

FLTA Tallahassee Report

Serving Over 4500 Title Professionals Throughout Florida

249 East Virginia Street, Tallahassee, FL 32301 • (850) 681-6422(800) 552-1065 • FAX (850) 681-6271 •

www.flta.org • Marie Girard, President

Lee Huszagh, Executive Secretary-Treasurer

July 2006

President's Message by: Marie Girard

FLTA has retained Bob Scherer to give us a hand while we are working with the Office of Insurance Regulation coming up with a format for the impending Data Call. What a great guy! He will be an asset as we work through what will be our ongoing statistical gathering form(s). The workshop held by the OIR June 15th was well attended, although, not too many agents. The Mortgage Release Form was first on the agenda. The general consensus between the Office and the underwriters was that the form itself is set out in the statute and is fine. The OIR will draft a rule stating that there will not be a promulgated rate, and we will be able to charge a work fee. Sounds good to me.

The second part of the workshop was statistical gathering. We were told that all interested parties were notified in writing of the proposed changes and forms, Agents Experience Report and Questionnaire. I, personally, have never received any correspondence from OIR, nor had a dozen or so agents I have spoken to. This is disturbing. Through FLTA our agent members have received copies, but what about all the other agents in Florida? It seems as though the OIR has expanded the data call as a means of gathering regulatory type information. Many questions are AfBA related. One would think, to set rates, OIR would want premiums and related services income and operating costs. Period. So far, the Office is using an actuary from auto insurance, to expand on the previous Cox data call. Interesting. Thought we were going to get an outside actuary, that, dare I say, has title insurance experience? Confidentiality was a big issue. If the Office uses an inside actuary, the information that we submit is public record, whereas if an outside actuary is used, the information is not. Another good reason to use an outside actuary.

Well, we will see what comes of our agent data call sometime in the near future. Please feel free to let the OIR know your opinions on these important issues.

Looking forward to seeing you all at the convention November 15th -18th in Delray Beach! Make your reservations early!

2006 Legislative Wrap Up

The FLTA, joined by it's title industry lobbyists, were successful in accomplishing it's mission to allocate funds derived from the administrative surcharge fund to be used for the purposes spelled out in the controlling statute and exempting ourselves from the effects of the notary journal bill.

One might think that the administrative surcharge money would automatically be allocated to it's intended uses without legislative input, but that is not the case. Every current legislative session arrives at a budget bill of their own making and do not automatically fund agency operations without positive steps being taken. In this session Representative Kevin Ambler aided our efforts by introducing language in the budget that allocated 150,000 to be used by the OIR to collect statistical data for title insurance rate making and submit the data to an actuary who has expertise in the field of title insurance. Kevin Crowley, a member of the law firm of Pennington, Moore, Wilkinson, Bell & Dunbar, P.A., and a member of the FLTA was instrumental in assisting the industry in obtaining this appropriation and is to be commended. As the rate making process goes forward the FLTA will monitor the process to make sure that it proceeds in a fair and professional manner.

The notary journal bill was an attempt by the National Notary Association to force notaries to keep a separate journal in which to log all

notarial acts. There was never a cogent explanation of how this would prevent fraud. There was no requirement of a finger print by the attesting party, just another signature. It seemed to be an obvious attempt to sell journals and add further duties to an already very busy closing process. Not wanting to do battle with the Florida Bar, lawyers and their employees were initially exempted. Trying to work with the bill sponsors and the proponent's lobbyists was unrewarding. Through the efforts of Doug Mang of the Mang Law Firm, Fred McCormack of the law offices of Fred McCormack, LLC and Kevin Crowley of the Pennington firm and our amendment sponsor Senator Al Lawson, we successfully amended the bill to exempt title agencies, title insurers' and their employees from compliance with this bill. The Governor subsequently vetoed the bill and stated in his veto message of June 22, among other comments, "...while it is important that the state does what it can to reduce fraud, I am not convinced that this bill accomplishes that purpose...." The Governor also talks of an unnecessary invasion of privacy, and exempting some from the effects of the bill still leaving the burden on other non-exempt notaries, and failure to adopt retention standards for the journals.

