

# THE TITLE EXAMINER

A QUARTERLY PUBLICATION OF THE MICHIGAN LAND TITLE ASSOCIATION



## IN THIS ISSUE:

- Fall Education Seminar
- Neal Case Passage
- MSA's - Beware
- Fraud Insights



The Michigan Land Title Association is a professional association dedicated to creating an environment which enables its members to provide the public with the highest quality land title evidencing, title assurance and settlement services.

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## MLTA IS GOING GREEN



HAPPY HOLIDAYS & BEST  
WISHES FOR A WONDERFUL  
NEW YEAR.

- FROM THE  
TITLE EXAMINER STAFF

## THE TITLE EXAMINER STAFF

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with any questions, comments, or if you would like to contribute.



## Pam McGowan

Senior Commercial Title Specialist  
eTitle

My office is in Troy, MI (Oakland County), but I mostly work from home in Livonia.



**MLTA Involvement:** I am Vice-Chairperson for the PR/Communications Committee. I always attend the Fall and Spring Education Seminars, and I usually write an article about each for the MLTA Examiner (there's one in this issue!). I find the education seminars very enlightening!

**Personal Interests/Hobbies:** Up until very recently, I enjoyed watching my two daughters participate in their sports (golf, soccer, gymnastics, and softball, between the two of them). But, now that I am on the verge of being an "empty nester", I have more time to do other things I love, such as: golf, read, write, go to the movies, and watch Spartan football/basketball, Tiger baseball, and Oakland University baseball (where my Godson plays).

**Something about Pam:** I have been married for 22 years to my husband, Jim, who is a stand-up comedian in his free time. I have two beautiful, smart, and talented daughters: Maggie is a sophomore studying kinesiology at MSU, and Marin is a senior at Churchill High School (and still trying to decide which college to attend for creative writing and film studies). I live vicariously through all of them, of course.

When I got a job in the title industry 24 years ago, it was just going to be temporary--until my writing career took off. But I fell in love with it, and now MLTA gives me the opportunity to still use my writing skills. I bet everyone could find a place for their talents/passions within the MLTA!

# Welcome

Primary Title Agency, *Farmington Hills*

PGP Title, *Bloomfield Hills*

## Terri Renker

Account Executive  
DataTrace  
Wayne County, Home office



**MLTA Involvement:** MLTA education committee I have regularly attended the MLTA education seminars since 2005.

**Personal Interests/Hobbies:** I am a huge sports fan! I love playing Softball and have played with the same team since 1997. I have coached my daughter as well. The Detroit Tigers are my favorite professional sports team. I also like to play volleyball and bowl in the winter. I enjoy being outdoors and spending time with my two daughters Mackenzie 12 and Brooklyn 17. Halloween is my favorite holiday so I store zombies in my basement.

**Something about Terri:** My first real job in 1991 while I was in college was with Republic Bancorp as a Funding Assistant in the Wholesale Lending Department. Believe it or not I didn't learn anything about Title Insurance until I had about a year and half in the mortgage industry in my second job as a closer preparing loan documents for closing! From there I was lucky enough to be hired by a small title agent, Home Title in Livonia, which is now closed. It was there that I learned the value and importance of Title Insurance and the MLTA. At Home Title I learned to process real estate documents, type commitments and title policies, prepare HUDs and conduct closings. I was also fortunate enough to work with a fantastic attorney to clear title issues. My experience allowed me to weather the storm and stay employed through the worst times in the market. I worked for various agents around Metro Detroit. Here I stand 22 years later proud to be a part of the Title Industry and the MLTA. The education seminars are very valuable and allow me to stay connected to my clients and follow the changes within our industry!

## Jacquie Brink

Midwest Agency Representative-Michigan  
WFG National Title Insurance  
I have the pleasure of working remotely from my home office in Bay County.



**MLTA Involvement:** I've attended numerous MLTA seminars for quite a few years, and currently serve on the PAC, Education, and PR Committees.

**Personal Interests/Hobbies:** I consider my life to be one big hobby! Most of all, I am a sports loving, music addicted, race running, traveling junkie, who likes to do charity work and dabble in photography.

**Something about Jacquie:** I'm just a very unique individual that loves life, and experiencing everything I can while I'm on this earth. I absolutely love my profession, and especially love working with the amazing people at WFG National Title. I have received such joy meeting, and working with, so many great people in our industry throughout the years, some of which have become close personal friends. I have six perfect 300 games in bowling, jumped out of a perfectly good plane, completed a few half marathons, been to every state in the U.S. except Alaska, and kicked cancer in the rear end! I'm married to the funniest person I've ever met, have three amazing sons, and one cool dog named Vegas.





# ABSTRACTIONS

by Allan Dick, Best Homes Title Agency, LLC



It's that time of year again, when economists start predicting for the year ahead. For example, most economists expect mortgage rates to rise from the current sub-4% rates to anywhere from 4.5% to 5.3% during 2015. If that sounds familiar, it was just a year ago that most of the so-called experts predicted 5% mortgage interest rates by the end of 2014. But, recently mortgage rates have fallen to the lowest level in 19 months (and they are expected to remain there at least through January). The recent plunge in oil prices has helped to keep mortgage rates low and may do so for some time.

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Even with the continuing low interest rates, it has taken Millennials a long time to become a major factor in home sales statistics. But why? Employment, of course, is an obvious factor – but improving. Credit limitations, due in part to substantial student loans, is another. And, according to a report from the New York Federal Reserve, perhaps the most significant hurdle is a lack of down payment savings. Many economists are predicting that Millennials will be an increasing force in the real estate market in 2015.

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To that end, lenders have been seeking ways to overcome those hurdles. One recent development is the Federal Housing Finance Agency approval of lowering the minimum down payments for GSE (Fannie Mae and Freddie Mac) mortgage loans to 3% (97% mortgages), both increasing mortgage availability and lowering the down payments requirements. The lending industry is still trying to get their arms around this new program and have been slow to embrace the changes.

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Speaking of economic predictions, National Association of Realtors Chief Economist, Jonathan Smoke, has released his predictions for 2015, including the expectation that home sales will rise 8% (boosted by first-time Millennial buyers), and home prices will rise 4 to 5%. Those increases, coupled with the expected rise of mortgage rates to 5%, will result in a drop in home affordability of 5 to 10%.

An interesting report compiled by Zillow indicates that home affordability vs. rising rental rates reflect that, nationally, it is twice as expensive to rent than to buy a home – rent costing 29.9% of a renter's pay, while home mortgage payments averaged 15.3%. Broken down for major cities, Detroit's figures show rent costing 24% of pay vs. only 10% for mortgage payments. (That last figure doesn't seem right to me.)

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Watch for at least a couple of MLTA developments in the New Year. First, in an attempt to “go green” (for all you Spartan fans), it is being contemplated that the materials for the education seminars will be emailed in advance to the attendees registered, so they can choose to print and bring them with them, follow along with them on their iPads or other devices, or decide that printing and bringing them will not be necessary. Following the lead from the Real Property Section of the Michigan Bar, which has been following this practice for a while now, we shall see how that works out.

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And second, there will be special one-time, all day seminar and workshop presented for Title Basics “Boot Camp” in 2015. It will be held in East Lansing at the Kellogg Center. They will be covering legal descriptions, including how to read and identify them, how to draw them, reading surveys, underwriting and claims issues that arise from legal description problems and more. The date is yet to be determined.

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Finally for now, the happiest of holiday seasons to you all, and a wish for a happy and healthy New Year!

## NEWS RELEASE

### **A.S.K. Services, Inc. Adds Closing Services**

#### **with the Acquisition of Outsourcing Solutions, LLC**

Canton, MI – October 13, 2014 – A.S.K. Services acquired Outsourcing Solutions, LLC, a Michigan firm that provides professional contract closers to its clients in southeastern and other urban areas of Michigan.

