

# FLTA TALLAHASSEE REPORT

May 2004

Florida Land Title Association, Inc. 249 East Virginia Street, Tallahassee, FL, 32301  
(850) 681-6422, (800) 552-1065, FAX (850) 681-6271; [www.flta.org](http://www.flta.org); Trish Matarazzo, President  
Lee Huszagh, Executive Secretary/Treasurer



## President's Report By: Trish Matarazzo



A letter sent on March 22, 2004 from Acting Secretary Alphonso Jackson of HUD withdrew the RESPA Rule much to the delight of the title insurance industry. American Land Title Association (ALTA) needs to be given a huge round of applause for all their efforts in seeing that this bill would not impact the industry as it was proposed. HUD has indicated that they will continue to pursue RESPA reform with a new rule in the future. I would like to thank all those members who took the time to send a letter or call their congressman to request their assistance by asking them to contact the Office of Management and Budget (OMB) to oppose this rule. As you can see, grassroots efforts do work and without involvement we may have been faced with more challenges to our daily way of doing business.

With that said, I am not going to let up on asking each of you to get someone you know that is not involved in our association to get involved. We need to have involvement at all levels – local – county – state – national. The more contacts our industry has, the stronger we can be as an association. So I am asking underwriters to ask their agents, agents to ask their employees or other agents who you do business with. You deal with these people on a daily basis, you know who they are, ask them to become involved. We need good people!!

As the legislative session comes to an end here in Florida, it seems the biggest impact that will affect us is Senate Bill 2962 which increases the cost of recording fees. Costs are to go up \$4.00 per page. The first page cost will be \$10.00 and additional pages will be \$8.50. I am going to suggest to our Board of Directors that we look into having the "bulk" pages of the mortgages recorded one time, so we in turn only record a "short mortgage" with reference to the bulk recording, therefore, saving the consumer money. Any comments on this would be greatly appreciated.

Another bill which will have an impact on our industry is the Commercial Real Estate Lien Act/HB 461 which deals with realtors being able to place a lien on property. I would suggest if you have any questions about this bill to contact your underwriter as many are still reviewing the affects of the bill on real property and how to address it.

Senate Bill 2444 proposes that section 689.261 F.S. will provide for a mandatory Property Tax Disclosure Summary which is to be included with all residential property sales contracts. The disclosure will advise the purchaser that they will be obligated to pay real property taxes and that the change in ownership triggers a reassessment of the property which may result in higher property taxes.

Keep an eye out for the new Junior Lien Policy which you will be able to issue in the near future. FLTA has worked closely with the Department of Financial Services in trying to get the form approved and presently it should be able to be issued by agents upon the final approval by the DFS, hopefully within days.

Don't forget to get your employees signed up for the CLC/CLS Exams which are scheduled to take place on July 17<sup>th</sup>. If you need any further information on this, please contact [leeh@flta.org](mailto:leeh@flta.org) and he will get the necessary information out for taking this test.

Remember to mark your calendars for the annual convention in November; it will be here before you know it. You can go to the web page, [www.flta.org](http://www.flta.org) for dates and information.

CHECK OUT THE WEB PAGE

Our web page, [www.flta.org](http://www.flta.org) is getting a great deal of attention according to the statistics on number of hits and length of stay. Won't you give it a view? For those of you who would like to have a link to your web site, contact our web master Steve Shafer at [jssinc.com](mailto:jssinc.com) need.

Keeping Up to Date

Keeping our members informed of matters that impact the title insurance industry, is a primary focus of our Association. The monthly newsletter will continue to keep you abreast of developments, but the term monthly alerts you to the fact that news stories that have a short shelf life may be stale when you read them. To stay on top of things on a daily basis, consult the FLTA web site, [www.flta.org](http://www.flta.org)

