

FLTA FAQs

<https://www.flta.org/FAQs-for-Agents>

Incorrect Phone Number

INCORRECT NUMBER

For Data Call technical support, please call **850-413-3146**

CORRECT NUMBER

For Data Call technical support, please call **850-413-3147**

C. Agency Information Comparison

Old Template Lines 16 – 29

Report Lines: By-Line Responses					
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation					
SELECT AGENCY TYPE:		< CLICK TO SELECT AGENCY TYPE HERE >			
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete	General Instructions
Agency Information					
For Questions 16-19 only one will be "Yes"; the others will be "No"					
16	Independent			FALSE	Not affiliated with an underwriter or part of an Affiliated Business Arrangement
17	Underwriter Affiliated (owned in whole or in part by underwriter)			FALSE	A licensed agency owned in whole or in part by an underwriter.
18	Retail Office of Direct Writing Underwriters	No		FALSE	An office of an underwriter where all producers are direct employees of the underwriter.
19	Affiliated Business Arrangement (Agency is affiliated with any real estate industry company or person who is in a position to refer title insurance business to an agency (a referor), such as a real estate brokerage, a bank, a developer, or a mortgage company). (If Yes, List affiliated business names on Schedule A, Column B)			FALSE	NOTE: Affiliated business arrangements may exist as arrangements in which the reporting agency: 1. has an ownership interest in a referor; 2. a referor that has an ownership interest in the agency; or 3. a holding or parent company maintains control over the agency and one or more referors.
20	Agency/Branch Type			FALSE	TIME & CLOSING (T/C) SERVICE: Check this box if the reporting entity/person provides title insurance and closing services.
21	State of Domicile of Reporting Entity			FALSE	Title Only: Check this box if the reporting entity/person provides title insurance only.
22	Number of states in which Reporting Entity operates (list all states on Schedule A, Column D)			FALSE	
23	How long has agency been performing business in Florida?			FALSE	
24	Percentage of business in Florida (by gross premium)			FALSE	Include all title insurance-related business, including searches for title insurance and closings. Do not include non-title insurance-related business, such as title reports and closings for which no title insurance policy is intended to be issued.

New Template Lines 16 – 25B

Report Lines: By-Line Responses					
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation					
SELECT AGENCY TYPE:		< CLICK TO SELECT AGENCY TYPE HERE >			
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete	General Instructions
Agency Information					
16	Underwriter Affiliation			FALSE	Direct - An office of an underwriter where all producers are direct employees of the underwriter.
17	Real Estate Affiliation: Affiliated Business Arrangement (Agency is affiliated with any real estate industry company or person who is in a position to refer title insurance business to an agency (a referor), such as a real estate developer, or a mortgage company).			FALSE	Affiliated - A licensed agency owned in whole or in part by an underwriter or owned in a holding company but not a direct branch operation. NOTE: Affiliated business arrangements may exist as arrangements in which the reporting agency: 1. has an ownership interest in a referor; 2. a referor that has an ownership interest in the agency; or 3. a holding or parent company maintains control over the agency and one or more referors.
18	Agency/Branch Type			FALSE	Title & Closing (T/C) SERVICE: Check this box if the reporting entity/person provides title insurance and closing services.
19	State of Domicile of Reporting Entity			FALSE	Title Only: Check this box if the reporting entity/person provides title insurance products, but does not perform closings.
20	Number of states in which Reporting Entity operates (list all states on Schedule A, Column D)			FALSE	
21	How long has agency been performing business in Florida?			FALSE	
22	Percentage of business in Florida (by gross premium)			FALSE	Include all title insurance-related business, including searches for title insurance and closings. Do not include non-title insurance-related business, such as title reports and closings for which no title insurance policy is intended to be issued.
23	Number of underwriter appointments, contracts, or agreements			FALSE	

Affiliated Business Names

Old Template Line 19

- 19 Affiliated Business Arrangement (Agency is affiliated with any real estate industry company or person who is in a position to refer title insurance business to an agency (a referrer), such as a real estate brokerage, a bank, a developer, or a mortgage company). (If Yes, List affiliated business names on Schedule A, Column B)

New Template Line 17

- 17 Real Estate Affiliation Affiliated Business Arrangement (Agency is affiliated with any real estate industry company or person who is in a position to refer title insurance business to an agency (a referrer), such as a real estate brokerage, a bank, a developer, or a mortgage company). (If Yes, please complete Schedule A, Columns A,B,C)

