

# In The Corner

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OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

## Maximizing Coverage For Your Customer

■ *Suzanne M. Barry, Florida State Counsel*

The Florida Form 9, Form 9.1, and Form 9.2 endorsements are an excellent means to increase the coverage provided to customers when issuing a title insurance policy. While it is common to issue a Florida Form 9 to lenders, agents should also routinely inform purchasers obtaining owner's policies of the availability of the Florida Form 9.1 or Form 9.2. When offering the Florida Form 9.1 or Form 9.2, agents should review with purchasers the affirmative coverage provided under the endorsements.

The Florida Form 9.1 is available for unimproved property. The Florida Form 9.2 is available for improved property. Both endorsements insure that, unless expressly stated in Schedule B, certain title matters do not exist. Those matters include violations of enforceable covenants, conditions or restrictions, that the restrictions do not provide for easements, assessments or first refusal rights, and that no improvements on adjoining land encroach onto the insured property. Both endorsements also affirmatively insure against damage to buildings as a result of the exercise of the right to use the surface of the land for the extraction or development of minerals excepted from the description of the land or excepted in Schedule B.

The Florida Form 9.2 contains considerable additional coverage for improved property. It provides that, unless excepted on Schedule B of the policy, no existing improvements on the insured property encroach onto the adjoining property or into any easement. Importantly, agents should note that the Form 9.2 may also give affirmative coverage even when certain matters are expressly excepted from coverage under the policy. Specifically, the Florida Form 9.2 may provide coverage against loss incurred as a result of damage to an existing building encroaching into an easement. It may also insure against any loss suffered as a result of a final order requiring the removal of an encroachment that was listed in Schedule

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## New Way to Generate Policy Jackets

■ *By Walt Donovan, Director of Florida Title Operations*

We are pleased to announce that Old Republic Title's ezJacket Generator program is now available to our Florida agents. The program will enable agents to generate policy jackets and remit statistical policy information through the StarsLink web site.

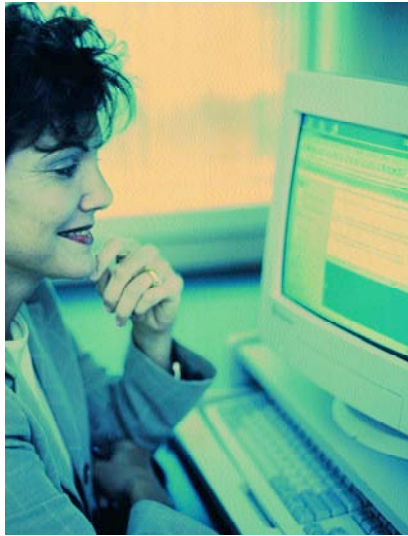
The ezJacket Generator system eliminates the need to store and account for paper jackets and automatically computes policy premiums, calculating reissue and substitution loan rates and the underwriter remittance. In addition to generating the jackets themselves, the program will allow you to view and print reports of both your reported and unreported policies, and eliminate log book recordkeeping.

Access to ezJacket Generator will be through our agents' only website, StarsLink, and if you are not a current user, you will have to register for StarsLink. Please contact your agency representative who will be able to assist you in registering, if you have not already done so.

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# Notice to Agents

In early 2008, we stopped mailing our Bulletins and started transmitting both our Alerts and our Bulletins using two different delivery systems – broadcast fax and email. Since we only fax one copy to each agent, email reaches the largest number of people in your office. That



is why we prefer sending information using that mode of delivery.

However, once we began delivery by email, we started receiving hundreds of “Undeliverable,” “Mail Delivery Failed” or “Mail Delayed” responses to our emails, and we realized that a lot of people were not getting our transmissions.

The reason is probably because your Outlook program has blocked us from your in-box. In order to prevent Old Republic from being blocked, you can open your Outlook program and go to **Tools, Options, Preferences, Junk Email, Safe Senders, and ADD**. In the “Add address or domain” box, type in the following email address:

[cwhitmire@oldrepublictitle.com](mailto:cwhitmire@oldrepublictitle.com). By doing that, your system will recognize Old Republic as being a legitimate address, and it should accept our Alert and Bulletin emails so you won’t miss any important information, news or instructions from our company.

If you have difficulty adding the address to your Outlook, please give Connie Whitmire a call at 800-342-5957, ext. 220.

