

General Rate Provisions

Effective March 1, 2002

POLICY RATES

SCHEDULE OF BASIC PREMIUM RATES:

- Established (promulgated) by New Mexico Superintendent of Insurance and
- Apply to all title insurance policies unless specifically modified in other rate regulations.

COMBINATIONS OF CREDITS OR DISCOUNTS:

- Two or more credits. Reductions or discounts may not be combined in one transaction.
- A simultaneous rate may be combined with a single.

PREMIUM RATES INCLUSIVE:

- Promulgated rates include:
 - Premium for title insurance; and
 - Examination of title.

PREMIUM SPLITS:

- It is prohibited to pay any portion of any premium:
 - To any person or firm
 - For title insurance or title examination; or
 - For a referral fee.
- Exceptions:
 - Promulgated premium split between agent and underwriter
 - Policies insuring land located in more than one county
 - Companies licensed in New Mexico without an agency agreement or title plant in a county where a portion of the property is located;
 - Cooperate to close and insure a transaction;
 - with another licensed agent who renders a portion of the service;
 - for the issuance of one title insurance policy.

REBATES

- Agents and insurers must charge for all policies according to promulgated rates and regulations,
- A premium collected in one transaction may not be applied in another

ROUNDING PREMIUMS

- All premiums shall be rounded to the nearest dollar:
- Fifty cents or more shall be rounded up;
- Forty-nine cents or less shall be rounded down.
- Any fraction of \$ 1,000 of coverage shall be considered \$ 1,000 in rate computation.

ADDITIONAL CHARGES

- When a search or examination of title involves:
 - An extra chain of title (13 NMAC 14, 1.1 1. 1); or
 - Unusual complexity (13 NMAC 14.1.27. 1).
- You may charge, in addition to the appropriate premium:
 - \$50.00 for each additional chain of title; and/or
 - 15% of the full Basic Premium Rate for each unplatted tract of unusual complexity.
- Advise the customer of additional charges as soon as possible.

CANCELLATION FOR NONPAYMENT OF PREMIUM

- Notify OLD REPUBLIC when:
 - The total premium due is not fully paid;
 - Within 15 banking days of the issuance of any policy or endorsement.
- OLD REPUBLIC will then:
 - Cancel the policy

- Effective 10 days after mailing notice to the insured:
 - At the insured's last known address;
 - By certified mail;
 - Return receipt requested.

SCHEDULE OF PREMIUM RATES

- Published at 13 NMAC 14.9.8.1 1.
- Are subject to change or revision each year.
- Usually revised effective April 1, but may be changed on different date at discretion of Superintendent of Insurance.

NON POLICY RATES

COMMITMENTS

- Premium for a commitment is \$50.00 for the first six months; and
- \$50.00 for each additional six month renewal up to 3 renewals, for a maximum term of 2 years.

CANCELLATION FEE

- If a transaction cancels after the commitment is issued, a reasonable cancellation fee appropriate to the nature and extent of the services rendered may be charged.

SINGLE ISSUE RATES

- ORIGINAL OWNER'S POLICIES
 - Premium is the full Basic Premium Rate.
- ORIGINAL LEASEHOLD POLICIES
 - Premium is full Basic Premium Rate.
 - If the Leasehold Policy is a reissue of an Owner's Policy, it qualifies for a reissue rate.
- ORIGINAL FIRST MORTGAGE RATES
 - Premium is 90% of Full Basic Premium Rate.
- SUBDIVIDER'S RATE
 - No Owners Policy should be issued for a premium less than 90% of the minimum Basic Premium Rate in effect on the date of the policy
 - Premium is 75% of full Basic Premium Rate
 - For anyone qualified under 13 NMAC 14.6.20:
 - Owner of record holding:
 - Two or more lots;
 - In the same County Recorded Subdivision;
 - For immediate sale;
 - Upon completion of improvements thereon; OR
 - Owner of record of
 - Two or more vacant lots or acreage tracts;
 - In the same County Recorded Subdivision;
 - Who contracts with insurer;
 - To purchase an Owner's Policy on each lot as it is sold; OR
 - When one owning two or more lots in a County Recorded Subdivision:
 - Is a sub-divider or builder (individual or corporate);
 - Who sub-dividers for one to four family residential use
 - OR
 - Builds one to four family residences or condominiums,
 - For immediate resale upon completion of improvements; and
 - The improvements are completed at the time of sale.

