



TITLE TALK

Old Republic National Title Insurance Company

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THE CHRISTMAS CLOSING

'Twas an hour before closing
and the agents were tense,
to close Christmas Eve just didn't make sense.
But the seller was booked on the 6 o'clock flight
and had warned
"THERE WILL BE A CLOSING TONIGHT!"
The agents agreed because business was dead,
and visions of commission checks danced in their heads.
The loan was approved by the lender's good grace,
Everyone knew 'twas a borderline case.
The buyers divorced, remarried again,
Divorced once more, and now were just friends.
The loan package complete to the closer was carried,
With instructions to close before they remarried.
The title policy arrived via UPS,
From page One through Sixteen, a terrible MESS!
An improper legal, 3 judgments, a lien,
But a few lines on page seven, looked pretty clean.
The title was cleared and the closing was set,
But to finish today was not a sure bet.
The closer dashed in waving her HUD,
It was covered with whiteout, coffee and crud.
But down in the corner you barely could see,
that the buyer still owed a buck thirty-three.
So the closer extracted a bill from her compact,

And the agents agreed to the rest on the contract.
To add some interest, the seller revealed,
to everyone's horror - the well wasn't sealed.
And, oh yes, he wanted to change the disclosure,
His mother just died of RADON EXPOSURE!
Everything else in his house was O.K.
(his cracked floors and walls were always that way)
About that time the buyer chimed in,
"we'd like to continue, but before we begin,
I noticed these papers - I'm likely to blame,
But I gave my agents the wrong legal name,
And one more thing I had hoped to avoid,
Does it really matter if I'm self-employed?"
About this time the closer exploded.
She pulled out a gun and said it was loaded.
Everyone froze and sat there amazed,
She frothed at the mouth and her eyes were both
glazed.
More rapid than eagles, her curses they came;
she bristled and spouted and called them BAD names.
"THE CLOSING IS OFF,
DO I MAKE MYSELF CLEAR??
MERRY CHRISTMAS TO ALL -
NOW GET OUT OF HERE!"



Best wishes for a Happy and
Healthy Holiday Season



From all of us at Old Republic Title

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800-842-2080 • FAX 610-687-6056

Calder Square • PO Box 10326 • State College, Pennsylvania • 16805 • 814-238-3600 • FAX 814-238-3604

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Old Republic Title's Top 10 for 2007

10. The new Mortgage Loan Rates (70% w/in 0-2 year, 80% w/in 2-4 year) can ONLY be given on a refinance transaction – not on a purchase.
9. The new Pennsylvania policy jackets now have a prefix that end in “P” – if the ones you are using now don’t – you are issuing the wrong jackets.
8. The commitment now has three notices and disclosures on the Schedule B Section I and one NOTE about the Enhanced Policy – make sure your commitment has that language.
7. The Owners and Buyers Affidavits now have the following additional language:

Receipt of HUD Settlement Statement, Title Commitment, and Old Republic National Title Insurance Company's and its Agent's Privacy Policy are hereby acknowledged.

If this conveyance or refinance occurs within ten years of the issuance of a previous title insurance policy for the same property, you may be entitled to the “reissue” rate. If this is a refinance and occurs within four years of the issuance of a previous title insurance policy for the same property, you may be entitled to the “mortgage loans” rate.
6. If purchasing an E&O policy from a new carrier, you must obtain prior acts coverage. If you do not have this coverage, any files that were closed prior to your effective date will not be covered under your new policy.
5. Changes to the Mechanic's Lien Law:
 - The time period for filing a lien has been extended from four months to six months after the completion of the work;
 - The group of claimants has broadened to include subcontractors working for subcontractors that have contracted with a general contractor (in other words, a sub of a subcontractor may file a lien. Under the 1963 law, subs of subcontractors were specifically prohibited from filing liens.)
 - The use of waivers of liens (stipulation against liens) has been greatly restricted.
 - Mechanics' liens are automatically subordinate to Purchase Money Mortgages and to Open-end Mortgages, the proceeds of which are used to pay for the erection or construction of the improvement.
4. Some closing instructions now include verbiage that you must notify the lender in writing if the property has been transferred within the last 360 days. We issued a directive indicating:

When you encounter situations where notice is required, we recommend that notice be done only in writing and an officer of the lender be required to acknowledge receipt and authorize the transaction to close.
3. Disburse according to the HUD – The HUD must accurately reflect all disbursements made on the file WITHOUT EXCEPTION.
2. Notary fees should be charged in accordance with the Notary Fee Rate Schedules, payable to the actual notary, and cannot be marked up.
1. When paying off an Open Ended Mortgage you MUST send a close out letter signed by the borrowers indicating that it is the borrower's request that the line be permanently closed. Keep a copy of this signed letter for your files!

Season's Greetings from ...



OREXCO
Old Republic Exchange Company

OREXCO is pleased to announce the appointment of Mariellen A. Hairston, Esq. as VP/ Regional Sales Manager for the Pennsylvania/New Jersey regions. Currently, Mariellen oversees the Ohio region for OREXCO. Please contact Mariellen or her sales associate Lewis Bunton at 1-866-803-1031 to assist you with any of your 1031 exchange needs.

