I find it undeniable that a new age is slowly progressing towards us. Business and technology are merging and evolving into the age of electronic real estate transactions. This evolution is currently in the form of two online notarization bills before our Florida senators and representatives (Senate Bill 1042 and House Bill 0771).

However, we have a say in the direction of online notarization; we can shape the evolution of electronic transactions.

I find this opportunity too important to miss.

As I stated in my presidential address in November, the Florida Land Title Association is made up of feet on the ground professionals that grind out closings every day. We see the elation when first-time homebuyers receive their keys. We know the work that went into clearing title and ensuring the right people signed off on the deed.

We also see, firsthand, the devastation when fraudsters strike, using fake identification to refinance and cash out on someone’s property, or using a fraudulent power of attorney to liquidate and wipe out marital assets against an unknowing spouse.

The stakes are high in these bills. The good people of Florida depend on title professionals to get things right when they close. Their homes, businesses and wealth are dependent on clear and insured title to their land. That means notarizations must be performed correctly. No room for fraud in that simple fact.

That also means the legislature must get online notarization right, too.

As the experts on Florida property transactions, FLTA’s opinions and concerns about the online notary bills should be given great weight by the legislature.
The bills are technical in nature. They require a notary to use video equipment to examine identification, to see a signer, to watch a signature take place, and even to keep an electronic record of the transaction.

However, the bills lack minimal technical standards. There is nothing a notary must abide by regarding sufficient camera technology to examine ID, nothing to keep a person’s date of birth, social security number, job history and loan application protected from theft or hacking.

The bills call for a significant change in the procedure of how online notaries in Florida can verify ID and notarize a document.

However, the bills have no educational requirement to train notaries in this new option. A notary exercising this option can ‘give it a whirl’ the first time on his or her own.

The bills allow for universal, nation-wide recognition of other state’s online notarizations.

However, most states do not have online notarization, and the Florida legislature does not even know what those laws would look like. Would other states have minimum technical standards? Would they require minimal education? Would they enact legislation that safeguards against fraud and hacking?

Evolution and progress in our industry, just as any other, are inevitable; they are also good.

But progress must be done right, and Floridians must be protected. As our senators and representatives debate online notarization, I hope they give great weight to FLTA’s concerns. Together we can shape online notarization right.

This one is too important to miss.

With this I hope you will join us February 6th and 7th for our annual FLTA Lobby Days as our members come together to meet with legislators about this and other important issues.

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**REGISTER NOW!!**

**FLTA Lobby Days -- 2018 Legislative Session**

Join us in Tallahassee

Tuesday, February 6th and Wednesday, February 7th.

Help decision makers learn about title!
A year ago, in this position, Tim Steele explained why it is so important that the Agents Section of FLT A is active in the legislative process. We have always been diligent about protecting the buyers and sellers who are our customers. That continues to be the case this year. As you are reading this, the Florida legislative session is ongoing. The legislature is considering several bills that impact the buyers and sellers we serve and we are there giving our input into the process.

Many of our members may be unaware that our Agents Section retains a professional lobbyist to assist us in getting our message across to members of the legislature and their staffs. Our lobbyist is David Daniel of the firm of Smith, Bryan & Myers. David is an expert in government relations and public affairs and has a history of securing legislative wins for his clients.

Marketable Record Title Act: David Daniel reports that Senate Bill 266 sponsored by Senator Kathleen Passidomo CR-Naples) and House Bill 617 sponsored by Representative Katie Edwards CD-Plantation) are intended to amend laws related to covenants and restrictions. He explains that the bills extend statutory provisions regarding preservation and revival of covenants and restrictions, authorize real property owners to revitalize extinguished covenants and restrictions and simplify procedures for renewal of covenants and restrictions. At last report, the bills have cleared one committee in each house and are headed to a second.

Homestead waivers: The case law interpreting deeds to homestead property is a bit confusing. In some cases, a spouse who joined in a deed that included the transfer of "hereditaments" was found to have waived her homestead rights in the property. Senate Bill 512 by Senator Dana Young CR-Tampa) and House Bill 421 sponsored by Representative Lori Berman CD-Boynton Beach) are intended to address this by proposing language that would make it clear whether the spouse is intending to waive his or her homestead rights in the property described in a deed. This would come up, for example, if a husband who owns the homestead transfers it to his revocable trust by a deed joined by his spouse. Would a provision in the trust leaving the homestead on his death to someone other than his spouse be enforceable? In signing the deed, did the wife waive her right to inherit the homestead? The issue hinges on whether the spouse intended to waive her homestead rights in the property when she joined in the deed to her husband's trust. These bills are intended to clarify these issues.