“Many of our clients have made inquiries about A.S.K. providing closing services that will integrate with their internal systems. Federal regulations and lender expectations are changing the landscape in the world of closings. **This acquisition will enable us to provide closing solutions to our clients which will be in full regulatory compliance,**” said Bart Bryant, President of A.S.K.

“Outsourcing Solutions has provided closing services to the title/real estate industry since 2001. With this merger, A.S.K. will offer a closing service that enables our clients to be compliant with all of the new regulations,” said Angela Kramer, Owner of Outsourcing Solutions, who will serve as Manager of Closing Services at A.S.K. for the State of Michigan.



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# Legislative Update

by Cami Pendell,  
Michigan Legislative  
Consultants

## MLTA's Neal Case Fix Legislation Signed into Law!

The Michigan Land Title Association is pleased to announce that it has been successful in getting its priority legislation, known as the Neal Case Fix bills, signed into law. The Governor signed the bills on October 15 and the law became effective on October 17, 2014.

As a reminder, House Bills 4638-40 were introduced in response to the United States Bankruptcy Court decision *In re Neal* which held that a copy of an original instrument along with an affidavit does not satisfy the necessary requirements for recording a real estate conveyance (mortgage) because it did

not contain the original signatures. In short, the trustee of the bankruptcy estate was successful in avoiding the lien of a previously recorded mortgage because only a copy of the mortgage was recorded by affidavit. To resolve this issue, Representatives Peter Pettalia (R-Presque Isle) and Marilyn Lane (D-Fraser) introduced House Bills 4638, 4639 and 4640 on MLTA's behalf. This law now allows a copy of an original mortgage accompanied by an affidavit by a person that has knowledge of the instrument to be deemed recorded and in compliance with recording requirements in this state. Finally, the language is retroactive so it applies to affidavits with copies of mortgages which have already been recorded.

It took a lot of hard work to turn these bills into public acts and all of your efforts in helping to achieve this goal are greatly appreciated. By working with your fellow MLTA colleagues and taking the time to contact your legislators, you made the difference!

## Michigan's Political Landscape Following the General Election

A result of November's General Election, the Republican Party will maintain its control of the three branches of state government. At the state's helm will be Governor Rick Snyder, who won his re-election bid. The House Republicans picked up 4 additional seats and the Senate Republicans gained an extra seat. Next year, the House Republicans will have a 64-46 majority and the Senate Republicans will have a 27-11 supermajority. In the 20th Senate District, Sean McCann (D) lost by 59 votes to Margaret O'Brien (R). McCann has announced that he will seek a recount. Assuming worst case scenario for O'Brien, the Senate Republicans would still have a supermajority status without the 20th District in their column. The Michigan Supreme Court, while technically considered nonpartisan, will have 4 Republican endorsed Justices and 3 Democratic endorsed Justices.

Following the General Election, the House and Senate held their internal leadership elections. In the Senate, the results within the majority party were anticipated. Senator

Arlan Meekhof (R-West Olive) will be the next Senate Majority Leader and Mike Kowall (R- White Lake) will be Senate Majority Floor Leader. There was a more competitive leadership race on the Democratic side of the aisle, where Senator Jim Ananich (D-Flint) emerged as the next Senate Minority Leader and Morris Hood, III (Detroit) as Minority Floor Leader.

Across the Capitol on the House side, there was a very competitive race for Speaker. Representative Kevin Cotter (R-Mount Pleasant) won that internal election and will take the key position of Speaker of the House. The Majority Floor Leader will be Representative Aric Nesbitt (R-Lawton) and the Speaker Pro Tem will be Tom Leonard (R-DeWitt). It was a less competitive election on the Democratic side. The Minority Leader will remain the same with Representative Tim Greimel (D-Auburn Hills) continuing in his current role. He has served in this position since 2013. There will be a new Minority Floor Leader with Representative Sam Singh (D-East Lansing) being elected to that spot.

## Lame Duck Session Begins

At the writing of this article, the Legislature is in the middle of its Lame Duck Session. Below is a snapshot of some of the issues that could be pushed for or taken up in the remainder of this year's legislative term. While these items are being floated around the Capitol, there remain disagreements between the Chambers and the Executive Office on how or if these issues should be moved:

**Road Funding** – Governor Rick Snyder reiterated his priority of an additional \$1 billion of funding for state bridges and roads. He stressed that he wants something done this term and does not want to wait until the new legislature is sworn in next year. Senate Majority Leader Randy Richardville (D-Monroe) has also expressed in interviews that additional road funding is his top priority during lame duck. House Minority Leader Tim Greimel (D-Auburn Hills) has also stated that he would like to pass meaningful road funding.

**Elliott-Larsen Civil Rights Act** – Several



*Representatives Pettalia, Lane and Barnett with Governor Snyder at the bill signing*



*Joined by MLTA's Cami Pendell, Tom Lico and Marcy Wellburn the Governor, Representatives Pettalia, Lane, Barnett, along with their staff.*



*Frank Surmann, Rep. Lane's Chief-of-Staff, and Rep. Lane along with the Governor*



legislators have been calling to amend the Elliott-Larsen Civil Rights Act to include protections for the LGBT community. The act prohibits discrimination in hiring and housing. While both the Governor and Senate Majority Leader have stated they are open to the discussion, House Speaker Jase Bolger (R-Marshall) has stated he may support it, but only with carve outs for religious exemptions.

**Term-Limits** – Senate Majority Leader Richardville hopes to make changes to the state's current term limits on legislators. He would like to see the limit set at twelve years in either Chamber or a combination of the two Chambers.

**Education** – Legislation making changes to teacher evaluations are expected to be moved, per Senate Majority Leader Richardville. There also could be movement on expanding the Educational Achievement Authority, however it doesn't appear any deals between the House and Senate have been struck yet. Also possibly moving are two bills that would retain students in third grade who aren't proficient in reading.

**Electoral College** – While some lawmakers in the House have called to change the way Michigan's electoral votes are distributed, both the Governor and Senate Majority Leader Richardville have stated they have no interest in making a change to the state's current system. Those calling for reform want to move away from the winner takes all approach and instead award them based on the candidate who wins each congressional district. House Minority Leader Greimel has expressed concerns with the bill, stating "Pushing the Electoral College bill will be toxic to the atmosphere in Lansing."

**Prevailing Wage** – Under current law, all state-funded construction projects must pay union wages and benefits. Some Republicans are calling to repeal this law under the premise that by paying workers lower wages the state, and thus taxpayers, would save money. However, both Governor Snyder and Senate Majority Leader Richardville have stated they have no interest at this time to repeal the law.

Lame Duck is expected to conclude on December 18th. After that point in time, the dust will settle and we'll have a better idea of how all of these issues were either resolved or if some of them will carry forward into next year. All unfinished legislation will die at the end of this year, so if anything carries forward it will have to be reintroduced and begin the committee process once again.

## Legislative Spotlight



In honor of his caucus selecting him to be the next Speaker of the House, this quarter's member spotlight is on Speaker-elect Kevin Cotter. State Representative Kevin Cotter was first elected in November 2010 to serve the citizens of the 99th House district. The 99th district encompasses all of Isabella County, as well as ten townships in Midland County.

Representative Kevin Cotter brings a broad array of experience to the House of Representatives, most recently serving as a partner at the Kerr Law Firm, PLLC in downtown Mt. Pleasant. Prior to that, Cotter worked in the transportation industry, working with two companies where his duties included supervising inbound shipments, human resources management and overseeing safety operations.

Representative Cotter is a graduate of Shepherd High School and holds a Bachelor's Degree in Entrepreneurship and Business Administration, as well as a Master's of Science in Administration, both from Central Michigan University. He also earned a Juris Doctorate degree from Thomas M. Cooley Law School.