We are most appreciative of the efforts of our industry lobbyists and those elected officials who were instrumental in assisting our industry.

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 the 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.

Seminar Registration Forms included in this newsletter

Florida Land Title Association
Basic Title Insurance Handbook

ORDER FORM

A desk reference covering all aspects of Title Insurance

Includes revisions of Rule 4-186 and 4-228

FLTA Members	\$50.00
Tax	3.75
Shipping	<u>4.00</u>

TOTAL \$57.75

Non-members	\$75.00
Tax	5.62
Shipping	<u>4.00</u>

TOTAL \$84.62

_____ copies @ _____ each

Total amount enclosed: _____

Name: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Firewalls and Spam Filters Block FLTA e-mails

It has come to our attention that many of our electronic mailings are being blocked by spam filters and firewalls installed on members computers. If you are not having this problem and are getting our newsletter via e mail and wish to continue to receive it electronically please so indicate by sending an e-mail to jenni@flta.org stating you elect to receive the newsletter by e-mail. If you would prefer to receive the newsletter by mail, do not contact our office and you will continue to receive it in that fashion. The most important factor is providing our members with timely information and we strive to accomplish that. You should also check the Association website at your convenience to obtain news and information on upcoming programs. www.flta.org is the address.

*Posted on our website,
www.flta.org is the 2006 Annual
Convention Registration packet.*

*Expect to receive your
registration packet by mail
within the next week!!*



Stewart Title Guaranty seeks commercial title examiner for complex transactions. Must lust for abstracts. You bring the expertise, we'll bring interesting work. Full benefit package, etc. Please fax resumes to (305)822-2938 with salary requirements and cover letter.

2006 NEW MEMBERS

Action Title Services Naples	First Florida Guaranty Title, Inc. Port St. Lucie	Pioneer Technology Group, LLC Maitland
Advantage Title Services, Inc. Lakeland	Five Star Title Services, Inc. Plantation	Premier Guaranty Title & Trust, Inc. Plantation
All Florida Title Lake Mary	Florida Access Title, Inc. Coral Springs	Premier Land Title, LLC Bonita Springs
American Capital Title Insurance Company, Boca Raton	Florida Professional Title Insurance, Inc. Bartow	Premium Title, Inc. Dade City
American National Title, LLC Largo	Fred McCormack, LLC Tallahassee	Professional Title, LLC Bonifay
Amherst/Advantage Title Company, Inc., Spring Hill	Genesis Title Company of Florida Brandon	Putnam & Creighton, P.A. Lakeland
Attorneys Title of Florida, LLC Brandon	Greater Florida Title Company, Inc. Casselberry	Quality Assurance Land Title Wellington
B-D-R Title Corporation Orange City	Henderson, Franklin, Starnes & Holt, Ft. Myers	Quality Title Agency, Inc. Independence, OH
Celebration Title Agency, Inc. Melbourne	Independent Title Agency, LLC Lakeland	Realty Data Corp. Garden City, NY
Citizens Title Services Coral Springs	Law Firm of Lee D. Glassman, P.A. Plantation	Republic Title Corp. Doral
CJP Title Celebration	Legacy Abstract Westbury, NY	Rose, Sunstrom & Bentley, LLP Longwood
Clean Title and Escrow, Inc. Boynton Beach	McDonald, Fleming, Moorhead Pensacola	Ross Title Solutions Concord, OH
David Greene, Esq., Ruden McClosky West Palm Beach	Metz, Husband & Daughton, P.A. Tallahassee	Salter, Feiber, Murphy, Hutson & Menet, P.A., Gainesville
Elk Bankier Christu & Bakst, LLP Boca Raton	My Home Title Services, Inc. Miami	Sanoba & Sanoba, P.A. Lakeland
Equity Title, LLC Lakeland	Oldstone Title Agency, LLC Fairlawn, OH	Smartertitle.com Celebration
Esquire Title and Trust, Inc. Jacksonville	Omni One Title Services, LLC Cape Coral	South Florida Title Corporation Sunrise
Evergreen Note Servicing Puyallup, WA	Palm State Title of Florida, LLC Lake Mary	Southern Title Insurance Corp. Knoxville, TN
Extract Systems, LLC Madison, WI	Pasco Title, LLC Port Richey	Sun Atlantic Title Company of Milto Weston
First Choice Title Services, Inc. Orlando	Pineywoods Title Research, Inc. Brooksville	Sun Pinnacle Title of Florida, LLC Bradenton