Online notarization: Senate Bill 1042 by Senator Jeff Brandes CR-St Petersburg) and House Bill 771 sponsored by Representative J.W. Grant CR-Tampa) are designed to permit remote notarizations via the Internet. A company called Notarize, Inc., based in Virginia, is behind these bills. Some of the biggest concerns for us and our customers are proper identification of the person whose signature is being notarized and whether, unseen to the notary, the person is under duress. In either case, the validity of the document being notarized is obviously subject to question. Whether these bills or some
future bill gets enacted, I suspect that online notarization is something that is sure to come to Florida. I understand other states already have such legislation in place. I have heard that Notarize, Inc. is open to suggestions for improving their proposal. I look forward to working with our lobbyist, David Daniel, to be sure that our input is heard.

If you have any comments or suggestions regarding any of this legislation or any other legislation that you believe impacts our customers and our industry, please let me hear from you.

Agent Section Lobby Fund

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

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:

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Happy 2018! It is hard to believe that 2017 is over and done. I am very excited about 2018 and truly believe this is going to be a banner year for our Industry. With that being said, as the new Chair for the Certified Land Title Institute, I am truly honored to be working together with some of the most admired and respected professionals in the industry. The FLTA and the CLT are gearing up for a tremendous 2018 and I encourage you to become involved.

In November, we welcomed a new member, Erin Hebert to the CLC family. Marcia Cameron presented the award to Erin at our Annual Convention in Orlando. Congratulations Erin!

The Institute is designed to recognize title professionals who demonstrate the knowledge, experience and efficiency in the title industry. The CLT is committed to making sure our members have the tools to be proficient, experienced and highly educated professionals. And with that commitment to professionalism, comes our focus on education. With this designation, you will be immediately recognized by your peers and the industry for your understanding of the importance of proper procedure. Earning your Certification is an accomplishment that will translate into all aspects of your work. Additionally, having the Certification will not only put your employers at ease knowing that they have a committed and informed employee representing their business, but it will affirm to your clients that you are foremost in your field in knowledge, professionalism and commitment to your chosen craft.

Whether you are a closer, searcher or examiner, please take a moment to look over the information on the Certified Land Title Institute page of the FLTA. On top of all the other benefits, you will have the distinct honor of being recognized at our annual Convention held in November.

To obtain the certification of CLC (Certified Land Closer) or CLS (Certified Land Searcher), one must work for a title agency (corporate and/or attorney) and/or underwriter (in the capacity of the designation) for a minimum of 5 years, at the time of application. The purpose of this time frame, is to assure the applicant is completely familiar with a great deal of what is part of the position of a closer or searcher. We want the applicants to pass the exams. Having the full 5 years of experience will increase that wish, along with studying for the exam. The exams are divided into a morning and afternoon session, and both combined are expected to take 8 hours to complete. We split the exams into one being more technical directed questions and the other more practical, packages for closers and legal descriptions for searchers.

As employers, in searching for a candidate to fill a closer or searcher/examiner position, I would think one who holds a CLC or CLS would be put at the top of the list for hire. In addition, marketing would be easy to state you have certified personnel by the CLT Institute in your office. Another plus, when one receives the designation, 10 hours of credit (7 hours practical and 3 hours ethics) are awarded by the state!
We are hopeful that all who are qualified to sit for the exam will do so. We want our industry to be strong and keep the professionalism to the highest degree.

If you hold the designation of CLC or CLS and wish to become involved in the institute, please reach out to me at cblalock@firstam.com. I look forward to hearing from you.

Click **HERE** to order The Basic Title Insurance Handbook with the Booth Supplement Chapters.

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There are quite a few bills we’re tracking through the legislative session this year, as we gear up for Lobby Days in the first week of February.

The most significant for the industry include Senator Passidomo’s **MRTA Bill**, the **Electronic Notarization Bill**, and the **Homestead Waiver Bill**. None of these has FLTA’s formal support at this point, but FLTA has made comments and suggestions on each of the bills. The **MRTA Bill** in particular is likely to pass this session, and the **Electronic Notarization and Homestead Waiver Bills** seem likely to move forward at some point as well.

The **MRTA Bill** (SB 266, HB 617) would allow certain homeowner’s association covenants and restrictions to be revived and protected from extinguishment under MRTA. The Government Affairs Committee established a subcommittee led by John LaJoie and Tim Steele, who met with Senator Passidomo to discuss some potential technical changes to the definitions in the bill. While the Senator accepted some of these, the indexing provision is important to the Senator and is unlikely to be changed as the Bill moves forward toward likely passage. It passed the Senate Judiciary committee on January 10 and is headed next to the Rules committee.