D. Risk Assumption

Old Template Lines 30 – 38

Report Lines: By-Line Responses					
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation					
SELECT AGENCY TYPE:		< CLICK TO SELECT AGENCY TYPE HERE >			
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions
Risk Assumption					
30	Title Orders Opened During Reporting Period			FALSE	
31	Completed Title Transaction in Which Policy Was Issued or Intended to Be Issued			FALSE	
32	Total number of policies issued in reporting period (Auto-Calculated Sum of 32(A) and 32(B))		0	FALSE	For total number of policies, include simultaneously issued lender's and owner's policies as a single policy. For example, if a transaction consisted of both an owner's and a lender's policy, these should be counted as one policy. Likewise, release orders with two policies should be counted as one policy.
33	(A) Total number of RESIDENTIAL policies issued in reporting period			FALSE	
34	(B) Total number of NON-RESIDENTIAL policies issued in reporting period			FALSE	
35	(A) Number of searches billed to underwriters and third parties			FALSE	A search is any search report prepared specifically for the purpose of producing a commitment for the issuance of a title insurance policy. A search does not include title examination. Do not include searches performed for abstracts, property profiles, guarantees, or other products that are not specifically intended for title insurance policies.
36	(B) Number of searches purchased from underwriters and third parties (include the names of third parties on Schedule A, Column j)			FALSE	
37	(A) Number of searches acquired from an underwriter or third party vendor which included suggested or draft exceptions and/or requirements to be considered for			FALSE	This category includes all partially examined products or pro-forma commitments by whatever name. The category includes any search purchased from an underwriter or third party vendor which is more comprehensive than a listing of instruments and copies of those instruments. Expenses are to be included on 37(A) and/or 37(B).

New Template Lines 26 – 33

Report Lines: By-Line Responses					
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation					
SELECT AGENCY TYPE:		< CLICK TO SELECT AGENCY TYPE HERE >			
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions
Risk Assumption					
26	Total orders opened for title commitments/policies during reporting period			FALSE	
27	Total Orders Cancelled During Reporting Period			FALSE	
28	Total number of transactions in which a policy was intended to be issued but was not issued for any reason. (pending files not yet closed)			FALSE	Total number of pending files not yet closed. A transaction is when an agent intends to set a settlement agent and issue a policy, begins performing the work, but the deal is not completed for any reason. A transaction begins with the initial order and includes any work done up to and through an uncompleted closing. Does not include cancelled files from line 27.
29	Total number of policies issued in reporting period			FALSE	For total number of policies, include simultaneously issued lender's and owner's policies as a single policy. For example, if a transaction consisted of both an owner's and a lender's policy, these should be counted as one policy. Likewise, release orders with two policies should be counted as one policy.
30	Number of searches purchased from underwriters and third parties			FALSE	A search is any search report prepared specifically for the purpose of producing a commitment for the issuance of a title insurance policy. A search does not include title examination. Do not include searches performed for abstracts, property profiles, guarantees, or other products that are not specifically intended for title insurance policies.
30A	(A) Number of searches which included suggested or draft exceptions and/or requirements to be considered for inclusion in the commitment			FALSE	This category includes all partially examined products or pro-forma commitments by whatever name. The category includes any search purchased from an underwriter or third party vendor which is more comprehensive than a listing of instruments and copies of those instruments. Expenses are to be included on 30(A) and/or 30(B).
30B	(B) Number of searches which did NOT include suggested or draft exceptions and/or requirements.			FALSE	This category includes all other searches purchased from an underwriter or third party that are not included in category 30(A). Expenses are to be included on 30(A) and/or 30(B).
31	Number of non-insurance title products produced by the agency.			FALSE	A "non-title insurance title product" is any product produced by the reporting entity which is intended for some use other than a title insurance commitment or policy. Examples of a non-insurance product are Property and Information Reports, property profiles, abstracts, options, guarantees, etc. Do not include any items counted on Line 28.
32	Number of non-sale/purchase closing transactions conducted during the reporting period. These include refinancing's, junior loans, and recorded mortgages. Simultaneously issued policies should not be counted here.		0	FALSE	The number of non-sale/purchase closing transactions conducted during the reporting period. These include refinancing's, junior loans, and recorded mortgages. Simultaneously issued policies should not be counted here.