Cotter lives in Union Township, Isabella County, with his wife Jennifer. In his spare time, he enjoys spending time in Michigan's outdoors. He also enjoys golfing, snowmobiling, hunting, boating and spending time with friends and family.



At December's board meeting, the MLTA Board, presented Sandra A. Pearson, President & CEO, Habitat for Humanity Michigan with a \$2,000 contribution.

# MARKETING SERVICES AGREEMENTS: BEWARE

by Gregory L. McClelland, Esq., McClelland and Anderson, LLP  
On behalf of the Michigan Realtors®, Excerpts below printed with Permission

As REALTORS® are well aware; the Consumer Finance Protection Bureau (“CFPB”) has replaced HUD as the enforcer of RESPA. While the CFPB has not been in the business very long, it is readily apparent that the CFPB views the Section 8 prohibition against referrals much more broadly than HUD has done in the past. REALTORS® may recall that the CFPB’s recent investigation of an affiliated business arrangement between an Alabama real estate brokerage and a title company resulted in a “Consent” Order by which the Alabama brokerage firm agreed to pay a \$500,000 fine. The penalty was based in large part on the CFPB’s objections to the language and formatting of the broker’s affiliated business disclosure form.

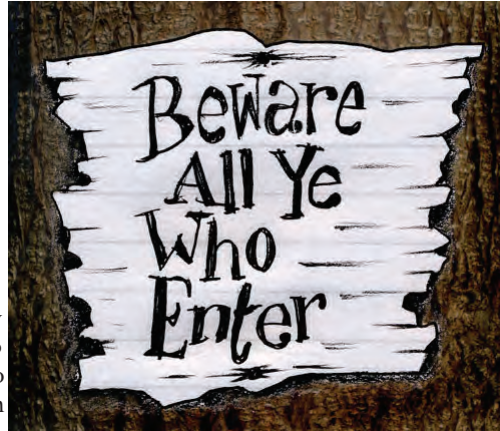
In Michigan, a recent CFPB investigation has resulted in a similar “Consent” Order by which a Michigan title company agreed to pay \$200,000 as a penalty for entering into marketing services agreements (“MSAs”) which the CFPB found to violate Section 8 of RESPA.

REALTORS® with MSAs need to re-examine these relationships in light of this recent investigation and “Consent” Order. It has always been the case that RESPA permits payments of compensation for goods actually furnished or services actually performed. 12 USC § 2607(c)(2). Historically, it was generally believed that this provision permits a real estate broker to be paid for marketing a title company’s services, so long as the compensation paid was not tied to the amount of business actually referred. HUD at least impliedly, if not expressly, found these arrangements to be lawful under RESPA.

Perhaps the most troubling was the CFPB’s suggestion that the MSAs would have been deemed to be in violation of Section 8 even if the fees paid were found to be at fair market value for the marketing services the broker provided. Why? Because according to the CFPB, the MSA itself was a thing of value being provided to brokers in return for referring business.

In other words, whatever the payment structure, the title company’s agreement to hire marketing services from the broker violated Section 8 simply because the arrangement itself was being offered because the broker referred business to the title company.

Finally, while the Consent Order was not directed at the real estate brokers who had received the fees, in discussing the case after the fact, CFPB officials have not ruled out the possibility of pursuing real estate brokers in the future, noting that both sides of any illegal Section 8 arrangement have potential liability under the law. In other words, Section 8 of RESPA prohibits the receipt as well as the payment of referral fees.



It is not clear from the Consent Order involving the Michigan title company whether the CFPB considered any of the stated objections alone to be enough to find a Section 8 violation or whether the focus was really on the combination of factors. If, in fact, each and every factor listed is a violation of Section 8, then it would appear that MSAs between two settlement service providers (title companies, mortgage brokers, lenders, brokers, etc.) are no longer permissible, i.e., they violate RESPA.

Many REALTORS® have expressed concern about possible liability under RESPA based on the fact that they have “marketing” type of arrangements with title companies, mortgage brokers, lenders, home warranty companies or any other company that could be identified as a settlement service provider under

RESPA. It is highly likely that a settlement service provider has the benefit of legal counsel who is charged with assuring compliance with RESPA. Each REALTOR® who has such a marketing arrangement should seriously consider requesting that the settlement service provider with whom he or she has the arrangement provide him or her with the basis under which they conclude that they could successfully defend a claim against themselves and the REALTOR® by the CFPB if it challenges the marketing arrangement.

While these types of marketing arrangements can be quite lucrative to REALTORS®, the benefit must be analyzed against the potential cost, i.e., fines and potential civil liability. The CFPB is the “new sheriff in town.” Great care must be taken by REALTORS® to avoid finding themselves in the same position as the Michigan Title Company or Alabama Real Estate Brokerage.

## MLTA Membership Committee SHARE OUR STRENGTHS...

by Jilanne Z. Scholtz, First American Title

Whether you are an “Old Timer” or a “Newbie” with the MLTA, often times the numerous benefits of the organization are forgotten. Today’s regulatory environment has brought the educational benefits of the association to the forefront, but so many more opportunities are available to our members. Benefits of membership extend to your staff and recruitment of local affiliate members gives an even stronger stance to our organization.

The Membership Committee is asking each member to Share Our Strengths with one or more possible affiliate members in their local community. We all have occasions to discuss the Land Title Industry with our associates and what a better way for them to learn more than by joining the MLTA? Consider sharing the following reasons to join the MLTA with your local attorneys, surveyor or other real estate professionals.

- Educational Seminars: Addressing the critical issues of the industry
- Legislative Representation: Full Time Registered Lobbyist advancing the goals of MLTA Membership
- Professional Designations: Associate Land Title Professional and Certified Land Title Professional
- Summer Convention: National Industry and Professional Speakers

Please help us in our efforts to boost our membership and status within the Real Estate Industry. To obtain a membership application please visit [www.mlta.org](http://www.mlta.org) or contact Marcy Lay, Executive Officer at (517) 374-2728.



# Education Committee

by Pam McGowan  
eTitle Agency, Inc.



Though snowflakes in the air made it feel more like winter, the 2014 MLTA Fall Education Seminar in Livonia found itself well-attended. President Lisa Cicinelli (Old Republic National Title Insurance Co.) welcomed the full tables of title professionals and guest speakers for one of the first times since beginning her tenure.

The first scheduled speaker, Cami Pendell, was unable to attend, so Tony Des Chenes (Michigan Legislative Consultants) delivered the short and sweet Lansing Report. Being the day after an election, the hot topic was, of course, election results. Tony shared some of the Michigan election surprises: the governor winning by a large margin, and the changes in the House and Senate. He also predicted that roads would be a big issue going into the lame duck session. And he was right!

Next on the agenda was a presentation entitled “ALTA Best Practices #3: Non-public Personal Information”, as presented by Cindy Immonen (Fidelity National Title Agency Group). Non-public personal information (NPI) is “personally identifiable information regarding a person’s financial affairs or health”. Some examples of NPI are: bank account or credit card numbers, social security numbers, dates of birth, and driver’s licenses. On April 12, 2012, the CFPB issued Bulletin 2012-03 outlining the areas lenders need to be concerned about regarding service providers’ compliance, and thus prompting ALTA’s Best Practice #3, which is to “adopt and maintain a written privacy and information security program to protect NPI as required by local, state and federal law”. Therefore, every title and settlement company is required to:

- Designate one or more employees to coordinate its information security program
- Identify and assess the risks to customer information in each relevant area of the company’s operation
- Design and implement a safeguards program, and regularly monitor and test it
- Select service providers that can maintain appropriate safeguards
- Evaluate and adjust the program in light of relevant circumstances

Cindy offered some tips to achieve compliance, such as training, encryption and strong passwords, writing a disaster plan, and the ever-popular “clean desk policy”. The presentation ended with several questions and quite a bit of discussion about the benefits of and problems with encryption.