On behalf of everyone at OREXCO, thank you for your support in 2007 and we wish you success as we continue to service your 1031 exchanges in 2008!!!

Credit Corner

UPCOMING SEMINARS:

January 10, 2008

PLTA Mid-Year Meeting
Presidential Caterers
East Norriton, PA
9:30 AM – 12:15 PM
2 CE & 2 CLE Credits

January 30, 2008

Lorman Seminar:
Insurance Bad Faith Claims
in Pennsylvania
Sheraton Philadelphia Center
City Hotel
9 AM to 4:30 PM
6 CLE/0.5 Ethics Credits

Save the Date!

April 3, 2008

ORT Seminar
The Desmond
Malvern, PA
1:30 PM to 4:45 PM

April 17, 2008

PLTA Seminar
Mock Settlement:
"A Comedy of Errors"
Great Valley Penn
State Campus
10:00 AM to 3:00 PM with
a one hour lunch at noon
4 CE & 4 CLE Credits

Association of Title Examiners

The Association of Title Examiners (ATE) began in 1939 as a series of informal gatherings by local title searchers and examiners working in and around Philadelphia for the purpose of learning more about their profession. In 1942 the Association was officially formed and since then has been a combination of educational and social organization for title searchers, examiners, agents, underwriters, attorneys, and a few others involved in the real estate industry who want to learn more about the industry's current events and the heritage of the profession. Each spring the ATE holds a CE/CLE accredited seminar in conjunction with the PLTI.

Why join the ATE? Our profession is one of constant changes. In an effort to keep members on top of changes in the industry, the association typically has a guest speaker every month to educate the members on some aspect of the real estate industry. In the past two years, the guest speakers have included the Montgomery County Recorder of Deeds, the President of the Pennsylvania Home Inspectors Coalition, and Michelle Portnoff, Esq. of Portnoff & Associates, as well as separate presentations on mapping, recording, and electronic filing software programs.

Aside from guest speakers, the ATE gives people in the title business something which does not exist in any other place—a great forum to meet and freely exchange opinions and ideas regarding the general state of the industry. The discussions get heated at times, but members always come back for more.

To help those wishing to further advance their professional careers, the ATE offers two tests to members to prove their knowledge of title examination: Certified Title Examiner and Senior Certified Title Examiner. This is likely the only certification test of its type available in the nation and the association frequently receive requests from out of state title searchers to take these examinations.

Participation in the ATE also earns credits toward obtaining professional designation status with the PLTA. So please consider stopping on one of the dinner meetings to get a taste of what they are all about.

Visit the ATE website at www.titleexam.org to learn more about the organization and their meetings.

KEEPING CURRENT

Pam Croke, Esq., CLTP, Executive Vice President of the PLTA recently sent the below notice to PLTA members:

Custody & Maintenance of Property Tax Information
December 5, 2007

We are pleased to inform you that the litigation in *The Pennsylvania Land Title Association v. East Stroudsburg School District* is now final (see 913 A.2d 961 (Pa. Cmwlth. 2006), *allocatur den.*, 929 A.2d 1163 (PA 2007)).

Elected Tax Collectors and their taxing districts are responsible immediately to return annual property tax records to the appropriate county Tax Claim Bureaus in all instances where such records previously have been withheld.

Henceforth, all Tax Collectors must make timely annual returns to the appropriate county Tax Claim Bureau as required by the Real Estate Tax Sale Law.

School districts and municipalities who hire private collection counsel are not entitled to direct their local Tax Collectors to withhold records from the county Tax Claim Bureau.

Upon written request for municipal tax lien payoff information, all taxing districts who chose to pursue private collection must, within 5 business days, disclose the full lien payoff information in writing at no fee unless the taxing district incurs costs for complying with the request.

If any taxing districts are incurring costs, they are entitled to place reasonable copying and or transmission charges on the written payoff statements. They may not charge to recoup the costs of "retrieval," i.e., the costs of paying employees or agents to retrieve the information.

To benefit from the result of this litigation, you may consider including the following language on your Payoff Request forms when faxing any private collection entity for property tax lien information:

In light of the decision of the Commonwealth Court in *The Pennsylvania Land Title Association v. East Stroudsburg School District*, I hereby request written disclosure, within 5 business days, of the information requested above. Please note that, pursuant to the holding of the case, you are entitled to charge only the reasonable cost of copying and/or transmission charges on the written payoff statements. You are not permitted to charge for the cost of retrieval of the information contained in the statements.

Please keep PLTA advised of any developments in your experiences in gaining free access to payoff information.

Please check with your county Tax Claim Bureau to determine whether your local taxing districts are complying with this important judicial decision. You are entitled to have complete records of all real estate tax payments in your county Tax Claim Bureau.

If you do not, contact PLTA at 610-265-5980 for a copy of *The Pennsylvania Land Title Association v. East Stroudsburg School District* today and share it with your Tax Claim Bureau.