Number of Non-Sale/Purchase Closing Transactions-Refinance

Old Template

- Line 32 Total number of policies issued in reporting period
- Line 37 Number of non-sale/purchase closing transactions from Line 32 Auto calculate A-D
- Line 37(A) Number of Refinance transactions included in 37
- Question - Line 37(a) asks for the number of Line 32 that were not sale/purchase closing transactions. Does this include leasehold policies which insure the "purchaser" of the leasehold A: Line 37(a) should include leasehold owners' policies, which will again be included in Line 37(d). In this Data Call, leasehold transactions are included in "non sale/purchase closing transactions".

New Template

- Line 29 Total number of policies issued in reporting period
- Line 32 Number of non-sale/purchase closing transactions from Line 32 Auto calculate A-C
- Line 32 (A) Number of Refinance transactions included in 29
- Question - Line 32(a) asks for the number of Line 32 that were not sale/purchase closing transactions. Does this include leasehold policies which insure the "purchaser" of the leasehold A: Line 32(b) should include leasehold owners' policies. In this Data Call, leasehold transactions are included in "non sale/purchase closing transactions".

Number of Non-Sale/Purchase Closing Transactions

Old Template

- Line 32 Total number of policies issued in reporting period
- Line 37 Number of non-sale/purchase closing transactions from Line 32 Auto calculate A-D
- Line 37(A) Number of Refinance transactions included in 37
- Question - Line 37(a) asks for the number of transactions that were not sale/purchase transactions. How do we characterize a sale transaction in which we are insuring only the lender's interest? i.e. The purchaser declines owners coverages or has acquired it from another source simultaneously (both pretty rare). A: This seems to describe a loan policy issued as part of a sale transaction, which should be included with all transactions listed in Line 32.
- Line 37(C) Number of Leasehold transactions included in 37
- Line 37(c) asks for the number of Leasehold Transactions included in 37(a). Is this intended to reflect only policies insuring a lender to a leasehold, or policies in which we insure the person leasing a property? A: Line 37(c) should reflect all leasehold-owners and loan policies.

New Template

- Line 29 Total number of policies issued in reporting period
- Line 32 Number of non-sale/purchase closing transactions from Line 32 Auto calculate A-C
- Line 32 (A) Number of Refinance transactions included in 32
- Question - Line 32(a) asks for the number of transactions that were not sale/purchase transactions. How do we characterize a sale transaction in which we are insuring only the lender's interest? i.e. The purchaser declines owners coverages or has acquired it from another source simultaneously (both pretty rare). A: This seems to describe a loan policy issued as part of a sale transaction, which should be included with all transactions listed in Line 29.
- Line 32(B) Number of Leasehold transactions included in 32
- Line 32(b) asks for the number of Leasehold Transactions included in 32(a). Is this intended to reflect only policies insuring a lender to a leasehold, or policies in which we insure the person leasing a property? A: Line 32(b) should reflect all leasehold-owners and loan policies.

E. Income

Old Template Lines 39 – 49

SELECT AGENT/AGENCY TYPE: < CLICK TO SELECT AGENCY TYPE HERE >					
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions
Income					
39	Premium written			FALSE	Enter Total Gross Direct Premium. Gross premium is the total policy premium before remittance to the underwriter.
40	Premium remitted			FALSE	NOTE: Only include premiums actually remitted during the reporting period. If premiums have been collected but not yet remitted, they should be reported on the next annual report.
41	Closing services income			FALSE	Enter closing service fees income only for which the reporting entity actually issued or intended to issue a policy. "Closing services" means services performed by a licensed title insurer, title insurance agent or agency, or attorney agent in the agent's or agency's capacity in such including, but not limited to, preparing documents necessary to close the transaction, conducting the closing, or handling the disbursing of funds related to the closing in a real estate closing transaction in which a title insurance commitment or policy is to be issued.
42	Title Search Income			FALSE	1,427,771(14) "Title search" means the compiling of title information from official or public records. This category is intended to capture the separate search fee for title policies based on intended to be issued by the agency. It does not include O&E Reports or non-title insurance-related services.
43	Abstract/search income received from third parties			FALSE	Enter abstract/search income only for which the reporting entity did not actually issue or intend to issue a policy.
44	Income from cancelled orders (Enter 0 if none)			FALSE	Specific income for cancelled orders should include cancelled title insurance orders. Cancelled fees are not premium forgone.
45	Investment Income or Loss			FALSE	Enter investment income as a positive amount. Investment loss must be entered as a negative number.

