

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 • Barry Scholnik, President

Lee Huszagh, Executive Secretary-Treasurer

January 2007

**President's Message by:
Barry Scholnik**

I am pleased to report that our 2006 convention in Delray Beach was a success. It was well attended. Most importantly, there was frank discussions of the challenges facing our industry as well as speakers and activities that provided a welcome diversion.

Special thanks are due to Marie Girard for her devotion during her term as president and congratulations to Pat Hancock for receiving the Raymond Denham Award. As always, we appreciate all of Lee Huszagh's efforts on behalf of FLTA.

Our immediate work since the convention has centered around the industry's response to the Office of Insurance Regulation's (OIR) voluntary and mandatory data calls. The deadline for responding to the voluntary data call for the years 2001-2005 has been extended until January 31, 2007.

In addition, representatives of the industry have been working with the Department to work out the details of the format for the mandatory data call (due June 1, 2007) which will cover 2006 and subsequent years. I want to thank all of our members who have participated in the process by attending the hearings and workshops in Tallahassee and by sending written comments to the Department.

As to FLTA's long term goals, your new Board is committed to using its best efforts to continue our upward trend in membership. To achieve this goal we must both get the word out how important it is for the well being of our industry to have a strong association and to enhance the benefits of membership.

With that in mind, with Lee Huszagh's assistance, we are planning to re-establish the practice of holding seminars/receptions featuring live presentations in most, if not all, of our seven zones. With all that is going on in our industry, I believe that the seminars will be well received by both current and prospective members. Naturally, current members will get the first opportunity to attend and benefit from a discounted price.

In order to take advantage of the offers of assistance from many of our members and to provide enhanced benefits to our membership, the Board is considering the formation of new committees. These committees would help Lee and the Board plan and conduct both educational and social functions at our annual convention, mid-year meeting and events throughout the year. Future reports will contain a progress report on this matter as well as preliminary plans for the 2007 Annual Convention. As always, the Board welcomes ideas and suggestions.

In the meantime, I extend to our entire membership and their families, best

wishes for a happy, healthy and prosperous New Year.

2006 Convention Report

The 2006 FLTA Annual Convention held at the Delray Beach Marriott was a huge success. The turnout was our best in many years and over 28 exhibitors were in attendance. We heard from industry expert, Barbara Burke, on some of the strange goings on in the Department of Financial Services Enforcement Division. She put a humorous spin on some of the rulings that seem to defy logic.

New Officers were installed by honored guest ALTA President Greg Kosin. Your 2006-2007 Leaders are:

President, Barry Scholnik, Boca Raton, Stewart Title Guaranty Company

Immediate Past President, Marie Girard, Key Largo, Girard Title Company

Chair, Insurers' Section Executive Committee, Alan McCall, Orlando, First American Title Insurance Company

Chair, Agents' Section Executive Committee, Sue Geigle, Clearwater, Statewide Title Solutions

Zone 1 Vice President, John Balberchak, Tallahassee, First American Title Insurance Company

Zone II Vice President, Shelley Stewart, CLS, Daytona Beach, Southern Title Family of Companies

Zone III Vice President, Jim Carels, CLC/CLS, Orlando, Chicago Title Insurance Company

Zone IV Vice President, Carolyn Broadwater, Tampa, Old Republic National Title Insurance Company

Zone V Vice President, Bob Booth, Jr. CLS, Port St. Lucie, Community Land Title Corporation

Zone VI Vice President, Niki Roberts, Weston, Fidelity National Title Insurance Company

Zone VII Vice President, Doug Stevens, Cape Coral, Executive Title Insurance Services

CLT Institute Council, Marcia Cameron, CLC/CLS, Ocala, LandAmerica

Past President's Council, John LaJoie, Tallahassee, First American Title Insurance Company

The various standing committees met and the overwhelming topic of interest was and is the OIR data call for use in premium rate review and perhaps other areas of "the condition of the industry". Some of the concerns expressed appear in this newsletter.

We heard from Greg Kosin, the newly installed President of ALTA on matters of concern to the title industry such as the Michael Oxley generated Title Insurance Review and Report being conducted by the GAO. Mr. Oxley is no friend to the industry and his soon to be retirement from the House Financial Services Committee did not prevent him from publishing a highly critical indictment of the industry prior to the GAO concluding their report.

Ed Williams our ALTA lobbyist gave us some insights into his view of the changes to Congress coming from the Democratic Party gaining a majority in both the House and Senate. Ed comes to the ALTA after lobbying for the National Association of Realtors and is a great asset to our industry.