**REMINDER: If your email address, mailing address, phone or fax numbers change, please notify Donna Richmond ([drichmond@oldrepublictitle.com](mailto:drichmond@oldrepublictitle.com)), Tanya Carlson ([tcarlson1@oldrepublictitle.com](mailto:tcarlson1@oldrepublictitle.com)) or Pat Martin ([pmartin@oldrepublictitle.com](mailto:pmartin@oldrepublictitle.com)) as quickly as possible so they can update our records. Also contact them if you would like your email added to our system.**

## *New Policy Jackets* continued from page 1 —

After signing into StarsLink, you will go to the Agent Services menu and select ezJacket/ezRemit. You will need to register for ezJacket/ezRemit the first time you visit the site. Complete the registration information and submit by clicking the “OK” button. Authorization will be approved by our state office and you will receive an email with an activation link to gain access to the program.

We hope you will enjoy the relief from maintaining paper inventory and log books that ezJacket/ezRemit provides. Your account representative will call on you shortly to introduce the program to you.



■ **Robin Cardella,**  
Vice President and  
Mid-FL Operations Manager

We are extremely proud to announce additional companies who have made a commitment to Old Republic National Title Insurance Company and its customers:

**Abel Band, Chartered**  
Sarasota – 15 years

**Marlowe & Weatherford, P.A.**  
Winter Park – 10 years

## *Comments* and information

We invite your feedback and welcome your suggestions regarding “In The Title Corner” and the publication of future articles. Address correspondence to:

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# Maximizing Coverage For Your Customer continued from page 1—

B (other than a fence, landscaping or a driveway) from neighboring property. Further, Form 9.2 may cover loss suffered as a result of an order denying the insured's right to maintain an existing building because of a violation of platted set back requirements, covenants, conditions, or restrictions.

When asked to provide affirmative coverage over a known violation or encroachment, the agent should carefully evaluate the risk involved and the likelihood of a loss. The analysis should include considerations such as how long the encroachment or violation has been in existence, how significant the encroachment or violation is, and the value of the property. Note, however, that even if the determination is made that coverage under a specific paragraph of the endorsement should not be given over a known violation or encroachment, the agent may still issue the endorsement thereby providing the owner the benefit of the remaining coverage. In that instance, a notation deleting the specific coverage should simply be added to Schedule B and the Form 9.1 or 9.2. For example, if a newly constructed house encroaches onto the neighbor's parcel, the encroachment must be expressly excepted in Schedule B and the following language should also be added to the exception: *"Coverage under paragraph 3 of the Florida Form 9.2 shall not apply to the previously described encroachment."* The following notation may also be added to the bottom of the endorsement: *"Any deletions from the coverage provided under this endorsement appear in Schedule B of the policy."* By doing so, the owner is made aware of modifications to the coverage provided in the endorsement and directed to where those modifications may be found. Agents should always feel free to contact our underwriting department to review the analysis with counsel. We will be happy

to assist you in determining whether providing affirmative coverage is appropriate.

The premium for a Florida Form 9 on a separately issued lender's policy is a minimum of 10% of the total policy premium; however, on a simultaneously issued lender's policy, the premium for the Florida Form 9 is a minimum of 10% of the aggregate of the owner's policy and lender's policy premiums. The premium for a Florida 9.1 or 9.2 is a minimum of 10% of the underlying underlying owner's policy.

As always, if you have any questions, please contact the Underwriting Department at (800) 342-5957.



## Retirement News

**Virginia Prosser**, an examiner in the Tampa Title Plant, decided it was time to hang up her pencils, rulers, and magnifying glass and has retired. She was with Old Republic Title over 10 years, and did residential and commercial examinations. Needless to say, we will miss her tremendously, but we all wish her the very best for a happy, healthy, and very lengthy retirement!

Watch out all you fishes – Virginia is on the prowl with her rod and reel!



Virginia Prosser and Chuck Ferguson



# Ask Your Underwriter

■ *Carolyn Broadwater, Florida State Counsel*

**Question:** How long after the foreclosure does the borrower have the right to redeem?

**Answer:** Any party to a foreclosure action has the right to redeem by paying the full judgment amount any time before the filing of the Certificate of Sale or at the time specified in the foreclosure judgment, whichever is later. There no longer exists a redemption period following the sale, except for the United States. The United States of America, if joined as a defendant, has the right to redeem within 120 days of the completion of the foreclosure. See §45.0315, F.S.



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