

Tallahassee Report

2015
 Issue #1

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Register now for the FLTA 2015 Annual Convention!!!

A Message from the President W. Jeffry Stein | Alliant National Title Ins. Co.



Happy Fall!

We had a HOT Summer, both weather-wise and in the real estate market, and while the Fall temperatures are moderating, the market still seems pretty hot. I bet all of you are very

busy, if our workload at FLTA, and mine in my day job at Alliant National, are any indication.

It is good to have the market recovering and work increasing. Now we just need to find the help to do the work we have.

I want to take a minute to go back to last November, when you all were so kind to elect me President, and

come forward looking at what we have accomplished at FLTA and where we are headed.

You may recall that I quoted two Chinese proverbs (Curses) in my talk at the convention.

The first, ***May you live in interesting times***, certainly continues to be relevant.

We face major changes in the way we do business and the way we communicate with our customers.

We just got through year one of the Agent Data Call with nearly every agent reporting!

We face the implementation of the new Closing Disclosure Forms and TRID as you read this. I know we will come through this just fine as an industry, but it is a challenge for all of us. The good news is we have a lot of company in the struggle as lenders are also changing the way they do business and communicate. The changes will leave no one unaffected, including our real estate agents/brokers and the buyers and sellers. As we go through these changes and the inevitable frustrations we need to always be mindful that our struggles and frustrations are shared by all in the transaction.

The second proverb/curse was ***May you have the attention of those in authority.*** We certainly have the attention of both our Federal and State regulators. Our State regulators continue to work with FLTA in attempts to make us stronger and more successful while protecting consumers from the bad actors.

We will see changes due to the Data Call and the implementation of the Closing Disclosure Forms and TRID. DFS, working with Your FLTA, has adopted a form that is designed to clarify the disclosure of title premium on the CD with what we are supposed to charge, and to make it clear that you have the authority to disburse funds according to the new forms.

In addition, FLTA is continuing our work with DFS to clarify unlawful inducements while protecting your ability to market your business. Public hearings are set as I write this article.

Convention: Last November was our first Convention without the good work of Linda Martin. Many of you know Linda and she remains active with our CLT Section and is a valued member of the association. Nevertheless, through the efforts of our Executive Director, Alex Overhoff, and her staff and the many wonderful volunteers, we pulled the convention together. From all reports, the convention was a success. We learned a lot, and this year's convention in Delray Beach on November 9-11 should prove even better. I hope to see you there as I pass the gavel to Skip Straus as your new President.

Lobby Days: Lobby Days in Tallahassee were great, with many volunteers pouring through the halls and offices of our legislators and explaining the two bills we asked them to support.

Stay tuned for this year's Lobby Days. The 2016 Legislative Session starts early (January next year), so Lobby Days are scheduled for December 1st and 2nd. Please come join us. The more of us that are there, the more effective we will be.

Legislation: You may know that Your FLTA drafted and supported a bill which corrected a technical problem with the treatment of any surplus of the surcharges you collect, and we drafted and carried a bill through the process related to HOA and Condo Association Estoppels.

The first bill passed and the second bill was as close to passing as possible without actually passing. The House of Representatives ended their Session early and with it, eliminated the opportunity to vote on our bill (among others). We are confident that we had the votes to have that bill passed.

Let's take a minute to reflect on what this means to Your FLTA.

While we have been active with legislation throughout the life of the association, this is the first time we drafted bills, obtained sponsors, obtained allies to help us, and successfully supported bills through the process, in the face of significant opposition.

This is a BIG DEAL for Your FLTA and you!

This was a team effort led by our Executive Director, Alex Overhoff, and included the Agent Section Lobbyist, David Daniel, some of the insurers' lobbyists, our allies with the Realtors and Home Builders' Associations and many of our members as volunteers. The team not only took one bill to the finish line, we took two. Give everyone involved a big high five. We will need them all again this year.

As I write this, your Executive Director, Alex Overhoff, is again leading the charge to have the estoppel bill presented to our Legislature this year. We have had good progress so far, with a long road to go, so your help in sending her examples, and at Lobby Days is critical.

Education: One of the two large areas that Your FLTA is working on is Advocacy, which we just discussed. The second is Education. There certainly is no shortage of topics to learn.

