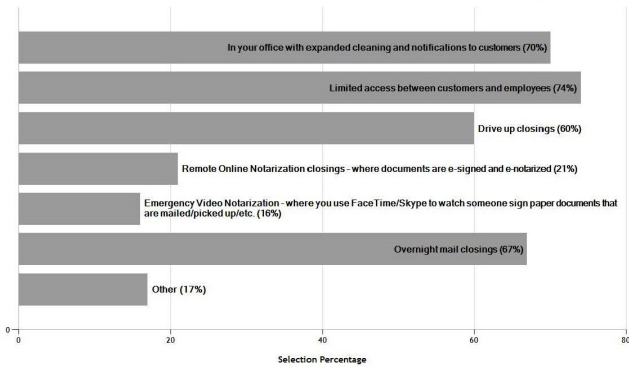
In April, ALTA surveyed title professionals to better understand how the COVID-19 crisis has affected business and employee practices. Nearly 400 title and settlement companies participated in the survey.

To conduct safe closings for customers, an overwhelming majority are limiting access between customers and employees (74 percent) and expanding cleaning and notifications to customers (70 percent). Regarding the different types of closings, 60 percent reported offering drive-up closings, 21 percent offer remote online notarizations (RON) where documents are e-signed and e-notarized and another 16 percent provide emergency video notarization using services such as FaceTime or Skype to witness the signing.

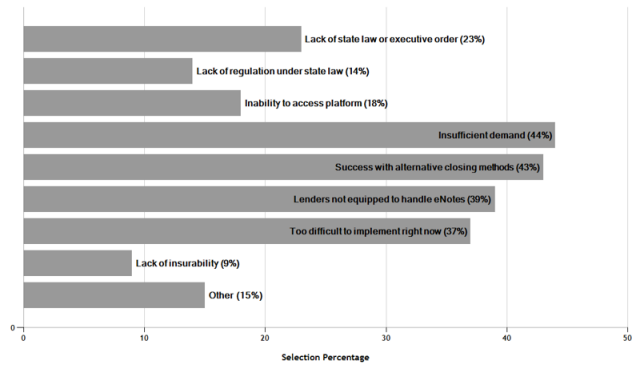
“Protecting consumers remains the title insurance industry’s top priority,” said Diane Tomb, ALTA’s chief executive officer.

“Throughout the pandemic, ALTA members have developed innovative and safe ways to continue to make the American dream come true. From drive-thru closings to offering remote online notarization, the dedication to their customers is allowing families to close on new homes or take advantage of the low interest rates by refinancing their mortgages. As our survey shows, nearly 30 percent of title and settlement companies are offering some type of digital closing to help keep everyone safe and meet social distancing requirements. This is up from 17 percent of agents offering digital closings in 2019.”

What types of services are you offering to customers to conduct safe closings?



If you are not conducting RON closings, why not?



Of the title and settlement agents performing RON closings, those surveyed reported that 7 percent of their closings were completed with this technology. Meanwhile, agents performing emergency video notarizations were using this solution on 22 percent of their closings.

The survey showed that in-office closings continued to be the favored option with three-fourths of respondents indicating that 80 percent of their orders have closed this way.

While many businesses across the United States have closed due to the COVID-19 pandemic, the title and settlement industry has remained resilient. The survey found that 96 percent of respondents reported their office remains open during the crisis. Additionally, only 6 percent of those surveyed said they've temporarily ceased operations at any of their business locations. Title and settlement companies are deemed "essential businesses" by the U.S. Department of Homeland Security and allowed to remain open.

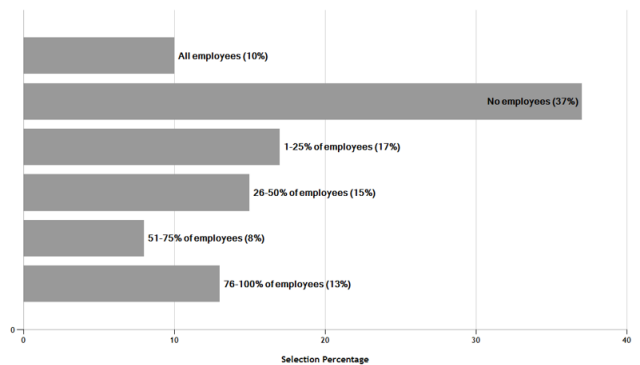
"ALTA members and the title insurance industry have always cared deeply about the communities in which they live and work," Tomb said. "The more than 120,000 title professionals across the country take pride in protecting their customers by ensuring that their home is theirs when they make one of the biggest financial decisions of their lives."

For title and settlement offices that remain open, most are doing so with limited access. According to the survey, nearly 70 percent of companies surveyed are operating by appointment only. Meanwhile, the survey showed that 63 percent of companies are allowing all or some of their employees to work remotely. The survey found that the remaining 37 percent are still working in the office.