The **Electronic Notarization Bill** (HB 771, SB 1042) would allow electronic notarization except in the probate context. The Bill is being actively supported by eNotarize, whose representatives spoke in depth at the last Government Affairs Committee meeting to answer many important questions about the available technology, and the identity confirmation procedures likely to be used. If you have questions, James Schlimmer of Cottrell Title & Escrow in Naples is particularly knowledgeable. The Bill is currently in the Senate Judiciary committee, and is sponsored by Representative Grant of Tampa.

The **Homestead Waiver Bill** (HB 4211, SB 512) provides language for deeds between spouses that will be deemed to waive a spouse’s homestead rights. A special meeting of the FLTA Board discussed potential revisions to this bill that would clarify the type of presumptions of waiver it would put in place, and what defenses to waiver might remain available. These recommendations have been passed on to David Danial. The Bill is sponsored by Representative Berman of Boynton Beach. It passed the House Agriculture committee on January 9 and is headed to the Judiciary committee. In the Senate, it remains in the Rules committee.

Three other bills have received FLTA support:

The **Unlawful Inducements Bill** (HB 483, SB 762), limits gifts by licensed insurers and agents to $25 dollars. An amendment to the bill has removed “per year” language. The **Lis Pendens Bill** (HB 599, SB 904), clarifies that a lis pendens operates all the way through a judicial sale of the property, where confusion had been created by the Ober case. This was a RPPTL
Section initiative, sponsored by Representative Altman of Indialantic. It is in the Judiciary committee in both the Senate and House. Another Section initiative, the Ejectment Bill (HB 631, SB 804), sponsored by Representative Edwards of Sunshine and Senator Passidomo, overhauls the language of the ejectment and unlawful detainer statutes to modernize them and clarify which is appropriate for different circumstances.

We are also tracking the Secure Business Filings, Identity Theft and Public Records, and Clerk’s Tax Deed Proceeds Bills as they move through the legislature. Please remember to join us for Lobby Days!

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Happy New Year! Now that the holidays are past, the Education Committee will be reconvening to go over the matters discussed at the November FLTA convention. Whereas mid-year the focus had changed, that direction has been cancelled and will go back to the original mission about creating a plan for FLTA members to use as a tool to recruit and train potential new employees via web and digital platforms. The next conference call for Committee members will be scheduled soon.

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Membership Corner

In this corner of the world, we wish every Member a Happy New Year in 2018!

In celebration of the New Year, we are kicking off 2018 with a Membership Drive to 5 (500 that is)! The Membership Drive will run until October 31, 2018 with the announcement of the winners at our FLTA Annual Convention held in November 12-14, 2018.

As an incentive to help everyone in the Membership Drive, we have a $500.00 CASH prize for the First Place Winner, the person who brings in the newest agencies (not branch offices of existing members) before 10/31/2018.

We have a “Logo” if you would like to use it for the Drive to 5 and we have a flier which we are happy to share with you so that you can email your prospects. Just let us know and we will forward it to you.

We know how important FLTA is to you, why not share that with those who are not members and ask them to join. Many Agencies are just waiting for someone to ask them to join, and many don’t even know that our State Association exists, so let’s get out there and drum up some new Members! YOU can do this!

One of the key benefits of being a FLTA Member is the legislative support of a Governmental Consulting Service and Lobbyist/Advocate which helps us navigate the proposed rules that come before the House and the Senate in Tallahassee. We are well informed of those situations that may impact our daily business.

NOT A MEMBER OF FLTA, JOIN TODAY!!!

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

THANK YOU FOR BEING A MEMBER!!!
The holidays are officially over and your organization is officially getting back into the work groove and ready to fill your open positions – but so is everyone else. During the competitive month of January, it is especially important to take advantage of valuable resources that can optimize your job posting.

At the FLTA Career Center our diverse suite advertising enhancements is designed to reinforce your brand and enhance the perception of your company among the most highly qualified, elite professionals.

