

Tallahassee Report

2017
Issue #3

Serving Title Professionals throughout Florida

In This Issue:

- > **A Message from the President** | Karla Staker - Pg.1
- > **Agents' Section Chair** | Tim Steele - Pg. 6
- > **Education Chair** | Charles Ferguson CLS - Pg. 2
- > **Government Affairs Chair** | Mickey Godat - Pg. 8
- > **Insurers' Section Chair** | Kevin Thomas - Pg. 3
- > **Executive Director's Message** | Scott Merritt - Pg. 11
- > **CLT Chair** | Marcia Cameron CLC/CLS - Pg. 5
- > **Welcome New Members** | Pg. 14

A Message from the President

Karla Staker | Fidelity National Title Group



President's Address

If you feel like you need a vacation, there's a good reason – you've earned it! Did you know that in May 2017 the number of Florida residential sales closed in a single month reached a record high? According to Florida Realtors®, the number of existing single family home sale closings was 27,850, up 7.6% from May 2016. The number of condo/townhome sale closings was 11,538, up 8% from May 2016. These are all-time highs for a single month for both property types. media.floridarealtors.org.

Our industry and FLTA are going strong. We have an amazing team in our new Executive Director, Scott Merritt, and our Administrative Assistant, Jena Daly. Our financials are solid and our committees are more active than ever.

I recently came upon the March 1998 edition of the *FLTA Tallahassee Report* in an old file. An article called *Going Online Made Easy* encouraged readers to check out FLTA's new website and informed them that they were "missing the boat" if they did not get internet access too.

How things have changed! But, one thing that has not changed is FLTA's commitment to its members. Have an amazing summer!

2017 FLTA Annual Convention

CHARTING THE COURSE AND NAVIGATING THE FUTURE

Registration is now OPEN

Manage commercial closings more productively than ever!

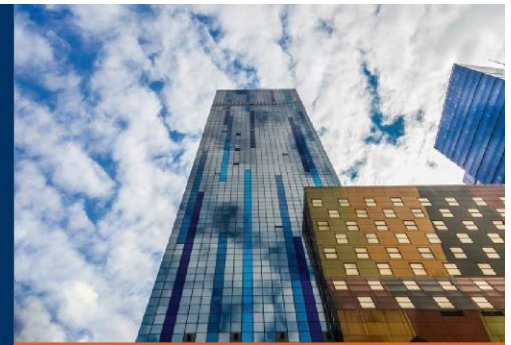
Introducing commercial functionality in **SOFTPRO SELECT**

You can **double your productivity and minimize human errors** with the new commercial real estate functionality of SoftPro Select.

- Unlimited properties/parcels of land per order
- Unlimited charge lines, buyers, and sellers
- Associate sales price, buyers, and sellers to each property

Now SoftPro Select allows you to:

- Choose "commercial" as the order type, no longer tied to regulated HUD or CDF forms
- Print a Master Settlement Statement for all buyers, sellers, and properties
- Print individual settlement statement types for buyers, sellers, and properties



Ready to try it out?

Call us at **800-848-0143** (option 1) or visit **softprocorp.com/selectdemo** to request your free demo.

SOFTPRO®

©2017 SoftPro. All Rights Reserved. SoftPro is a trademark and the property of SoftPro, its subsidiaries, and affiliated companies. All other trademarks are the property of their respective owners.

Education Committee Charles Ferguson, CLS | First American Title Insurance Company



Greetings! Due to some personal matters that had come up as well as an influx of business, the Education Committee has not had a chance to convene for a conference call. However, work is still proceeding for the proposed hands-on training via web-based video. A call with the Committee will be had soon and more details will be provided with the next newsletter.



HOPING TO FIND THE PERFECT ADDITION TO YOUR TEAM???

VISIT [FLTA'S CAREER CENTER!!!](#) CONTACT JENA@FLTA.ORG WITH ANY QUESTIONS.

NEW!

Title Agents E&O Program

Designed especially for Florida Title Agents

- Low premiums
- 12 monthly payments plan
- Disciplinary Proceedings Coverage
- Subpoena Expense Reimbursement
- Theft of funds by outside party
- Free tail in event of death or disability
- CFPB Defense coverage
- Additional limit for defense costs
- Loss only deductible option
- Optional Data breach coverages

Insurer rated A (Excellent) by AM Best.