Not all was doom and gloom by any means. The Installation Banquet had the largest number of attendees in many years and were warm in their send off of retiring President Marie Girard and in welcoming

new President Barry Scholnik. Pat Hancock was duly honored as this years Raymond O. Denham award recipient for outstanding service to the FLTA and the title industry as a whole. Pat has gone above and beyond in her role as Education Committee Chair and as a frequent speaker for our seminars and her valuable input on the Insurers' Section Executive Committee.

We were also pleased to honor CLC designees. Those receiving the designation were:

Wendy A. Lewis
Joanne M. Degraff
Alethea S. Thomas
Allison P. Garner
Amy P. Wesp
Regina M. Shover
Tami Marie Luxton
Cynthia Dugan
JoAnne Dugan
Lynda Leonard Stepp
Kimberly Ann Henry
Shari M. Garcia

FLTA awarded three scholarships to highly deserving recipients.

Douglas A. Denning
Jennifer Liss
Kaitlyn Ferguson

Many thanks to our Public Relations/Scholarship Committee members chaired by Beverly McReynolds, and committee members Nancy Roche, Cher Wigley, Linda Schwartz, and Trish McMillian for setting a new record in raffle and silent auction sales. Also many thanks to the generous donors of all the great prizes.

The Golf Tournament was won by our new president Barry Scholnik and his team of Ray Suarez, Kenny Pope and Ron Rentz. Kevin Kintzele was our organizer and master of ceremonies.

The Fishing Tournament was great fun and the biggest fish prize was won by Past President Paula Guttman with a nice kingfish. The most fish was won by Immediate Past President Marie Girard. Those presidential lady anglers are hard to beat! John Berkley was our commodore and master of ceremonies.

Next November 14, 15, and 16 we will be at the beautiful Coconut Point Hyatt Resort and Spa in Estero (between Naples and Ft. Myers.) They have their own private beach and a beautiful golf course on site. Mark your calendars now for this great event!

New Board Member

Pat Rylee, CLC, with Title 2000 LTD in Port. St. Lucie will be replacing Bob Booth, Jr. as Zone V Vice President. Bob stepped down from the Board earlier this year. Congratulations to Pat on her new appointment!

2007 NEW MEMBERS

Benefit Title Services, LLC
Tampa, FL

Choice Title of Central Florid, LLC
Mount Dora, FL

New England Title & Escrow Corp.
Greenacres, FL

Pappas Title Corp
Clearwater, FL

Southland Title Company
Tampa, FL

Your Title Choice, Inc.
Ft. Lauderdale, FL

Dues Application Contained within Newsletter

Enclosed in this newsletter is the new revised dues application. If you know of anyone who is not a member of FLTA, please forward this information along. We need to each bring in a new member to strengthen our voice. You can make a difference!

Florida Land Title Association Basic Title Insurance Handbook

ORDER FORM

*A desk reference covering
all aspects of Title Insurance*

Includes revisions of Rule 690-186

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

TOTAL \$57.75

Non meringue -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: _____

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.

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 indicate so by sending an e-mail to leeh@flta.org stating you elect to receive the newsletter by e-mail. If you would prefer to receive the newsletter by mail, there is no need to contact our office. You will continue to receive it in that fashion. Our most important goal is providing our members with timely information and we strive to accomplish that. You can also check the FLTA's web site at your convenience to obtain news and information on upcoming programs. www.flta.org is the address.



FLTA MEMBERS NOW RECEIVE
SPECIAL MEMBER SAVINGS ON
HERTZ CAR RENTALS. CONTACT
HERTZ AT



Committee Workshop/Seminar 2007 Registration Form

Please fill out the registration information and return to the FLTA office with payment by January 31st, 2007. To receive the FLTA Room rate of \$129; reservations must be made with the Park Plaza Hotel Tallahassee no later than January 16, 2007. Reservation requests after this date will be accepted on a space and rate available basis. For reservations please call (850) 224-6000.

Registration Form – Committee Workshop/Seminar 2007

Committee Workshop and Reception only..... \$50.00 _____

Educational Seminar and Luncheon timeline:

9:00am to 12:00pm – 3 hours of lecture

Thursday, February 8th, 207 Park Plaza Hotel Tallahassee, 415 N Monroe St, Tallahassee, FL 32301

(850) 224-6000

Department of Insurance # (for seminar credit) _____

Members\$50.00 _____ Non Members\$100.00 _____

FLTA Members attending all functions\$75.00 _____

Total Enclosed: _____

Name: _____

Company: _____

Office Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax or email to send confirmation _____

Checks are payable to Florida Land Title Association
249 East Virginia Street
Tallahassee, FL 32301

If you plan to stay at the Park Plaza Hotel Tallahassee, please call the reservation desk at (850) 224-6000 and identify yourself as an FLTA member. **Reservations must be made by January 16th.** There is a flat rate of \$129.