After a short break, Phil Savich (Old Republic National title Insurance Co.) took the podium for an honest and informative talk about ALTA Endorsements 1-8. First, we got a little history on the ALTA 1. Never heard of it? That’s because no one issues it anymore—there’s no need to. And the ALTA 2? According to Phil, it’s usually only used in commercial transactions and “only given in a situation where it’s not necessary.” He explained the popular ALTA 3, 4, 5, and 6 endorsements, and the not-so-popular ALTA 7, which is used for manufactured housing units (a/k/a mobile homes). Regarding the ALTA 8.1 and 8.2, “everybody issues these as if they were water,” says Phil. Stay tuned for the sequel, ALTA Endorsements 9-16 (approximately), at a MLTA Seminar near you.

Jinkies, it’s the cops! Well, it was our next speaker, Detective Sergeant Dan Cook from the Michigan State Police. He was there to tell us about Cyber Crimes, something everyone needs to know about, not just title professionals. Sgt. Cook is a part of the Michigan Cyber Crimes Center (MC3), a division of the Michigan State Police which includes cyber emergency responders. It’s hard to define “cyber” but, essentially, it refers

to technology. Cyber touches just about everything: power, water, gas, banking, transportation, military, industry, schools, and personal lives, to name a few. One thing Sgt. Cook warned us all about is free, public Wi-Fi because it can be like putting your personal information on a billboard for thieves. Some of the challenges unique to cyber crimes, as compared to other crimes, are the difficulty to “see” an incident, the sense of urgency is not the same as a physical attack, and most pre-attack activities are ignored. The people committing these crimes could be outsiders (hackers, terrorists, competitors) or insiders (current/former employees, service providers, brokers), and motivations include carelessness, lack of education, or revenge. Social media is a common vehicle for cyber attacks, and Sgt. Cook recommended good “internet hygiene”: know your “friends” and be careful about what you post for others to see. And, it’s always a good idea to have a Disaster Management Plan. After some helpful hints about how to verify a driver’s license, Detective Sergeant Dan Cook left to continue fighting crime out in the Worldwide Web and beyond.

The Livonia Marriott provided us with a nice lunch, as usual, which we digested along with all the information we had received thus far.

Next, we learned about Fraud and NPI Protection from Special Agents Kelly Suess and Steve Osterling. Did you know Michigan is one of the top states for mortgage fraud? Short sale fraud (buy and bail), loan origination, and foreclosure rescue are types of fraud that title companies can help the FBI identify. Special Agent Suess shared with us some interesting cases of Securities Fraud (a/k/a Ponzie Schemes), such as investment fraud and insider trading, and Corporate Fraud (a/k/a “Cooking the Books”). Special Agent Osterling gave us some startling statistics regarding identity theft, including the fact that Michigan is in the top four states for this type of crime. Identity theft is under-reported, and people should contact the FTC, file a police report, flag credit reports, and close affected accounts if they have been a victim. Points of compromise that people should be aware of: trash, wallet/purse, internet, friends/relatives/co-workers, employees of a business, and misuse of the name of legitimate business. If your credit is denied, there are mistakes on your statements, or you are being contacted by creditors or the IRS, those may be warning signs that your identity has been stolen. There are many things people can do to minimize the risk of identity theft, including but not limited to checking credit reports regularly, keeping anti-virus software on computers, and not giving out personal information without knowledge of how it’s being used. Special Agent Osterling admitted that he doesn’t shred documents and use strong passwords as much as he should but encouraged us to be more diligent about doing so.

Last on the agenda was Alexandra Nicholaides, Associate Area Counsel for the IRS. Though she was a great speaker, she had the daunting task of discussing federal tax liens with us at the end of an already informationally-overwhelming day. The mere mention of 1099S forms drew a long debate amongst the crowd and Alex. Eventually, we broke free of that topic, and she touched on Notices of Federal Tax Lien and clarified that these liens do attach to “tenants by the entireties” properties even if the lien is only against one spouse. As a finale, she explained FIRPTA (Foreign Investment in Real Property Tax Act) and the reporting requirements when dealing with foreign sellers and/or buyers.

And thus, with a “goodbye” from President Lisa Cicinelli, we parted ways until the 2015 MLTA Spring Education Seminar. Hope to see you all there!

# Through The Eyes of Christmas

*by Tom Lico, Capital Title Insurance Agency*

The garland and lights are wrapped around the lampposts lining Main Street. The shopping malls are decorated as well and the newspapers are littered with the Christmas sales. We have all enjoyed this view of Christmas, but have you ever had the fortunate experience to see Christmas through the eyes of Christmas?



Santa Claus and Christmas go hand in hand and to put on the red suit, hat and beard gives you a perspective that will change the way you look at Christmas. In my 20 years of playing the big guy at private parties and shopping malls, I've accumulated many wonderful stories.

The most noticeable and consistent experience is being greeted with a warm smile and a wave of hello by all, 100% of the time. Everybody loves Santa because nobody has a bad "Santa" memory.

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Playing Santa at the mall is the closest feeling to being a rock star. People are lined up for an hour waiting to spend just a few moments with you. Of course, to a 6 year old – you are BIGGER than a rock star. You're Santa! There was one experience I had at the mall that was not with a child, but an adult. It was near closing time on a weeknight so there was no line. Sitting in the chair, I noticed a younger woman walk by and look my way. I waved. With an embarrassed smile, she waved back. Hesitantly, she stopped at the entrance and spoke briefly with one of Santa's helpers, then walked up the ramp toward me. She was a tall, attractive brunette in her early twenties. It wasn't uncommon to have young adults come up for a picture, so I thought nothing of her approach.

She sat on my lap as I said hello in my regular voice. When asked to pose for the photo, she declined. Puzzled, I asked, "What's going on?" With a serious and somber look she replied, "It's been a tough year and I just needed someone to talk to." A tear gently flowed down her cheek as she explained in more detail. What a powerful experience. This woman knew I was a complete stranger and not the real Santa Claus, but chose to confide in me the troubles in her life. Is it because of the suit? Or the childhood memories of what Santa represented – happiness and hope? I became a shoulder to lean on. We spoke for a few minutes, then she smiled, gave me a hug and exited down the ramp. I never saw her again, but I never forgot her either. I learned to never underestimate the power of the suit. You're not just representing a character, you're representing an emotion and an age of innocence that we all long for when times get tough.

---

It was a Saturday morning youth bowling league. In between games, the kids would sit on my lap and tell me what they wanted for Christmas. They had a young woman in a red dress to serve as my helper. It was the regular routine – kids sitting on my lap telling me they had been good and what they wanted in exchange for that. Sonya, my helper, then introduces me to Kevin. "Well hello Kevin" was my greeting. "How old are you now?" "Seven," he quietly replied. "And what do you want for Christmas?" His responses will forever be ingrained in my memory. "I would like my mom to find a boyfriend so she's not so alone." Hardly expecting this response, I replied, "OK, what else would you like?" "My dad to get off the drink because he's mean when he drinks." Sonya is standing behind him with tears now running down her face and mouthing to me, "Oh my God." "What else would you like?" was all I could respond with. "My little brother to get the Teenage Mutant Ninja Turtles that he really wants." "Is there anything you want just for you?" "No. That's it," was his reply.

I was stunned. I just had an innocent 7 year old boy tell me his life was miserable and he didn't want to be miserable anymore. All Kevin was asking from Santa was to be happy. Seven years old is the golden age for believing in Santa. You're old enough to understand it and young enough to believe wholeheartedly. But Kevin had already figured out at age 7 what most people never figure out – that if the people closest to you aren't happy, then the material things in life are meaningless.

