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Observations, Audits and Agent Reminders

Home

Home Agency Manual Action Plans Audit Reports Bank Rec Defalcations File Review Fraud Info Internal Controls Risk Assessment Agency Conferences

Latest News

Agency Representatives Conference

30th
SEP

First-ever Agency Representatives Conference will be in Orlando this fall. More details available soon.

Best Practices Beat

ALTA's Best Practices are a hot topic. We work to keep you and our agents informed. While our **Best Practices site** is devoted to tools for agents, come here for information developed especially for you

Items of Information

- ASA Spotlight
- New Agency Services and Administration Department
- Items of Interest
- News For You
- Q & A
- Sample Agreements
- Work Papers
- New Email Templates For use in Eloqua & Outlook

Quick Links:

-  **Shared Success PROGRAM**
-  **Corporate Marketing & Communications**
- Old Republic National Title Insurance Company
- Old Republic International
- Business Technology Support Center
- ORLINK
- Best Practices Rate Information
- Agent Maintenance
- ORBIT
- Starslink

Agency Services and Administration Support:

- Contact the Crew

E-mail:

nspooner@oldrepublictitle.com

Phone:


612.371.4913

Title Agent Talk





Listen to Jeff Bluhm's Title Agent Talk message by clicking the image above or if you prefer to read the Title Agent Talk click the newspaper image below.



Welcome to the Agency Services and Administration Website

The Agency Services and Administration Department is here to help you. Don't be afraid to make a pit stop. We are here to optimize your performance. Just like a pit crew, we want to enhance your ability to complete your job with ease. We want to ensure you are prepared to endure the ever-changing conditions, ready for any challenge, and have the resources at your finger tips to develop strategies to tackle any combination of agent issues. This site is a store for you. Right now, it is in its infant stage, but as we provide nourishment, it will evolve over time to host more information and become a better tool for you. Shop around; help us stock our shelves. If you have suggestions or information you would like to post on the site, please contact Nicole Spooner and she will coordinate the uploading of documents.

As you explore the site, remember you are not alone, we are a team. We are racing for the common goal. We will be Complete, Current, and Accurate. We will continue to build our reputation as providing exceptional service; home to knowledgeable, experienced, and dedicated employees, whose efforts allow our agency network to thrive. Thank you for all you do.



Who we are and what we do

We would like to recognize members of our Agency Team who have contributed to building the site. Remember, this is here to help you. If you have an idea to enhance the site, let us know. Send documents, ideas, emails, whatever tools you turn to in order to best do your job. We want to share the tools, along with our appreciation, so we can all reap the benefits.

SITE CONTRIBUTORS

Mike Young

Norman Romanski

Renea Thompson

Rich Monthei

Robert Raniolo

We aren't perfect, even though we try to be. If we forgot you, please email nspooner@oldrepublictitle.com so that we may acknowledge our thankfulness.

OLD REPUBLIC

Keeping you in the game

State Update

IT Announcement

National Alert

Bulletin

New Email Templates For use in Eloqua & Outlook

SETTLEMENT AGENT VETTING

1. The Dodd-Frank Wall Street Reform and Consumer Protection Act was enacted July 21, 2010 (the "Dodd-Frank Act"). The Dodd-Frank Act established the Consumer Financial Protection Bureau (the "CFPB") within the Federal Reserve and placed sixteen different federal laws, including RESPA and Truth in Lending, under the jurisdiction of the CFPB. One particular area of interest that has evolved relating to the settlement industry is a focus on Settlement Agent Vetting.

2. The Consumer Financial Protection Bureau (the "CFPB") issued a Bulletin on April 13, 2012, regarding expectations for Service Providers (CFPB Bulletin 2012-03).
 - a. Expects all supervised businesses (i.e. banks and other lenders) to oversee their business relationships with third party service providers (i.e. title insurance underwriters and settlement agents) to ensure compliance with Federal consumer financial law and to protect the interests of consumers.

 - b. Each supervised business should have an effective process for managing the risks of service provider relationships and should take steps to prevent unwarranted risks to consumers.

