



# FLTA Tallahassee Report

*Serving Over 4500 Title Professionals Throughout Florida*  
**FEBRUARY 2008**

249 East Virginia Street, Tallahassee, FL 32301  
(850) 681-6422 • (800) 552-1065 • FAX (850) 681-6271 • [www.flta.org](http://www.flta.org)  
Sue Giegle, President • Lee Huszagh, Executive Secretary-Treasurer

## PRESIDENT'S MESSAGE

by Sue Giegle

I hope everyone had a great time at our annual convention in Bonita Springs. Lee was missed terribly, but Barry Scholnik did a wonderful job putting everything in order in Lee's absence. I would like to give a special thank you to Barry for not only hosting the conference, but also for his continued dedication to our industry. He has done a great job this past year implementing new ideas within our association.

This past year has been very difficult for our industry as we have lost a lot of good agents that have been forced out of business. I hope that we do not lose anyone else in 2008.

Since the convention, we have been in contact with the Florida Department of Financial Services and are in the process of getting the clarification we need as to third party fees. I hope to have a positive report by our next membership meeting.

FLTA will continue to offer continuing education seminars in 2008. Dates and locations for these meetings will be disclosed to our members as soon as possible. I know this is a tough time financially for everyone, however

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***“This past year has been very difficult for our industry as we have lost a lot of good agents that have been forced out of business.”***

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this association and its members are a very big part of the voice being heard right now in our state. This is one the major benefits to being a member of FLTA. With that in mind I urge everyone to spread the word to prospective members and bring them on board.

Don't forget about the Winter Workshop on February 5th -7th, 2008 at the Park Plaza Hotel in Tallahassee, FL. We have extended an invitation to the Department of Financial Services to attend Committee Meetings, and hope they will.

As always, our Board of Directors is always welcoming new ideas and suggestions that our members may have.

I hope everyone had a wonderful Holiday and a very Happy New Year

## **Save the Date for the FLTA Annual Convention, November 6-8, 2008!**

The 2008 FLTA Convention will be held November 6-8, 2008 at the Marriott Key Largo Bay Resort in Key Largo, FL. Detailed meeting brochures will be mailed in early summer.

To make reservations contact the hotel directly at (866) 849-3753 and let them know you are with FLTA. Make your reservations before Tuesday, October 7, 2008 to receive the convention rate of \$169 per night.

**For more information, please visit the FLTA web site at [www.flta.org](http://www.flta.org).**

## **NEW FLTA BOARD OF DIRECTORS**

The 2007-2008 FLTA Officers and Board of Directors were installed at the 2007 Annual Convention at the Hyatt Regency Coconut Point Resort in Bonita Springs, Florida this past November. The officers were installed by ALTA President, Gary Kermott. Your 2007-2008 leaders are:

**President**

Sue Geigle

Professional Title Solutions Inc.

First American Title Insurance Co

**Zone III Vice President**

Stacy Kalmanson  
Land America

**Zone VII Vice President**

Doug Stevens, Jr., CLC  
Executive Title Insurance Services

**Immediate Past President**

Barry Scholnik  
Stewart Title Guaranty Company

**Zone IV Vice President**

Carolyn Broadwater  
Old Republic National Title  
Insurance Company

**CLT Institute Council**

Leslie A. Smith, CLS  
Southern Title Holding  
Company, LLC

**Chair, Insurers' Section**

Alan McCall  
First American Title Insurance  
Company

**Zone V Vice President**

Bob Booth, Jr. CLS,  
Community Land Title Corporation

**Past President's Council**

Louis B. Guttman

**Chair, Agents' Section**

Shelley Stewart, CLC  
Southern Title Holding Company, LLC

**Zone 1 Vice President**

Becky McNeal  
Affiliated Title Services

**Zone VI Vice President**

Niki Roberts  
Fidelity National Title Insurance  
Company

**Zone II Vice President**

Marcia Cameron, CLC/CLS



### **CLT Institute Announces 2007 CLC/CLS Recipients**

2007 CLC & CLS recipients were recognized during the 2007 Annual Convention in Bonita Springs. FLTA congratulates those receiving this designation for their hard work and dedication to the land title industry.