ABSTRACT RETIREMENT CREDIT

- If an agent receives an abstract of title when the policy is ordered:
 - The premium credit is 25% of the appropriate premium for the Owner's Policy
 - Up to a maximum credit of \$100.00

Special Use Policies

GOVERNMENT CERTIFICATES AND POLICIES

- The premium for Certificates of Title or U.S. Owner's Policies is the Basic Premium Rate in effect at the date of issuance.

REPLACEMENT POLICY RATE (See 13 NMAC 14.6.22 & 14.7.20)

- When an authorized insurer is insolvent; and
- Placed in receivership for liquidation and
- A replacement policy is issued per 13 NMAC 14.6.22 & 14.7.20;
- The premium shall be 35% of the full Basic Premium Rate in effect when the policy is issued.

LIMITED TITLE SEARCH POLICY

- For coverage from 0 to \$20,000, the premium is \$100.00.
- For coverage from \$20,000 to \$40,000, the premium is \$150.00.
- The policy may not be issued in an amount great an \$40,000.

FORECLOSURE GUARANTEE POLICY

- Premium is 80% of the full Basic Premium Rate.
- An Owner's Policy issued after foreclosure will qualify for the reissue rate under 13 NNMC 14.9.12. 1.
- If the owner of the property reinstates prior to foreclosure, and:
 - A new Owner's Policy is issued to a purchaser,
 - Within one year of the date of the Foreclosure Guarantee Policy; 50% of the premium paid for the Foreclosure Guarantee Policy will be credited toward the premium on the new Owners Policy.

EXAMPLE: Foreclosure Policy Request for \$40,000.00 (unpaid principal indebtedness)	
Basic Premium Rate for \$40,000.00	\$443.00
	<u> x 80%</u>
Total Premium =	\$355.00

EXAMPLE: Standard Owners Policy Request for \$40,000.00 (foreclosure completed)	
Prior Foreclosure Policy for \$40,000.00 (unpaid principal indebtedness)	
Basic Premium Rate for \$40,000.00 =	\$443.00
<u>Previous Foreclosure Policy Issued</u>	<u>Total Premium</u>
1 year or less	75% X \$443.00 = \$333.00
More than 1 year but less than 2 years	80% X \$443.00 = \$355.00
2 years or more but less than 3 years	85% X \$443.00 = \$377.00
3 years or more	90% X \$443.00 = \$399.00

EXAMPLE: Standard Owner's Policy requested for new purchases for \$40,000.00 (litigation terminated)		
Prior Foreclosed Policy for \$40,000.00 (unpaid principal indebtness)		
1. Basic Premium Rate for \$40,000.00 = \$443.00		
<u>Previous Foreclosure Policy Issued</u>		<u>Total Premium</u>
1 year or less	50% X \$443.00	= \$222.00
1 year or more	No Discount	= \$443.00

SIMULTANEOUS ISSUES

OWNER'S AND LOAN POLICIES ISSUED SIMULTANEOUSLY

- Owner's Policy premium is full Basic Premium Rate or appropriate reissue rate.
- "Simultaneous" Loan Policy(ies) are issued:
 - Where the mortgage appears as an exception in the Owner's Policy; and
 - The vestee shown in the Loan Policy is the same as in the Owner's Policy.
 - For a premium of \$30.00 up to the amount of the Owner's Policy.