In order for FLTA to make proper arrangements, we must receive your registration by January 31, 2007.

Agenda:

Tuesday, February 6th

1:30pm Governmental Affairs and Judiciary Committee Meeting

6:30pm Board of Directors Dinner

Wednesday, February 7th

9:00am General Session

10:00am Claims Avoidance Committee Meeting

10:00am CLT Institute Meeting

10:00am Forms Committee Meeting

10:00am Education Committee Meetings

Lunch on own

1:30pm Agents' Section Meeting

1:30pm Insurers' Section Meeting

2:30pm Joint Agents'/Insurers' Section Meeting

3:30pm Board of Directors Meeting

5:30pm – 6:30pm Attendees Reception

7:00pm Dutch treat dinner at Albert's Provence

Thursday, February 8th

8:45am Registration for Educational Seminars - "Execution of Documents", "Special Considerations for Commercial Real Estate transactions", & "Compliance with "The Rule" and Mandatory Data Call"

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: _____

2007 Dues Schedule

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

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

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

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

The by-laws provide that all dues are payable on January 1, 2007 at the office of the Executive Secretary-Treasurer, and shall be delinquent April 1, 2007. 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

E-Mail

Member Company Name

Mailing Address

Street Address

City

State

Zip Code

County

Contact Person (for mailing list)

Title

(Area Code) Telephone Number

(Area Code) FAX

Alternate Contact Number

E-Mail

We Thought You'd Like To Know...

What happens when you decide to apply for either the CLC or CLS designations?

Upon its arrival, your application is assigned a number. This is used to keep track of how many people are applying and it assists with the grading process. The application deadline is critical, because approving the applicants to take the test is only the first step. The total number of applicants has to be sorted by location and test-type so that sites can be chosen and tests prepared. A minimum of six to seven sites are assigned throughout the state each year. Every effort is made to send an applicant to the testing site nearest their home.

On test day, only one document requires the applicant to sign their full name. After that, the application number is how we make sure all your test papers remain with your test (unless the applicant chooses to sign with their full name after the initial signature). At grading time, no one (other than the CLT Secretary) knows your name. This provides for true objectivity in grading, but we go one step further. If a grader monitored tests on test day, then they do not grade any of the tests from the zone they administered.

Grading takes approximately 1 to 2 days. We start on a Friday, and should finish on Saturday. If a test scores high enough on the first review, the grader signs his name to the grading sheet and marks the "master list" which contains only application numbers, type of test and zone number (for verification purposes) that the applicant passed.

If the score is not high enough (80%), it is put in the re-grade stack and once all tests have been reviewed once, those that did not pass are re-graded by a different person. Unique things happen on a re-grade. First, only questions missed are reviewed. Our mission is to pass people, so we only look at questions with points removed. If after a second review a test is close, but still not passing, it goes to committee, which means the first two graders choose a third person to review the test with them and they "look" for points. Certain questions have been designated as key questions. The first step is to look at those questions to see how the applicant did on the really important issues. If the scores here are high, chances are the applicant will pass if they need less than 10 points to have 80% correct. If that doesn't work, the committee goes over all the questions missed and often asks others in the grading session to assist.

Every effort is made to give the applicant the benefit of the doubt. When all these chances have been exhausted

and it still doesn't reach the 80% correct requirement, the master list is marked "failed". When grading is over, the secretary checks the master list for accuracy and to be sure all tests were graded. At that point all tests are destroyed, the letters are prepared and notification of either "Pass" or "Fail" is mailed to each applicant's home address. By the time the applicant receives their letter, the tests are long gone.

Each year, some applicants will call either the secretary or the Chairman and want to discuss their test. Some have even asked for appointments to review their test. Others want their test returned so they can see where they went wrong. This is a professional designation. Every effort is made to see that as many applicants as possible pass. It is a difficult test, and there is no guarantee that your years of experience alone will be enough to see you through. The best test scores are usually obtained by those who admit studying to some degree regardless of their years of experience. Even a minimal review of vocabulary terms and the two texts available for study (The Basic Title Insurance Handbook sponsored by the Florida Land Title Association and the supplement to Florida Land Titles by H.D. Booth) would make a difference in the outcome of some applicants.