Available exclusively from:



FLAG Insurance Services

Professionals Serving Professionals

www.flag4u.com

1-800-748-3524



Insurers' Section Chair

Kevin Thomas | AmTrust Title Insurance Company



Advanced Training for Title Examiners And Closers – The FLTA's Certified Land Title Institute

The Florida Land Title Association provides advanced training for title examiners and closers through its Certified Land Title Institute ("CLT") to meet the industry's increasing demand for highly skilled title experts. The CLT awards two expert designations for applicants who pass one of the two rigorous examinations. The CLS designation – Certified Land-Title Searcher – is awarded for demonstrating land title search and examination expertise and the CLC designation – Certified Land-Title Closer – is awarded for demonstrating land title closing expertise.

A question that arises among the leaders in the title industry across the nation is how we will meet the need for the next generation of title experts as many of the current generation have retired or will be retiring over the next several years with few experienced people to replace them. Succession planning was practically eliminated during the economic collapse of 2008 and its aftermath when many title examiners and closers were laid off as companies struggled for survival.



The CLS and CLC programs are self-study programs which rely primarily on the **Basic Title Insurance Handbook** and **Florida Land Titles** by H.D. Booth, both of which are available on CD from the FLTA as well as the title insurance regulations found in Rule 690-186 of the Florida Administrative Code. Online seminars by the FLTA are also useful educational tools for these designations. The application and examination fee total is only \$100 for FLTA members and \$300 for non-members.

I recommend all FLTA members encourage their friends and colleagues who are examiners or closers to study and sit for the CLT examination of their choice to enhance their expertise. More information on the CLT program including required experience levels for taking an examination is available here: <http://www.flta.org/CLT>



**Register NOW for FLTA's 2017 Annual
Convention in Kissimmee!**
Click HERE to visit our Convention Page.
Fun activities and prizes!
Come sail away with us!!

Closers' Choice®

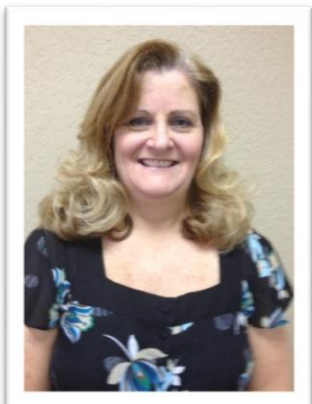
So far this year Closers' Choice has already conducted over 12 Refresher Seminars in many cities throughout Florida.

Because of the positive feedback from our users, we are scheduling several more in the coming months ahead.

This course is provided for our users at absolutely no charge. However, reservations are required. The usual size for each course is approximately 17.

Contact us today to see when a city near you is scheduled.

ClosersChoice.com
904-256-0053
OpenHouse@ClosersChoice.com



The Certified Land Closer and Certified Land Searcher exams were given on June 10, 2017. We had 7 closer applicants and 5 searcher applicants. The exams are scheduled to be graded in August. I look forward to seeing all at the convention this year and hoping to see all receive their designations.

The institute is looking for new blood! If you hold the designation of CLC or CLS and wish to become involved in the institute, please reach out to me at mcameron@firstam.com. I look forward to hearing from you.

Click [HERE](#) to order The Basic Title Insurance Handbook with the Booth Supplement Chapters.



TITLE AGENCY

- Professional Liability (E&O Insurance)
- Title Agency Bond (Surety)
- Employee Dishonesty Bond (Fidelity)
- Privacy & Data Breach Liability (Cyber)
- Crime Protection Insurance
 - Fidelity
 - Forgery & Alteration
 - Money Orders & Counterfeit Currency
 - Computer Fraud
 - Funds Transfer Fraud
 - Social Engineering (aka Fraudulently Induced Transfers)

LAW FIRMS

- Legal Malpractice
- Privacy & Data Breach Liability (Cyber)
- Crime Protection Insurance



LCL Insurance Services, LLC

ABOUT US

Your Source for Professional Liability Insurance and Service

INTRODUCTION

LCL is more than an insurance agency... We are a team of highly PASSIONATE and experienced professionals whose goal is to EXCEED the expectations of our clients and represent their interests to the highest degree.