The Education Committee and the Board of Directors recognize a real need to create excellent Basic Training opportunities for all of you to bring new people into our industry, and to take those employees with limited experience and help them develop the knowledge and skills necessary to become productive and licensed. Your Board of Directors has allocated a significant budget line item to help with these efforts and we are in the process of developing new training manuals. We will publish these as we go forward and you should see the first before the end of this year. You will hear more news on these efforts at the convention.

The Future:

I am excited about the FLTA! You all are the best there are and this association is a great association!

I am excited about continuing our influence and excellent relationships with our elected officials and regulators in Tallahassee.

I am excited about the educational offerings we are developing. We will become the go to place for those interested in the title industry. FLTA will be where a person comes to learn how they, too, can have the rewarding careers we share.

I am excited to see Skip Straus prepare himself to take over as President. We are in for a great year under his leadership.

Lastly, I am excited about YOU. You are the reason we succeed. Your volunteerism is critical to our association. Please consider volunteering to be on our committees and becoming even more active.

Your Board of Directors met for a winter board meeting, where we were introduced to the Arbinger Institute. The Institute teaches many good lessons.

I leave you with this thought from that training:

“Focus on the needs of others and how you can help things go right.”

Jeff Stein, President

Agents' Section Chair

Arnold “Skip” Straus, Jr. | Enterprise Title, Inc.



We look forward to seeing you in Delray Beach next week. We have attracted a stellar group of speakers, ranging from Florida Chief Financial Officer Jeff Atwater to CFPB attorney Pedro de Oliveira. The convention format facilitates input from the audience. Jena sent an e-mail to all attendees yesterday inviting pre-submitted questions for the speakers. So join us, ask questions, and you will learn a

lot. The Marriott Hotel is located across the street from the Atlantic Ocean beach so we hope you will get a chance to enjoy our beautiful South Florida weather.

You would be very proud of your fellow FLTA members as our large group of agents and insurers attended the American Land Title Association (ALTA) convention in Boston last month. ALTA is impressive. They have been tireless advocates for us on Capitol Hill. As a result of their efforts, Congress is listening to our concerns about CFPB, and recognizing that the title and settlement industry is integral to the nation's economy. ALTA is a leading national voice promoting the benefit of owner's title insurance. The ALTA Best Practices standards have set the bar for the lender's

to determine which title agents will continue to close their loans. FLTA is honored that newly elected ALTA President John Hollenbeck will make Florida his first convention. John will explain ALTA's initiatives in greater detail.

FLTA is also very active in Tallahassee, dealing with five major issues. We are sponsoring the Estoppel Bill once again, with Representative John Wood in the House and Senator Kelli Stargel in the Senate. At this writing, the House Bill has already passed through one committee. We are also working with the Office of Insurance Regulation (OIR) on revisions of title Insurance rules and forms. Regarding the data call, OIR is just beginning to review the information we submitted, and we expect that the actuaries will begin

crunching those numbers in early 2016.

The Department of Financial Services (DFS) has worked diligently to produce a closing statement form which reconciles the federal Closing Disclosure (CD) method of calculating loan policy first, then the owner's policy, with the Florida method of showing the owner's policy as the primary, lender's policy simultaneous. DFS is also proposing a new Unlawful Inducement Rule. Along with many of your FLTA colleagues, I have attended

workshops and hearings. We asked DFS to revise this Rule to allow reasonable, legitimate marketing activities. OIR representatives Peter Rice and Jeff Joseph, and DFS representatives Ray Wenger and Matt Guy will enlighten conventioners about all of these topics.

As I make the transition from Agents Section Chair to President, I thank all of you for your support on the monthly calls, in the committees, and at many FLTA functions agents during the last two years. I have

three primary goals this year: 1) to make sure that the public knows how effective FLTA members are; 2) to bring in more agents from across Florida so that those reading this message do not have to carry the entire load for the state's 6,000 title agents; and 3) to stand firm against politicians who, sometimes knowingly and other times inadvertently, cause harm to the hard-working members of our Florida title industry.

Agent Section Lobby Fund

The Florida Land Title Association is unique in retaining a political consulting firm in Tallahassee specifically to advise and represent the Agents Section. The cost of these professionals is paid from voluntary contributions to the Agent Section Lobby Fund.