 - c. Identified a number of steps which should be performed in this process, including:
 - i. Conducting thorough due diligence to verify the service provider understands and is capable of complying with Federal consumer financial law;

 - ii. Requesting and reviewing the service provider's policies, procedures, internal controls and training manuals to ensure that the service provider conducts appropriate training and oversight of employees or agents that have consumer contact or compliance responsibilities;

 - iii. Including in the contract with the service provider clear expectations about compliance, as well as appropriate and enforceable consequences for violating any compliance-related responsibilities, including engaging in unfair, deceptive, or abusive acts or practices;

 - iv. Establishing internal controls and on-going monitoring to determine whether the service provider is complying with Federal consumer financial law; and,

 - v. Taking prompt action to address fully any problems identified through the monitoring process, including terminating the relationship where appropriate.

- d. The Bulletin did not include a deadline in which to implement this process. Lenders have been working to develop procedures to address the Bulletin.
 - e. Some lenders have chosen to limit the number of settlement agents with which they deal in order to reduce the burden and risks presented by the Bulletin.
 - f. Other lenders have entered into agreements with Third Party Vetting Companies to handle the vetting of settlement agents.
3. While this area continues to develop, it appears that settlement agents will be under a great deal more scrutiny from lenders.
- a. This increased scrutiny will likely result in greater burdens on settlement agents and increased costs to operate.
 - b. Focus seems to be on the development and memorializing in writing of practices aimed at meeting lender concerns.
4. Our parent company, Old Republic National Title Insurance Company, is working with lenders to address their concerns, while minimizing the impact on our Title Insurance Agents.
5. Entities such as American Land Title Association (ALTA) are working with lenders and underwriters to develop practices aimed at addressing the Bulletin, such as voluntary best practices.

Keeping you in the game

IMPLEMENTING ALTA BEST PRACTICES

Keeping you in the game! It is a trendy phrase that floats off the lips easily, but at Mississippi Valley Title and our parent company, Old Republic Title, we mean it. Our game plan has you as the star player. With that in mind, we are excited to announce our American Land Title Association (ALTA) Best Practices tab in [StarsLink](#).

The result of Federal legislation associated with the Dodd-Frank Wall Street Reform & Consumer Protection Act and the creation of the [Consumer Financial Protection Bureau \(CFPB\)](#) is forcing mortgage lenders to take a new look at the traditional relationship between lenders and title insurance agents. At this point, no one can say with any certainty what the outcome will be. One thing is certain, Mississippi Valley Title and Old Republic Title remain agency focused. Our success depends on our network of committed agents who have earned the right to issue Mississippi Valley Title policies by meeting the high standards that we have set for YOU, our agents.

Our goal is to **“keep our agents in the game.”** We can do this by helping you prepare for potential new lender and regulatory scrutiny that may lie ahead.

The ALTA Best Practices tab in [StarsLink](#) is just one of many plays we have available. Here you will find a plethora of tools and resources to help you navigate through it all. If you haven't yet signed up for [StarsLink](#) and have questions about how to do so, please contact Bonnie Woods at BWoods@MVT.Com. Whether you are just beginning to think about the [ALTA Best Practices](#) or are struggling with adopting any of the ALTA Best Practices, we are developing and supplying materials that will assist your efforts. Our ALTA Best Practices site will be a living site that will continue to evolve and accumulate information. Stay tuned and watch for future announcements on site updates and information releases.

Your professionalism, the quality of services you provide, and how your agency plays the game will elicit trust and respect from the lending community and others. What you do with ALTA's Best Practices may further enhance where you are in the game. We already know you are the best. Mississippi Valley Title's goal is to help you promote being the winner you already are. So log in to StarsLink, click on the Implementing ALTA's Best Practices tab and get started!

If you have questions or need additional information, please contact Bonnie Woods at BWoods@MVT.com or Terry Weill at TWeill@MVT.com.



<http://agencyadministration.oldrepublictitle.com/default.aspx>

<http://www.oldrepublictitle.com/orstarslink/discuss/index.asp>



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You must be a registered user in order to access **StarsLink.com**
and
the Underwriting Information contained on the **ORLINK** website

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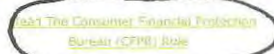


Welcome Terry Weill To StarsLink.com...

Building our business begins with helping you build yours. Through our experienced agents in a national network of full-service offices, we provide a broad array of traditional and ancillary title insurance services. We produce our products - quickly, efficiently and accurately. Financially, we are strong. The highest overall rated title insurance group in the industry backs our policies. As a result, our customers have peace of mind. Let Old Republic Title develop a relationship of trust with you. And together, we'll share success.