It makes sense for you to be the employer of choice among any candidate and it makes even greater sense to use our recruitment branding tools to help. Visit the FLTA Career Center to start (or continue) the search for a title professional to positively impact your business in 2018!
E-Closings: On the Horizon
In a world where long established retail outlets are rapidly closing or being transformed into merely showrooms as clothes, automobiles, food, transportation services and even medical services are acquired online it would be hard to imagine that the real estate settlement industry would remain unaffected by consumers and our real estate industry partners preference for enhanced convenience and efficiency. The building blocks necessary for conducting electronic, paperless closings which are seen as both more convenient and efficient are being put into place and will allow for the transformation of the closing process. Real estate laws, many of which date back to the 13th and 14th centuries, have been or are currently being amended to allow for remote e-notarizations, e-signatures and e-recording. The Florida legislature is currently considering House Bill 771/Senate Bill 1042 which would authorize remote e-notarizations in Florida. The FLTA is proud to sponsor a free webinar for our members on e-notarizations in Florida on Thursday, February 15th at 11 am. We are very fortunate to have Jennifer Bloodworth, Esq., Senior Underwriting Counsel at First American Title Insurance Company presenting this webinar. Additional information on this webinar will be forthcoming and can also be found on the FLTA website at FLTA.org. Our real estate industry partners are also doing their share to assist in the implementation of e-closings. Fannie Mae has published “How to implement eMortgages” and Freddie Mac has issued it’s “eMortgage Guide” and both have been actively advocating for the transition to e-closings. I remember many years ago arguing relentlessly for the purchase of the very first fax machine for our office to help us answer underwriting questions faster and being told “it will ruin everything, people will want answers right away.” I did get my fax machine and, of course, people did want answers right away. It was an excellent lesson that advancements which increase efficiency and convenience must be embraced because they certainly can’t be ignored.

The Florida Land Title Association is looking forward to helping you stay ahead of and embrace these changes to the closing process as they are gradually implemented over the next several years.

Remote Notarization Webinar
(APPROVED FOR 1 STANDARD CE CREDIT)
presented by Jennifer Bloodworth
with First American Title Insurance Company
Thursday, February 15th at 11:00 a.m.
Member Registration
Non-member Registration
FLTA would like to give a BIG thank you to those that have not only contributed a portion of their membership dues, but contributed even more throughout the year!!

**Chairmen’s Club ($1,000)**
- South Bay Title Ins. Agency
- Gary Dechellis
- Southern Title

**President’s Club ($500)**
- North American Title Co.
- North American Title Ins. Co.
- Island Title & Escrow Agency

**Ambassador's Club ($250)**
- Carr, Riggs & Ingram, LLC
- Melissa Murphy
- Alliant National

**Gold Club ($100)**
- Larry Deal

**Silver Club ($50)**
- 1TRACT-Lee Swaffield
- Barry Scholnik

Help your voice be heard in Tallahassee by donating today!
New Year, New You

Happy New Year FLTA! Two thousand eighteen is here and will be an exciting year, what are your plans to make it the best year yet?

Perhaps a little biased here, but it is my hope that one of your goals is to become more involved in your industry association and as we do every year, we invite our members to become more active. How do you do this you ask? While it may seem simple it is not uncommon for one to not know where to begin. So, let’s begin with your interests; what are you interested in?

1. Professional Development
   a. If professional development is a top priority for you then we would invite you to be involved in the Education Committee. Education is a key component to our industry and we are constantly interested in new material and presenters. Perhaps you have an idea bottled up you’d like to see come to fruition.
   b. If you have received your CLS or CLC designation, you may be interested in being a part the CLT Institute and offer your support and experience to next year’s working group.

2. Recruiting
   a. The stronger our network is, the stronger our association becomes. Our Membership Committee has set out a goal of bringing our association to 500 company members strong by November 2018. With meetings occurring monthly you can be a part of this active group constantly looking for ways to enhance the overall membership experience. Join our “Drive for 5” challenge by recruiting new agency members and you could win a $500 gift card.

3. Politics
   a. While the topic of ‘politics’ may not be of interest to everyone. Your experiences and desire to be ahead of the game are certainly worth noting. What are your general experiences in the industry? What are you seeing in your day-to-day tasks? What regulation would make our industry better, what regulation hinders you from accomplishing your task? What regulation is coming down the pipe in 2018? These are all questions that can be addressed through the vehicle of our Government Affairs Committee. Through a strong partnership with the Department of Finance, Office of Insurance Regulation and our State Legislature you have a voice. As we continue to work together we welcome you to be a part of the conversation and encourage you to be “in the know”

Of course, these are just a few of our committees and we welcome your participation at any level as we kick-off 2018. Just know you have an open invitation. Speaking of invitations, if you have any questions about any of our committees please don’t hesitate to send an email to Scott@FLTA.org for additional information.

Wishing you a successful 2018!
We would like to thank you all that joined us at the 2017 FLTA Annual Convention! It was educational and fun! A big thank you to our sponsors and exhibitors. We hope to have even more fun at the FLTA 2018 Annual Convention. More details to come. You don’t want to miss it!
Selecting the best Closing Software for your company is absolutely a critical decision.

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Realizing all the features and functionality that you were shown, make sure their proposal:
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We include in our proposal a minimum of Two days of on site training in your office by a company trainer with title and settlement experience. All of our quotes provide a full explanation of what is included, as well as our fees. There is no substitute for Two Real Days of onsite training in your office.

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