This experience changed my view of Christmas forever. As the 25th of December nears, I look at the people closest to me to see if they are happy. If not, then what can I do to make a positive difference in their lives? Their happiness will translate to my happiness and that is the only gift I ask for. If just being "happy" is a good enough present for a 7 year old, then it will always be good enough for me.



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# SURVEYOR'S VIEW POINT: A Statute of Limitation on Boundaries

.....  
*by Jeffery N. Lucas, PLS, Esq.*



One of the things that has often fascinated me about the law as I continue to read and write about it is the concept of a statute of limitations. That after a certain amount of time something that was once a wrong, while it may not ever become a right, will eventually be forgiven and we can move on and not worry about it anymore. Limitations on negligence is a good example. To clarify, I am talking in the civil context and not the criminal.

I have often told surveyors that property law, especially boundary law, has built-in limitations periods. These are not statutorily enacted limitations, but court-made limitations. The most common in the boundary context are the so-called location doctrines; the common grantor doctrine, the doctrine of monuments, boundary by oral agreement, boundary by acquiescence, boundary by practical location, estoppel and the all-encompassing rule of repose. Most rules of repose are in the 20 to 30 year range.

Since *McArthur v. Carrie's Admr.*, 32 Ala. 75 (1858), this State has followed a rule of repose, or rule of prescription, of 20 years. This principle of repose or prescription is similar to a statute of limitations, but not dependent upon one, and broader in scope. It is a doctrine that operates in addition to laches. Unlike laches, however, the only element of the rule of repose is time. It is not affected by the circumstances of the situation, by personal disabilities, or by whether prejudice has resulted or evidence obscured. It operates as an absolute bar to claims that are unasserted for 20 years.[1]

Adverse possession is also a boundary establishment doctrine, but it is more than that. It will also settle the title question along with the location question. More than this, however, since it is always statutorily enacted it also serves as a statute of limitations.

Falling right on the heels of these doctrines are the fundamental principles of land surveying. You are either an original surveyor

laying out original lines for the first time or you are a following surveyor whose only function is to retrace where these lines were originally laid out, not to correct them. As we all know, there is a lot more that goes into that discussion and I'm not going there with this column because I have other ground to cover.

The point to be made is that unlike a statute of limitations where a wrong may never become a right, in the boundary context a mistake in location will eventually be the correct location in due course because of the fundamental principles of land surveying and the built-in court-made limitations—if surveyors would allow this to happen.

But many surveyors simply can't or won't allow this to happen and this is the point of this column and has been the point of several of my most recent columns—how can we work towards a practice model that maintains the status quo as opposed to constantly upsetting the applecart?

## GOOD PUBLIC POLICY

The reason we have statutes of limitation is that they fulfill valuable public policy needs. Life is too short, after a certain amount of time we need to be able to move on. Adverse possession says, in essence, if you aren't going to take care of your property we will give to somebody who is already doing that job. This goes back to the ancient idea that we do not want to see property go unused, especially if someone else is willing to use it and make it productive for society as a whole.

As a matter of public policy and for the repose of society, it has long been the settled policy of this state, as of others, that antiquated demands will not be considered by the courts, and that, without regard to any statute of limitations, there must be a time beyond which human transactions will not be inquired into.[2]

I recently covered a statute of limitations case, guised as an easement case, for my monthly newsletter. It is a case I have covered in this column in the past, *H&F Land, Inc. v. Panama City-Bay County Airport and Industrial District*, [3] but this time around I had a totally different take-away given my somewhat recent interest in exploring ideas that could fundamentally change the way land surveying is practiced—hopefully for the better—and keep traditional land surveying relevant well into the 21st century.

## THE MARKETABLE RECORD TITLE ACT

The reason I first covered the case was because it dealt with the Marketable Record Title Act (MRTA) as it has been enacted in Florida. My most recent reason for revisiting the case was MRTA's impact on a common law way of necessity—an implied easement servicing a landlocked piece of property. As the Florida Supreme Court noted, MRTA is both a recording statute and a statute of limitations on old stale claims. The court gave us a basic explanation of MRTA:

In landmark legislation fundamentally revamping Florida property law, the Florida Legislature adopted MRTA in 1963 for the purpose of simplifying and facilitating land title transactions. MRTA was designed to simplify conveyances of real property, stabilize titles, and give certainty to land ownership. MRTA is

based on the Model Marketable Title Act, which was proposed in 1960 with multiple objectives: (1) to limit title searches to recently recorded instruments only; (2) to clear old defects of record; (3) to establish perimeters within which marketability can be determined; (4) to reduce the number of quiet title actions; and (5) to reduce the costs of abstracts and closings.[4]

Do you see what I see? The title attorneys and title companies got together and decided that they wanted a model law that would simplify the task of searching and insuring title. A process that would eliminate old problems, ensure marketability, reduce litigation and associated liability, and reduce costs. Another thing that it does is it levels the playing field so that all of the title companies and title attorneys are working from the same basic parameters. It also establishes a correct answer. Couldn't the land surveying profession—the guys and gals in charge of the location question—use something akin to MRTA?

MRTA sets up something called the “root of title,” which refers to the last title transaction creating the estate in question and which was recorded at least thirty years ago. Once there is a root of title it extinguishes all earlier claims in the record to the same property. In essence, this is now the superior conveyance. The public policy issue here are clear. Society hates ancient controversies and MRTA extinguishes them after 30 years.

*“The title attorneys and title companies got together and decided that they wanted a model law that would simplify the task of searching and insuring title. A process that would eliminate old problems, ensure marketability, reduce litigation and associated liability, and reduce costs. Another thing that it does is it levels the playing field so that all of the title companies and title attorneys are working from the same basic parameters. It also establishes a correct answer. Couldn't the land surveying profession—the guys and gals in charge of the location question—use something akin to MRTA?”*

## HERE'S THE RUB

I am almost loath to say what I'm about to say next because I know I am going to get the flaming-arrow e-mails, I can already hear the cries of heresy, the wailing and gnashing of teeth, and the inevitable lynch mobs gathering at the next conference I attend. This actually happened once. The only reason I was spared is that my wife was there and they took pity on her because they did not want her to see me dangling by the neck from a second-story balcony. But I digress.

Folks... after thirty years the location question should be a settled matter. I don't care if you find an original monument set by George Washington. If it doesn't match the status quo as has been established for the last thirty years, pull it up, take it home and put it on the mantel. Everybody else wants to move on save the land surveying profession. Life is too short and our standing in society is too precarious for us to continue to be the source of ancient controversies when it comes to boundaries. We need to be problem solvers not trouble makers.

One of the built-in rubs that we have within the land surveying profession, which is actually part of the land surveyor's DNA, is our never-ending search for ancient controversies. We are taught at the very beginning of our career that we must find the original monuments set by the original surveyor, no matter how long that takes or how long these monuments have come up missing. Even if the rest of the world has moved on, it seems the surveyor's duty is to remain focused on the past.

Another problem that we have, that is fairly wide-spread, is surveyors of the past did not do this work diligently. They didn't exhaust all measures to find missing original monuments. Shortcuts were taken, evidence ignored, math applied and new corners set. These new corners get accepted by the local landowners, improvements get built to them, new subdivisions hang off of them, reliance sets in, and then some county surveyor decides to dig up the intersection and finds the original sandstone monument six feet down and 8.25 feet away from the spike that was in the middle of the intersection and used by everyone for the last 60 years. To what end?

## THERE NEEDS TO BE AN END

We could use a model code similar to MRTA, except with a focus on settling the location question as MRTA settles the title question. Notwithstanding many of the obvious problems with accomplishing such a task (lawyers, guns and money, to name a few), the Model Marketable Title Act was first promulgated in 1960. Last time I wrote about this I did an internet search to try and find out how many states had adopted the model act. At that time I read an article that said about 22 out of 50 states had adopted some form of the act. It only took 50 years to get that many jurisdictions onboard. I don't think we have that kind of time on our hands, at least I know I don't.