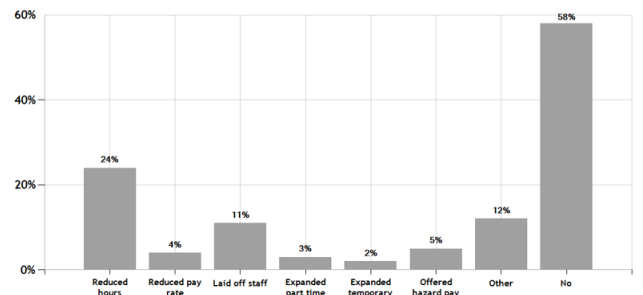
According to the survey, most companies (80 percent) don't anticipate reducing staff due to the crisis. In addition, the results showed that 58 percent have not adjusted their workforce due to COVID-19. Of those who have, 24 percent have reduced hours, 11 percent have laid off staff, 5 percent have offered hazard pay, 5 percent have expanded part-time or temporary staff and 4 percent have reduced pay rate.

During the crisis, 84 percent of employees have not left their company, the survey showed. The main reason for some to leave was anxiety/fear (9 percent), while 7 percent left their job due to health concerns and another 6 percent because of lack of childcare.

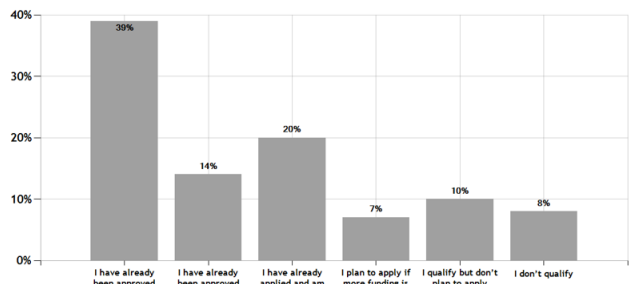
Percent of employees working remotely



Have you adjusted (or do you plan to adjust) your workforce due to COVID-19 crisis in any of the following ways?



With respect to the Paycheck Protection Program (PPP), which option best describes your situation:



MISMO Issues ALTA-supported Uniform Closing Instructions

Standardized Templates Help Increase
Efficiency by Reducing Mistakes and Cost



FOR THE PAST FEW YEARS, ALTA AND THE MORTGAGE BANKERS ASSOCIATION (MBA) have been working with the Mortgage Industry's Standards Maintenance Organization (MISMO) to create uniform closing instructions.

Due to this collaborative effort, the title and mortgage industries now have standardized templates. On May 4, MISMO released uniform closing instructions, which provide common formatting within the templates to ensure that information pertinent to the closing can be found in the same place in the instructions—regardless of the lender.

The templates were developed with input from many sectors of the mortgage ecosystem, including title and settlement services companies, escrow companies, national and regional lenders, LOS vendors and document preparation vendors. In 2017, ALTA formed its Closing Instruction Working Group to help develop the templates. The group is led by James Lamphere, vice president of title and escrow for HomeServices of America, and Kate Steineman, vice president and business liaison manager for Wells Fargo.

“Participants across the industry have collaborated effectively to produce these closing instruction templates, which enable lenders to provide consistency in what’s included and where to find it,” Steineman said. “Closing instructions communicate important loan details and requirements, and these templates mean settlement partners will no longer have to search through pages of instructions for information they need. As a lender, we all win through increased efficiency, quality and happy customers.”

Lamphere shared similar sentiments, adding that the cooperative efforts between the lender and title communities resulted in a valuable tool to improve communication between key players in the lending process.

“The customer experience will be enhanced by standardizing the format for lender instructions,” he said. “As the new template is adopted, we will see a more efficient process with fewer questions going into the closing and fewer post-closing issues.”

With consistent content and organization throughout lender closing instructions, settlement agents will not have to search through pages of varying instructions attempting to locate critical information that may or may not be provided. As questions arise, agents will more easily be able to locate the necessary information on the spot. This will lead to a smoother loan closing and a better experience for the borrower.

Instead of attempting to standardize the instructions and language in the closing instructions, as in past attempts, the workgroup determined that significant benefits could result from standardizing the closing instructions’ content (what should be included) and organization (where the content should be placed). The closing instruction templates include two distinct documents: the Master Closing Instruction Template and the Transactional Closing Instruction Template. The new templates focus on the format and organization of closing instructions, rather than legal language often included in instructions. MISMO has also developed an implementation guide to assist with adoption.

- 1. The Master Closing Instruction Template** contains lender instructions that are common to all loans closed for that lender. It includes items such as instructions for conflicts of interest, data security and document destruction, verification of signer identity and recording.



