



GOOSE NEWS

Let's Give Them Something To Talk About....

The Legal Corner: By Teri Callen Stomski, Esq.

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Thank You!

Goose's Beak

By all accounts, this year's seminar was quite a success and boy, did it give us something to talk about! From Justice Pleicones' witty and insightful discussion of recent real estate cases to news of upcoming regulatory changes and data calls to emerging trends in residential and commercial transactions, this Annual Seminar was packed full with great practice tips.

1 With so much information, it was a lot to take in at once. Here are some of the title tips that were in the spotlight:

- If a lender asks you to modify an existing policy, determine whether there is a new note, i.e. a new debt. If so, issue a new policy, rather than an endorsement, and be sure to check for intervening lienholders that might affect the priority of the original mortgage. Please contact the SC Office if asked to endorse a policy.
- Judgments may have "active energy" after its 10 year expiration if there has been any action to enforce the judgment within that 10 year period. Be sure to search for any supplemental proceedings!
- When quieting a title to heir property, you must first dispel the myths. Thereafter, you should conduct a full title search, begin making a chart of heirs, dispel the myths again, begin drafting the pleadings, arrange for a Guardian ad Litem, and again dispel the myths you already dispelled twice before.
- With all the recent changes, if you are insuring a REO/foreclosure/deed in lieu property, please review recent Investors Title memos to stay up-to-date on the most current underwriting requirements.
- If a client wants to take advantage of economic incentives when acquiring property, they must do so before signing a letter of intent or contract to purchase.
- If issuing an ALTA 9 endorsement, be sure to take specific – not blanket – exceptions as to covenants and restrictions, easements, encroachments and matters shown on surveys.
- When underwriting access for a property, be sure that the property abuts a publicly *dedicated* roadway and not just a publicly maintained roadway. If the property has access through an easement, be sure to search the property giving as well as receiving the benefit of the easement and review the easement granting document to be sure the easement you are insuring is valid.
- Check with the municipality where the property is located for any pending municipal liens. These tend to surface with distressed/REO/foreclosure properties.
- After the *Matrix* and *Coffey* cases, if insuring a mortgage, mortgage modification or future advance, confirm that a licensed S.C. attorney supervised each step of the transaction as required by *Doe Law Firm v Richardson*. Otherwise, you may be insuring an invalid instrument.

These are but a few of the timely and relevant topics covered by our talented speakers. For more title tricks of the trade, be sure to check out our iUniversity Training calendar in this newsletter!

Be Sure to
Catch our
2010



Seminar
Snapshots

on

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The Department of Veterans Affairs issued Circular 26-10-9 on July 30, 2010, which implements new requirements regarding closing costs that became effective October 1, 2010. According to the new disclosure requirements, “lenders must include an itemization of (a) seller, lender, mortgage broker, or real estate agent/broker credits and (b) title service charges.” The VA revised this Circular on August 6, 2010 to clarify language regarding the title service charges.

What does this mean for you?

This new requirement affects HUD-1 preparation for VA loans in two ways. First, if a party other than the borrower contributes to any closing costs on the Buyer’s behalf, then the lump sum credit shown in the 200 series of the HUD-1 must be itemized. Secondly, Line 1101 of the HUD-1 for title services and lender’s title insurance must be itemized.

Your Solution:

Both solutions can be found within SoftPro. To show which charges the Seller paid on behalf of the Buyer, simply check the “Seller Pay” box next to each charge, print the “Closing Costs Paid by Seller” document and include it as an attachment to the HUD-1. To show the itemization for Line 1101, simply attach Page 4 of the HUD-1.

Circular 26-10-9 dated July 30, 2010 can be found at the following link:

http://www.benefits.va.gov/homeloans/circulars/26_10_9.pdf

Circular 26-10-9 – Change 1 dated August 6, 2010 can be found at the following link:

http://www.benefits.va.gov/homeloans/circulars/26_10_9_change1.pdf

Please contact the South Carolina Office at 800-732-8005 or southcarolina@invtitle.com should you have any questions.

New Enhanced Process

i TRACS

Reconciliation Services

Powered by Rynoh

Benefits:

Daily Three Way Reconciliations

Customized Email Alerts

Eliminates Disbursement Errors

Eliminates Financial Losses

New Flat Fee of \$125 per month

Requirements:

ProTrust and online banking

Contact the SC office for more information

**Because you’ll save TIME, MONEY and,
quite possibly, your BUSINESS.**



“Developing Solutions to Grow Your Bottom Line”

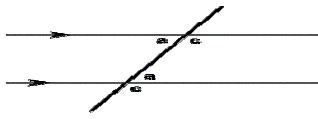
SoftPro 360°

Introduces



Also compatible with other Software!

See attachments following the newsletter and call the SC office for additional information.



The Audit Angle

Are you protected from ACH theft?

As an attorney, your trust account is on constant display. With multiple checks cut on every closing, your bank account number is everywhere. As a result, the instance of theft via ACH transfers is the rise. What is an ACH transfer? ACH is an acronym for Automated Clearing House and is simply an electronic transfer of money into (credit) or out of (debit) your account. Most of us have regular ACH credits such as direct deposits of payroll and tax refund payments, and debits such as payments for bills like a mortgage, car payment, utilities, etc. on our personal accounts; however, this same process can be utilized on your trust account. All someone needs is your account number with your routing number, which can be found on any check you issue.