EXAMPLE: Owner's Policy for \$60,000.00 and Loan Policy for \$50,000.00	
Owners Policy for \$60,000.00 at full basic premium rate	\$580.00
Loan Policy for \$50,000.00 at simultaneous rate	\$ 30.00

- If the Loan Policy exceeds the amount of the Owner's Policy, see 13 NMAC 14.9.11.1.2 for the appropriate rate calculation

EXAMPLE: Owner's Policy for \$60,000.00 and Loan Policy for \$68,000.00	
Owner's Policy for \$60,000.00 at full basic premium rate	=\$580.00
Loan Policy up to \$60,000.00 at simultaneous issue rate	= \$ 30.00
Additional Liability in excess of Owner's Policy	
From the premium for a \$68,000.00 Loan Policy at original issue rate	\$568.00
Subtract the premium for a \$60,000.00 Loan Policy at original issue rate	<u>-\$522.00</u>
	\$ 46.00
Add the basic premium	<u>+\$ 30.00</u>
Total Simultaneous Premium.....	\$ 76.00

OWNER'S AND LEASEHOLD POLICIES ISSUED SMINTANEOUSLY

- Owner's Policy premium is full Basic Premium Rate or appropriate reissue rate.
- Premium for simultaneously issued Leasehold Policy:
 - 30% of premium for Owner's Policy;
 - Up to the amount of the Owner's Policy.
 - If the Leasehold Policy exceeds the amount of the Owner's Policy, see 13 NMAC 14.9.11.2.2 for the appropriate rate calculation.

EXAMPLE: Owner's Policy for \$70,000.00 and Leasehold Owner's Policy for \$50,000.00	
Owner's Policy for \$70,000.00 at full basic rate	\$643.00
Leasehold Owner's Policy for \$50,000.00 at 30% of basic rate 30% x \$517.00	= \$156.00

MULTIPLE OWNER'S POLICIES INSURING THE SAME LAND

- When two or more Owner's Policies covering the same land are:
 - Issued simultaneously;
 - By the same agent or insurer;
 - To different insureds;
- The applicable Owner's Policy rate applies to the largest policy.
- The rate for the other policies is 30% of the full Basic Premium Rate; OR
- Where a "Pass Through" transaction qualifies under 13 NMAC 14.9.11.3.2,
 - The premium is 30% of the full Basic Premium Rate.

DUPLICATE ORIGINAL POLICIES

- Premium for a duplicate policy:
 - \$25.00 if duplicate is issued with the Owner's Policy.
 - \$65.00 if issued at any other time.

NMMFA "HELP" PROGRAM

- See 13 NMAC 14.9.11.5 for premium provisions.

EXAMPLE: Owners Policy for \$40,000.00 and 1st Loan Policy for \$40,000.00 <u>and</u> 2nd Loan Policy for \$5,000.00	
Owners Policy for \$40,000.00 at full basic rate	\$443.00
1st Loan Policy for \$40,000.00 at simultaneous rate	+ \$ 30.00
2'd Loan Policy for \$5,000.00 (at \$30.00 per thousand)	+ <u>\$150.00</u>
Total Premium	= \$623.00

EXAMPLE: Owners Policy for \$40,000.00 and 1st Loan Policy for \$40,000.00 <u>and</u> 2nd Loan Policy for \$6,000.00	
Owners Policy for \$40,000.00 at full basic rate	\$443.00
1st Loan Policy for \$40,000.00 at simultaneous rate	+ \$ 30.00
2nd Loan Policy for \$6,000.00 (straight loan rate)	+ <u>\$177.00</u>
Total Premium	= \$650.00

REISSUE RATES

REISSUE OWNER'S OR LEASEHOLD

- Reissue Rate from full Basic Premium Rate:
 - 90% of full basic premium rate for policies over 3 years old
 - 85% of full basic premium rate for policies less than 3, but more than 2 years old
 - 80% of full basic premium rate for policies less than 2, but more than 1 year old.
 - 75% of full basic premium rate for policies less 1 year old
- See 13 NMAC 14.9.12.1 if
 - The new policy exceeds the old policy amount; and/or
 - More than one parcel and/or policy are involved.