2. The Transactional Closing

Instruction Template includes information relating to a specific loan. It includes items such as borrower contact information, property information, critical dates, and conditions and stipulations. MISMO has also developed an implementation guide to assist with the adoption of the new templates.

By using the same templates, lenders and settlement agents will save money, reduce operational overhead, have fewer compliance violations and provide better customer service. The results of this collaborative process are expected to contribute to improved communications between parties, reduced error and a better consumer experience. Benefits of common templates include:

- Efficiency
- Improved communication between lenders and settlement agents
- Reduction in delays in the closing process
- Improved consumer experience
- Cost reductions
- Fewer document changes for the loan operating system

“The new standardized closing instructions are a real game-changer,” said Kurt Pfothauer, vice chairman of First American Title Insurance Co. “Industry adoption will enable settlement providers to enhance the closing experience for borrowers, while reducing the potential for last-minute changes that impact efficiency.”

Following a public comment period announced in November 2019, both templates are now upgraded by MISMO to “Candidate Recommendation” status, which means they have been thoroughly reviewed by a wide range of organizations and industry participants and are available for use. The templates and related implementation guide are available to MISMO members. They are being made available to other organizations, including lenders, at no charge for internal and non-commercial use.

Compliance With Lender Closing Instructions

Closing instructions contain various provisions intended to establish procedures that assure the loan is properly processed and returned to the lender. They also establish conditions for funding the loan and detailing the type of coverage the lender wants. Part of the goal is to help avoid mortgage fraud, comply with federal and state regulations and secure information under the Gramm-Leach-Bliley Act.

Signing the instructions creates an additional contractual relationship between the lender and the title agent that results in liability for breach of contract

Responsibilities placed upon the settlement agent by signing closing instructions include:

- *Identity theft protections*
- *RESPA compliance*
- *Avoiding kickbacks*
- *LE/CD requirements*
- *FLIP transactions*
- *Source of buyer's funds*
- *Sales price of the property*
- *Whether buyer intends to occupy the property*
- *Keeping track of money*

Closing instruction conditions often include:

- *No secondary financing*
- *Endorsements required*
- *Clear title with no special assessment pending*
- *Any and all encroachments must be insured over*
- *Policy free of encumbrances except lender first lien*
- *Policy must be issued to lender within 30 days of closing*
- *Vesting should be in name matching mortgage*
- *Hazard insurance*
- *Flood insurance*
- *Taxes and assessment*
- *Right to cancel*
- *Signatures*
- *Corrections*
- *Settlement Statements*

Lenders often make the signing of documents conditional on the fact that all other circumstances have been met.

“Some closing instructions prohibit closers from explaining certain legal rights, such as marital rights, to signatories,” said Margaret Sklenar of Metropolitan Title of Indiana. “Don’t let that prevent you from protecting your title company from risk if you see a problem.”

If there are concerns with the closing instructions, settlement agents should contact the lender and ask for revised closing instructions that will meet the parameters of the closing instead of just signing and assuming the instructions really do not pertain to your transaction. Closers should also have the lender discuss items that are not clear or that can’t be complied with. Sklenar encourages settlement agents to work with their title underwriter concerning the signing of First Lien Letters and follow their suggestions.

“Settlement agents should always get changes in closing instructions in writing and specifically incorporate into the closing instructions that you will sign on behalf of your company,” she added.

ready²close™



Turns Out There *Is* An Easy Button

Introducing RamQuest's ready2close...

What could be easier for your title operation than a secure, centralized place where everyone in the closing process has visibility into the transaction? Where customers see at-a-glance order progress and can eSign documents? Where you can automate communication about important closing milestones and securely publish and share wiring instructions? It *is* easy...it's ready2close.

**Discover a whole new way to connect with your customers.
Visit RamQuest.com/ready2close**

IRQ
RamQuest

RamQuest.com | 800.542.5503

Title Companies Raise Millions to Improve Real Estate Closings

States Title, Spruce Focused on Digitizing the Process



States Title and Spruce recently completed successful venture capital investments to facilitate enhancements to improve the closing process for real estate transactions.

States Title raised \$123 million in Series C financing, led by venture capital investment firm Greenspring Associates.

“The most pressing need in our industry right now is to remove friction and cost from mortgage closings, and to do so with solutions that can deliver fully remote, instant, digital experiences,” said Max Simkoff, founder and CEO of States Title. “We are committed to further investment in our patented, industry-leading machine intelligence platform to support the goal of providing an instant closing experience at a lower cost. Right now we are witnessing an unprecedented shift in the structural foundation of the real estate industry, and this new funding will allow States Title to provide enhanced support for lenders, real estate agents and homeowners, as well as provide a solid foundation for continued technological investment in the face of future economic uncertainty.”