We thank the following who have renewed their support in 2015:

Chairman's Club (\$1,000 or more)

Alliant National Title
Enterprise Title
First International Title Inc
Fidelity National Title
Majesty Title Services, LLC
North American Title Company
Old Republic National Title
Southern Title Holding Co
The Association of Title Agents
Westcor Land Title
Title Resources Group/Sunbelt

President's Club (\$500-999)

Bob Booth, Jr.
Estate Title of St Augustine
Joe Campoamor
Equitable Title of Dr. Phillips LLC
M&M Title Services
Tammy Lynn Williams

Gold (\$100 – 249)

Bridge Trust Title

Ambassador's Club (\$250-499)

Gulf Coast Title Agency, LLC
Tamarah Chiriani

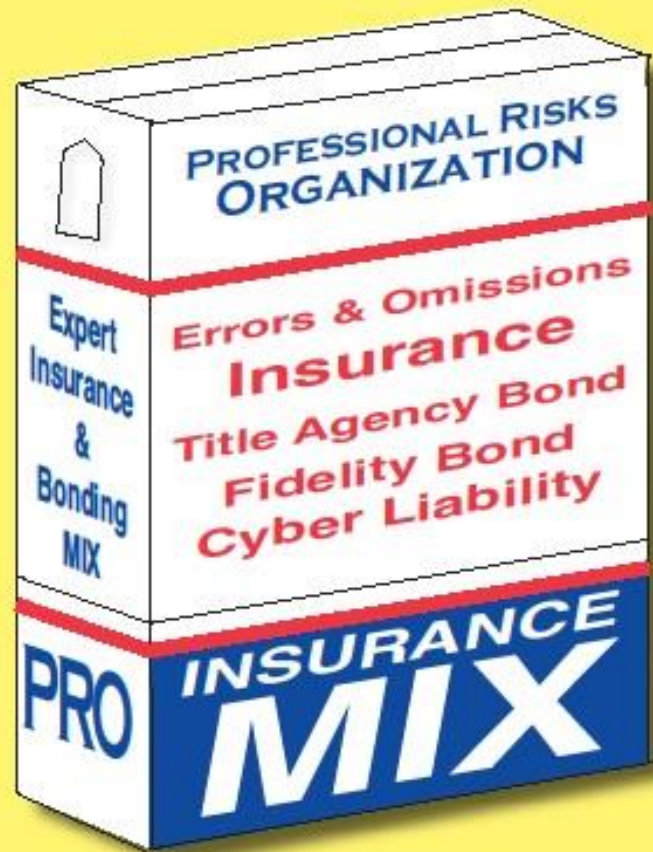
We would be remiss if we did not mention there are companies that contribute to the fund on an annual basis. ALL of these companies make annual contributions and are supporters of the Agents Lobby Fund. Look for your company's name to be added in the coming newsletters.

PRO has the Right Mix

Think smart ... Let PRO represent your interests.
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Fun Facts about Your Title Insurers

Sure, you already know a lot about your title insurers. But, here are some interesting tidbits you may not know.

Our Numbers. There are eighteen title insurers with active certificates to do business in Florida.

Thirteen title insurers are FLTA members. (We are working on the rest.) Those members are:

Alliant National Title Insurance Company, Inc.

Fidelity National Group
Chicago Title
Commonwealth
Fidelity National

First American Title Insurance Company

Investors Title Insurance Company

North American Title Insurance Company

Old Republic National Title Insurance Company

Premier Land Title Insurance Company

Stewart Title Guaranty Company

Title Resources Guaranty Company (TRG)

Westcor Land Title Insurance Company

WFG National Title Insurance Company

Family Matters. Nine of the insurer members are subsidiaries of holding companies traded on the New York Stock Exchange. Two of these, North American (Lennar Corporation) and Premier Land Title (PulteGroup, Inc.) are subsidiaries of diversified homebuilders. The parent entity for TRG also owns Coldwell Banker and CENTURY 21®. Fidelity National

Group, the parent entity of Chicago Title, Commonwealth and Fidelity National, includes among its holdings a pie factory, Village Inn and Baker's Square. The four privately owned members are Alliant National, National Investors, Westcor and WFG.

Oldest and Youngest. Commonwealth is the oldest title insurer. Its formation in 1876 in Philadelphia actually marked the beginning of the title insurance industry. First American, which traces its roots to California in 1889, soon followed. And, Stewart Title was formed in 1893 in Texas. Alliant National, formed in 2005 in Colorado, is our youngest insurer member.