Basic Title Insurance Handbook

**ORDER FORM**

*A DESK REFERENCE COVERING ALL ASPECTS OF TITLE INSURANCE*

**INCLUDES REVISIONS OF RULE 4-186 AND 4-228**

|                     |                |
|---------------------|----------------|
| <b>FLTA MEMBERS</b> | <b>\$50.00</b> |
| <b>TAX</b>          | <b>3.75</b>    |
| <b>SHIPPING</b>     | <b>4.00</b>    |
| <b>TOTAL</b>        | <b>\$57.75</b> |

|                    |                |
|--------------------|----------------|
| <b>NON-MEMBERS</b> | <b>\$75.00</b> |
| <b>TAX</b>         | <b>5.62</b>    |
| <b>SHIPPING</b>    | <b>4.00</b>    |
| <b>TOTAL</b>       | <b>\$84.62</b> |

\_\_\_\_\_ **COPIES @** \_\_\_\_\_ **EACH**

**TOTAL ENCLOSED** \_\_\_\_\_

**NAME** \_\_\_\_\_

**COMPANY** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**CITY/STATE/ZIP** \_\_\_\_\_

2004 New Members

Adams, Gallinar & Iglesias, P.A.  
Miami

Angela Kniep Abstracting  
Everglades City

Assurance Land Title & Escrow, Inc.  
Green Cove Springs

Charles Jones, LLC  
Trenton, NJ

Choctaw Title, Inc.  
Shalimar

Comerica Bank - Financial Services Division  
Houston, TX

CU Title, LLC  
Boca Raton

Fidelity First Title Corporation  
Altamonte Springs

Hometown Title & Escrow Services, Inc.  
Miami

Hoy Title Services, Inc.  
Brandenton

ICS Title Services, Inc.  
Miami

Independent Abstract & Title  
Key West

KB Home Title Services, Inc.  
Orlando

Leo Spitale, Jr., P.A.  
Miami

S.W. Title, Inc.  
Pompano Beach

Seacrest Title Company  
Delray Beach

Southern Title Services, Inc.  
Seminole

Superior Land Title  
Tavares

Timeshare Title & More, Inc.  
Orlando

## HUD recalls proposed RESPA rule

After receiving blistering criticism in Congressional hearings HUD has recalled its proposed RESPA reform package. The ALTA and its affiliated State Land Title Associations launched a massive grassroots campaign alerting Congress to misguided and anti consumer effect of the proposal prompting Congress to question HUD representatives on the wisdom of adopting these new measures. Their answers did not stand up to close scrutiny. When the confirmation of acting HUD Secretary Alphonso Jackson seemed in jeopardy the reform package was hastily withdrawn. We cannot expect that some form of "packaging" of settlement services will go completely away and must be vigilant in monitoring future so called reforms, but for now the old rule is in effect. The ALTA lobbyist Ann vom Eigen is to be commended on a job well done. All of you who took the time to write your elected officials are also to be commended on your efforts.

## Basic Training Seminar scheduled September 8<sup>th</sup>-9<sup>th</sup>, 2004.

Registration limited to 80 people so don't wait to register. Registration included in this newsletter.

## Mark your Calendar for Key West for 2004

Our Annual meeting for 2004 will be held November 17<sup>th</sup> to 20<sup>th</sup> at the beautiful Key West Hilton Resort and Marina. You will not want to miss this fabulous destination



## Fetch It ←

By Digital Legal Solutions, Inc.  
561-364-2520

We Scan and Manage your Real  
Estate Closing Files

Digital Legal Solutions, Inc. provides scanning services,  
equipment, software, and document  
management strategies for:

TITLE COMPANIES

THE LEGAL PROFESSION

MORTGAGE BROKERS

HEALTH CARE PROFESSIONALS

THE BUSINESS COMMUNITY

*Florida Land Title Association, Inc.*

2004 Sam D. Mansfield, Marjorie S. Schwartz and John Starr Thornton, Jr.  
Memorial Scholarships

GUIDELINES

**An applicant Must:**

- **Be a member or the child, grandchild, brother, sister, niece or nephew of a principal or employee of a Florida Title Association member. (Regular Member or Associate Member).**
- **Be a resident of the State of Florida.**
- **Be accepted to any accredited institution of higher learning in the United States.**
- **If you meet these criteria please request an application and return prior to August 31, 2004.**

