



TITLE TALK

Old Republic National Title Insurance Company

December, 2011

Volume 10, Number 4

MARYLAND EDITION

A Holiday Message From The President

Dear Friends:

This year marks my second in the upper Midwest and already I've found myself developing a sense of excitement when the first flurries fly. While I can live without the cold, there is something blissful about falling snow that launches me into the holiday spirit. I know I'm not alone when I say that as soon as the white stuff starts accumulating, I become sentimental. Suddenly I find myself reflecting on past holidays, and the special memories created with family and friends.

It is during the holiday season that we often reflect on the year that has passed and the one yet to come. 2011 has not been without its challenges. The housing market continued to struggle. Home prices fell or remained flat, and an excess supply of houses await families and young people that can't afford them due to more restrictive loan qualifications and limited job growth. Other aspects of the economy have suffered as well, creating an environment that for many is uncertain.



Having weathered many uptimes and downtimes, we know that the best strategies are tried and true. Looking to 2012, I am confident in our ability to thrive. At Old Republic Title, we're not here to rewrite the book. Built upon a solid financial foundation, we will continue to employ the same conservative management philosophy and commitment to making ethical business decisions that we've utilized since 1907. It is this adherence to doing business with integrity and standing by our obligations that has made Old Republic Title the highest overall rated title insurer in the nation for 19 straight years. It also has contributed to the continuance of our market share growth, as well our reputation for superior products and services.

Key to the success of our Company has been the dedication and support of our employees, agents and customers. As a wise person once said, "You cannot plow a field by turning it over in your mind." At Old Republic Title, we aren't afraid to roll up our sleeves. We don't sit by the sidelines. Your commitment and hard work make countless American Dreams possible. Thank you for your friendship, loyalty and business.

All of us at Old Republic Title wish you and yours a joyous and peaceful holiday season. May the New Year bring you continued wellbeing, happiness and success.

Sincerely,

Mark Bilbrey
President, Old Republic Title Insurance Group

Columbia Corporate Park—8840 Stanford Blvd., Suite 4500- Columbia, MD 21045
(410) 953-6763 (800) 664-8306

**Court of Appeals
Rules on Ground
Rent Registry
Case**



The Court of Appeals of Maryland recently reviewed the validity of those provisions of the Annotated Code of Maryland pertaining to the Maryland on-line Registry of Ground Leases system (*Real Property, Title 8, Subtitle 7*). The system is a means through which a ground rent tenant could identify and locate the owner of a ground rent and, in addition, serves as a source of important in-

formation pertaining to individual ground rent interests. Under the law, ground rent owners were required to register their properties with SDAT before September 30, 2010 and the failure to do so would result in the extinguishment of the owner's ground rent interest. Through the process of extinguishment, the lessee could acquire fee simple title to the property. The Court of Appeals, in *Charles Muskin, Trustee v. State Department of Assessments and Taxation*, held that the extinguishment and transfer provisions of the law are invalid. The Court, however, upheld the registration requirements of the law. For underwriting guidelines, please refer to Old Republic Bulletin 11-025, which can be found on Starslink, or contact any of our Maryland underwriting counsel.

**We're Going Social!!
Facebook and Twitter**

Old Republic Title has recently launched a Facebook page. Please feel free to check it out and click on "Like." In addition, you can now follow Old Republic on Twitter at "@OldRepTitle".



Here's to Long-Term Relationships!

Congratulations to J. Harrison Phillips, III, Esquire, of Ocean City, on his 20th year anniversary as a policy-issuing agent for Old Republic! We are looking forward to 20 more years!



MAHT Account Reporting

We usually send this reminder in March, but thought it might be a good idea to send it out a little further in advance this year. Title insurers and title insurance agents are required to file an annual report pursuant to the Code of Maryland Regulations (COMAR) governing the operation of Maryland Affordable Housing Trust (MAHT) accounts. The annual report is due on or before March 31st for the immediately preceding year ending December 31st; therefore, the annual report for 2011 is due on or before March 31, 2012. It is important the most current reporting form is used. The form can be obtained by accessing the MAHT website through the link under Quick Links on our website (www.oldrepublictitle.com/md), by mailing a re-

quest to MAHT, 100 Community Place, Crownsville, Maryland 21032, or by sending an e-mail request to TitleCompanyAnnualReport@mdhousing.org. Remember, it is the responsibility of the title agents, not their banks, to file this report.