That does not mean that we could not use a MRTA type code as a model for what should be acceptable practice. A survey on the record that goes unchallenged for over thirty years should become the “root of location” and settle the question of location, extinguishing all previous surveys and boundary evidence to the contrary. Once it has reached this status, it should also settle all future location questions.

I certainly can't predict the future, but one thing I am fairly confident of is that our current practice model, which is let the chips fall where they may, will eventually bring an end to traditional surveying as we currently know it (that part of surveying that requires licensure). If that's all we have to offer there will be faster and easier ways to do it and the land surveyor's services will no longer be needed—after all—there will be an app for that.



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Footnotes:

[1] *McDermont v. Crenshaw*, 489 So.2d 550, 552 (Ala.1986).

[2] *Id.* at 552.

[3] *Panama City-Bay County Airport and Industrial District*, 736 So.2d 1167 (Fla.1999).

[4] *Id.* at 1171.

Jeff Lucas is in private practice in Birmingham, AL. He can be contacted through [www.LucasAndCompany.com](http://www.LucasAndCompany.com).



# COUNTY CORNER

## A Historical Overview of Our Michigan Counties

Livingston County occupies an area that was originally part of Shiawassee and Washtenaw counties and it was named after Edward Livingston, Secretary of State under President Andrew Jackson, and also Minister to France. Livingston County is located in southeastern Michigan's Lower Peninsula. Livingston County is located at the crossroads of I-96 and US-23 which puts it within one hours drive from Detroit, Flint, Ann Arbor, and Lansing which is a good thing because the county only has 6 jobs for every 10 residents. Today Livingston County is one of, or may be, the fastest growing county in Michigan (2003). In the Early 1800's following the war of 1812 the Federal Government offered free land to those who fought in the war. A Federal Survey in 1815 reported the land was extremely wet and the soil was unsuitable for farming. Most veterans took free land in other states. The State of Michigan did not see things the same way; partially due to the fact history indicates both the Pottawatomie and Chippewa Indians had farmed the area. The State ordered up its own survey and found that much of the land to be very well suited for agricultural purposes.



***Livingston County Courthouse***

This prompted the State to begin selling parcels for \$2.00 to \$3.00 an acre rather than give it away. And, Hell, I almost forgot, Hell is also located in Livingston County there are a couple of theories of how it became know as Hell, I like the one that goes like this; a man by the name of George Reeves, who found the soil for farming to be so good he had bumper crops of grain, so much that he decided to build a distillery to convert the extra grain to whisky, George was asked just what he thought the town he founded should be named and George reportedly replied, "I don't care, you can name it Hell if you want to."

### **Livingston County Websites and Locations of Interest:**

[http://en.wikipedia.org/wiki/Livingston\\_County%2C\\_Michigan](http://en.wikipedia.org/wiki/Livingston_County%2C_Michigan)

<http://www.infomi.com/county/livingston/>

Ottawa County was named after the Indian tribe who lived along the banks of the Grand River. Ottawa County is located in the southwestern section of Michigan's Lower Peninsula, with its western boundary being Lake Michigan. The word "Ottawa" comes from an Algonquin word "Adawe" meaning "to trade". The Ottawa were great hunters and fisherman and became important in the fur trade. One of the areas first settlers was a fur trader by the name of Rix Robinson who with his Indian wife established a trading post on the Grand River . This location in 1835 was given its name Grand Haven due to its location at the mouth of the Grand River . When fur trading declined, the lumber industry took over and in 1881; 200 million board feet of lumber were shipped from the port of Grand Haven. Just across the Grand River from Grand Haven is Spring Lake. The lake is known for its clear, magnetic mineral springs which are said to be especially great for swimming. In 1847 the city of Holland was established by an European immigrant by the name Albertus Christiaan Van Raalte who with his followers was seeking religious freedom in America. He modeled a colony after his native Holland. Much of Ottawa County was settled by Dutch immigrants and forty-five percent of the population claim Dutch ancestry. Today people from all over the world come to the "Tulip Time" festival each spring and it's said to be the third largest such festival in the nation. With 30 miles of Lake Michigan shoreline, ample fishing and hunting opportunities all along the Grand River, Ottawa County makes a strong showing in our Michigan Heritage.



***Big Red Lighthouse***

### **Ottawa County Websites and Locations of Interest:**

<http://www.infomi.com/county/ottawa/>

[http://en.wikipedia.org/wiki/Ottawa\\_County%2C\\_Michigan](http://en.wikipedia.org/wiki/Ottawa_County%2C_Michigan)



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And last but not least, is the horrifying story about another FIRPTA mishap. In this transaction the seller was subject to FIRPTA Withholding and did not have a taxpayer identification number (TIN). The escrow officer and her assistant held the money after close of escrow in May 2013, instead of sending it right away to the Internal Revenue Service (IRS). They were waiting for the sellers to provide their assigned TINs.

Finally, at the end of December 2013, the escrow officer decided to remit the funds without a TIN, since she had not heard from the sellers. The forms were filled out with the escrow company named as the withholding agent and reflected the escrow company's TIN. The officer sent in a trust check with "no TIN" written on the face.

The check was cashed right away. The following year in March 2014, the Forms 8288 and 8288-A were processed by the IRS and no payment was associated with the Forms, so the IRS notified the withholding agent (the escrow company) that withholding was due in the amount of \$105,000.

The escrow officer contacted the IRS and according to the IRS, they had no record of receiving the initial \$105,000 payment and the account had gone to collections. The escrow officer supplied the IRS agent with a copy of the cancelled check. The account was put on hold, so that no additional notices would be sent.

The IRS assigned the case to a Hardcore Payment Tracer to locate the \$105,000 and apply it to the correct account. The IRS eventually found the payment applied to the escrow company's account. The IRS assessed the following penalties and interest:

Penalty for filing tax return after the due date: \$23,625.00  
Interest charged for late payment of tax: \$4,725.00  
Interest charged for late payment: \$2,810.58  
Total: \$31,160.58



The penalty notice was sent to another office of the escrow company and never directed to the correct office for payment. The bill was left unpaid until October 2014. All of a sudden lenders alerted the escrow company that they could no longer open new orders with them as they had been placed on the Limited Denial of Participation (LDP) list.

An LDP is an action taken by a specific representative of the U.S. Department of Housing and Urban Development (HUD), for failure to comply with the specific standards for a HUD program or for delinquent federal debt.

An LDP excludes lenders from participating in the origination or closing of a mortgage backed by the federal government. The LDP does not just affect the office that failed to timely pay the withholding and not just one escrow officer, but the entire company!

The office scrambled to find out how much was due and to overnight a check in the amount of \$31,160.58 to the IRS, so lenders could continue opening new orders with the Company.

## MORAL OF THE STORY

Holding FIRPTA Withholding money while waiting for a foreign seller to obtain a taxpayer identification number is NEVER an option. The withholding amount can be remitted using the buyer's taxpayer identification instead.

A Company check can NEVER be remitted to the IRS, because they automatically credit the payment to the company's TIN, instead of the taxpayer's account. The check for withholding funds must ALWAYS have the buyer or seller's TIN written on the face of the check so it can be properly applied. Otherwise the buyer and seller will need to sign a waiver of liability, releasing the escrow company of any responsibility for a misapplied payment.

The IRS frequently changes the address for a company, based on the latest tax documents received. If your office receives a tax notice that does not affect a transaction your office closed, it should be directed to the National Escrow Administration team via email at [settlement@fnf.com](mailto:settlement@fnf.com).





# Strategic People Reminders for the Busy Executive

by Scott Patchin, The trU Group

## A Perspective

That simple question has generated many conversations and lots of literature. A search for “leadership” on Amazon today returns 151,597 results. So, where do you start in developing yourself as a leader?