*Florida Land Title Association, Inc.*

Attn. Scholarship Committee

249 East Virginia Street

Tallahassee, Florida 32301

*If you have any questions, please call FLTA at (850) 681-6422; or  
Toll Free in Florida at 1-800-552-1065.*

***About the Scholarship Award:***

The Sam D. Mansfield Memorial Scholarship Award was created in 1985 by the Board of Directors of the Florida Land Title Association, Inc., in memory of its namesake. Mr. Mansfield was a Past-President of this Association and was involved in many civic endeavors, always stressing the importance of education. The Marjorie S. Schwartz Memorial Scholarship was added in 2001 to commemorate our good friend Marge who, like Sam Mansfield, was an FLTA President and ardent supporter of our Association. The John Starr Thornton, Jr. Scholarship was added in 2003 to commemorate an outstanding FLTA member and title industry giant. Many thanks to the generous donation by Old Republic National Title Insurance Company who will underwrite the Thornton scholarship for a period of years...

The amount of the scholarship award is \$1,000.00 and will be awarded at the FLTA Annual Convention in November.

Eligible applicants will receive a questionnaire and personal profile to be completed and returned to FLTA. The scholarship committee, which consists of members of the Past President's Council, will review the submissions and make their selection based on major field of study, grade point average, and other information provided by the applicant.

**APPLICANT MUST SUBMIT WITH THIS APPLICATION:**

A ONE-PAGE DOUBLE SPACED ESSAY DESCRIBING YOUR FUTURE GOALS

UPON COMPLETION OF YOUR HIGHER EDUCATION

DATED and submitted this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Applicant's Signature

Mail Completed application, postmarked by midnight on August 31, 2004, to

Florida Land Title Association, Inc.

Attn: Scholarship Committee

249 East Virginia Street

Tallahassee, FL 32301

*Florida Land Title Association, Inc.*

2004 Sam D. Mansfield, Marjoire S. Schwartz and John Starr Thornton, Jr.

**Memorial Scholarships**

**APPLICATION**

(Application Deadline: August 31, 2004)

FLTA Sponsor Member: \_\_\_\_\_ Relationship: \_\_\_\_\_

Company: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Student's Name: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

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

Phone: \_\_\_\_\_

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

Phone: \_\_\_\_\_

Scheduled Date of Graduation \_\_\_\_\_

List Honors, Awards, Scholarships, etc. \_\_\_\_\_

\_\_\_\_\_

List Clubs, Competitions, Research, etc. \_\_\_\_\_

\_\_\_\_\_

Areas of Interest for College Study \_\_\_\_\_

\_\_\_\_\_

Name of accredited college or university in the United States in which you have been  
accepted or are currently

enrolled: \_\_\_\_\_

High School Grade Point Average \_\_\_\_\_ College Grade Point  
Average \_\_\_\_\_

Name and telephone number (including area code) of person to contact in the school's  
Admissions office for verification of enrollment: \_\_\_\_\_

\_\_\_\_\_

**Florida Land Title Association  
2004 Winter Meeting Seminar- Video Version  
Presented at the Holiday Inn Coral Gables**

**June 1, 2004  
3 Credit Hours**

2051 Lejeune Rd  
Coral Gables, FL 33134  
305-443-2301

Use one form per registrant - Copy as necessary:

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

Office Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_ Phone (\_\_\_\_\_) \_\_\_\_\_

Fax or email (to confirm) \_\_\_\_\_ DOI ID # \_\_\_\_\_

Fees Enclosed: \_\_\_\_\_ \$50.00 (Members) \_\_\_\_\_ \$75.00 (Non-Members)

Checks payable to: Florida Land Title Association, Inc.  
249 E. Virginia Street, Tallahassee, FL 32301  
(850) 681-6422; FL WATS (800) 552-1065; Fax (850) 681-6271