EXAMPLE: New Policy for \$50,000.00 and Previous Policy for \$55,000.00	
Original Owners for \$50,000.00 at Basic Premium Rate	\$517.00
Previous Owners Policies Issued 1 year or less (75% x \$517.00)	\$388.00
More than 1 year but less than 2 years (80% x \$517.00)	\$414.00
2 years or more but less than 3 years (85% x \$517.00)	\$440.00
3 years or more (90% x \$517.00)	\$466.00

EXAMPLE: New Owner's Policy for \$50,000.00 and Previous Policy for \$20,000.00 (issued 1yr. or less)		
Original Owner's Policy Rate on \$20,000.00 at 75%	\$285.00	
	<u>x 75%</u>	
Reissue on \$20,000.00	\$214.00	
Original Owner's rate on \$50,000.00		\$517.00
Less Original Owner's Rate on \$20,000.00		<u>-\$285.00</u>
		\$226.00
Reissue to \$20,000.00		\$214.00
plus Owner's Policy rate from \$20,000.00 to \$50,000.00		<u>+\$232.00</u>
Total Premium		\$446.00

SECOND MORTGAGES OR SUBSEQUENT ISSUES

- Premiums for second mortgages or refinance:
 - Up to amount of Owner's Policy, less amount of liens not released:
 - 60% of full Basic Premium Rate
- Liability exceeding Owner's Policy:
 - 90% of full Basic Premium Rate.

EXAMPLE: Prior Owner's Policy for \$60,000.00 and New Mortgage for \$50,000.00		
Basic Premium rate for \$50,000 (qualifies for full reissue discount)		\$517.00
Sixty Percent		<u>x60%</u>
Total Premium		\$311.00

EXAMPLE: Prior Owner's Policy for \$60,000.00 AND Prior Mortgagee for \$50,000.00 WITH New Second Mortgage for \$30,000.00		
Prior Owner's Policy	\$60,000.00	
Less: Face amount of unreleased mortgages	<u>-\$50,000.00</u>	
Maximum reissue amount	\$10,000.00	
Reissue to \$10,000.00 (60% x \$190.00) =	\$118.00	
Original Issue Mortgagee for \$30,000.00		\$332.00
Less original issue Mortgagee for \$10,000.00		<u>-\$177.00</u>
		\$155.00.....\$155.00
Reissue to \$10,000.00		<u>+ \$118.00</u>
Total Premium		\$273.00

NON-IDENTICAL PROPERTY

- See 13 NMAC 14.9.12.3 for computation of Reissue Rates when insured property is not identical to previously insured property.

CONVERSION OF LEASEHOLD OWNER'S POLICY TO STANDARD OWNER'S

- Premium for conversion is 50% of full Basic Premium Rate up to face amount of Leasehold Owner's Policy.
- For additional coverage, difference is full Basic Premium Rate in applicable bracket for excess liability.

SUBSTITUTION RATE

- See 13 NMAC 14. 9.12.5 for schedule of rates for new mortgagee policies to:
- Take up, renew, extend or satisfy an existing mortgage

EXAMPLE: New Policy Request for \$40,000.00 and Previous Policy for \$50,000.00 with an Unpaid Balance of \$40,000.00

"Basic" Premium Rate for \$40,000.00 = \$443.00 x 90% = \$399.00 – the premium for over 10 years

Previous Policy	Discount	Total Premium
2 years or less	40% X \$443.00	\$178.00
more than 2 years, but less than 3 years	45% X \$443.00	\$200.00
3 years or more, but less than 4 years	50% X \$443.00	\$222.00
4 years or more, but less than 5 years	55% X \$443.00	\$244.00
5 years or more, but less than 6 years	60% X \$443.00	\$266.00
6 years or more, but less than 7 years	65% X \$443.00	\$288.00
7 years or more, but less than 8 years	70% X \$443.00	\$311.00
8 years or more, but less than 9 years	75% X \$443.00	\$333.00
9 years or more, but less than 10 years	80% X \$443.00	\$355.00

EXAMPLE: New Policy for \$40,000.00 with Previous Policy for \$50,000.00 (issued within two years or less) with an Unpaid Balance of \$20,000.00

"Basic" Premium Rate for \$20,000.00	\$285.00
Applicable Discount (less than 2 years)	<u>x40%</u>
Maximum Premium Discount (up to unpaid balance)	\$114.00
First Mortgage Rate on \$40,000.00	\$399.00
Less 1 st Mortgage Rate on \$20,000.00	<u>-\$257.00</u>
Mortgage Policy Rate at 90% of Basic	\$142.00
Discount up to Unpaid Balance	\$114.00
Mortgage 90% Rate on the amount above the Unpaid Balance	<u>+\$142.00</u>
Total Premium	\$256.00