We see beyond the challenges our clients face on a daily basis and develop creative solutions to keep you ahead of the curve. Our COMMITMENT to market innovation and client education means that we are always ready to react to its changes.

We firmly believe that your SUCCESS is our success. We commit the same enthusiasm, integrity and pride in running our business to helping you run yours. After all, achieving superior RESULTS for our clients' is the hallmark of the LCL name.

SECURITY

We are as dedicated as you are in placing your firm with a financially strong insurer. We have partnered with multiple major insurers who all have obtained excellent ratings from A.M. Best.

SERVICE

We know you can obtain insurance from many sources. That means we have to earn your business, not just today, but every day and every year. We offer our personal and professional commitment to simplifying the insurance process, and providing un-paralleled service. We'll work very hard to earn your trust - for today and the future.

There's no faking it.... we enjoy the passion to secure the best. Give us the opportunity you will never be disappointed. Call or email us for applications.

Proud Member of



Lawrence A. Galpern, CPIA, President • Larry@LCLins.com

Cortnie N. Aponte, Vice President • CC@LCLins.com

Telephone 844.323.8101

10100 West Sample Road • Suite 321 • Coral Springs, FL 33065

ESTOPPEL PASSED, NOW WHAT?

I am proud to say that the FLTA got a healthy measure of estoppel reform passed in the 2017 Florida legislative session. The final bill does not contain everything we had started with, but, as with any legislation, it was a compromise. Furthermore, due to the hard work and commitment of the FLTA spearheading this one, some meaningful results came of it.

First, a quick look at the vote history.

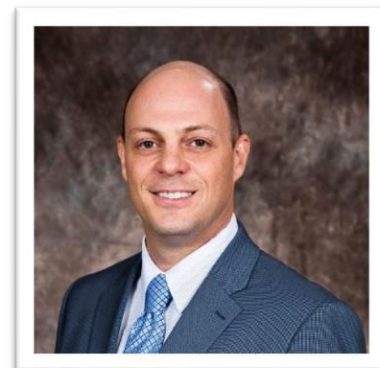
The Florida House voted 117 yeas, 0 nays, and 3 did not vote. The Florida Senate voted 35 yeas, 1 nay, and 4 did not vote. Governor Scott signed the bill into law June 14, 2017.

The effective date of the new law is July 1, 2017, and it amends Florida Statute Sections 718.116, affecting condominiums, 719.108, affecting cooperatives, and 720.30851, affecting home owner associations.

The question now is 'what can we expect as title agents?' To answer this question, I would look to the language in the new law itself. Below I provide a bullet point overview:

- An association must issue an estoppel certificate within 10 business days (previously 15) of receiving written or electronic request for an estoppel.
- Each association shall designate on its website a street or email address for estoppel certificate requests.
- The estoppel certificate must be provided by hand delivery, mail, or electronic (email) means.
- If delivered by hand or electronically, the certificate shall have a 30-day effective period. If delivered by mail, it shall have a 35-day effective period.
- If during the effective period of an estoppel certificate, an amended certificate is required, a new estoppel fee is not permitted. Furthermore, the amended certificate shall have a 30 or 35-day effective period from date of issuance.
- An association waives the right to collect any moneys owed that are in excess of what is stated on the estoppel certificate issued and relied on for the closing.
- If an estoppel certificate is not issued within 10 business days, a fee may not be charged for the issued certificate.
- Estoppel certificate fees are not to exceed \$250 if on date of issuance there is no delinquency of amount owed to association; if a delinquent amount is owed an additional fee not to exceed \$150 may be charged; if an estoppel certificate is requested on a rush, or expedited basis, an additional \$100 may be charged. Therefore, if all of these events are in occurrence, \$500 would be the total estoppel fee.
- The right to reimbursement of the estoppel fee for a closing that did not occur may not be waived.
- The fees will be adjusted every 5 years (July 2022) in accord with the aggregate of the Consumer Price Index increase during the same period.

It is important to note that these amendments apply to each association issuing an estoppel certificate. Therefore, if there is a HOA, and a master HOA, each may charge an estoppel certificate fee as above.