How can you be protected? A trust account should never have unauthorized transfers out of it, so talk to your bank about placing an ACH block on your account. These blocks prohibit ACH debits from your account, and will keep you and your clients' funds safe from this type of theft.

Agent IDs

eLynx and other similar companies providing electronic delivery of closing documents may ask you for an Agent ID in order to obtain the closing package. Investors' internal information is not shared with these companies; however, if you would like to use the ID number we have assigned to your office, it can be located as the 4 digits after 'SC' of your commitment & policy jacket numbers.



ICL Update

Mortgage Network, Inc. will not accept the standard ALTA Insured Closing Letter that is issued from the ICL Generator, due to a limitation in the time claims can be filed. As a result, manual letters were being issued from the South Carolina Office to satisfy this lender's request.

We have changed the lender listing for Mortgage Network, Inc., ISAOA, ATIMA within the ICL Generator to allow issuance of the modified letter that they will accept. Please use this lender listing for Mortgage Network ICLs to ensure the correct letter is issued.



Investors Title Exchange Corporation

Same Day Turnaround

1031s

For an exchange coordinator, call

800-724-8791

or visit

exchanges@invtitle.com

Investors Title 2010 South Carolina Annual Seminar Columbia Metropolitan Convention Center





2010 Training Calendar

Course	CLE/CE Hours	Scheduled Times	Location	Dates Offered
Title I	4	10am to 3pm	State Office	October 6 th
SoftPro	5.5	9am to 4pm	State Office	October 7 th
Keeping the Trust	3	9am to Noon	State Office	October 13 th
Title II	4	10am to 3pm	State Office	October 21 st
Endorsements	3	10am to 2pm	State Office	November 3 rd
Word Merge	None	10am to Noon	State Office	November 10 th
Exploring Expanded Coverages	1	10am to 11am	Webinar	November 11 th
Title I	4	10am to 3pm	State Office	December 1 st
SoftPro	5.5	9am to 4pm	State Office	December 2 nd

Seating is limited. Please register early by calling the State Office at 800-732-8005 or email southcarolina@invtitle.com.

Title Talks:

Digging Deeper to Reduce the Risk (expires 11-04-2010)

<https://www1.gotomeeting.com/register/402199705>

Fixture Filings (expires 05-17-2011)

<https://www1.gotomeeting.com/register/614767168>

SC Bar CLE's - Distance Learning:

Access & Easements: You CAN Get There From Here - Teri Callen Stomski- 1.0 hrs CLE

ALTA Title Insurance Jackets: 2006 and Beyond - Teri Callen Stomski 1.0 hrs CLE

Condo Development 101 -ITIC 2009 Annual Seminar -1.0 hrs CLE

Curing Title Problems -Teri Callen Stomski -2.0 hrs CLE

Real Estate Case Law & Legislative Update -Teri Callen Stomski -1.0 hrs CLE

RESPA Reform: What is it and How Will it Impact You? - Mike Aiken, ITIC - 1.8 hrs. CLE

2009 Real Estate Ethics Update - 5hrs Ethics CLE

Course Descriptions

Title I- This course was designed with the novice underwriter in mind, and it has proven to be a great refresher for even the most seasoned real estate attorney. This course provides an intermediate understanding of the Title Insurance process and underwriting. CLE Credit Hours 4

Title II -Commercial transactions can get very complex, yet they can be very beneficial to the success of your practice. Students are provided with information on getting started in commercial transactions, commercial underwriting and endorsements. CLE Credit Hours 4

Endorsements-This course will provide a comprehensive understanding of endorsements covering the guidelines for usage; requirement and exception language; and charges. CLE Credit Hours 3

Mutual Indemnification Agreement-This course will discuss uses and proper underwriting for Mutual Indemnification Agreements. CLE Credit Hours 1

iJacket Manager-Investors Title Insurance Company uses electronic jackets. This is a one hour webinar course that will teach you the functions of iJacket Manager from selecting a jacket to processing your monthly remittance. Non CLE Credit Hours

SoftPro-This course is designed for the beginning SoftPro user or those desiring to refresh their skill. ProForm, ProTrust and Pro1099 are covered in this class. CLE Credit Hours 6

Title Talk Webinars-Great for a brown bag "lunch and learn" day. Title Talk webinars are one hour trainings resulting from claim activities, current market issues and agent demand. Please contact Investors Title Insurance Company for a list of available Title Talk webinars. Non CLE Credit Hours



Scam Alert



We have recently received information regarding several attempted frauds that are targeting Attorneys and Real Estate Agents across the State. A realtor is approached via email by the proposed Buyer requesting help with a cash transaction and informs the realtor that he or she is out of the country. The Buyer requests a referral to an attorney that would be able to hold the purchase money in escrow. The realtor then contacts an attorney and informs them that the Buyer is going to be sending a check for the full purchase price to be held in escrow. The attorney may be contacted directly regarding holding funds in escrow, or he may be asked to disburse the earnest money from the check to the realtor, after which the funds are asked to be returned immediately. The intent of this scam is fraud, as the check is phony.