CONSTRUCTION LOANS

Issuing a Construction Loan Policy or a Standard Loan Policy as follows may insure construction loans:

CONSTRUCTION LOAN POLICY

- Issuance
 - May be issued only to insure a construction mortgage.
 - May be issued **only after inspection of the property**.
 - Valid only for a term of two years.
 - May be endorsed to extend the two-year period as follows:
 - up to four endorsements for six months each;
 - not to exceed a total of four years
 - \$25.00 premium per endorsement
- Mechanic's Lien Coverage,
 - Lien coverage is not excepted to under the Standard Exceptions in a Construction Loan Policy.
 - When issuing a Construction Loan Policy, you **must**:
 - Include an exception for mechanics liens in Schedule B; **or**
 - Issue Endorsement "A" (See Broken Priorities, this manual) **or**
 - Issue Endorsement "D" where your inspection reveals no work has begun and no materials delivered.
- Premiums
 - \$30.00 plus \$1.00 per \$ 1,000 coverage for a Construction Loan Policy.
 - \$5.00 per \$1,000 coverage for Endorsement 'A'.
 - \$25.00 for Endorsement "D".
 - There is no credit for a substitution rate when permanent Loan Policy issued.

STANDARD LOAN POLICY

- Issuance
 - May be issued in lieu of Construction Loan Policy and qualify for simultaneous rate.
 - Policy shall contain a Pending Disbursement Clause in Schedule B
 - No charge for Pending Disbursement Clause if ordered when the policy is issued.
 - \$25.00 charge if requested by lender after policy is issued.
- Pending Disbursement Down Date Endorsement (NM FORM 22)
 - Issued at time of each advance of loan proceeds;
 - Reflects any change in record title; and
 - Shows total loan proceeds disbursed as of date of endorsement.
 - \$25.00 premium for each endorsement.
- Mechanics' Lien Coverage
 - Delete Standard Exception 4 after inspection showing no work begun or materials delivered.
 - **Obtain underwriting approval from OLD REPUBLIC** prior to deleting Standard Exception Four (See Broken Priorities, NM Underwriting Guidel).
 - 3. Additional premium:
 - \$25.00 if priority "not broken".
 - \$5.00 per \$1,000 or coverage if priority "broken".

PENDING IMPROVEMENT ENDORSEMENT (NM FORM 23)

- Issued with Owner's Policy where:
 - Owner's Policy issued for value of property including pending improvements.
 - Premium: Twenty five (\$25.00) for the endorsement.

OTHER ENDORSEMENTS

ASSIGNMENTS OF MORTGAGES. When a mortgage upon which a loan policy has been issued is assigned each successive assignee may obtain an endorsement from the insuring company certifying the title to include the date of recording the assignment, for a premium of twenty-five (\$25.00) dollars if issued within six (6) months of the date of the policy or date of the last endorsement reflecting an earlier assignment, or a premium of sixty-five (\$65.00) dollars if issued more than six (6) months from the date of the policy or last endorsement reflecting an earlier assignment, if any, whichever is later.

MECHANICS LIEN COVERAGE IN OWNER'S POLICY. Owner's Policies may be issued with no exception to possible unfiled mechanic's or materialmen's upon compliance with 13 NMAC 14.6.15 and payment of the following additional premium:

- When all improvements have been fully completed and the statutory period for filing mechanic's or materialmen's liens has expired, this endorsement shall be issued for a premium of twenty-five (\$25.00) dollars and,
- When new construction is involved, construction of the improvements has been fully completed and accepted by the Insured owner and the period for filing mechanic's or materialmen's liens has not expired, this endorsement shall be issued for an extra hazard premium of three (\$3.00) dollars per thousand calculated on the face amount of the Owner's Policy.

SURVEY COVERAGE IN AN OWNER'S POLICY. An Owner's Policy may be endorsed pursuant to 13 NMAC 14.6.14 to provide survey coverage upon the payment of an additional premium equal to fifteen (15%) percent of the full Basic Premium Rate for the said policy according to the Schedule in effect as of the date of the endorsement.