There are no tests to discuss or review by the time the letters are mailed. No other professional test provides for a review after the fact and neither does the CLT Institute. There are study guide outlines available, two manuals as mentioned above, and often study groups are formed by former test takers to assist those attempting the test for the first time. If an applicant takes the time to obtain the necessary tools and reviews/researches the study guide outlines, chances are the results of the testing will be more positive. On the Job Training might be enough to get an applicant to the level needed to qualify for either of these tests, but it seldom is enough to assure a passing grade.

The application package is sent to the secretary of the CLT Institute. The secretary then reviews all for approval or denial. An approval or denial letter is then sent to the applicant informing what location he/she is assigned for the test (if approved to take test). There will be other information contained in the letter as well. NOTE: "on the job" five (5) years experience is highly recommended by the CLT council. "On the job" would be more accurately described as Closers: performing all aspects of closing from beginning to end; and Searches: performing all aspects of searching/examining from beginning to end.

We thought you'd like to know....before you apply to take either test!

The CLT Council and Grading Board

Notice of 2007 C.L.S. and C.L.C. Designation Examination

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

From: Certified Land Title Institute

Date: January 24, 2007

The examinations for the C.L.S. and C.L.C. designations will be held on Saturday, June 16th, 2007. Notice of locations will be given with the application approval letters.

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

To qualify for the examination, one must:

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

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

Both the application fee and the examination fee must be sent with the forms referenced in item 2 above.

NOTE: Make checks payable to FLORIDA LAND TITLE ASSOCIATION, INC. *These fees are non-refundable.*

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

April 6, 2007

No applications will be accepted beyond this deadline!

Notice of approval of the applications, will be sent no later than May 4, 2007. All documents as well as payment should be forwarded to:

Debi A. Smith, CLS
(Secretary of CLT Institute- FLTA)
LandAmerica Financial Group, Inc.
8928 Brittany Way
Tampa, FL 33619

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

If you have any questions, please feel free to contact the undersigned at (813) 254-2101 x 109; FAX (813) 251-5051, E-mail debismith@landam.com. Thank you for your attention to this matter.

Please post this notice on your bulletin board.

Sincerely,

Debi Smith, CLS
Secretary of the CLT Institute
Florida Land Title Association, Inc.

Enclosures

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

Application for examination for CLC/CLS designation

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

Date _____ FLTA Membership Date _____

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

* Attach a copy of your notification letter

Applicant (For Plaque) _____ S.S.# _____

Florida Licensed Title Agent: _____ Yes _____ No

License Issue Date: _____ License # _____

Residence Address: _____

City, Zip Code _____ County _____

Name of Employer: _____

Business Address: _____

City, Zip Code _____ County _____

Applicant's Position: _____

Home Phone: _____ Work Phone: _____

E-mail Address: _____

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

Signature of Applicant: _____

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

Deadline to Apply: April 6, 2007

EMPLOYER'S CERTIFICATION

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

Applicant's Name: _____

The Applicant's CURRENT position and duties are: _____

The Applicant has been employed by this company since: _____

I have been the applicant's supervisor since: _____

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

Company Name: _____

Address: _____

Email Address: _____

Telephone number(s): _____

Dated: _____

Signature of Immediate Supervisor

State of: _____

County of: _____

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

Notary Public
My Commission Expires: _____

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

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

- I. Governmental Regulations: Case Law
 - A. Cooperman and McPhee
 - B. Promulgated Rules/Administrative Code
 - C. IRS 1099 Reporting
 - D. Department of Revenue Transfer of Interest
 - E. FIRPTA (IRS Code Section 1445)
 - F. Being a Notary Public
 - 1. Taking Acknowledgements
 - 2. Responsibilities and Duties
 - 3. Acceptable Identification

- II Title Insurance:
 - A. Commitment/Binder - Abstracts
 - 1. Definition
 - 2. Purpose
 - A. Handling Objections to Commitments prior to or at Closing
 - A. Requirements of Insurability
 - A. Types of Title Insurance Policies-
 - 1. Owner's Title Insurance Policies
 - 2. Loan Title Insurance Policies
 - 3. Other types of Title Insurance Policies
 - A. Types of Endorsements
 - A. Deletions of Title Exceptions (Schedule B-2) -
 - 1. On Title Insurance Commitments
 - 2. On Title Insurance Policies
 - A. Construction Loan Policies-
 - 1. Pending Disbursement Clause
 - 2. Notice of Commencement
 - 3. Mechanic's Lien Law

- III Types of Liens:
 - A. Tax Liens
 - B. Judgments
 - 1. Certification
 - 2. Address
 - C. Bankruptcy
 - D. Property Settlement Agreements

- E. Mechanic's or Laborman's Liens
- F. Welfare Liens
- G. Child Support Liens

IV Types of Ownership:

- A. Fee Simple
- B. Leasehold
- C. Equitable

V Contracts and Addendums:

- A. Effectiveness
- B. Proper Ways of Amending or Changing a Contract
- C. Significance of Terms and Conditions
- D. A Valid Contract
- E. An Escrow

VI Documents of Instruction:

- A. Contracts
- B. Lender's Closing Instructions/Packages
 - 1. Preparing
 - 2. Explaining
 - 3. Truth-in-lending/Regulation Z Disclosure
 - 4. Real Estate Settlement Procedures Act (RESPA)

VII Types of Closings:

- A. FHA Loan
- B. VA Loan
- C. Conventional Loan
- D. Commercial Loan
- E. Assumption of all types of Loans (including FHA/VA Loans)
- F. Construction Loan

VIII Types of Real Property:

- A. Commercial
- B. Residential - Homestead
- C. Condominiums
- D. Planned Unit Developments (PUDs)
- E. Mobile Homes/Manufactured Housing
- F. Income/Rental Property

IX Preparing for Closings:

- A. Document Preparation
 - 1. Deeds-

- a. Various Types of Deeds - Warranties
 - b. Requirements of a Valid Deed
 - c. Agreement for Deed
 - 2. Affidavit of No Liens
 - 3. Mortgages and Notes -
 - a. Wrap Around Mortgages
 - b. Balloon Mortgages
 - c. FHA/VA Mortgages
 - 4. Conventional Mortgages-
 - a. Fixed Rate
 - b. Adjustable Rate/Negative Amortization Mortgages
 - 5. Purchase Money Mortgages
 - 6. Modification of Mortgages
 - a. Novation
 - b. Future Advances
 - 7. HUD Closing Statements - RESPA
 - 8. Termite Inspections
 - 9. Surveys -
 - a. Closer's Responsibilities - Review and Comment
 - b. Flood Certifications/Elevation Certificates
 - c. Legal Descriptions
 - d. Encroachments, Overlaps, and Boundary Line Disputes
 - e. Proper Certification
 - 10. All Types of Prorations
 - 11. Vocabulary/Terminology Used in a Closing
 - 12. Estoppel Letters -
 - a. Payoff Letters
 - b. Assumption Statements
 - B. Conduct of a Closer/Escrow Officer
 - 1. Responsibilities of a Closer
 - 2. Limitations of a Closer
 - 3. Handling Disagreements at a Closing
- X Disbursements:
- A. Responsibilities and Duties upon receipt of Funds
 - B. Various Types of Funds/Checks we can receive
 - C. Cancelled Transactions - Disbursement of Escrowed Funds
 - D. Establishing Escrow Account for Lenders or Customers
 - E. Reconciliation of the Closing/Settlement Statement

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

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

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

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

- I. Documents and Related Matters.
 - A. Requirements of a valid deed.
 - B. Various types of Deeds and their differences.
 - C. Effects of Acknowledgments.
 - D. Mortgages
 - E. Various types of Mortgages and their differences.
 - F. Explain what constitutes a default in a Mortgage.
 - G. Define documents relating to Mortgages, i.e. Assignments, Mortgage Modifications, Collateral Assignments, etc.
 - H. Tax Certificates and Tax Deeds and their effects.
 - I. Powers of Attorney's: their components and uses.
 - J. Types of restrictions and reverters.
 - K. Explain various types of Easements.
 - L. Murphy Act Deeds.
 - M. Judgments: their time limits and foreign judgments treatment.

- II Estate Matters
 - A. Decedent's estates and how they are created.
 - A. Testate vs. Intestate Estates.
 - A. Explain the various types of Probate Court files and administration.
 - A. Guardianships and their requirements.
 - A. Homestead Property and Probate Implications.

- III Construction (Mechanics) Lien Law
 - A. Basic Components
 - A. Notices of Commencement and its effects.
 - A. Claim of Liens and applications.

- IV Civil and Court Proceedings
 - A. Know the effect of divorce on title.
 - B. Bankruptcy and its Effect.
 - C. Mortgage Foreclosure.

- V Entities
 - A. Explain the different ways Trustees may hold title and requirements that should be made in dealing with same.
 - B. Types of Corporations - foreign, domestic, profit, dissolved, and alien.
 - C. Partnership Act, various types of partnerships and joint ventures.
 - D. Explain the various types of churches.
 - E. Explain the various types of tenancies.

- VI Title Products
 - A. Abstract of Title:
 - 1. What is an abstract.
 - 2. Explain the uses of an abstract.
 - 3. List parts of an abstract and types of title sources shown in an abstract.

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

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

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