In addition to Greenspring Associates, new investors include Horizons Ventures, Eminence Capital and HSCM Bermuda. All of States Title’s previous investors also participated in this round of financing, including a large investment from Foundation Capital, and additional investments from Assurant, FifthWall Ventures, Lennar Ventures and SCOR Global P&C Ventures.

“States Title has developed an automated, patented technology that streamlines the laborious title and escrow process, emerging as the market leader in an industry that historically lacks meaningful innovation,” said Jim Lim, managing general partner of Greenspring Associates. “We are thrilled to support States Title as they advance the vision of an instant mortgage that closes with one tap. Especially in the current economic climate, the mortgage industry needs to be re-imagined with transformative

technological solutions to reduce costs and improve the customer experience. States Title is leading the vanguard of this transformation.”

Meanwhile, title and settlement company Spruce raised \$29 million in Series B funding led by Scale Venture Partners, with participation from Zigg Capital, Bessemer Venture Partners and Gramercy Ventures.

The funding will support the team’s expansion and accelerate development of its proprietary technology, Spruce said in a release.

“In these uncertain times, innovative mortgage lenders and real estate companies that support digital transactions are providing essential services to consumers, ensuring that critical moves are still possible and refinancing loans to help cover necessary expenses,” said Patrick Burns, Spruce co-founder and CEO. “Spruce is proud to be supporting our clients on the forefront of this paradigm shift, and excited to provide the best tools to compete in an ever-changing environment.”

Since launching in 2018, Spruce now services transactions nationwide from operations hubs in New York, Texas, and California. The company has facilitated over \$1.25 billion in transaction volume.

“We believe that Spruce is playing a critical role in enabling innovation in real estate transactions,” said Alex Niehenke, partner at Scale Venture Partners. “While we’re still in the early innings, change is happening fast. It’s only a matter of time before the manual processes in real estate transactions are transformed by digitization, connectivity, automation and streamlined customer experiences.”

The latest funding comes after raising \$16 million in 2018 from Bessemer Venture Partners, Omidyar Network and Collaborative Fund.



nationalagency.fnf.com

The Title Business is *Full of Thrills*

Don't get fooled by flashing lights or crazy gimmicks. Stick with the underwriter offering more strength, education and technology than anyone else. **Lean on FNF today.**





The Rhode Island Supreme Court on May 29 held that non-attorneys working for title insurance companies may conduct closings in the state if certain notice protocols are followed.

The court also held that title insurance companies and their agents do not engage in the unauthorized practice of law when they draft a residency affidavit and a limited durable power of attorney, as long as those activities are carried out in connection with the issuance of title insurance.

However, the court also held that the examination of title for marketability and deed drafting does constitute the practice of law and requires an attorney.

On behalf of several title companies and other respondents, the law firm Partridge Snow & Hahn argued that consumers should have the option of hiring an attorney to assist them with a residential real estate transaction but that it should not be required. The Unauthorized Practice of Law Committee and the Rhode Island Bar Association urged the court to prohibit non-lawyers from performing these activities.

It's important to note that the decision considered just

residential real estate purchase and sales transactions. It does not explicitly address refinancings. However, Partridge Snow & Hahn said the court's reasoning will likely impact refinance transactions.

In its discussion, the court said "Historically, ours has not usually been a nimble profession, capable of reacting deftly to changes in society and technology. Indeed, we often cite venerable sources such as the Magna Carta as support for decisions about what is best in today's vastly different world. There is, of course, benefit in that, because reliance on precedent, even ancient precedent, provides a rule of law that is stable and predictable. On the other hand, there is also benefit in an ability to quickly adapt to a changing world. It is that conundrum we must now face with respect to the issues that confront us in these matters."

The court acknowledged there is little evidence that existing Rhode Island real estate practices, including non-attorney closings, have harmed buyers or sellers. Requiring an attorney to handle

Rhode Island Supreme Court Rules Non-attorneys Can Conduct Closings

MORTGAGE

...housing, it is a **LEGALLY BINDING** document. You must read what you are submitting and sign it yourself into **BEFORE**

closings would increase the cost, the court wrote in its opinion.

“First and foremost, allowing title insurance companies and their agents to conduct closings benefits the public by increasing competition, which will result in decreased costs and potentially more choices as to how and where closings are conducted. Conversely, restricting the handling of closings to attorneys would have the opposite effect, thereby increasing cost and reducing choice and availability,” the court wrote.

When non-attorneys conduct closings, the court said, they need to give notice to their customers before proceeding. Before the closing begins, the court says the closer must:

1. Communicate to the buyer and the seller that:
 - a. the closing agent is not an attorney.
 - b. he or she does not represent the buyer or seller.
 - c. he or she cannot and will not give legal advice.
 - d. if the buyer or seller has a legal question, the buyer or seller should suspend the closing and seek counsel from an attorney.
2. Present a written notice to the buyer and seller that contains all of these warnings and require the buyer and seller read the document. That notice shall be the first document

presented and signed at the closing.