ADDITIONAL ADVANCES UNDER OPEN END MORTGAGES. A Loan Policy may be endorsed to insure the validity and priority of the lien of the additional advance upon payment of an endorsement premium of twenty-five (\$25.00) dollars plus an additional premium calculated by determining the difference between the charge for a loan policy in the amount of the unpaid principal balance due to the lender before the advance is made and the charge for a loan policy in the amount of the principal balance due after the advance has been made utilizing the appropriate brackets in the Schedule of Basic Premium Rates in effect as of the date of the endorsement. The minimum combined charge for this endorsement is fifty (\$50.00) dollars.

VARIABLE RATE, NEGATIVE AMORTIZATION AND REVOLVING CREDIT LOAN ENDORSEMENTS. The premium for the issuance of either a Variable Rate Mortgage Endorsement, Negative Amortization Endorsement or Revolving Credit Loan Endorsement, when such is twenty-five (\$25.00) dollars for each such endorsement issued. Should any such endorsement be issued at the request of the Insured subsequent to the issuance of the Loan Policy, the premium for each endorsement issued is fifty (\$50.00) dollars.

MANUFACTURED HOUSING ENDORSEMENT. A Manufactured Housing Endorsement may be issued at the same time as and attached to a policy for no additional premium. Should any such endorsement be issued at the request of the Insured subsequent to the issuance of the policy it endorses, the premium for each endorsement issued is twenty-five (\$25.00) dollars.

CONDOMINIUM ENDORSEMENT. A Condominium Endorsement may be issued at the same time as and attached to a policy for a premium of twenty-five (\$25.00) dollars.

(PUD) PLANNED UNIT DEVELOPMENT ENDORSEMENT. A Planned Unit Development Endorsement may be issued at the same time as and attached to a policy for premium of twenty-five (\$25.00) dollars.

U.S. POLICY, DATE DOWN ENDORSEMENT. The Date Down Endorsement to a U.S. Policy when the ALTA U.S. Policy Form-1 963 was issued shall be issued for a premium of twenty-five (\$25.00) dollars whenever the United States has acquired title to the property and requests endorsement of its policy to reflect its acquisition.

CORRECTION ENDORSEMENT. There is no charge for the issuance of an endorsement correcting a commitment, binder or policy containing an error or omission not caused by the insured. If the correction results in additional liability for which the correct premium has not already been charged, the premium for the endorsement shall be the premium due and payable for the additional liability. Likewise, if the correction results in the application of a different or additional rate rule(s) than was applied to the policy or its endorsements, the premium due and payable for this endorsement shall be the balance of premium unpaid after application of the appropriate rate rule(s) following the correction. In addition, if the correction is caused by the insured (i.e., inaccurate loan closing instructions) an additional premium of twenty-five (\$25.00) dollars shall be collected for this endorsement.

DOWN DATE ENDORSEMENT. The down date (or date down) endorsement to a standard Loan Policy containing a pending disbursement clause, to a Construction Loan Policy or to a Foreclosure Guarantee Policy shall be issued for a premium of twenty-five dollars (\$25.00).

OTHER ENDORSEMENTS CONT...

LEASEHOLD ENDORSEMENTS TO OWNER'S OR LOAN POLICIES. A Leasehold Owner's Endorsement or Leasehold Loan Endorsement shall be attached to a standard Owner's Policy or Loan Policy insuring a Leasehold interest for no additional charge. If the request to issue the endorsement is made after the issuance of the policy, the charge for the endorsement shall be 25.00.

RENEWAL, EXTENSION, MODIFICATION AND PARTIAL RELEASE ENDORSEMENT. Upon request of the named Insured and the proper recording of all necessary documents at the expense of the Insured, the insuring company or its agent may endorse its loan policy to reflect the renewal, extension, reinstatement, modification, partial release, release of additional collateral or release from personal liability of an insured lien in the manner prescribed by 13 NMAC 14.8.8.4 for a premium of twenty-five (\$25.00) dollars if issued within six (6) months from the date of the policy or date of the last endorsement reflecting an earlier assignment, renewal, etc., or a premium of sixty-five (\$65.00) dollars if issued more than six (6) months from the date of the policy or last such endorsement, if any, whichever is later.