Tamiami Title Insurance, Inc.
Naples

Vision Title Services, Inc.
Hollywood

The Closing House, LLC
Oviedo

Watson Title Services, Inc.
Longwood

Title Authority, Inc.
Hialeah

Westco Title Services, Inc.
Englewood

Title Connection, LLC
Naples

Westminster Title Agency, Inc.
Bonita Springs

Title Services of Dade County, Inc.
Miami

Whitworth Title Group, Inc.
Tampa

Title Services of Florida, LLC
Brandon

Title Solutions Closing Services, Inc.
Spring Hill

Title Solutions, Inc.
Pensacola

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

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: _____

2006 Dues Schedule

At the Annual Convention on November 17, 2005 the membership approved and adopted the following schedule of dues in effect for the year 2006 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 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.

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, 2006 at the office of the Executive Secretary-Treasurer, and shall be delinquent April 1, 2006. 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

For FLTA Use Only

Received \$ _____ Check No. _____ Date _____

MC or Visa # _____ 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

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City State Zip Code County

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E-Mail

Florida Land Title Association
2006 Winter Workshop Ethics Seminar/ Commercial Real Estate DVD Seminar
Presented at the Ramada Inn Mandarin, Jacksonville

July 18, 2006

Ramada Inn Mandarin
3130 Hartley Road
Jacksonville, FL 32257
(904) 268-8080

Use one form per registrant – Copy as necessary

Name _____ Company _____
 Address _____
 City/State/Zip _____
 Phone _____ Email (to confirm) _____
 License # _____

	Winter Workshop Ethics Seminar Video 3 Hours CE Registration @ 8:45 am	Commerical Real Estate DVD Seminar 2 Hours CE Registration @ 1:00 pm DVD w/forms given to each attendee	Both 5 Hours CE Registration @ 8:45 am
Members	☐ 50.00	☐ 100.00	☐ 150.00
Non-members	☐ 75.00	☐ 200.00	☐ 275.00

Winter Workshop Ethics Seminar

All of these topics are covered under Chapter 475 in the following sections:

Pat Hancock: (45 minutes)

- I. Introduction
- II. Benefits of Ethics Can be Realized by the Closing Agent and the Insured
- III. Unfair Competition and Prohibited Practices

Margaret "Peggy" Williams: (45 minutes)

- IV. Moral Values & Ethics of Disclosing & Charging Reissue Rates
- V. Ethical Handling of Title Defects

Skip Straus: (45 minutes)

- VI. Ethical Considerations in the Disclosure of Information Not Related to Title but of Interest to Others
- VII. Ethical Responsibility to Explain the Title Insurance Policy

Stacy Kalmanson: (45 minutes)

- VIII. Ethical Responsibility to Explain all Additional Insurance Available to Customer?
- IX. Ethics of Disclosure of Rebates
- X. Ethics of Handling the Canceled Transaction
- XI. Post-Closing Communication with Others

Total Seminar Time: 3 Hours

SALES PORTION OF THE LAW (RUNNING TIME: APPROX. 70 MINUTES)