CLS Designation

Luther Wilson  
Sherry Ivester  
Ronald Alan Hale

CLC Designation

Christine M. Martin  
Linda G. Melton  
Leslie Wilkinson  
Angela Tubbs  
Tammy Klootwyk

Laurie Lynn  
Linda Garrett  
Lynn Langowski  
Stacey Watson

### **FLTA Scholarship Recipients**

FLTA also awarded three scholarships to highly deserving recipients during the annual convention. This year's winners were:

Casie Warden, Sam D. Mansfield Scholarship Award  
Aaron Davids, Marge Schwartz Scholarship Award  
Luther Wilson, John Thornton Scholarship Award

### **Thank you to FLTA Supporters**

FLTA wishes to thank everyone who participated in the silent auction and raffle during the convention. Sales from these two events go directly to funding the scholarship awards. A special thank you to Old Republic National Title Insurance Company, Chicago Title Insurance Company, and Southern Title Holding Company, LLC for their donations to the FLTA Scholarship funds.

## **FBI Task Force on Mortgage Fraud**

**By Deborah Boyd**

The FBI has set up 36 mortgage fraud task forces throughout the country. At least two of them are based in Florida (West Palm Beach and Tampa). The task forces include FBI agents, Prosecutors from the US Attorneys Office, IRS agents, US probation officers and representatives of the DFS and OIR.

The task forces break mortgage fraud into two categories – fraud for profit and fraud for housing. Fraud for housing occurs when someone overstates their income or assets in order to be able to buy themselves a larger or nicer home where they plan to live. Fraud for profit occurs when mortgage fraud is committed for the purpose of obtaining money, rather than housing. The task forces have discovered that a large percentage of fraud for profit schemes are committed by organized groups of criminals. This migration of organized crime into the area of mortgage fraud is due to the fact that mortgage fraud for profit currently provides higher potential profit and lower potential consequences than many other forms of criminal enterprises.

The task forces are primarily focused on investigating and prosecuting mortgage fraud for profit rings. To that end, they have requested your help. If you are aware of mortgage fraud, particularly if you suspect a fraud ring where the same or related parties are involved in multiple, apparently fraudulent transactions, you may report it to **FBI Special Agent Bill Stern at 561-833-7517**.

### **CLT Institute Announces the 2008 Exam Date**

The examinations for the C.L.S. and C.L.C. designations will be held on Saturday, June 21st, 2008. Qualifying individuals must submit their application to take the exam no later than April 4, 2008.

Twenty-eight (28) hours of Continuing Education Credits will be earned for licensed agents who are successful in passing the exam. Notice of exam locations will be given with the application approval letters.



I run an independent title agency. Our TSS software makes it easy to work with the industry's leading underwriters. And compete with larger title agencies.  
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## Florida Land Title Association

249 East Virginia Street

Tallahassee, FL 32301

[www.flta.org](http://www.flta.org)

### FLTA Calendar of Events

#### **ALTA Federal Conference 2008**

March 10th -12th, 2008

The Grand Hyatt  
Washington, DC

#### **FLTA Claims Prevention, Avoidance and Education Committee Roundtable**

April 15-16 at the  
Omni Rosen Centre Hotel.  
Orlando, Florida

#### **ALTA's 2008 Annual Convention:**

October 15th-18th, 2008  
Koloa, Hawaii

#### **2008 FLTA Annual Convention**

November 5th-8th, 2008  
Key Largo Bay Marriott  
Key Largo, Florida



### ~ NEW MEMBERS ~

**Arriviste Title Group, Inc.**  
Spring Hill, FL

**Full Access Storage, Inc.**  
Deerfield Beach, FL

**Leading Edge Title Partners**  
Winter Park, FL

**National Loan Closers**  
Louisville, KY

**Property Debt Research, LLC**  
Fort Myers, FL

**Stein, Sonnenschein, Hochman & Pepler**  
Oviedo, FL

**TitleSoft, Inc.**  
Maitland, FL

\*Correction – in the November 2007 issue, National Title Insurance Company was incorrectly listed as a new member. National Title Insurance Company has been an FLTA member since the association's inception and is a long time supporter of the FLTA. .