CFPB Update - A Game Changer



[Owner's Policy of Title Insurance Explained on Designing Sources](#)

Home Closing 101

[Home Closing 101: An Educational Initiative of the American Land Title Association](#)

COMMERCIAL DUE DILIGENCE SERVICES ORCDDS

1031 EXCHANGE SERVICES OREXCO

AGENT DISCOUNTS AND SERVICES! Old Republic National Title Insurance Company listened to what you had to say, regarding the kind of services and discounts that would benefit you and your businesses the most. We have added the following highly recognized national companies to our list of products and services discounts and will continue to evaluate, add and update new relationships with national vendors, as we become aware of a need. The only way to get discounts from these national vendors of products and services is one must be an agent of Old Republic National Title Insurance Company. The list includes:

- ★ Appliances - Whirlpool VIPLINK Promotions
- ★ Car Rental - Avis, Budget, Hertz and National
- ★ Clothing - JoS. A. Bank
- ★ Communications - Global Conference Services
- ★ Computers - Dell
- ★ Document Scanning - Fort Docx
- ★ Floral - FTD
- ★ Food Specialties - Cheryl&Co., Edible Arrangements, Mrs. Fields and Omaha Steaks
- ★ Identity Protection - IdentityTruth
- ★ Lender Directory - Lane Guide
- ★ Office Furniture - Cubicles Plus
- ★ Office Equipment - Kyocera
- ★ Office Supplies - Innovative Office Solutions and InteGrand Solutions
- ★ Personal Development - ExecuTrain and RightNow
- ★ Printers - InteGrand Solutions
- ★ Promotional Items - Bryan Advertising, Cannon Advertising and Healy Holm Productions
- ★ Reconciliation Services - PRS
- ★ Research - LexisNexis
- ★ Shredding Services - Shred-it
- ★ Software - RamQuest, TSS Software and InWare

[Click here](#) to get some great discounts on a variety of nationally known products and services. To learn more about the specific discount offerings from each vendor, follow the pertinent instructions found under the logo and name of each vendor.



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CFPB Proposed Rule

The Consumer Financial Protection Bureau (CFPB) was created under Dodd-Frank to govern transactions dealing with residential real estate lending, among many other things. Granted with rule-making and enforcement powers the CFPB issued a 1,099 page rule on July 9, 2012 that will establish sweeping changes to the delivery and coordination of the real estate transaction. CFPB is asking that comments about the Rule be made by 11/6/2012. The entire rule can be found here:

www.gpo.gov/fdsys/pkg/FR-2012-08-23/pdf/2012-17663.pdf

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Implementing ALTA's Best Practices

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Our goal is to "keep our agents in the game" by helping you prepare for any possible additional lender and regulatory scrutiny that may lie ahead. Please click the tabs above or below to explore the resources we have created.

ALTA'S Best Practices Version 2.0



- **LICENSING** - Establish & Maintain current license(s) as required to conduct the business of title insurance and settlement services.
- **ESCROW/TRUST ACCOUNTS** - Adopt & maintain appropriate written procedures & controls for Escrow/Trust Accounts.
- **PRIVACY & INFORMATION SECURITY** - Adopt & maintain a written privacy and information security program to protect Non-public Personal Information as required by local, state and federal law.
- **RECORDING & PRICING PROCEDURES**- Adopt standard real estate settlement procedures and policies that helps ensure compliance with Federal and State Consumer Financial Laws as applicable to the Settlement Process.
- **TITLE POLICY PROCEDURES** - Adopt & maintain written procedures related to title policy production, delivery, reporting and premium remittance.
- **PROFESSIONAL LIABILITY INSURANCE** - Maintain appropriate professional liability insurance and fidelity coverage.
- **RESOLVING CONSUMER COMPLAINTS** - Adopt & maintain procedures for resolving consumer complaints.



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Implementing ALTA's Best Practices - Escrow/Trust Accounts

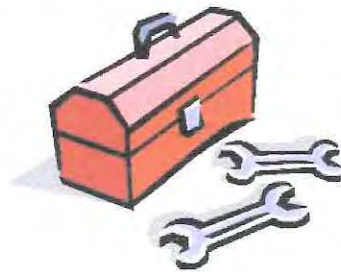
Welcome to the Best Practice Escrow/Trust Accounts tab. Here you will find materials, source documents and other resources that will assist you in implementing ALTA's Best Practices for your agency. The template source documents can be downloaded for your use and manipulated to fit the processes of your agency. Feel free to use all the sample text, none of the sample text or mix and match. Just click on the link, save the document to your computer and start the process of documenting your "best practices."

