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
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.**
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!!

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.
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

[Donate Today](#)
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.
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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!!

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South Bay Title Ins. Agency
Gary Dechellis

**President’s Club ($500)**
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Southern Title
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**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!

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

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<td>Tammy Bowers</td>
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THANK YOU FOR BEING A MEMBER!!!