**Florida Land Title Association, Inc.**  
 249 East Virginia Street, Tallahassee, FL 32301  
 (850) 681-6422; FAX (850) 681-6271; Florida WATTS 1-800-552-1065; [www.flta.org](http://www.flta.org)

FLTA dues are not deductible as a charitable contribution for federal tax purposes, but may be deductible as a business expense. A change in the tax code eliminates the portion of your dues attributable to lobbying expenses. It has been determined that 15% of your dues are used for these purposes, therefore only 85% of your dues are deductible as a business expense, or 80% if you designate 5% to TIFPAC.

Member Company Name \_\_\_\_\_

Mailing Address \_\_\_\_\_ Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ County \_\_\_\_\_

Contact Person (for mailing list) \_\_\_\_\_ Title \_\_\_\_\_

(Area Code) Telephone Number \_\_\_\_\_ (Area Code) FAX \_\_\_\_\_ Alternate Contact Number \_\_\_\_\_

E-Mail \_\_\_\_\_

The person most responsible for our membership in the FLTA is: \_\_\_\_\_

**2008 Dues Schedule**

At the Annual Convention on November 16, 2006 the membership approved and adopted the following schedule of dues in effect for the year 2007 and beyond, as follows: (Please indicate membership type by placing an "X" in box.)

- Trial Membership: \$150.00, this is available to title agencies who have not been members of the FLTA. This is a non-voting membership.
- Associate Membership: \$300.00, this is available to vendors to our industry, governmental agencies: who activities include land title matters, and law firms whose practice includes title insurance defense litigation. It is a non-voting membership.
- Agent Membership: \$400.00, this is available to all duly licensed entities who meet the requirements for membership in the Florida Land Title Association as contained in the by-laws. In addition, each additional branch office that the member desires to be listed in the directory and included in the mailing list shall require another \$100.00 in dues. The maximum dues for any agency member is \$2,500.00. Please list each additional branch on the back of this form. Copy as needed.
- Insurer Membership: The dues structure shall continue on the basis of gross revenue computed at \$50.00 per \$50,000 in gross (.001) including title premium and sale of evidence of title products in the State of Florida. The minimum dues for any Insurer membership shall be \$400. The maximum dues for any Insurer membership shall be \$15,000 for each insuring entity who is issuing title insurance policies in the State of Florida.

PAC dues are optional, please mark this box if you do not want to contribute 5% of your dues to the Title Industry of Florida Political Action Committee (TIFPAC). A contribution to TIFPAC does not increase dues.

Please return this completed schedule (include reverse side if applicable) with your remittance payable to Florida Land Title Association, Inc.

The by-laws provide that all dues are payable on January 1, 2008 at the office of the Executive Secretary-Treasurer, and shall be delinquent April 1, 2008. Any member who is delinquent in payment of dues shall be suspended automatically and lose all voting privileges.

In order to assure that all members receive membership certificates, please list all current names and addresses of each branch office in Florida on the reverse side of this form. Use additional copies if necessary.

**All Information is for FLTA use only and is kept strictly confidential**

Received \$ \_\_\_\_\_ Check No. \_\_\_\_\_ Date \_\_\_\_\_

AMEX, MC or Visa # \_\_\_\_\_ Security Code \_\_\_\_\_ Expires \_\_\_\_\_

Database  Mailing List  Ledger  Directory  Certificate

---

Member Company Name

---

Mailing Address

Street Address

---

City

State

Zip Code

County

---

Contact Person (for mailing list)

Title

---

(Area Code) Telephone Number

(Area Code) FAX

Alternate Contact Number

---

E-Mail

---

---

---

Member Company Name

---

Mailing Address

Street Address

---

City

State

Zip Code

County

---

Contact Person (for mailing list)

Title

---

(Area Code) Telephone Number

(Area Code) FAX

Alternate Contact Number

---

E-Mail

---

---

---

Member Company Name

---

Mailing Address

Street Address

---

City

State

Zip Code

County

---

Contact Person (for mailing list)

Title

---

(Area Code) Telephone Number

(Area Code) FAX

Alternate Contact Number

---

E-Mail

## Notice of 2008 C.L.S. and C.L.C. Designation Examination

To: All Members of Florida Land Title Association, Inc.

From: Certified Land Title Institute

Date: February 1, 2008

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The examinations for the C.L.S. and C.L.C. designations will be held on Saturday, June 21<sup>st</sup>, 2008. Notice of locations will be given with the application approval letters.