3. Require that the buyer and seller sign a copy of the notice to acknowledge that the closing agent has given these warnings and that the buyer and seller understand them.
4. Sign the notice to acknowledge that he or she has orally explained the notice to the buyer and seller.
5. Retain the signed copy of the notice and give a copy to the buyer and seller.

In its decision, the court indicated its hope that title insurance companies, agents or the Department of Insurance Regulation design a notice form to appropriately notify buyers and sellers. The notice should be separate from other documents and not contain additional material, the court said.

While the decision allows non-attorneys to conduct closings in Rhode Island, it also imposes new requirements and limitations on title insurance companies and others involved in residential real estate transactions in the state, according to Partridge Snow & Hahn. Title companies and others that use non-attorneys for certain aspects of transactions should review their procedures considering the Rhode Island Supreme Court’s ruling.

Louisiana Passes Brick and Mortar Bill

Louisiana passed a bill requiring any title insurance entity to have a least one employee and a physical brick-and-mortar location in the state.

The legislation goes into effect Jan. 1, 2021.

SB 180 sets for the qualifications for each title insurance agency:

1. It must be a Louisiana entity with a principal place of business physically located in the state. Alternatively, a foreign entity registered to do business in the state, with a principal place of business within Louisiana, may conduct the business of title insurance and real estate closing.
2. It must employ at least one licensed individual producer designated with responsibility for ensuring compliance with the requirements.
3. It must maintain its appointment to represent a title insurer, along with affiliation of the individual producer.

Additionally, the entity and its designated individual producer shall not have had an agency producer license (or its equivalent) or an individual producer license (or its equivalent), suspended,



revoked or refused in any other state, province, district or territory.

Missouri Passes Remote Online Notarization Bill

After a three-year process, Missouri passed a bill that allows for remote online notarization (RON) in the state. HB 1655, which was supported by the Missouri Land Title Association (MLTA), passed both legislative chambers and awaits the signature of Gov. Mike Parson. Missouri became the 25th state to pass RON legislation.

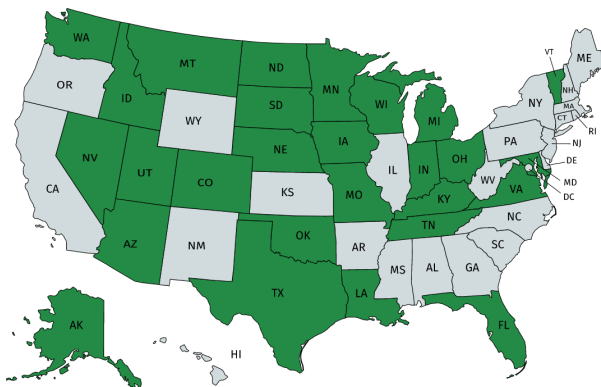
“The Missouri Land Title Association fought hard to get the ALTA/MBA language in our bill and it was certainly a group effort to accomplish that,” said Rick Pierce NTP, MTP, who is chair of MLTA’s ad-hoc committee that worked on the bill.

In 2019, MLTA President Chuck Bowman appointed the committee focused on moving the legislation forward. Pierce said there were two competing bills. The first was MLTA’s model bill and a bill supported by the Secretary of State.

“While we had quiet support from many ancillary industries, many of them did not want to oppose the Secretary of State,” said Pierce, who is vice president and agency manager for FNF Family of Companies in Missouri, Kansas and Nebraska. “Through outstanding leadership from our bill sponsor, Senator Sandy Crawford, we were finally able to bring both sides together and get a bill passed that largely follows the model language.”

The bill originally called for RON to go into effect July 1, 2021. Due to the COVID-19 crisis, language was amended to enact the

States that have Passed Remote Online Notary Legislation (as of May 11, 2020)



legislation on Aug. 28, 2020. MLTA will work with the Secretary of State to promulgate regulations prior to implementation.

The legislation requires a notary to be in the state and registered with the Secretary of State to perform RON.

Pierce acknowledged Elizabeth Blosser, ALTA’s senior director of government affairs, for support along the way. MLTA used ALTA’s Title Action Network to contact state legislators in inform them about the bill.

WHEREVER WORK TAKES, YOU WE'LL BE THERE.



No matter where your work takes you, Dell Technologies is here with seamless solutions to keep your productivity at its peak. ALTA members can access these work from home solutions at additional savings with a 45% off on select systems. Visit Dell.com/ALTA or call 800-757-8442 to access these savings.

For any questions around the best remote solution for you and your business, call our Small Business Advisors at 800-757-8442.



Members save up to 45% on select systems
Mention Member ID: 530018550207 and your Membership with ALTA for Savings.