In leadership, we tend to focus on the “big moments”: the yearly rally, the employees speech, a monthly update for the company, an ideas presentation to senior leadership, a problem-solving meeting that successfully addresses an organizational need.

While the big moments are important, your team culture and relationships are defined by the dozens of smaller events that occur throughout the day. Here are five such moments that leaders must learn to master. I call these trUMoments™:

- Someone does something right (or wrong — including you).
- Someone needs something from you.
- Someone disagrees with you.
- A change is needed.
- You feel worn out or overly stressed.

Your answer to the question “What kind of leader do I want to be?” will be revealed in how you interact with and respond to these moments. Effective leaders must build the capacity to manage the emotions that arise from these daily situations. In these moments, we build our relationships with our people. In my trUPerformance™ language, respect and trust — the two key ingredients in effective leadership — are built in these daily interactions.

## Your Action Plan

How does a leader become skilled at navigating those many moments? Initially, you don’t. It takes time to develop the skills necessary to expand your capacity to lead in these moments.

Start by learning to recognize that a trUMoment is occurring. Then, develop the tools to respond to each moment to best serve the relationship and the business.

Let’s focus on the first trUMoment: Someone does something right (or wrong — including you). Make it easy by creating space for this moment to happen, perhaps in a meeting.

1. Start the meeting with everyone sharing two pieces of good news: one personal piece and one professional piece.
2. Have each leader share an update on his/her area, highlighting key performance numbers that are doing well and what problems they’re working on solving.
3. Repeat #2 for you. If you made a mistake since the last meeting, use the time to apologize and share your own action plans.

When someone shares a success, congratulate and encourage that person to celebrate it with his/her team or the individual(s) responsible. If it’s a major success, make a note to follow up and make sure it gets celebrated.

When someone shares a problem, ask, “What solution have you chosen?” or “What solutions are you considering?” Allow the team to provide input, if needed. End the discussion by asking, “How can we support you?”

How you manage trUMoments™ will define your heart as a leader to everyone around you. You can’t fake it. These moments happen many times each day and will test your ability to step back and act in the best interests of your people and your organization.



Do you have leadership development needs for your team or yourself? Contact me. [Scott@thetrugroup.com](mailto:Scott@thetrugroup.com) ©2014, Scott Patchin

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## Residential Sales Statistics October 2014

Local Association	2014 YTD # Sales	2013 YTD # Sales	14-13 YTD % Change	2014 YTD Avg Price	2013 YTD Avg Price	14-13 YTD % Change	2014 Oct Sales	2013 Oct Sales	14-13 % Change	2014 Oct Avg Price	2013 Oct Avg Price	14-13 % Change
Ann Arbor Area Board of REALTORS®	2,815	2,781	1.22%	\$263,939	\$249,212	5.91%	314	280	12.14%	\$254,754	\$232,299	9.67%
Antrim Charlevoix Kalkaska Association of REALTORS®	495	508	-2.56%	\$197,078	\$200,882	-1.89%	56	55	1.82%	\$216,016	\$212,910	1.46%
Battle Creek Area Association of REALTORS®	1,184	1,313	-9.82%	\$104,651	\$92,695	12.90%	145	149	-2.68%	\$109,220	\$96,049	13.71%
Bay County REALTOR® Association	1,030	1,052	-2.09%	\$86,083	\$75,084	14.65%	109	107	1.87%	\$91,792	\$76,441	20.08%
Branch County Association of REALTORS®	353	402	-12.19%	\$109,014	\$103,379	5.45%	41	46	-10.87%	\$82,020	\$107,622	-23.79%
Central Michigan Association of REALTORS®	742	916	-19.00%	\$102,491	\$96,208	6.53%	82	100	-18.00%	\$111,530	\$93,640	19.10%
Clare-Gladwin Board of REALTORS®	744	731	1.78%	\$76,370	\$68,746	11.09%	114	97	17.53%	\$74,578	\$74,045	0.72%
Detroit Board of REALTORS®	3,720	4,769	-22.00%	\$33,350	\$21,553	54.74%	295	463	-36.29%	\$51,413	\$28,105	82.93%
Down River Association of REALTORS®	842	1,090	-22.75%	\$126,072	\$106,564	18.31%	103	101	1.98%	\$124,990	\$112,372	11.23%
Eastern U.P. Board of REALTORS®	358	392	-8.67%	\$95,472	\$97,587	-2.17%	52	63	-17.46%	\$96,540	\$91,312	5.73%
Emmet Association of REALTORS®	655	680	-3.68%	\$273,246	\$282,694	-3.34%	88	73	20.55%	\$213,127	\$312,446	-31.79%
Genesee County	4,450	5,010	-11.18%	\$110,435	\$89,761	23.03%	531	561	-5.35%	\$120,545	\$97,450	23.70%
Grand Rapids Association of REALTORS®	10,330	10,848	-4.78%	\$164,718	\$153,020	7.64%	921	975	-5.54%	\$157,232	\$145,119	8.35%
Greater Kalamazoo Association of REALTORS®	3,658	3,850	-4.99%	\$157,114	\$151,934	3.41%	435	359	21.17%	\$160,198	\$157,409	1.77%
Greater Lansing Association of REALTORS®	5,326	5,370	-0.82%	\$131,762	\$115,927	13.66%	574	534	7.49%	\$139,196	\$122,725	13.42%
Greater Shiawassee Association of REALTORS®	242	298	-18.79%	\$94,096	\$75,568	24.52%	36	29	24.14%	\$105,808	\$60,016	76.30%
Greater Wayne County	12,274	13,470	-8.88%	\$141,679	\$125,817	12.61%	1,369	1415	-3.25%	\$144,086	\$136,196	5.79%
Hillsdale County Board of REALTORS®	367	398	-7.79%	\$100,524	\$98,925	1.62%	42	46	-8.70%	\$123,283	\$92,584	33.16%
Huron County	108	113	-4.42%	\$117,030	\$106,897	9.48%	14	19	-26.32%	\$108,414	\$100,516	7.86%
Jackson Area Association of REALTORS®	1,652	1,865	-11.42%	\$119,307	\$109,178	9.28%	188	229	-17.90%	\$124,585	\$124,536	0.04%
Lapeer County	889	915	-2.84%	\$158,970	\$130,310	21.99%	102	97	5.15%	\$154,712	\$131,658	17.51%
Lenawee County Association of REALTORS®	854	843	1.30%	\$117,995	\$112,598	4.79%	128	98	30.61%	\$128,941	\$123,179	4.68%
Livingston County	2,608	2,532	3.00%	\$220,542	\$197,135	11.87%	284	275	3.27%	\$231,006	\$201,293	14.76%
Oakland County	15,303	16,405	-6.72%	\$234,314	\$211,522	10.78%	1,708	1787	-4.42%	\$234,285	\$210,904	11.09%
Macomb County	9,286	10,158	-8.58%	\$141,859	\$123,912	14.48%	1,052	1078	-2.41%	\$144,879	\$134,218	7.94%
Mason-Oceana-Manistee Board of REALTORS®	811	872	-7.00%	\$132,709	\$127,257	4.28%	101	107	-5.61%	\$158,463	\$144,773	9.46%
Midland Board of REALTORS®	836	903	-7.42%	\$152,622	\$155,745	-2.01%	111	90	23.33%	\$148,185	\$152,683	-2.95%
Monroe County Association of REALTORS®	1,175	1,276	-7.92%	\$145,723	\$128,264	13.61%	134	127	5.51%	\$181,627	\$125,795	44.38%
Montcalm County Association of REALTORS	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Northeastern Michigan Board of REALTORS®	619	647	-4.33%	\$97,650	\$86,002	13.54%	102	83	22.89%	\$100,750	\$103,853	-2.99%
Paul Bunyan Board of REALTORS®	1,216	1,318	-7.74%	\$96,714	\$94,044	2.84%	168	149	12.75%	\$95,516	\$99,053	-3.57%
Saginaw Board of REALTORS®	1,615	1,737	-7.02%	\$89,873	\$83,873	7.15%	201	179	12.29%	\$95,342	\$81,012	17.69%
Sanilac County	159	145	9.66%	\$96,958	\$80,743	20.08%	14	14	0.00%	\$88,957	\$70,606	25.99%
Southwestern Michigan Association of REALTORS®	2,545	2,635	-3.42%	\$190,397	\$182,237	4.48%	321	315	1.90%	\$185,443	\$189,476	-2.13%
St. Clair County	1,413	1,302	8.53%	\$130,172	\$120,394	8.12%	151	127	18.90%	\$141,479	\$123,786	14.29%
St. Joseph County Association of REALTORS®	472	469	0.64%	\$122,224	\$101,691	20.19%	55	46	19.57%	\$131,021	\$96,704	35.49%
Traverse Area Association of REALTORS®	2,390	2,467	-3.12%	\$229,721	\$217,140	5.79%	291	287	1.39%	\$255,239	\$236,681	7.84%
Tuscola County	237	256	-7.42%	\$90,553	\$71,706	26.28%	36	30	20.00%	\$106,911	\$81,727	30.82%
Upper Peninsula Association of REALTORS®*	1,849	1,817	1.76%	\$106,149	\$106,264	-0.11%	234	204	14.71%	\$100,311	\$105,457	-4.88%
Water Wonderland Board of REALTORS®	1,736	1,780	-2.47%	\$118,500	\$115,728	2.39%	235	195	20.51%	\$129,308	\$113,876	13.55%
West Central Association of REALTORS®	1,093	1,206	-9.37%	\$99,218	\$89,222	11.20%	144	142	1.41%	\$110,700	\$87,709	26.21%
West Michigan Lakeshore Association of REALTORS®	3,816	3,641	4.81%	\$164,366	\$155,923	5.42%	548	364	50.55%	\$173,943	\$170,024	2.30%
<b>TOTALS</b>	<b>102,267</b>	<b>109,180</b>	<b>-6.33%</b>	<b>\$135,162</b>	<b>\$124,716</b>	<b>8.38%</b>	<b>11,629</b>	<b>11,495</b>	<b>1.17%</b>	<b>\$139,179</b>	<b>\$128,250</b>	<b>8.52%</b>