New Template Lines 26 – 33

Report Lines: By Line Responses THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation						
SELECT AGENT/AGENCY TYPE: < CLICK TO SELECT AGENCY TYPE HERE >						
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions	Instructions Specific to Agency Type
Risk Assumption						
26	Total orders opened for title commitments/policies during reporting period			FALSE		
27	Total Orders Cancelled During Reporting Period			FALSE		
28	Total number of transactions in which a policy was intended to be issued but was not issued for any reason. (Pending files not yet closed)			FALSE	Total number of pending files not yet closed. A transaction is when an agent intends to act as a settlement agent and issue a policy, begins performing the work, but the deal is not completed for any reason. A transaction begins with the initial order and includes any work done up to and through an uncompleted closing. Does not include cancelled files from line 27.	Total number of pending files not yet closed. A transaction is when an agent intends to act as a settlement agent and issue a policy, begins performing the work, but the deal is not completed for any reason. A transaction begins with the initial order and includes any work done up to and through an uncompleted closing.
29	Total number of policies issued in reporting period			FALSE	For total number of policies, include simultaneously issued lender's and owner's policies as a single policy. For example, if a transaction consisted of both an owner's and a lender's policy, these should be counted as one policy. Likewise, release orders with two policies should be counted as one policy.	
30	Number of searches purchased from underwriters and third parties			FALSE	A search is any search report prepared specifically for the purpose of producing a commitment for the issuance of a title insurance policy. A search does not include title examination. Do not include searches performed for abstracts, property profiles, guarantees, or other products that are not specifically intended for title insurance policies.	
30A	(A) Number of searches which included suggested or draft exceptions and/or requirements to be considered for inclusion in the commitment			FALSE	This category includes all partially examined products or pro-forma commitments by whatever name. The category includes any search purchased from an underwriter or third party vendor which is more comprehensive than a listing of instruments and copies of those instruments. Expenses are to be included on 33(B) under B).	
30B	(B) Number of searches which did NOT include suggested or draft exceptions and/or requirements.			FALSE	This category includes all other searches purchased from an underwriter or third party that are not included in category 30(A). Expenses are to be included on 33(A) under A).	
31	Number of non-insurance title products produced by the agency.			FALSE	A "non-title insurance title product" is any product produced by the reporting entity which is intended for some use other than a title insurance commitment or policy. Examples of a non-insurance product are Property and Information Reports, property profiles, abstracts, options, guarantees, etc. Do not include any fees covered on Line 23.	
46	Number of non-sale/purchase closing transactions from Line 29 (Auto-Calculated from sum of 32(A) through 32(C))		0		The number of non-sale/purchase closing transactions considered during the reporting period. These include refinancing's, junior loans, and loanhold transactions. Simultaneously issued policies should not be counted here.	

Premium Written

Old Template

- 1. Does line 39 "Premium Written" include endorsements? A: Yes, as does the entry on Schedule C.
- 2. What does Line 48 "Rebate Amounts" include A: Line 48 refers to "Butler" type rebates for which the consumer (premium payer) receives a refund of a portion of the title premium, paid from the agent's share of the title premium. Agents are to reflect the total amount of "Butler" Rebates given to consumers for the reporting period in this section.

Report Lines: By-Line Responses						
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation						
SELECT AGENT/AGENCY TYPE:		Single State Agent				
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions	Instructions Specific to Agency Type
48	Rebate Amounts (Enter 0 if none)			FALSE		Enter total rebate amounts from Transaction Schedule in Schedule C

New Template

- 1. Does line 34 "Premium Written" include endorsements? A: Yes.
- 2. What does Line 45 "Rebate Amounts" include A: Line 45 refers to "Butler" type rebates for which the consumer (premium payer) receives a refund of a portion of the title premium, paid from the agent's share of the title premium. Agents are to reflect the total amount of "Butler" Rebates given to consumers for the reporting period in this section.

Report Lines: By-Line Responses						
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation						
SELECT AGENT/AGENCY TYPE:		< CLICK TO SELECT AGENCY TYPE HERE >				
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions	Instructions Specific to Agency Type
45	Rebate Amounts (Enter 0 if none)			FALSE		