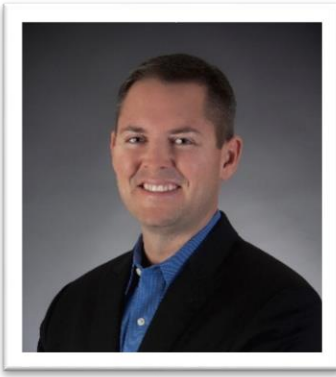
Home Sweet Home. Old Republic is the only title insurer domiciled in Florida. It changed its domicile from Minnesota to Florida in 2014 following passage of a new Florida law that changed the reserve requirements for title insurers domiciled in Florida that have reserves exceeding \$50 million.

Globe Trotters. Several of our members insure titles outside the U.S. For example, Stewart Title began expanding internationally in 1992 and now provides title or related services in 75 countries.

Premiums. Last year Florida ranked third in premiums, after Texas and California. Total premium written for Florida in 2014 by all title insurers was \$1,076,795,222. To put this in perspective, in 1984 total Florida premium was \$145,257,907. So, total premium has increased more than seven fold over the last thirty years.

Job Creators. Title insurers have a big incentive to create jobs. In 2014, the Florida Legislature passed legislation giving them a break on premium tax. However, the catch is that the law will expire on December 31, 2017, unless title insurers, in the aggregate, add at least 600 Florida-based full-time equivalent positions by July 1, 2017.

Last, whether big or small, new or old, all of us in the Insurers Section are extremely proud of our industry, our agents and the FLTA.



Please Help---Email
Scams and Closing
Transactions
DON'T LET IT HAPPEN
TO YOU!!!

As we are all in the
business of handling
buyers' and sellers'
information, including

sensitive data (NPPI), and we often forward sensitive data such as names, addresses, bank account information, wire instructions, etc., PLEASE BE AWARE OF AN INDUSTRY PROBLEM WE FACE RIGHT NOW.

Hackers, email phishing, and other cyber related crimes are at an all-time high right now, and HACKERS HAVE TARGETED REAL ESTATE TRANSACTIONS-and real estate AGENTS in particular- in an attempt to defraud lenders, real estate brokers, title companies and law firms.

Several agencies have been the victims of multiple attempts to change wiring instructions and funding authorizations and switching checks to wires last minute and wires to checks. At times, it was not easy to determine that they were communicating with the actual party to the transaction. Email services such as AOL, YAHOO, HOTMAIL, GMAIL, etc. offer LITTLE TO NO PROTECTION in terms of encryption and security measures.

Recently, agents have had numerous transactions in which a fraudulent email COMES FROM THE REAL ESTATE AGENT'S account, which starts the misdirection process in an attempt to provide changes to wire instructions.

In one instance, the hacker created an email address "_____title@gmail.com," and persistently communicated with the seller during the transaction, trying to extort money, stall, and retrieve sensitive information from that seller. In

another, the hacker created a similar email domain of the title company, along the lines of "_____@ABCTITLE.com," which was altered to "_____@ABCCTITLE.com" with the email signature line of the actual settlement agent, and used to send the BUYER'S alternate wire instructions or funding procedures in order to misdirect the funds to fraudulent banking accounts.

Another recent occurrence involved a local area agent, who represented the buyer in a cash transaction. The seller chose a smaller, out of area title agency, and the title agency's email was similarly duplicated, fooling the buyer into wiring to a fraudulent account.

In such situations, there is limited or no coverage, title insurance (as it is not yet bound) or E&O. Cyber theft insurance in some cases does not apply, as it covers only if the ACCOUNT is hacked, and not if a party is fooled into sending.

YOU CAN TAKE (some) ACTION. Some newer insurance products are available. One, called a "Social Engineering Policy," can cover some or all of your loss, up to the limit of the policies, but is combined with additional coverages from various other policies (Fidelity, E&O, etc). Please consult your professional liability carriers for more details.

In order for our industry, and ALL Settlement Providers to provide good service, timely communication, and timely funding to parties, it is crucial for us to know the information provided is accurate. We have (as an industry) now adopted additional measures, including Best Practices, encrypted emails (logins with user names and passwords), and more verification steps in order to protect our clients and consumers.

We urge you to please make sure you are doing the same, by protecting yourselves, your emails and identities, as well as your clients', and invest in scanning software, higher levels of security, anti-

virus, scanning devices, routers, firewalls, etc. to help our industry deliver the best service possible.