**Educational Seminar**

|          |  |
|----------|--|
| 8:45 am  | Sign-in  |
| 9:00 am  | "Bankruptcy and Title Insurance", Albert Gomez-Vidal, Chicago Title Insurance Company                  |
| 10:00 am | "Title Affiliated Business Arrangements with Banks"; Meg Randol Enos, National Title Insurance Company |
| 11:00 am | "TIPS"; Barry Scholnik, Stewart Title Guaranty Company   |
| 12:00 pm | Lunch (for those wishing to stay)  |

**Florida Land Title Association  
2004 Winter Meeting Seminar- Video Version  
Presented at the Ramada Inn Mandarin**

**August 24, 2004**

**3 Credit Hours**

Ramada Inn Mandarin  
3130 Hartley Rd  
Jacksonville, FL 32257  
904-268-8080

Use one form per registrant - Copy as necessary:

Name \_\_\_\_\_

Company \_\_\_\_\_

Office Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax or email (to confirm) \_\_\_\_\_

DOI ID # \_\_\_\_\_

Fees Enclosed: \_\_\_\_\_ \$50.00 (Members) \_\_\_\_\_ \$75.00 (Non-Members)

**Checks payable to: Florida Land Title Association, Inc.  
249 E. Virginia Street, Tallahassee, FL 32301  
(850) 681-6422; FL WATS (800) 552-1065; Fax (850) 681-6271**

**Educational Seminar**

- 8:45 am Sign-in
- 9:00 am "Bankruptcy and Title Insurance", Albert Gomez-Vidal, Chicago Title Insurance Company
- 10:00 am "Title Affiliated Business Arrangements with Banks"; Meg Randol Enos, National Title Insurance Company
- 11:00 am " TIPS"; Barry Scholnik, Stewart Title Guaranty Company
- 12:00 pm Lunch (for those wishing to stay)

**Florida Land Title Association  
2004 Winter Meeting Seminar- Video Version  
Presented at the Holiday Inn Express @ Indigo Lakes Resort, Daytona Beach**

**August 25, 2004**

**3 Credit Hours**

2620 West International Speedway Blvd  
Daytona Beach, FL 32114  
(386) 258-6333

Use one form per registrant - Copy as necessary:

Name \_\_\_\_\_

Company \_\_\_\_\_

Office Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_ Phone(\_\_\_\_\_) \_\_\_\_\_

Fax or email (to confirm) \_\_\_\_\_ DOI ID # \_\_\_\_\_

Fees Enclosed: \_\_\_\_\_ \$50.00 (Members) \_\_\_\_\_ \$75.00 (Non-Members)

Checks payable to: Florida Land Title Association, Inc.  
249 E. Virginia Street, Tallahassee, FL 32301  
(850) 681-6422; FL WATS (800) 552-1065; Fax (850) 681-6271

**Educational Seminar**

- 8:45 am Sign-in
- 9:00 am "Bankruptcy and Title Insurance", Albert Gomez-Vidal, Chicago Title Insurance Company
- 10:00 am "Title Affiliated Business Arrangements with Banks"; Meg Randol Enos, National Title Insurance Company
- 11:00 am " TIPS"; Barry Scholnik, Stewart Title Guaranty Company
- 12:00 pm Lunch (for those wishing to stay)

*The following is a form letter to Governor Bush that can be used as voicing your opposition to the broker's lien*

The Honorable Jeb Bush  
Governor of the State of Florida  
Tallahassee, Florida

Re: Senate Bill cs/HB 461  
Commercial Real Estate Broker's Lien

Dear Governor Bush:

After just a quick review of the Brokers bill legislation, I have the following comments:

□

- 1) There is no bonding off provision after the fashion of construction and money judgment liens;
- 2) There is no requirement for the address of the claimant as with judgments;
- 3) Waivers in advance of payment are void so how will the underwriter be protected against a lien filed in the gap that results from a lien agreement the closer didn't even know about?
- 4) Seems the title of the innocent buyer would be affected through no fault of him or his agents, including the closer. In other words, the buyers title bears the lien for the seller's failure to pay. How is this constitutional?
- 5) sec. 714.007 refers to the possibility of an escrow of the brokers commission and says that this requirement shall not be cause for any party to refuse to close - how does the legislature know what rights are given in the sales contract or how can this provision override the right of contract? (I'll bet Clark Butler, a broker, was behind this.)
- 6) The bill provides that upon setting up the escrow over the lien, it is dissolved but nothing is said about putting notice of record or what constitutes an escrow, who can be escrow agent, etc. I have no familiarity with any similar law that dissolves a lien after setting up an escrow for the claim.
- 7) I don't understand where the money for the escrow will come from if you discover the lien filed in the gap and after closing?
- 8) This bill increases the risk for title insurers. This is apt to harm consumers who may have to pay increased premiums to cover the risk.

□

This letter is written to request that you formally veto this bill because of the deficiencies listed above. Thank you for your consideration.

Sincerely yours,

# BASIC TRAINING

(a seminar for those who are new to the Title Industry)

September 8-9, 2004

Orlando Airport Marriott  
7499 Augusta National Drive  
Orlando, FL 32822

**Registration limited to 80 only!!**



\*Room reservation must be made no later than **August 27, 2004** by calling 407-851-9000 and request the \$75 FLTA room block rate.

Name:

---

Company:

---

Address:

---

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

---

Phone #: \_\_\_\_\_ FA X # \_\_\_\_\_

---

E-mail

---

-

Fees Enclosed: \_\_\_\_\_ \$75.00 (Members) \_\_\_\_\_ \$150.00 (Non-members)

Please make checks payable to:  
Florida Land Title Association  
249 East Virginia Street  
Tallahassee, FL 32301

**Wednesday, September 8, 2004**

- 1:00-1:10 Introduction (sign in), Lee Huszagh
- 1:10-1:55 "The Need for Land Title Searches", KC Price
- 2:00-2:45 "The Principles of Title Searching", Kevin Arruda
- 2:45-3:00 Break
- 3:00-4:10 "This Land is Your Land,...", Jim Carels
- 4:10-5:00 "Claims Awareness", Jim Russick
- 5:00-5:10 Closing Remarks, Lee Huszagh
- 6:00-7:00 Cocktails & hors d'oeuvres

**Thursday, September 9, 2004**

- 9:00-9:10 Introduction, Lee Huszagh & KC Price
- 9:10-9:20 CLT Institute CLS/CLC, KC Price
- 9:20-10:20 "Completing a Title Commitment", Pat Hancock
- 10:20-10:35 Break
- 10:35-11:45 "Behind the Scenes: A Look at the Settlement Process", Rosa Peck
- 11:45-1:00 Lunch, Kevin Kintzele from On Staff will be speaking on Tips for the Successful Employee.
- 1:00-1:50 "Closing Real Estate Transactions...", Susan Speelman
- 1:50-3:00 "A Policy Overview", Pat Hancock
- 3:00-3:15 Closing Remarks

**Florida Land Title Association**

**Phone:**

(850) 681-6422

**Fax:**

(850) 681-6271

**E-Mail:**

[leeh@flta.org](mailto:leeh@flta.org)

[jenni@flta.org](mailto:jenni@flta.org)



---

*We're on the Web!*

*Visit us at:*

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

---

Florida Land Title Association  
249 East Virginia Street  
Tallahassee, FL 32301

# 4 REASONS

Why **FLAG** is rapidly becoming the most popular insurance agency for today's concerned **Title Agents**.

**1**  
SERVICE

**2**  
VALUE

**3**  
STABILITY

**4**  
COMMITMENT

So when your E&O Insurance, Fidelity or Surety Bond approaches renewal date, or if you are without coverage, call **FLAG**. *Discover the difference a specialist makes.*



## **FLAG INSURANCE SERVICES**

*A Target Capital Company*



- Errors & Omissions
  - Fidelity Bonds
  - Surety Bonds
- “A” Rated Companies**

Call for an application **TODAY!**

**Toll Free: 800-748-3524**

**Facsimile: 954-748-6001**