NON-IMPUTATION ENDORSEMENT. When a Non-Imputation Endorsement (NM Form 28) is issued pursuant to 13 NMAC 14.8.1 1, the premium therefor shall be one (\$1.00) dollar for each (\$1,000.00) dollars of insurance set forth in Schedule A.

ENVIRONMENTAL PROTECTION LIEN ENDORSEMENT. Upon request of an Insured lender or Its assignee, the Company may issue an Environmental Protection Lien Endorsement (NM Form 29) for a premium of twenty-five dollars (\$25.00).

PENDING IMPROVEMENTS ENDORSEMENT. When a Pending Improvements Endorsement (NM Form 23) is issued pursuant to 13 NMAC 14.6.8, the premium for the endorsement shall be \$25.00 dollars in addition to the premium charged for the policy.

CONDOMINIUM ENDORSEMENT TO OWNER'S POLICY. Upon request, the insuring company or its agent may issue Condominium Endorsement to Owner's Policy, NM Form 30 for a premium of twenty-five (\$25.00) dollars. Paragraph 3 of this endorsement (NM Form 30) may be deleted at the option of the insurer. Each insurer shall establish its written underwriting requirements for such deletion and shall furnish its agent(s) written instructions relating thereof.

CONTINUATION ENDORSEMENT. The NM Form 37 Continuation Endorsement shall be issued only after issuance of a Limited Title Search Policy to reflect a search through the date of filing of lender's mortgage document pursuant to 13 NMAC 14.7.21. The premium charge for issuance of the endorsement shall be twenty-five dollars (\$25.00).

REVOLVING CREDIT, VARIABLE RATE ENDORSEMENT. The NM Form 38 Revolving Credit Variable Rate Endorsement shall only be used when the Limited Title Search Policy has been Issued in accordance with 13 NMAC 14.7.21. The Premium charge for issuance of this endorsement is twenty-five dollars (\$25.00) when issued at the same time as and attached to the Limited Title Search Policy. If issued subsequent to the date of the policy, a premium charge of fifty dollars (\$50.00) shall be made.

OWNERS' CREDITORS' RIGHTS ENDORSEMENT. When an Owners' Creditors' Rights Endorsement (Form NM Form 40) is requested prior to issuance of a Policy, there shall be no charge for the endorsement. If the request to issue the endorsement is made after the issuance of the Policy, the charge for the endorsement shall be twenty-five dollars (\$25.00).

LENDERS' CREDITORS' RIGHTS ENDORSEMENT. When a Lenders' Creditors' Rights Endorsement (NM Form 39) is requested prior to Issuance of Policy, there shall be no charge for the endorsement. If the request to issue the endorsement is made after the issuance of the Policy, the charge for the endorsement shall be twenty-five dollars (\$25.00).

NAVIGABLE STREAMS, LAKES, ETC. STANDARD EXCEPTION 6. The Company may delete Standard Exception 6 in accordance with 13 NMAC 14.6.17 and 14.7.16 at a charge of twenty-five dollars (\$25.00).

REVOLVING CREDIT - INCREASED CREDIT LIMIT ENDORSEMENT. A Loan Policy insuring a revolving loan may be endorsed to increase the amount of insurance (provided the original-mortgage complies with NMSA 1978 Section 48-7-9, and a Modification of Mortgage - Modification Agreement is properly executed and recorded) upon payment of an endorsement premium of thirty-two (\$32.00) dollars plus an additional premium calculated by determining the difference between the charge for a loan policy in the amount of the current amount of insurance before the credit limit is increased, and the charge for a loan policy in the amount of the increased credit limit utilizing the appropriate brackets in the Schedule of Basic Premium Rates in effect of the date of the endorsement. The minimum combined charge for this endorsement is fifty (\$50.00) dollars.

TRUTH IN LENDING ENDORSEMENT. A Truth in Lending endorsement to a loan policy may be issued upon payment of a premium of nine percent (9%) of the full basic premium rate in effect as of the date of the loan policy.

OTHER ENDORSEMENTS CONT...