Thank you all so much. You constantly strive to deliver keys to buyers and to distribute funds to

sellers. Make sure those transactions are memorable and positive for all, for all the right reasons.

Welcome New Members! We're so glad to have you with us!

Benjamin Bell

Landtech Data Corporation
Roayl Palm Beach, FL

Ricardo Bennett

Target Surveying, LLC
West Palm Beach, FL

Stephen Bolles

Republic Commercial Title Company
of FL., LLC
Tallahassee, FL

Nora Candela

Affinity Title Services Inc.
Boynton Beach, FL

Don Cantral

NextAce
Orange, CA

Tracy Cender

Progressive Title Solutions
Palm Beach Gardens, FL

Evelyn Cloninger, Esq.

Quality Title & Guaranty Co, Inc.
Oviedo, FL

Jenny Colwell

Sarasota County Government
Sarasota, FL

Mildred Crenshaw

Southern Title and Abstract, Inc.
Orlando, FL

Anthony Crupi

Assure America Title Company
Deerfield Beach, FL

William Curtis

Leading Edge Title of Brandon
Temple Terrace, FL

Conrad Damon, Esq.

Lighthouse Title Services
West Palm Beach, FL

Mark Diette

C&R Insurance Services, Inc DBA
FLAG Insurance Services
Port St. Lucie, FL

Kimberly Dillon

SunTrust Bank Inc
Port Orange, FL

Tamara Fortson

Berlin Patten Ebling, PLC
Sarasota, FL

Anthony Fowkes

Milestone Title Services, LLC
Tampa, FL

Savannah Francis

Elite Property Research, LLC
Bradenton, FL

Mitchell Goldman, Esq.

Cantwell & Goldman, P.A.
Cocoa, FL

Nikki Goldsmith

Professional Lien Search
Sarasota, FL

Sheryl Hamilton

First Service Title of Florida, LLC
Oviedo, FL

Renae Henry

Title Group Services Ltd
Ft. Myers, FL

Cheryl Hillyard

Assured Title Services, LLC
Bonita Springs, FL

DJ Horn

First National Title Insurance
Plano, TX

Mary Howard

Lincoln Abstract
Providence, RI

John Hume

Nova Title Company
Boca Raton, FL

Kevin Hussey

Landstar Settlement Services
Tierra Verde, FL

John Ioannou

Florida Closing and Escrow
Medley, FL

Denise Jenkins

Merit Title, Inc.
Stuart, FL

Christine Johnson

MMREM Title, LLC
Coppell, TX

Patt Khalili

Tax Title Services, Inc.
Newport Beach, CA

Hope Khan

Hope Khan P.A.
Miami, FL

Gregory Kosin

GIT Florida Title Services
Chicago, IL

Lynn Langowski

Foundation Title & Trust
Riverview, FL

Abbie Lewin
Tampa Bay Title
St. Petersburg, FL

Daisy Machado
Unlimited Title Services LLC
Miami, FL

Brian Martin
Florida Department of Transportation
Tallahassee, FL

Kim McConkey
Carr, Riggs & Ingram, LLC
Atlanta, GA

Thomas Melega
ACES Title Agency, LLC
Fort Lauderdale, FL

Lory Mitchell
Assured Title & Trust, Inc.
Miami, FL

Andy Montoya
A-LIGN
Tampa, FL

Andrew Mortensen
Bonita Title, Inc
Bonita Springs, FL

Justin Mowitz
Mowitz Title
Gainesville, FL

Bradley Moyer
Integrity Title Services, Inc.
Sarasota, FL

Michael Newman
SPH Title, Inc.
Winter Garden, FL

Marien Olivares
Attorneys Title Insurance Fund
Orlando, FL

Desiree Ownby
First Coast Title and Escrow
Orange Park, FL

Ann Parsons
Reliable Land Title Corp.
Pensacola, FL

Auverse Pasha
ISGN Fulfillment Services
Palm Bay, FL

Darlene Pegg
Elite Title of the Treasure Coast, Inc.
Vero Beach, FL

Melissa Peterson
Florida Hometown Title & Escrow
Labelle, FL

Rochelle Pomona
Performance Title & Escrow
Boynton Beach, FL

John Primeau
Best Practices Solutions LLC
Weston, FL

Adrienne Prince
Uptown Title LLC
St. Petersburg, FL

Eric Ratcliffe
360 Advanced, P.A.
Tampa, FL

Robert Roche
Charles W Merriam & Son, Inc. aka
The Merriam Agency
Schenectady, NY