We urge you to encourage all of your qualified staff members to take the exam. Twenty-eight (28) hours of Continuing Education Credits will be earned for licensed agents who are successful in passing the exam.

To qualify for the examination, one must:

1. Have credible full-time experience, in the state of Florida for at least a period of five (5) years must be met prior to application deadline, all with an Abstract or Title Insurance Company, or Agent thereof. Two (2) years experience out of state may be substituted for one (1) year of Florida Experience. The maximum out of state experience allowed will be four (4) years.
2. Submit to the C.L.T. Institute the following forms:
  - a. Completed questionnaire (C.L.C. or C.L.S.) from the applicant.
  - b. Completed Certification from the Manager, or in the event the Manager is the applicant, from their immediate supervisor, verifying the applicant's experience, position and qualifications for taking the examination.
  - c. Detailed resume of title insurance experience that includes: name, address, phone number, contact person, dates of employment of current and previous title insurance related positions. Must also give details of title insurance related duties and length of experience in each position held.

The Governing Council has set a charge for FLTA members of \$60.00 as the application fee and \$40.00 for the examination fee. The charge for Non-FLTA members is \$150.00 as the application fee and \$150.00 for the examination fee.

Both must be sent with the forms referenced in item 2 above. NOTE: Make checks payable to FLORIDA LAND TITLE ASSOCIATION, INC. *These fees are non-refundable.*

So that applications may be processed in time, all applications, employer certifications, resume and fees due must be received by:

**April 4, 2008**

***No applications will be accepted beyond this deadline!***

Notice of approval of the applications, will be sent no later than May 2, 2008. All documents as well as payment should be forwarded to:

Linda M. Vivona, CLC/CLS  
Secretary of CLT Institute – FLTA  
First American Title Insurance Company  
National Commercial Services  
25400 U.S. Highway 19 N., Suite 135  
Clearwater, FL 33763

Copies of the 1) application 2) employer certification 3) resume forms and 4) study outlines and guides are enclosed, or can be obtained from the Association office. You may make additional copies of the forms needed. These forms must be used. Previous versions will be rejected. If your office does not already have The Basic Title Insurance Handbook (\$57.75- includes tax and shipping) and its supplements they are available from the FLTA office and are also helpful study aids.

If you have any questions, please feel free to contact the undersigned at (727) 797-4166; FAX (727) 499-7336, E-mail [lvivona@firstam.com](mailto:lvivona@firstam.com). Thank you for your attention to this matter.

Please post this notice on your bulletin board.

Sincerely,

Linda M. Vivona, CLC/CLS  
Secretary of CLT Institute  
Florida Land Title Association, Inc.

Enclosures

Certified Land Title Institute Section  
Of The  
Florida Land Title Association, Inc.

Application for examination for CLC/CLS designation

*(EVERY BLANK MUST BE FILLED IN – PLEASE PRINT CLEARLY OR TYPE)*

Date \_\_\_\_\_ FLTA Membership Date \_\_\_\_\_

Designation Application is for:    C.L.C    C.L.S.    Partial \*

\* Attach a copy of your notification letter

Applicant (For Plaque) \_\_\_\_\_ S.S.# \_\_\_\_\_

Florida Licensed Title Agent: \_\_\_\_\_ Yes \_\_\_\_\_ No

License Issue Date: \_\_\_\_\_ License # \_\_\_\_\_

Residence Address: \_\_\_\_\_

City, Zip Code \_\_\_\_\_ County \_\_\_\_\_

Name of Employer: \_\_\_\_\_

Business Address: \_\_\_\_\_

City, Zip Code \_\_\_\_\_ County \_\_\_\_\_

Applicant's Position: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

*I hereby certify that all information enclosed is true and correct.*

Signature of Applicant: \_\_\_\_\_

*Resume Form, Employer's Certification and fees must be included for application to be processed.*

Deadline to Apply: April 4, 2008



EMPLOYER'S CERTIFICATION

Designation Applied for:     C.L.C.     C.L.S.

Applicant's Name: \_\_\_\_\_

The Applicant's CURRENT position and duties are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Applicant has been employed by this company since: \_\_\_\_\_

I have been the applicant's supervisor since: \_\_\_\_\_

I, \_\_\_\_\_ being the immediate supervisor of the above named applicant, hereby certify that this applicant has a minimum of \_\_\_\_ years related experience in Florida as a searcher, closer (choose one) and is qualified to take the designated examination.