F. Expenses

Old Template Lines 50 – 82

Report Lines: By-Line Responses						
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation						
SELECT AGENT/AGENCY TYPE:		Single State Agent				
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions	Instructions Specific to Agency Type
Expenses						
79	Employee Compensation (Auto-Calculated) Sum of 50(A) and 50(B)		\$0		This category includes the gross amount of compensation paid to the employee, without adjustment for amounts withheld from the employee's portion for taxes, social security, Medicare, insurance, pensions, and 401(k) contributions, and the like. Do not include leased employee expense.	
80	(A) Employees other than Owners & Partners			FALSE	For these purposes, Owners and Partners do not include any person owning, directly or indirectly, less than 5% of a publicly traded reporting entity	Enter the amounts paid for employee compensation otherwise reported for all W-2 employees during the reporting period. "Employee compensation" includes salaries, bonus, commissions, overtime, pay while on leave, dismissal allowance and other similar items paid to employees.
81	(B) Owners and Partners				For these purposes, Owners and Partners do not include any person owning, directly or indirectly, less than 5% of a publicly traded reporting entity	Enter the same information for owners and partners who are paid as W-2 employees.
82	Contracted Labor (Auto-Calculated)				Enter expense for employees other than owners and partners shown in Line 26 and licensed employees other than owners and partners shown in Lines 27 and 28.	

New Template Lines 47 – 79

Report Lines: By-Line Responses						
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation						
SELECT AGENT/AGENCY TYPE:		< CLICK TO SELECT AGENCY TYPE HERE >				
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions	Instructions Specific to Agency Type
Expenses						
47	Employee Compensation (Auto-Calculated) Sum of 47(A) and 47(B)		\$0		This category includes the gross amount of compensation paid to the employee, without adjustment for amounts withheld from the employee's portion for taxes, social security, Medicare, insurance, pensions, and 401(k) contributions, and the like.	
48	(A) Employee Compensation (Excluding Owners and Partners)			FALSE	For these purposes, Owners and Partners do not include any person owning, directly or indirectly, less than 5% of a publicly traded reporting entity	
49	(B) Employee Compensation (Owners and Partners)			FALSE	For these purposes, Owners and Partners do not include any person owning, directly or indirectly, less than 5% of a publicly traded reporting entity	
50	Contracted Labor (Auto-Calculated) Sum of 48(A) and 48(B)		\$0		Not including leased employee expense	
51	(A) Amounts paid to contractors connected to owners or investors of the agency...			FALSE	This category includes marketing contracts, and management contract or any other contract with a person or entity connected with an owner or investor in the agency...	
52	(B) Amounts paid to contractors not connected to owners or investors in the agency...			FALSE		
53	Dividends paid to investors			FALSE		
54	Employee Leasing Expense (Auto-Calculated)		\$0		Although leased employees are treated as regular employees in the employee count (discuss above), these employee leasing expense reports require those regular employee compensation in Line 47.	
55	(A) Employee Leasing Expense Paid to Subsidiaries Connected With Owners or Partners			FALSE		

F. Expenses

OLD

NEW

Report Lines: By-Line Responses					
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation					
SELECT AGENT/AGENCY TYPE:		< CLICK TO SELECT AGENCY TYPE HERE >			
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions
60	Title plant maintenance/ access expenses			FALSE	This category applies to non-labor costs of maintaining a title plant or to fees paid to access a title plant belonging to another.
61	(A) Abstract/search expenditures with third parties			FALSE	This category applies when the agency is buying a search from any third party or underwriter, but only when the search <i>does not</i> include suggested or draft exceptions and/or requirements to be considered for inclusion in the commitment. This category is to reflect the cost of those searches identified in lines 33(B), 34(B), and 34(C).
61	(B) Examined search products			FALSE	This category applies when the agency is buying a search from any third party or underwriter, but only when the search <i>does</i> include suggested or draft exceptions and/or requirements to be considered for inclusion in the commitment. This category is to reflect the cost of those searches identified in line 34(A).