DOWN DATE ENDORSEMENT TO RESIDENTIAL LIMITED COVERAGE JUNIOR LOAN POLICY:

- The Down Date Endorsement to Residential Limited Coverage Junior Loan Policy, NM Form 46, may be issued one or more times after Issuance of an ALTA Residential Limited Coverage Junior Loan Policy (NM Form 45). The premium for the issuance of each NM Form 46 Endorsement is twenty-five (\$25.00) dollars, NM Form 46 may not be issued more than one year after the date of policy stated in the ALTA Residential Limited Coverage Junior Loan Policy (NM Form 45).
- Paragraph B of NM Form 46 shall describe the insured mortgage setting forth the date of recording of the Insured's mortgage. This endorsement may also be issued solely for update purposes, prior to recordation of the insured mortgage by inserting the word "None" at the end of Paragraph B and by deleting the phrase "Date of Endorsement is the date shown above or the date of recording of the insured's mortgage, whichever is later (if it appears on the NM Form 46 Endorsement after "Date of Endorsement")".
- Upon request of the named insured and the proper recording of all necessary documents meeting insurer's underwriting standards, the amount of the loan secured by the insured's mortgage insurance previously stated in ALTA Residential Limited Coverage Junior Loan Policy (NM Form 45) may be increased by adding a Paragraph D. It shall read as follows: "The amount of insurance of the policy is hereby amended to be \$ __," subject to the payment of the applicable premium for the additional insurance". The additional premium (in addition to the premium for the NM Form 46) shall be the difference between the premium from the Amount of Insurance stated in the ALTA Residential Limited Coverage Junior Loan Policy (NM Form 45) and the amount of insurance stated in Paragraph D of NM Form 46 calculated pursuant to 13 NMAC 14.9.10.10..

REVOLVING CREDIT VARIABLE RATE ENDORSEMENT TO RESIDENTIAL LIMITED COVERAGE JUNIOR LOAN POLICY: The Revolving Credit/Variable Rate Endorsement to Residential Limited Coverage Junior Loan Policy, NM Form 47, may be issued when NM Form 46 is issued. It may also be issued when it is incorporated in NM Form 46 by describing the insured's mortgage in paragraph B and checking the appropriate box in paragraph C. The premium for the issuance of NM Form 47, or its incorporation into NM Form 46, is twenty-five (\$25.00) dollars.

RESTRICTIONS, ENCROACHMENTS, AND MINERALS ENDORSEMENT: NM Form 50 shall not be issued on residential properties with four or fewer units. The premium charge for issuance of the endorsement shall be 10% of the full basic premium rate. Agents shall receive commissions for liabilities up to \$27,000,000; agent's retention shall be zero for liabilities greater than \$27,000,000. In no case shall the premium charge for the issuance of NM Form 50 be less than \$250.00.

PERMISSIBLE MODIFICATION-STANDARD EXCEPTION 7: The premium charge for issuance of this endorsement shall be \$25.00.

If you need assistance in computing any rate, contact OLD REPUBLIC TITLE representative.

NOTE: Where the regulation requires "bracketed" premiums, compute the premium based on the difference between the coverage amounts on the applicable schedule, not the premium on the amount of the difference beginning at zero.

NOTE Where there are conflicting applicable rate regulations, charge the lower premium.

Cross References

- 13 NMAC 14.1.11.1 (Definition - Extra Chain of Title)
- 13 NMAC 14.1.27.1 (Definition - Unusual Complexity)
- 13 NMAC 14.6.20 (Qualifications for Subdivider's or Construction Bulk Rate)
- 13 NMAC 14.6.22 (issuance - Replacement Owner's Policy)
- 13 NMAC 14.7.20 (Issuance - Replacement Mortgagee's Policy)
- 13 NMAC 14.9.8.11 (Basic Premium Rate -Owner's Policies)
- 13 NMAC 14.9.11 (Simultaneous Issues)
- 13 NMAC 14.9.11.5 (NMMFA "HELP" Program)
- 13 NMAC 14.12.1 (Reissue Rate)
- 13 NMAC 14.9.12.3 (Rate When Insured Properties Not Identical)
- 13 NMAC 14.9.12.5 (Substitution Rate)