Ask Your Underwriter

■ *Linda M. Hernandez, Florida State Underwriter*

Question: Which NEW issues are covered by the Second Revised Treaty?

Answer: There are five (5) **NEW** areas addressed in the Second Revised Mutual Indemnification Treaty recently approved by various underwriters.

1. Lack of recorded death certificate;
2. Lack of evidence of payment of Florida and Federal Estate Taxes;
3. Lack of subscribing witnesses to any recorded deed less than five (5) years old;
4. Incomplete or insufficient acknowledgment in any instrument affecting the chain of title by reason of the following defects:
    a. Failure to include a seal or stamp;
    b. Failure to state that one or all of the parties appeared before the notary;
    c. Failure to include an English translation of any portion of the acknowledgment when it is written in another language;
    d. Lack of authority of notary acknowledging instrument; and
    e. Failure of the notary to designate whether the party(ies) acknowledging the instrument possessed a statutorily acceptable form of identification or was/were personally known to the notary.
5. Lack of corporate seal, if applicable.

For a review of the parameters of the treaty and other areas where the existing treaties have been expanded, please refer to ORT Bulletin # 06-02.

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