\*Escanaba, Iron Mountain, Keweenaw, Western Upper Peninsula, and North Central Upper Peninsula

# MLTA - PAC

## ANNUAL GIVING AWARDS

Each year the MLTA-PAC recognizes members who have made contributions during the prior year that exceed designated giving levels. There are five different award levels and they are:

<b>LIFE</b>	<b>\$1000+</b>
<b>PRESIDENT</b>	<b>\$500 - \$999</b>
<b>GOLD</b>	<b>\$350 - \$499</b>
<b>SILVER</b>	<b>\$250 - \$349</b>
<b>BRONZE</b>	<b>\$150 - \$249</b>
<b>MEMBER CARES</b>	<b>\$100 - \$149</b>

The following members were recognized at the Summer Convention; but, you can never say "Thank You!" enough. We would like to thank the following members and recognize them for their support of the MLTA-PAC in 2014!

*Awards were presented to these members at the 2014 Summer Convention. If you were not present at the convention, your award will be forwarded to you by the MLTA office.*

### LIFE

Jerome Jelinek  
Tim McDonnell  
Paul Alexander

### PRESIDENT

Bill Robinson  
Sarah Sutton  
Debbie Wiley  
Lisa Cicinelli  
Cindy Immonen  
Allan Dick  
Bob Wuerfel

### GOLD

John Bommarito

### SILVER

Robert Meredith  
Cathy LaMont  
Eileen LaPlante  
Dawn Patterson  
Amy Wright  
Jeff Basil  
David Martyn  
Heather Moldovan  
Rich Lauber  
Philip Savich  
Meredith Weingarden  
Marcy Welburn

### BRONZE

Doug McFarlane  
Dwayne Ruszala  
Tobias Lipski  
James Casson  
Kevin Lounds  
Colleen Devlin  
Leigh Kraushaar  
Jil Scholtz

### MEMBER CARES

John Meeseman  
Gregg Nathanson  
Michael Alberty  
Kathy Andersen  
Pam Archibald  
Sharron Ardanowski  
Debbie Bartlett  
Jacqueline Brink  
Robert Budreau

Steve Coaching  
Cathy Cook  
Michael Donovan  
Jan Frank  
Margo Hannum  
Mary Lou Hartwell  
Gary Jackson  
Matt Kier  
Adam Kutinsky  
Marcy Lay

Diana Parker  
Scott Patchin  
Walt Quillico  
Brian Roberts  
Peter Schneiderman  
Doug Smith  
John Tacia  
Amber VerBurg  
Matt Walker



The Title Examiner  
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## *MLTA Upcoming Events*

April 15: Spring Education Seminar – Soaring Eagle,  
Mt. Pleasant

May 5: MLTA Legislative Day - State Capitol / Radisson  
Hotel, Lansing

May 13: Spring Education Seminar – Livonia Marriott

July 12–14: MLTA 2015 Convention, Shanty Creek

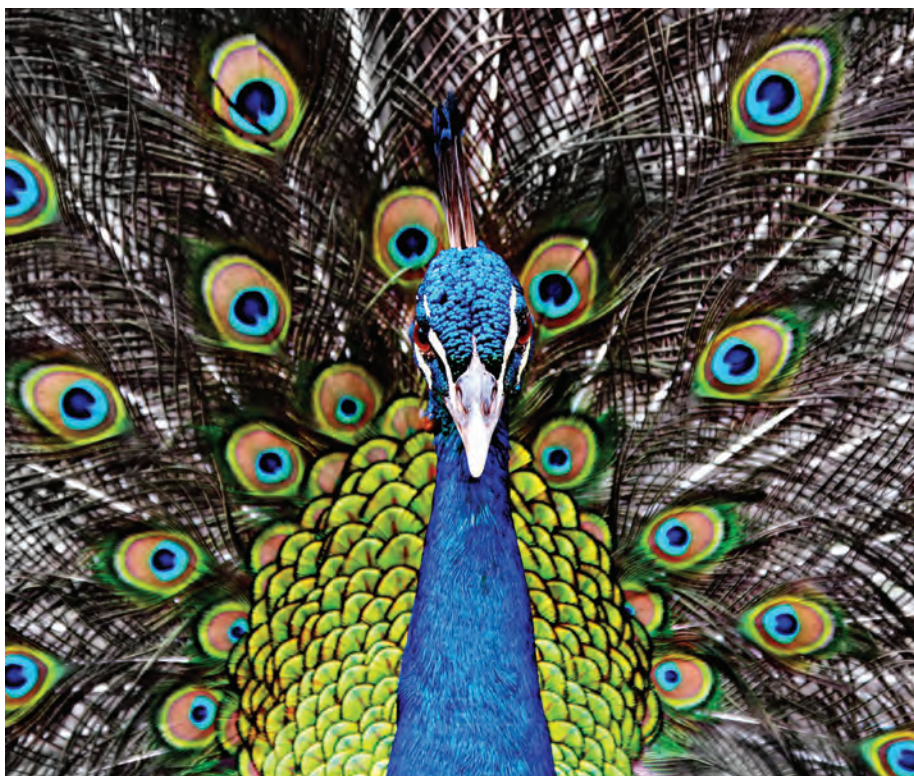
October 14: Fall Education Seminar, Soaring Eagle

November 11, 2015 –Fall Education Seminar, Livonia

## *ALTA Events*

March 18-20, 2015: Business Strategies Session  
Philadelphia, PA

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