Another important aspect is when exactly all of this goes into effect. The new law has an effective date of July 1, 2017. It would seem, therefore, that any estoppel certificate requested after July 1, the above would apply. As with any new law, however, not everyone will be aware of the new rules. As we wind our way through to the point of common awareness by the associations on this, I recommend having the new law printed out and ready to point to.

Please note the above is not legal advice, and it is only a summary. Please seek the advice of a Florida licensed attorney for further questions on this. Also, you may refer to the new statute on our FLTA webpage to determine exactly what applies when requesting or relying on an estoppel certificate.

In the coming months, the FLTA will be putting a legislative agenda together for the 2018 session. As always, I welcome any comments or suggestions from agents on what is happening out there in our industry, and how we can address it up in Tallahassee.

Donations to the lobby fund are always needed. See below to donate today!

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. Please donate to support your industry by mailing a check to:

FLTA
249 East Virginia Street
Tallahassee, FL 32301

OR CLICK 





PROPERTY DEBT RESEARCH

Inc.
500

*One of the Fastest
Growing Companies
in America*

Trust Your Lien Searches to the Best!

Fast • Accurate • Guaranteed

Municipal Lien Searches

- Real Estate Property Taxes
- Municipal and County Debts
- Code Enforcement Violations
- Waste, Water, Sewer Balances
- Special Assessments
- Open and Expired Permits

HOA Estoppel Letters

- ✓ We Front Your Hard Costs
- ✓ Save You Hours of Follow-up Time
- ✓ Dedicated Processors assigned to your file start to finish
- ✓ Long Standing Relationships with management companies and attorneys

www.PropertyDebtResearch.com

877-543-6669

Government Affairs Chair

Mickey Godat | Title Resources Guaranty Company



It was close. It was a nail biter. It came down to the closing minutes. But by closing bell of the legislative session the FLTA, its agent and underwriters have a lot to cheer. We went into the session with three major goals: estoppel reform, O&E/Plat Certification reform and keeping the data call information exempt from the sunshine law. Some measure of success was achieved on all three.

House Bill 7067: Data Call Information Privacy is the renewal of the law that exempts from public disclosure all our private data we submit to the State due to the data call. The original law allowing the information to be exempt was set to expire this October. As anticipated this bill passed without controversy and

was signed by the Governor. Thankfully, in the future all the data we submit to the state for the data call will be exempt from disclosure by the State's sunshine laws.

Senate Bill 398: HOA/COA Estoppel Reform – Tim Steele, our Agent's Section chair and the next President of the FLTA has an excellent write up of the law in his article. Please see it for all the details!

HB 359/Owners and Encumbrance Report/Plat Certification Reform: this is a bill to reform the O&E report statute (F.S. 627.7843) as well as the Plat Certification statutes (F.S. 177.041 & 177.091) to tighten up the language regarding the limitation of liability of the preparer as well as that the report is not an insurance product. In our last article, this initiative was having some difficulty getting traction. However, due to some fantastic efforts by several underwriters and their lobby teams we were able to get this bill passed on the last day of the session! The Governor signed the bill on June 23rd and like estoppel reform becomes effective on July 1st.

Beginning on July 1st, O&E reports will now be called Property Information Reports, it must contain certain liability limiting language and other language restrictions. If your company issues Property Information Reports or participates with its clients in the plat certification process you are encouraged to read the new law and understand its new requirements.

The Government Affairs committee is currently reviewing the requests from various members for our legislative wish list. The Committee next meets on July 11th at 2:00 pm. At that meeting we will vote on the submissions and make our recommendations to the FLTA Board. If you interested in what we are reviewing or having an issue for consideration, please let me know.

Membership Corner

The Membership Committee would like to welcome our new Executive Director, Scott Merritt!

We are excited to have him join our Organization.

The Membership is growing, and we want to thank everyone who has joined recently. Our plan is to make the FLTA the best trade association in the State! Together you and I can do this!

Our recent meetings with the FBI Agents were very successful and we are planning more of these "Lunch and Learn" programs in your area, so please keep your eyes open for notifications from the FLTA.

If you know someone who is not a Member of FLTA, please email me, JoAnne Quarles (joanne@treasuretitle.com) or Melodye Marvin (melodye.marvin@fnf.com) and we will be happy to contact them.