Christian Mims

Strategic Partnership Account Executive

PHONE: (512) 513-2433

EMAIL: Christian_Mims@Dell.com

N.J.-based Investment Title Expands Operations

Investment Title LLC announced it recently merged with New Jersey-based Prestige New Jersey Title Agency Inc.

With offices in New Jersey, Investment Title also operates in Florida. The agency underwrites with Chicago Title Insurance, First American Title Insurance and Old Republic Title Insurance Company.

“Consistency, accuracy and quality customer experience is the utmost concern in these transitions, and we will work hard to maintain the Prestige level of service,” said Brian Teel, CEO of Investment Title. “We are excited to have the Prestige team join us to add even more depth and experience to our team of title professionals.”

Eda Cruz, who served as vice president of Prestige New Jersey Title Agency, joins Investment Title as vice president of business development.

“Our goal has always been to be of service to our clients and provide them with a title insurance product they can rely on,” Cruz said. “The merger with Investment Title will enhance that ability, allowing us to streamline many of our services.”

L.A. County Says It Accepts E-signed, Notarized Documents

While California does not allow for remote online notarization (RON), the Los Angeles County Registrar-Recorder issued a memo indicating the office accepts electronically signed and notarized documents.

According to the memo, the department will accept electronically signed and notarized documents, including RON, if the following conditions are met:

1. The acknowledgment is taken in accordance with the law of the state where the acknowledgment is made per California Civil Code 1189(b). As these notary laws are changing rapidly at this time, the office registrar refers

to the National Notary Association’s new law database (located at nationalnotary.org/knowledge-center/news/law-updates) for the most current information.

2. The electronically signed and notarized document is submitted electronically through SECURE if the submitter has completed and returned the new MOU released to all existing customers March 30, 2020.
3. The electronically signed and notarized document may be submitted as paper, only if the state where the acknowledgment takes place allows for a “papering out” process and the document is accompanied by a notary certification, with an original signature and seal by a notary, to certify the electronic record.

Agents National Title Launches Qualified Intermediary Services

Agents National Title Insurance Co. (ANTIC) announced that it now offers qualified intermediary services through the launch of Agents Exchange LLC. Agents Exchange works with real estate tax, and legal professionals to manage the risk associated with exchange process deadlines. “ANTIC is always well-positioned to respond to industry needs and to serve our independent title agents—our sister company Agents Exchange is ready to continue and expand that reputation of integrity, knowledge and excellent customer service,” said David Townsend, president of ANTIC.

ClosingLock Launches Instant Payoff Verification System

ClosingLock announced it now offers an Instant Payoff Verification system that can identify potentially fraudulent statements.

Loan payoff fraud occurs when a fraudster sends a fake payoff statement to a settlement company, tricking the company into wiring away their funds.

“We managed to take a very complex

problem and simplified it to an intuitive, easy-to-use interface for our customers,” said Andy White, ClosingLock’s CEO and co-founder. “Using specialized algorithms to access our proprietary data, we are able to verify valid payoff statements and alert the user of potentially fraudulent ones.”

While the payoff verification system leverages and analyzes data from multiple sources, users receive feedback on their payoff information in fractions of a second. The design of the Instant Payoff Verification system allows it to grow the more it is used.

PropLogix Launches Payoff Letter Service for Closing Agents

PropLogix now offers a payoff letter service that can help get deals closed faster. In a release, PropLogix said it can retrieve payoff letters for mortgages and home equity lines of credit from lenders on their behalf. The payoff letter service can be ordered directly from the company’s website. The service is not available via closing software integrations. “We already help customers track releases after closing and many have requested that we start obtaining mortgage payoff letters for them to speed up their pre-closing workflow,” said Tim Healy, president of PropLogix.

Qualia Accelerates Move to a Remote Homebuying Experience

Qualia launched a new service making contactless home closings possible for millions of potential homebuyers.

Called Connect Video Chat, the service can be used for remote ink-signed notarizations (RIN) during home closings in accordance with state emergency mandates and requirements, as well as RIN guidelines established by Fannie Mae and Freddie Mac.

Connect Video Chat enables title

Make the Right Call. Get the Right Results.



Non-compliance can disrupt operations and end careers. Rely on experts to help you stay current on compliance requirements and set you up for the audit results you need.

We have the knowledge, experience and resources to prepare you. We've been doing this for 40 years and have serviced over \$34 trillion in transaction dollars.

We are the premier trust accounting service. You can relax. We'll get you ready.



TrustLink[™]
You're ready.

trustlink.sales@firstam.com
800.767.7833
www.trustlinkservices.com

companies to securely launch video conferences with their partners and clients, including real estate agents, lenders, homebuyers and sellers. The two-way audio/video technology can also facilitate recording an ink-based signature, and has long-term video storage functionality either on Qualia with the rest of a client’s closing documents or on a title and escrow company’s own internal servers.