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone number(s): \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Immediate Supervisor

State of: \_\_\_\_\_

County of: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ who is personally know to me or produced \_\_\_\_\_ as identification, and who (did) take an oath.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

## STUDY OUTLINE AND GUIDE FOR C.L.S. EXAMINATION

The following is a list of certain matters asked on the CLS examination. The answers to many of these questions are discussed in the ***Basic Title Insurance handbook*** and the ***supplement to Florida Land Titles*** by H.D. Booth which can be purchased from the Florida Land Title Association, Inc.

- I. Documents and Related Matters.
  - A. Requirements of a valid deed.
  - B. Various types of Deeds and their differences.
  - C. Effects of Acknowledgments.
  - D. Mortgages
  - E. Various types of Mortgages and their differences.
  - F. Explain what constitutes a default in a Mortgage.
  - G. Define documents relating to Mortgages, i.e. Assignments, Mortgage Modifications, Collateral Assignments, etc.
  - H. Tax Certificates and Tax Deeds and their effects.
  - I. Powers of Attorney's: their components and uses.
  - J. Types of restrictions and reverters.
  - K. Explain various types of Easements.
  - L. Murphy Act Deeds.
  - M. Judgments: their time limits and foreign judgments treatment.
  
- II Estate Matters
  - A. Decedent's estates and how they are created.
  - A. Testate vs. Intestate Estates.
  - A. Explain the various types of Probate Court files and administration.
  - A. Guardianships and their requirements.
  - A. Homestead Property and Probate Implications.
  
- III Construction (Mechanics) Lien Law
  - A. Basic Components
  - A. Notices of Commencement and its effects.
  - A. Claim of Liens and applications.
  
- IV Civil and Court Proceedings
  - A. Know the effect of divorce on title.
  - B. Bankruptcy and its Effect.
  - C. Mortgage Foreclosure.
  
- V Entities
  - A. Explain the different ways Trustees may hold title and requirements that should be made in dealing with same.
  - B. Types of Corporations - foreign, domestic, profit, dissolved, and alien.
  - C. Partnership Act, various types of partnerships and joint ventures.
  - D. Explain the various types of churches.
  - E. Explain the various types of tenancies.
  
- VI Title Products
  - A. Abstract of Title:
    - 1. What is an abstract.
    - 2. Explain the uses of an abstract.
    - 3. List parts of an abstract and types of title sources shown in an abstract.

4. Various types of instruments shown in an abstract.
- B. Chain of Title:
1. Define a Chain of Title
  2. Explain how an abstractor should handle specific situations that may appear in the chain of title.
- C. Title Insurance:
1. Define title insurance and name types of policies used in Florida and their functions.
  2. Discuss standard exceptions.
  3. The gap
  4. Reissue
  5. “Simultaneous Issue”
  6. Explain Florida Marketable Title Act (MRTA).
  7. Know who regulates the title insurance industry.
- VII Condominiums
- A. Condominium Act and when it was enacted
  - B. Various Forms of Condominiums
  - C. Define Common Elements.
  - D. Define Limited Common Elements.
  - E. Types of Easements.
- VIII Legal Descriptions
- A. Know the requirements of a valid plat filing.
  - B. Know the various ways that land may be described.
  - C. Discuss metes and bounds.
  - D. Know the Government Survey System (Prime Meridian, etc.).
  - E. Detail acreage breakdowns.
  - F. Be prepared (with scale, compass, and protractor) to draw out a legal description to scale and be prepared to write a legal description from a survey.
  - G. Be familiar with water rights, terminology.
- IX Exam Procedures and Tools
- A. Constructive Notice and Actual Notice.
  - B. Define Abstractor/Searcher and a Title Examiner and explain the duties.
  - C. Various physical tools used by the Searcher/Examiner.
  - D. Various types of Judgments and Liens and how they are handled by an Abstractor and/or Examiner.
  - E. Definitions of various Latin Terminology used in or by profession.
  - F. Difference between the public records in a given county and the Federal District Court records and how each may affect the examiner/searcher.

The above outline is only an overview of some items which will be covered by the CLS examination.

Prepared by: The Governing Council of the Certified Land Title Institute of the Florida Land Title Association, Inc.