Please contact the South Carolina Office at 800-732-8005 or southcarolina@invtitle.com should you have any questions.

Year End Reporting

In preparation for the year-end reporting, we want to encourage you to begin reviewing your files so that all outstanding policies and premiums will be remitted to us by December 15, 2010. Below are some helpful hints to ensure that all outstanding policies are accounted for and remitted:

In iJacket Manager, you can generate a report to show all policies that have been issued but not remitted.

- Go to your Remittance Tab
- Scroll to bottom of page
- Click Preview

Print and review

You can also generate a report to show all outstanding commitments.

- Select Reports on upper menu
- Select Outstanding Status on left side of screen
- Select commitment status from drop down menu
- Through date will be the current date
- Click on the Adobe PDF icon

Print and review

Review your outstanding checks report in your most current escrow reconciliation for any outstanding title insurance premium checks payable to Investors Title Insurance Company. This will indicate which files contain policies that have not been remitted.

Review files that you may be holding the final policy for receipt of recorded documents, satisfactions of liens, or other issues to be resolved.

**SOUTH CAROLINA
INVESTORS TITLE INSURANCE
COMPANY**

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Suite 216
Columbia, SC 29204

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E-mail: southcarolina@invtitle.com



Investors Title Company
INNOVATIVE BY INSTINCT

We are on the web!
www.sc.invtitle.com



Investors Title boasts
excellent financial
stability.

There is no debt and
no goodwill on the
Company's balance sheet.

**THANK
YOU SO
MUCH!**

With the holidays fast approaching and the end of the year drawing near, we want to take this opportunity to remind each of you how important you are to us. Without your continued support, loyalty and partnership, we would not have experienced the successes we have in 2010.

We all deserve a pat on the back for weathering the RESPA Reform storm, as we have done with many of the challenges that we have faced this year. At Investors, we remain confident that our agents are among the most informed and prepared for the challenges of our current market environment.

Our focus and goal continues to be to provide the best support, tools and resources for you and your business. This year, key deliverables have been enhancing SoftPro training and guidance, RESPA Reform Seminars, Realtor CE courses, and our growing library of iUniversity courses for CLE hours. We also provided eBrochures and Lender Fee Sheets in an effort to create marketing tools. I am excited about the new and improved iTracs solution, which is our enhanced reconciliation service that will provide recons daily at more affordable rate. April 2011 will bring about additional integration with ICL, iJacket and SoftPro: increasing your productivity and creating time saves for your offices. As we have said many times, none of this would have been possible without your feedback and commitment to Investors.

We look forward to 2011 and the opportunity to continue serving you as your underwriter. We remain focused on standing with you as we weather the challenges of the industry, responding to your needs and being diligent in finding solutions for growth. We want to express our sincere appreciation to you for your continued support of Investors.

Thank you for being a part of the Investors Title family!

We wish you and your families every happiness during the upcoming holidays!

Kim Wells

VP, Marketing and Operations Manager



From the Goose's Beak

- Calendars have arrived! They are being delivered by your friendly marketing representative.
- Need help with your monthly remittance? Call the SC Office!
- Be on the lookout for your next Desktop Audit and Annual Renewal.
- Please be sure to provide your current E&O binder each year. Include the full policy and/or addendums if your carrier or coverage has changed.
- Reminder: eBrochures are now available. Call your SC office for additional information.
- Check out the revised New Agent Orientation Webinar on the SC Training Courses webpage.

NEED RELEASE TRACKING?

Did you know that **17%** of all paid off mortgages are never released or recorded?



THE OLD WAY

- Delayed closing, claims and poor client perception
- 36% of payoffs need to be cleaned up before closing
- Unreleased liens cause stress for all involved

RELY ON reRequire.

reRequire guarantees results for settlement agents, attorneys, title agents, underwriters, escrow and lenders.

reRequire's patent pending Release Tracking Service provides a revolutionary, no-cost, web-based tracking, reporting, and release solution to settlement agents, attorneys, title companies and lenders. Our goal is to facilitate payoff and release communication between the payoff lender and the settlement agent, attorney or escrow company.



www.gorequire.com

NO COST. NO RISK.

Did you know that everything that is done to a file after closing and disbursement costs you money?



THE reRequire WAY

- Drive profits, efficiency, and compliance up, up, up!
- 100% of your liens - tracked, obtained and guaranteed
- Enables improved client service

HOW reRequire WORKS:

- **No-cost solution** - recoup your costs by adding a \$35 title tracking/release fee on the HUD-1.
- Use reRequire Payoff Disbursement Generator to capture and register Deed/Mortgage information.
- reRequire reports the results of each Security Instrument in your secure reRequire webpage.
- Your information is accurate and available - 24 hours a day, 7 days a week.
- **No setup fees**, easy signup and you say goodbye to post-closing stress!



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Available through SoftPro 360°
Call the SC office For More Information.