“Our goal is to support our community by building products that make home closings safe, secure, efficient and affordable,” said Nate Baker, Qualia co-founder and CEO. “The launch of Connect Video Chat is an important step toward fulfilling that goal of enabling home buyers across the country to continue to close on a home. Now they can do this from anywhere they have an internet connection, and in a safe way.”

Recent Integrations

- Title and escrow agents can now order **AmTrust Title Insurance Company’s** title search products directly within the **Qualia Marketplace**. The products are currently available in New Jersey and Pennsylvania.
- **WFG National Title Insurance Co.** has integrated with title insurance software provider **TrackerPro**. The partnership allows WFG agents to request and receive policy jackets and policy numbers, agent authorization letters in New York and Closing Protection Letters (CPLs) outside New York directly through TrackerPro. This eliminates the need to work across multiple systems and re-key data.
- **Fifth Third Bank** has collaborated with **ZOCAM** to offer its title/escrow clients the ability to receive earnest money through secure, electronic third-party delivery. Launched in 2018, ZOCAM is a mobile app that enables a real estate agent to securely send a buyer’s earnest money payment to a title company using mobile remote deposit capture technology.

Housing Market Potential

Existing and Potential Home Sales* (in Millions, Seasonally Adjusted Annualized Rate)

5.27 SAAR

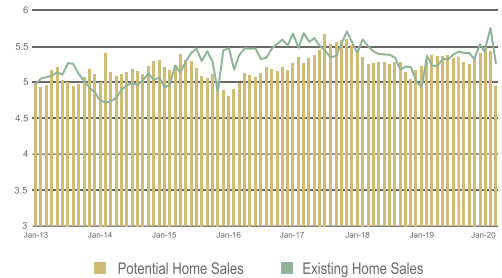
Existing Home Sales

4.93 SAAR

Potential Home Sales

+6.6%

Market Performance Gap



*Potential home sales measures what a healthy market level of home sales should be based on the economic, demographic and housing market environments.

National Consumer House-Buying Power

How much home one can afford to buy given the average income and the prevailing mortgage rate

March 2020

\$433,501 **+12.5%**
House-Buying Power Year-Over-Year

Where House-Buying Power is Strongest

Top States and Cities

States

1. Maryland: **\$575,085**
2. New Jersey: **\$567,954**
3. Hawaii: **\$562,037**
4. Massachusetts: **\$546,671**
5. Connecticut: **\$546,162**

Cities

1. San Jose, CA: **\$826,895**
2. San Francisco, CA: **\$754,713**
3. Washington, DC: **\$732,311**
4. Boston, MA: **\$635,777**
5. Seattle, WA: **\$586,529**

Source: Mark Fleming, Chief Economist at First American Financial Corporation

WE'RE HERE TO HELP YOU THROUGH WHATEVER COMES NEXT

These past trying months haven't affected our commitment to your success. We've remained financially strong, and we're focused on supporting your business as you transition to the next phase of this new normal. As you consider returning to the workplace, keep in mind we offer:

- Guidance on phasing back into the workplace
- Educational resources focused on digital solutions
- Financial services
- Technology partnerships and discounts
- Marketing resources

We're your underwriter and your partner. Rely on us to help inform and guide you through COVID-19 and beyond.

Visit stewart.com/alta203
for information on how we can help.



stewart®

Westcor Hires Regional Manager for Pacific Northwest – Southwest

Westcor Land Title Insurance Co. recently hired John Hall as vice president and regional manager for its Pacific Northwest – Southwest region. Prior to joining Westcor, he served as senior vice president of a national underwriter. He started in the industry as a sales executive in 1992.

WFG Appoints Production Manager for Southeast Agency Area

WFG National Title Insurance Co. announced that Justin Tate-Johnson has joined its Florida production operations as Southeast Agency area production manager. Tate-Johnson has worked in escrow and title for more than 20 years, including more than a decade in progressively responsible leadership roles in Deerfield Beach, Ft. Lauderdale and Miami, FL. Prior to that, he worked for three Tennessee-based title organizations. Tate-Johnson most recently served as assistant vice president/title plant manager, overseeing a team of 20 examiners and staff in the performance of daily commercial and residential title, foreclosure, and other operations.

Meridian Title Expands Sales Team

Meridian Title Corp. recently grew its sales team with the additions of Shirley Meyer, Heather King and Billy Quan as account managers. Meyer will focus on servicing real estate brokers, builders, investors, lenders and attorneys in need of professional title services. She has more than 18 years of sales, customer service, real estate and title insurance experience. King brings almost 10 years of banking experience to her role. In this position, she will develop new industry relationships while servicing those of an existing client base. Quan is new to the title industry but has over a decade of sales experience in various markets.