- What is Commercial Real Estate? – Section 475.701(5)
- Is There a Written Brokerage Agreement? – Section 475.701(2)
- Lien on Owner's Net Proceeds – Section 475.701(12)
- Other Limitations – Section 475.703(4)
- Brokerage Agreement Disclosure – Section 475.703(5)
- When is Commission "Earned"? – Section 475.703(2)
- What is a "Commission Notice"? – Section 475.705
- Delivering the Commission Notice to the Owner – Section 475.705(3)
- Delivering the Commission Notice to the Closing Agent – Section 475.705(3) & (4)
- Recording the Commission Notice – Section 475.707
- The 60-Day Gap Trap – Section 475.709(1)
- How Long is a Commission Notice Effective? – Section 475.707(3)
- Duties of the Closing Agent – Section 475.709
- Owner's Net Proceeds – Section 475.701(12) and Section 475.715
- Dispute Resolution – Sections 475.711 & 475.713
- Buyer's Broker – Section 475.719

LEASING PORTION OF THE LAW (RUNNING TIME: APPROX. 30 MINUTES)

- What is Commercial Real Estate? – Section 475.801(4)
- Is There a Written Brokerage Agreement? – Section 475.801(3)
- Who is an Owner? – Section 475.801(9)
- Other Limitations – Section 475.803(5)
- Brokerage Agreement Disclosure – Section 475.803(6)
- Types of Leasing Commissions – Sections 475.803(6)
- When is a Leasing Commission "Earned"? – Section 475.803
- Recording a Lien Notice – Section 475.807
- Contents of a Lien Notice – Section 475.805
- Duration of the Lien – Section 475.807
- Contesting and Enforcing Commission Liens – Section 475.809
- Lien Subordination – Section 475.813

Payment should accompany registration: Florida Land Title Association
249 East Virginia Street, Tallahassee, FL 32301
FL WATS (800) 552-1065, (850) 681-6422, FAX (850) 681-6271

Florida Land Title Association
2006 Winter Workshop Ethics Seminar/ Commercial Real Estate DVD Seminar
Presented at the Holiday Inn Express, Daytona Beach

July 19, 2006

Holiday Inn Express
2620 International Speedway Blvd
Daytona Beach, FL 32114
(386) 258-6333

Use one form per registrant – Copy as necessary

Name _____ Company _____
 Address _____
 City/State/Zip _____
 Phone _____ Email (to confirm) _____
 License # _____

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**Florida Land Title Association
2006 Winter Meeting Seminar/ Ethics Seminar – Video Versions
Presented at the Crowne Plaza Melbourne Oceanfront Hotel**

July 20, 2006

**Crowne Plaza Melbourne Oceanfront Hotel
2605 N A1A
Indialantic, FL 32903
(321) 777-4100**

Use one form per registrant – Copy as necessary

Name _____ Company _____
 Address _____
 City/State/Zip _____
 Phone _____ Email (to confirm) _____
 License # _____

	Winter Workshop Ethics Seminar Video 3 Hours CE Registration @ 8:45 am	Commerical Real Estate DVD Seminar 2 Hours CE Registration @ 1:00 pm DVD w/forms given to attendees	Both 5 Hours CE Registration @ 8:45 am
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FL WATS (800) 552-1065, (850) 681-6422, FAX (850) 681-6271**

BASIC TRAINING

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

September 6-7, 2006

Crowne Plaza Orlando Airport
5555 Hazeltine National Drive
Orlando, FL 32812

Registration limited to 80 only!!

*Room reservation must be made no later than **August 7, 2006** by calling 407-856-0100 and request the \$109.00 FLTA room block rate.

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ FAX # _____

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 6, 2006

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 Arru
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 7, 2006

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, Inc.
2006 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 this criteria please request an application and return prior to August 31, 2006.**

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 _____ 2006.

Applicant's Signature

Mail Completed application, postmarked by midnight on August 31, 2006, to

Florida Land Title Association, Inc.

Attn: Scholarship Committee

249 East Virginia Street

Tallahassee, FL 32301

Florida Land Title Association, Inc.

2006 Sam D. Mansfield, Marjoire S. Schwartz and John Starr Thornton, Jr.

Memorial Scholarships

APPLICATION

(Application Deadline: August 31, 2006)

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 who to contact in the school's Admissions office for verification of enrollment: _____