**We're Giving Back
By Providing
You More.**

**800-393-4460
ClosersChoice.com**

Join the Starter Xchange™ Today

With the Starter Xchange from Data Trace, discover the innovative new way to access quality starter policies from the nation's most reputable title companies – including yours!

- Purchase Quality Starters from Other Reputable Title Companies
- Store and Access Your Own Policies
- Get Paid When Other Companies Purchase Your Eligible Starters

Get ready to Give, Get and Grow.



DataTraceTitle.com/Florida

800.221.2056



Title Industry of Florida - PAC

FLTA would like to give a BIG thank you to those that have not only contributed a portion of their membership dues, but contributed even more throughout the year!!

Chairmen's Club (\$1,000)

South Bay Title Ins. Agency
Gary Dechellis

President's Club (\$500)

North American Title Co.
North American Title Ins. Co.
Southern Title
Island Title & Escrow Agency

Ambassador's Club (\$250)

Carr, Riggs & Ingram, LLC
Melissa Murphy

Gold Club (\$100)

Larry Deal

Silver Club (\$50)

1TRACT-Lee Swaffield
Barry Scholnik



Help your voice be heard in Tallahassee by donating today!

2017 FLTA Annual Golf Tournament at Celebration Golf Club



Don't miss your chance to
win \$25,000 cash
along with other fun prizes!!!
REGISTER NOW!



FLTA Executive Director

Scott Merritt | Florida Land Title Association



With new construction continuing to strengthen and the improved existing real estate market the number of possible closings continues to improve. Therefore, now is a great time to plan to attend the 2017 FLTA Convention, *Charting the Course and Navigating the Future*, in Lake Buena Vista, Florida.

This year's convention will focus on elements of business operations with an emphasis on cyber security. We touched this a little last year and have moved it to be a top priority in 2017. Since joining the team last month, I have heard several stories of cyber fraud that have caused millions of dollars to go missing. This is something we should all focus in on. To that end, we have hosted several lunch-and-learns throughout the year and plan to host at least two more with the Federal

Bureau of Investigation (FBI) to cover this topic before the convention. The remaining two are planned for the Panhandle and Southwest Florida in August. In case you missed one of these sessions, we'll also be hosting one during the convention.

In addition to the presentation with the FBI, we will also hear from a national economist, representatives from the Office of Insurance Regulators and even State legislators. Needless to say, education is very much a part of our mission and these classes will also include continued education credits for those needing them.

Before we set sail into the convention meetings, join us on the golf course. With the success of bringing the golf tournament back last year, we plan to tee it up again this year. This year, we'll tee off prior to the convention. So, plan to join us on the morning of Wednesday, November 8th. The format will be a Captain's Choice Scramble and all experience levels are invited to play. Don't have a planned foursome? That's okay, register as a single and we'll pair you with a group. After all, networking is just as important during a convention. Check the convention registration page for details and sponsorship opportunities. It will be a great way to reset the mind and hit the ground running for the convention.

Finally, with Summer now in full swing, it's time to start looking to 2018. Have you considered being involved on an FLTA Committee? We continue to look to our membership for input and invite you to participate. Have an interest in politics, education, membership or another specific area? Let us know your level of interest and we'd be more than happy to help. After all, we are in this together.

Very much I look forward to working with you and seeing everyone in November, but until then, my door is always open. If you have a question, idea, or just a thought, feel free to let me know (scott@flta.org). I look forward to hearing from you soon.



OLD REPUBLIC TITLE

Compete » Thrive » Grow



EscrowPro®

OR EscrowPro® is a centralized funding service that provides title agents with a complete solution for escrow management and disbursement. Title agents maintain control over the consumer relationship and closing process while reducing risk and fighting cyberfraud.

Old Republic Title is committed to meeting the evolving needs of all of our title agents and approved attorneys, no matter the size of your operations, so you are able to focus on addressing your customers' needs, running a successful business and staying in the game.

Compete » Thrive » Grow with OR EscrowPro

Learn More at www.orescrowpro.com



CentralizedFunding.rsg@oldrepublictitle.com
866.235.4326

Connect Socially!