Two Rivers Title Expands Exec Team

New Jersey-based Two Rivers Title announced it has hired Sharon Sluder-Risch as senior vice president and director of marketing and business development. In this role, she will expand the company's footprint throughout its five-state market, which includes New Jersey, New York, Pennsylvania, Connecticut and Florida. Sluder-Risch has 22 years of experience, most recently with the Berkshire Hathaway Fox & Roach/Trident organization.

Westcor Names Michigan Manager

Westcor Land Title Insurance Co. announced it has hired Wesley Parkinson as Michigan state manager. In this role, he will focus on assisting agents and growing Westcor's footprint in the market. Parkinson has 22 years of experience in the title insurance industry as both an agent and underwriter. He owned and operated a title agency for eight years.

Kensington Vanguard Expands Arizona Presence

Kensington Vanguard National Land Services announced the hiring of Carol Rieger and Nicole Marucci, both of whom will look to grow the company's commercial business in Arizona. Kensington Vanguard entered the Arizona market earlier this year with the acquisition of GRS Title earlier this year. Rieger has more than 25 years of experience in commercial real estate. She has managed numerous offices with a focus on business development and servicing commercial deals. Rieger joins the firm as vice president and senior commercial escrow officer and will co-manage the Phoenix branch. After years of experience in business development and title insurance underwriting roles in Washington, D.C., Marucci returned to Phoenix. As vice president of business development and underwriting counsel, she will manage client relationships and growth initiatives within the market.



NOT YOUR FATHER'S TITLE COMPANY



AmTrust Title
An AmTrust Financial Company

Keep Listening, Learning, Improving

THE FOURTH OF JULY—ALSO KNOWN AS INDEPENDENCE DAY—



MARY O'DONNELL
ALTA president

has been a federal holiday in the United States since 1941. The tradition of Independence Day celebrations goes back to the 18th century and the American Revolution. On July 2nd, 1776, the Continental Congress voted in favor of independence, and two days later delegates from the 13 colonies adopted the Declaration of Independence. From 1776 to the present day, July 4th has been celebrated as the birth of American independence.

This July 4th will be truly different. It has been a rather trying year—especially regarding freedom. First, the COVID-19 health crisis brought the country to its knees in March. Less than six months later, the pandemic pitted those fighting for public health measures to people staunchly supporting civil liberties and freedom of choice. Can businesses open? Must you wear a mask? What about contact tracing?

As states started to reopen, the killing of George Floyd in Minneapolis during an arrest by a police officer triggered protests and civil unrest in cities across the country and around the world. It is a core value of democracy to push for fairness, equity and justice under the law for everyone. As an industry, we must not just talk about equality and diversity, but we must live it.

On June 19, we celebrated the holiday of Juneteenth, which commemorates the emancipation of enslaved people in the United States. Even 155 years later we recognize that we are still faced with unequal opportunity and racial discrimination. For the first time, ALTA closed its office that day to allow staff time to reflect on our country's history and lend to this celebration of African American heritage. Other trades followed suit.

Also, in June, the U.S. Supreme Court handed down a historic decision in the case *Bostock v. Clayton County, Georgia*. In a 6-3 decision, the high court said the language of the Civil Rights Act of 1964, which prohibits sex discrimination, applies to discrimination based on sexual orientation and gender identity. ALTA immediately applauded the decision. ALTA CEO Diane Tomb said it perfectly, "Just as we believe in protecting property rights, we support inclusivity and defending everyone's ability to work without fear of discrimination."

So, as we come up on the celebration of our country's independence, let's make it a time to reflect on how we all can listen, learn and improve. We must work together to move this country forward—and protect everyone.



OLD REPUBLIC TITLE



THANK YOU

Old Republic Title would like to thank our valued agents for the remarkable resilience they have shown during the COVID-19 pandemic. You embraced unprecedented, ignored impossible and found innovative ways to navigate our new business environment. Thank you for your dedication. We are honored to take this journey with you.

Our Company has seen its share of challenging times since opening our doors in 1907. And yet, we have persevered because our focus has always been forward. Old Republic Title is managed for the long run, so we can be prepared for whatever the future holds. We are proud to stand by our agents and offer you the peace of mind that comes with over a century of experience, strength and stability.

As we gear up for the summer season, you can be assured that Old Republic Title is fully staffed, accessible, and here for you and your customers.

Thank you again for your support.





DISCOVER

ALTA.ORG/ONE

2020 abruptly changed our lives and work. We've social distanced. We've reflected. We've grown. Now, it's time to imagine new ways to grow your business.

We're also adapting and offering ALTA ONE completely virtual! Our online conference program will deliver the same can't-miss experience you've come to expect over the years.

From couches to conferences, ALTA ONE will be the experience you need to discover new ways to advance your business, network, sharpen your skills and empower your team.

Register now to take advantage of significant savings.

Discover new opportunities at ALTA ONE.