Report Lines: By-Line Responses					
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation					
SELECT AGENT/AGENCY TYPE:		< CLICK TO SELECT AGENCY TYPE HERE >			
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions
57	Non-Labor Costs of Title plant maintenance/ access expenses			FALSE	This category applies to non-labor costs of maintaining a title plant or to fees paid to access a title plant belonging to another. I.e. Black Knight, the Fund, Courthouse, etc.
58	Abstract/search expenditures with third parties (Including Underwriters with Examination)		\$0		This category applies when the agency is buying a search from any third party or underwriter, but only when the search <i>does</i> include suggested or draft exceptions and/or requirements to be considered for inclusion in the commitment. This category is to reflect the cost of those searches identified in line 30(A).
58	(A) Title Search Expense Paid from Operating Account			FALSE	This category is to reflect the cost of those searches identified in lines 30(A).
58	(B) Title Search Expense Paid through Escrow Account as a Pass Through			FALSE	This category is to reflect the cost of those searches identified in lines 30(A).
59	Abstract/search expenditures with third parties (Including Underwriters without Examination)		\$0		This category applies when the agency is buying a search from any third party or underwriter, but only when the search <i>does not</i> include suggested or draft exceptions and/or requirements to be considered for inclusion in the commitment. This category is to reflect the cost of those searches identified in line 30(B).
59	(A) Title Search Expense Paid from Operating Account			FALSE	This category is to reflect the cost of those searches identified in line 30(B).
59	(B) Title Search Expense Paid through Escrow Account as a Pass Through			FALSE	This category is to reflect the cost of those searches identified in line 30(B).
60	Expense from non-title insurance products produced			FALSE	A "non-title insurance title product" is any product produced by the reporting agent which is intended for some use other than a title insurance commitment or policy. Examples of a non-insurance product are Property Information reports, property profiles, abstracts, opinions, guarantees, etc. Do not include any items reported on line 39. Do not include a search

F. Expenses

OLD

- **1. What are they getting at in lines 60, 61 (a)-(b) and 62?** A: In these four lines, the OIR is attempting to get a better understanding of the costs incurred by agents in producing or acquiring their title information. If you maintain your own plant or “rent” access to a plant, line 60 is intended to pick up the non-labor costs of running that plant. (Labor costs should be reflected in the various categories of Lines 50 [Employee Compensation] and 55 [Employee Benefits] on Schedule B.)
- We understand that many title agencies purchase searches and access from other parties, including, for example, *reQuire* and *Reliable Lien Search, Inc.*. These fees should be reflected in Line 61a (Abstract/search expenditures with third parties), since it is a search which does not contain requirements. Some agencies acquire what amounts to an old fashioned abstract, a list of the documents in the chain, and copies of those instruments. Other searches also include suggested requirements and/or exceptions, based on the searcher’s review/examination of the documents. We need to better understand how this difference in business models affects the costs of operating an agency, and that is the distinction being drawn.

NEW

- **1. What are they getting at in line 57, 58 (a&b), and 59 (a&b)?** A: The OIR is attempting to get a better understanding of the costs incurred by agents in producing or acquiring their title information. If you maintain your own plant or “rent” access to a plant, line 57 is intended to pick up the non-labor costs of running that plant. (Labor costs should be reflected in the various categories of Lines 47 [Employee Compensation] and 52 [Employee Benefits].)
- Searches which include suggested requirements and/or exceptions, based on the searcher’s review/examination of the documents should be included in Lines 58a and/or 58b. We understand that many title agencies purchase searches and access from other parties, (*including, for example, require, Reliable Lien Search, BlackKnight, and the Fund*). These fees should be reflected in Lines 59a and/or 59b. (Abstract/search expenditures with third parties), since it is a search which does not contain requirements. Some agencies acquire what amounts to an old fashioned abstract, a list of the documents in the chain, and copies of those instruments. . We need to better understand how this difference in business models affects the costs of operating an agency, and that is the distinction being drawn.

F. Expenses

OLD

- **2. What is the difference between lines 61 (“search”) and 62 (“examination”)?** A: The difference can be found in [Fla. Stat. § 627.7711](#). [Fla. Stat. § 627.7711\(d\)](#) defines the search narrowly: “Title search” means the compiling of title information from official or public records.” The verb in this definition is “compiling” and the records compiled in a search are only from official or public records.
- The cost of the examination of the documents compiled in the search is found in [Fla. Stat. § 627.7711\(b\)](#), under the definition of “Primary title services”, where it refers to an “evaluation of a reasonable title search”.
- Although some in the industry refer to the search and examination interchangeably, and while it is true that some states (Texas, for example) define “examination” to include the search, Florida Statutes narrowly define the term “search”.
- It is understood that, during the search, decisions are made as to which documents are relevant and which are not, and that such decisions might be considered an examination. This on-the-spot decision making as to which documents to include in the compilation should be included within the definition of “search”.
- So, Line 61 deals with two types of payments: part a) encompasses payments for searches where the agency receives only the documents compiled by the search; and part b) encompasses payments for searches where the agency receives the type of search reflected in a) AND suggested exceptions and requirements for the commitment (sometimes referred to as a “pro-forma commitment”).
- Line 62 deals with payments to third parties who examine a search done either by the agency or by another third party. **Is 62 not included in 61b?**