****KEEPING CURRENT****

While we have not yet selected a date, we plan to reschedule our recently postponed DC Seminar for March or April of next year depending on the progress of the DC Council with respect to pending statutory revisions.

Should you need any additional information with regard to any of the above items, please contact the Maryland state office.

Old Republic Joins In Supreme Court Amicus Curiae Brief



Old Republic National Title Insurance Company, together with Stewart Information Services and Fidelity National Financial, filed an amicus curiae brief in the matter of *First American v. Edwards*, which was scheduled to be argued in the Supreme Court of the United States on November 28, 2011. Edwards filed a class action suit in California against First American alleging RESPA violations and claiming she was injured by First American's partial ownership and preferential relationship with the title agency that handled her closing and sold Edwards her title insurance policy. She alleges injury despite the fact that she paid the same state-approved rate for title insurance on this Ohio property that she would have paid had her policy been issued by any other insurer and, consequently, had no monetary damages.

If the Supreme Court allows the Ninth Circuit's decision to stand, there could be far-reaching effects for the title industry and other industries as well. In addition to the underwriters' brief, the American Land Title Association filed an amicus brief. Facebook and the auto industry have also weighed-in in support of First American's position in this case. We will continue to monitor this case and report on the Supreme Court's decision once it is rendered.

Old REpublic Title REminders.....

- **REconcile Monthly**
- **REview Reconciliation Timely**
- **REctify Discrepancies and Deficiencies Immediately**
- **REmit/Report Policies Regularly**
- **REport Changes in Producer Appointments, Terminations and Errors & Omissions Coverage**



REgarding the requirement to report changes in licensed personnel to their underwriter, agents should be aware of MD Code, Insurance Article, Section 10-121(k)(1) which states that a "title insurance producer SHALL notify any title insurer with whom the title insurance producer holds an appointment whenever a person licensed under this subtitle becomes employed by, or associated with, the title insurance producer." In addition, Section 10-121(l) states that whenever a title insurance producer has a licensed individual leave their employment or end their association, the title insurance producer (agent) must not only notify their underwriters, but they also SHALL notify the Commissioner of the Maryland Insurance Administration within 5 working days by certified mail. Finally, pursuant to Section 10-117, it is incumbent upon title producers to notify the Commissioner of any change in legal name, trade name, or address, within 30 days.



Richard N. Harvey, Esq.
Vice President
Maryland State Manager
410.953.6763

Judy Unruh
Assistant Vice President
Agency Manager
301.948.8500

Donna L. Bowman, Esq.
Assistant Vice President
Underwriting Counsel
410.953.6763

Walter Weinschenk, Esq.
Underwriting Counsel
410-953-6763

Want to build your agency?

We'll make sure you do. As a title agent, you know that satisfied customers make your business more successful — and rewarding. That's why Old Republic Title is committed to ensuring that your customers stay satisfied. We're a flexible, stable partner providing unparalleled service and underwriting expertise you can trust. Count on us to support your growing success.



08/2011

Since 1992, the Old Republic Title Insurance Group has held the distinction of being the highest rated title insurance group in the nation. | oldrepublictitle.com

Underwriters in the Old Republic Title Insurance Group, Inc. are: Old Republic National Title Insurance Company, Mississippi Valley Title Insurance Company and American Guaranty Title Insurance Company.

© 2011 Old Republic National Title Insurance Company. All rights reserved. **TITLE TALK** is published by the Maryland Office of Old Republic National Title Insurance Company in an effort to provide information relative to our industry on a timely basis. None of the materials included in Title Talk should be deemed legal or underwriting advice or should be acted upon without prior consultation with your underwriter or counsel.



TITLE TALK

Old Republic National Title Insurance Company

Columbia Corporate Park
8840 Stanford Blvd., Suite 4500
Columbia, MD 21045