Due to legal and regulatory restrictions, OREscrowPro® is not available in all states.
06/2017 | © Old Republic Title | This material is for educational purposes only and does not constitute legal advice. We assume no liability for errors or omissions. Old Republic Title's underwriters are Old Republic National Title Insurance Company and American Guaranty Title Insurance Company.



OLD REPUBLIC INSURANCE GROUP

2017 FLTA Annual Convention

Sponsorship Opportunities



TAKE THE PAIN OUT OF LENDER SUCCESSION RESEARCH

- Frustration-free Search Options
- Unlimited Research Assistance
- Affordable and Flexible Subscriptions
- Time-saving Title Clearing Services

payoffassist.com[®]
online directory

Our PayoffAssist.com[®] online directory puts the information you need on thousands of mortgage lenders and servicers—active and inactive—right at your fingertips. Quickly identify and locate the correct lender for a payoff statement or the successor to clear an old lien. Can't find what you are looking for? Included with your subscription, our Research Assist Team can provide free additional research on hard-to-find lenders within 24 hours.

Want immediate answers to your lender succession questions?

Contact us at 800.345.0203 or
www.payoffassist.com to get started today!

©2017 First American Financial Corporation and/or its affiliates. All rights reserved. NYSE:FAF



FLAG Insurance Services

Professionals Serving Professionals

www.flag4u.com

NEW!

Title Agents E&O Program

Designed especially for Florida Title Agents

- Low premiums
- 12 monthly payments plan
- Disciplinary Proceedings Coverage
- Subpoena Expense Reimbursement
- Theft of funds by outside party
- Free tail in event of death or disability
- CFPB Defense coverage
- Additional limit for defense costs
- Loss only deductible option
- Optional Data breach coverages

Insurer rated A (Excellent) by AM Best.

1-800-748-3524



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

A Clear Choice Title & Escrow of

Osceola, LLC

Tammy Bowers
St. Cloud, FL

Affinia Title, LLC

Lora Henke
Maitland, FL

Alachua Title Services, LLC

Crystal Curran
Alachua, FL

Albertelli Law

Ryan Cook
Tampa, FL

Allegiant Title Professionals, LLC

Patrick Neal
Sarasota, FL

ASAP Tax and Lien Search

Anthony Citarella
Fort Lauderdale, FL

Balch & Bingham LLP

Jeremy Gregory
Jacksonville, FL

Barnett, Bolt, Kirkwood, Long &

Koche, P.A.

Michael Hargett
Tampa, FL

Bay Breeze Title Services, LLC

Michelle Cantrell
North Fort Myers, FL

Blalock Walter, PA

Charles Johnson
Bradenton, FL

CATIC

James Czapiga
Rocky Hill, CT

Cottrell Title & Escrow

James Schlimmer
Naples, FL

Covenant Closing & Title Services

Becky Carr
Palm Coast, FL

Florida Community Bank

Anne Middleton
Naples, FL

Hawaii Vacation Title Services

Heather Brandow
Orlando, FL

Levine Kellogg Lehman Schneider + Grossman, LLP

Stuart Grossman
Miami, FL

Marion Lake Sumter Title, LLC

Jaime Andring
Ocala, FL

Meridian International Title Services Corp.

Natalie Goodwin
Delray Beach, FL

National Consumer Title Insurance Company

Kellye Connell
Tallahassee, FL

North American National Title

Solutions, LLC

Adriana Wroble
Miami, FL

Partners Title

Bruce Clark
Woodbury, MN

Rennert Vogel Mandler &

Rodriguez, P.A.

Thomas Ward
Miami, FL

Stewart Vacation Ownership

Title Agency

Jennifer Moroni
Boca Raton, FL

The Closing Agent

Bob Maisenholder
Orlando, FL

Tiago Title, LLC

Lesendra McKelvey
Tampa, FL

Title Consulting Services LLC

Brian Teel
Warren, NJ

Vacation Title Services, Inc.

Reina Lagares
Orlando, FL

Vision Title, LLC

Craig Malatesta
Orlando, FL

**FLTA IS THE VOICE OF TITLE INSURANCE IN
FLORIDA, AND YOU ARE FLTA.**

THANK YOU FOR BEING A MEMBER!!!