NEW

- **2. What is the difference between lines 58 (“examination”) and 59 (“search”)?** A: The difference can be found in [Fla. Stat. § 627.7711](#). [Fla. Stat. § 627.7711\(d\)](#) defines the search narrowly: “Title search” means the compiling of title information from official or public records.” The verb in this definition is “compiling” and the records compiled in a search are only from official or public records.
- The cost of the examination of the documents compiled in the search is found in [Fla. Stat. § 627.7711\(b\)](#), under the definition of “Primary title services”, where it refers to an “evaluation of a reasonable title search”.
- Although some in the industry refer to the search and examination interchangeably, and while it is true that some states (Texas, for example) define “examination” to include the search, Florida Statutes narrowly define the term “search”.
- It is understood that, during the search, decisions are made as to which documents are relevant and which are not, and that such decisions are considered an examination. This on-the-spot decision making as to which documents to include in the compilation should be included within the definition of “search”.
- Line 58 (a)(b) encompasses payments for searches where the agency receives the documents compiled by the search AND suggested exceptions and requirements for the commitment (sometimes referred to as a “pro-forma commitment”).
- So, Line 59 (a)(b) encompasses payments for searches where the agency receives only the documents compiled by the search.

F. Expenses

Old

- **3. Where do we reflect fees that a title agency may pay to outside companies and/or local and community municipalities for search services in connection with matters such as utility liens, city/county assessments or Mortgage and Lien Release searches?** A: These charges will be reflected on Line 61(a)-Abstract/Search Expenditures with Third Parties.
- **4. What should be included in Line 68 "Business Legal"? Does that include the costs for the lawyer we have on staff who assists in closings, escrow questions and functions as our general counsel?** A: Many Florida agencies are attorney-owned or have an attorney involved on a more or less full time basis. The payments to lawyers who are an integral part of your business should be reflected in the various categories of Lines 50 (Employee compensation) and 55 (Employee benefits).
- This category is intended to reflect the cost of obtaining outside legal counsel for corporate, business, HR and other matters not directly related to defending a title or closing claim.
- Costs incurred in defending a specific closing or title claim should be reflected in Line 87.

New

- **3. Where do we reflect fees that a title agency may pay to outside companies and/or local and community municipalities for search services in connection with matters such as utility liens, city/county assessments or Mortgage and Lien Release searches?** A: These charges will be reflected on Line 59 (a) or (b)-Abstract/Search Expenditures with Third Parties.
- **4. What should be included in Line 65 "Business Legal"? Does that include the costs for the lawyer we have on staff who assists in closings, escrow questions and functions as our general counsel?** A: Many Florida agencies are attorney-owned or have an attorney involved on a more or less full-time basis. The payments to lawyers who are an integral part of your business should be reflected in the various categories of Lines 47 (Employee compensation) and 52 (Employee benefits).
- This category is intended to reflect the cost of obtaining outside legal counsel for corporate, business, HR and other matters not directly related to defending a title or closing claim.
- Costs incurred in defending a specific closing or title claim should be reflected in what Line 80?

F. Expenses

Old

- **5. What portion of my FLTA and ALTA membership and attendance at programs may I allocate to Line 73 "Employee and Owner Education"?** A: While many of you joined FLTA because "All title agents should belong to FLTA--it's the right thing to do for the industry!" it is likely that you also joined the association for the value it provides to your business. A substantial portion of that value is from our formal and informal education programs, including for-credit webinars and continuing education programs offered at the convention and zone meetings, and the regular flow of the latest information about changes in the law, current cases, regulatory interpretations and other informal education.
- Based on that, we think it is appropriate for an agency to allocate 50% of its membership dues and 50% of the cost of attending FLTA/ALTA and similar conventions as an educational expense.
- Note the travel and lodging relating to attending educational and other programs are not included here, but are separately reported on Line 72.

New

- **5. What portion of my FLTA and ALTA membership and attendance at programs may I allocate to Line 70 "Employee and Owner Education"?** A: While many of you joined FLTA because "All title agents should belong to FLTA--it's the right thing to do for the industry!" it is likely that you also joined the association for the value it provides to your business. A substantial portion of that value is from our formal and informal education programs, including for-credit webinars and continuing education programs offered at the convention and zone meetings, and the regular flow of the latest information about changes in the law, current cases, regulatory interpretations and other informal education.
- Based on that, we think it is appropriate for an agency to allocate 50% of its membership dues and 50% of the cost of attending FLTA/ALTA and similar conventions as an educational expense.
- Note the travel and lodging relating to attending educational and other programs are not included here, but are separately reported on Line 69 (A)(B) or (C).