Donald Ross Jr.
Ross Title & Escrow, Inc
Naples, FL

Sam Saad
Paradise Coast Title & Escrow, LLC
Naples, FL

Steven Sarkin
Sun Title Agency, LLC
Stuart, FL

Andrew Snyder
Landtec Surveying, Inc.
Deerfield Beach, FL

Traci Steen
Luxe Title Services
Tampa, FL

Bradley Stockham
Collier Insurance Agency, LLC
Naples, FL

Martin Wasserman
Global Title Company
Miami, FL

Kristen Yoffe
Trilogy Title & Closing
Tampa, FL

Eric Zimelman, Esq.
EZ Title Services, LLC
Miami, FL



JOIN AN FLTA COMMITTEE!

Have you been waiting for the right time to be more involved with FLTA Committee work? Committees you may be interested in, Governmental Affairs, Education and Membership.

That time is now!

Contact alex@flta.org to find out how you can help shape and carry out FLTA initiatives.

FLTA LOBBY DAYS

The 2016 Legislative Session begins early this year, starting January 2016.

We will be holding our Lobby Days on Tuesday, December 1st & Wednesday, December 2nd at the DoubleTree.

Registration is now open!
Click [HERE](#) to register!

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2015 ANNUAL CONVENTION

Join us next Monday, November 9 through Wednesday, November 11 at the Delray Beach Marriott for the 2015 FLTA Annual Convention. We have a full and exciting agenda. Our convention falls just a

little over four weeks after the new TILA-RESPA rule implementation, and CFPB Office of Regulation Counsel Pedro De Oliveira will update us on the first month. You'll hear about the "State of the State" from our agents' main regulator, Florida's Chief Financial Officer Jeff Atwater. Other topics include tips on maximizing the value of your business; insights from our real estate and lending partners; recent changes to the FR/Bar contract and implications of the Supreme Court's Same Sex marriage ruling. Welcome the new ALTA president, John Hollenbeck, as he helps us navigate the issues and possibilities in this new title insurance world. You will learn more about our friends in the Real Property, Probate and Trust Law Section of the Florida Bar, and you can see how your title insurance knowledge matches up with FLTA Board members during our FLTA Title Insurance Quiz. Learn how to avoid ethical and legal pitfalls while you earn ethics continuing education and continuing legal education credits. You are sure to be prepared for Florida's 2016 Legislative Session after being entertained and educated by the Agents Section Lobbyist David Daniel. If you care about your business, you will not want to miss hearing from your OIR and DFS regulators. In total, you can earn 6 hours of CE and CLE credit, including one hour of ethics credit. And thanks to our exhibitor members, see how you can improve your business (and your life!).

Come to Delray Beach. See your friends, make new ones and generally HAVE FUN!

NOVEMBER 9-11, 2015

You can still register by clicking [HERE](#). Don't miss it!

FLTA LOBBY DAYS

As the legislature meets early for the 2016 Session, FLTA's Lobby Days will also be early. Sign up now for December 1 and 2 Lobby Days. FLTA's presence as the voice of the title insurance industry has been growing, and legislators are more familiar with us each year. Part of the reason we are more visible in our capital is that FLTA members come to Tallahassee for Lobby Days and meet with our elected officials. Lobby Days are an effective and fun opportunity to be one of your industry's leaders, as you meet with our legislators and regulators, learn from them and help educate them about title insurance issues. Legislators listen to their constituents, and Lobby Days is an excellent time to visit! Last year, we had over 30 scheduled visits with legislators. FLTA bill sponsors, Representatives John Wood and Bill Hager analyzed their positions and potential outcomes of their legislation, and Florida CFO Jeff Atwater gave us hope for a strong financial future for Florida. This year is bound to be even better. We do have limited room, though, and spaces are filling up. We have a block of rooms at the Tallahassee Doubletree, which is just steps from the capitol. [Sign up now!](#)

ESTOPPEL

The 2016 Estoppel Reform effort has started! The bill is early in the process and we need your support, perhaps even more so than last year. It is your examples of exorbitant fees, new fee categories, short life-span and refund refusals that made the difference last session. We need fresh examples immediately. Please send them to me at alex@flta.org.

See you next week at the Delray Marriott!