G. Direct Agency Loss Expenses

Old Template Lines 83 – 90

Report Lines: By-Line Responses					
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation					
SELECT AGENT/AGENCY TYPE: < CLICK TO SELECT AGENCY TYPE HERE >					
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions
Direct Agency Loss Expense					
83	Amounts paid directly by agent for title error losses not reimbursed by underwriter or any other party, and not included in underwriter loss reserves			FALSE	NOTE: For lines 83 through 88 do NOT include legal expenses incurred as a result of claim investigation or settlement of reporting entity Title Losses. Enter legal expenses on line 87. Title error losses are losses arising out of errors in performing primary title services as defined in §27.2714 as "determining insurability in accordance with sound underwriting practices based upon examination of a reasonable title search or a search of the records of a Uniform Commercial Code filing office and such other information as may be necessary, determination and clearance of underwriting objections and requirements to eliminate risk, preparation and issuance of a title insurance commitment setting forth the requirements to insure, and preparation and issuance of the policy. Such services do not include closing services or title searches for which a separate charge or separate charges may be made." They may include non-accrual interest on a loan. NOTE: Reporting agency opens a new file for each loss event on "title loss file". enter the total number of loss files opened during the reporting period. If agency does not open a new file, enter the total number of loss events received during the reporting period. Include loss events received for files opened regardless of whether they were sent to an underwriter for resolution.
124	(A) Number of Title Error Loss Files Opened			FALSE	
125	(B) Number of Title Error Loss Files Paid			FALSE	Do not report losses from search or closing services on this line.

New Template Lines 80 – 83

Report Lines: By-Line Responses					
THIS IS REQUIRED INFORMATION that is to be provided each time the data template is submitted to the Office of Insurance Regulation					
SELECT AGENT/AGENCY TYPE: < CLICK TO SELECT AGENCY TYPE HERE >					
Line No.	Line Description	Enter Alphanumeric Response	Enter Numeric Response	Required Data Field Complete?	General Instructions
Direct Agency Error Expense					
80	Amounts paid directly by agent for agent errors not reimbursed by underwriter or any other party, and not included in underwriter loss reserves			FALSE	
Loss Avoidance Expenses					
81	EBO insurance premiums including cyber insurance			FALSE	
82	Fidelity/Surety bond premiums			FALSE	
128	83 Total Loss Avoidance Expense (Auto-Calculated)		\$0		Total lines 81 and 82
129	84 Total Expenses (Auto-Calculated) Determined by Lines 47 through 83		\$0		
131	85 Net Income Before Taxes (Auto-Calculated)		\$0		
132	86 Federal Income Tax Incurred			FALSE	

L. Miscellaneous

Old

- **Question 4. How do I contact the OIR and the DFS?** A: All Data Call questions may be directed to Peter Rice, Title Insurance Coordinator at OIR (peter.rice@flor.com) 850-413-5249).
- DFS maintains an email address (title@myfloridacfo.com) for questions, and any inquiries regarding the Data Call will be passed along to the OIR. An official site for Data Call questions will be established.
- **Question 8: Where do we show estoppel fees?** A: Show estoppel fees on line 81 in the main report. Also, on Schedule B, under Category IIIG, show the time expended on estoppel fees. Basically, the goal is to properly show the volume and amounts of those fees. So, on Line 81, show the total number of estoppels requested and the total fees paid for those estoppels, such as "25 estoppels costing \$10,000".

New

- **Question 4. How do I contact the OIR and the DFS?** A: All Data Call questions may be directed to OIR (TitleAgencyDataCall@myfloridacfo.com) or 850-413-3147.
- **Question 8: Where do we show estoppel fees?** A: Show estoppel fees on line 59 in the main report. Also, on Schedule B, under Category III, show the time expended on estoppel fees. Basically, the goal is to properly show the amounts of those fees. So, on Line 59, show the total number of estoppels requested and the total fees paid for those estoppels, such as "25 estoppels costing \$10,000".

OTHER CHANGES

- How do we Submit our Data Call Information? (links)
- [Set up an account with OIR.](#)
- [Submit the Data Call information](#), please change the link to [How to Create and Submit Title Filings Using the Florida Office of Insurance Regulation Filing System \(IRFS\) \(floir.com\)](#)