Is there something missing that you would find helpful? Let us know and we will put our crew to work to expand our library of resources to suit your needs.



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- ① [ALTA Best Practices Bulletin - Escrow/Trust Accounts](#)
- ② [SAMPLE - Escrow/Trust Accounts Policies & Procedures](#)
- ③ [SAMPLE - Escrow/Trust Account Spreadsheet](#)



[Tools and Reference Materials](#)

Interpretation of compliance with ALTA's Best Practices may vary from party to party. The use of these source documents does not guarantee customer or regulator acceptance or compliance with the American Land Title Association's Best Practices, nor any guarantee of customer relationships.

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OLD REPUBLIC TITLE BULLETIN

ALTA BEST PRACTICES UPDATE

From: Anne L. Anastasi, CLTP

Update #16, May 31, 2013

How do we keep our agents in the game? We provide relevant and meaningful information and tools like the focus of this Update.

The protection of the lender's and consumer's funds during the course of a real estate transaction is paramount in the minds of lenders, regulators and legislators. Unfortunately it also becomes a front page story if that protection is compromised. We live in a different world today where devious minds seek to attack and hurt honest business people therefore we need to be more diligent in our efforts to protect against attacks inside and more importantly outside our organizations.

The ALTA titled Best Practice #2 as: **Establish Written Procedures and Controls for Escrow Trust Accounts** and describes the purpose as:

"Appropriate and effective escrow internal controls and staff training help title and settlement companies meet client and legal requirements for the safeguarding of entrusted funds. These procedures ensure accuracy and minimize the exposure to loss of such funds."

Key procedures that are recommended to meet this best practice include:

- Monthly three-way reconciliations
- Separation of duties
- Employee background checks

but many agents do so much more to safeguard funds. If a lender asks for a written document on the steps (internal controls) taken to safeguard funds what would the list include? How about:

- Bank account names that include "trust" or "escrow"

- Maintenance of separate operating and real estate settlement escrow accounts (attorney and corporate agencies alike)
- Utilization of positive pay
- Blocks on international wires
- Two person verification of wires
- Limited number of employees who can wire
- Limited dollar amount on wires out
- Blocks on ACH withdraws
- Duties are segregated so that the person reconciling the account does not have signing authority
- Management review of monthly reconciliations
- Management daily review of outgoing wires
- Check stock with watermark and copier "void" features
- Secured check stock

Agents may do most, all or more than those items listed above but the key is to review, document and audit internal procedures so that when asked you can demonstrate adequate internal controls and safeguards. Doing so not only provides peace of mind for customers, but also for independent title agents and their employees who have significant investment and livelihood at stake. Information about all of the ALTA Best Practices is contained under the Agent Services tab at www.Starslink.com. Look for the drop down that says "Understanding the CFPB and go to the "OR Bulletins" Bucket.

Questions and comments:

Anne L. Anastasi, CLTP, 215-441-5500,

AA Anastasi@OldRepublicTitle.com

Policies and Procedures
Escrow/Trust Accounting

Purpose	Document escrow/trust internal controls are in place to meet requirements for the safeguarding of client funds and to minimize the exposure to loss of client funds.
Scope	These policies and procedures are for all of <u>WEILL TITLE AND ESCROW</u> (hereafter referred to as "The Company") locations including all satellite offices. These procedures are to be followed by all employees and independent contractors where applicable.
Procedures	<p>Escrow funds and operating accounts are separately maintained.</p> <p>The Company maintains <u>ONE</u> for real estate and mortgage loan transactions. Escrow/trust funds The Company maintains under a fiduciary capacity are not commingled with The Company's operating funds or an employee or manager's personal account.</p> <p>Escrow/Trust Accounts Trial Balance Reports.</p> <p>A trial balance report depicting the balance of a particular customer's funds can be produced for each escrow/trust account at any time. This report depicts all individual customer file balances that do not have a zero balance. On a monthly basis, <u>TERRY WEILL</u> reconciles the trial balance report to the bank balance and reconciled book balance, creating a "three way" reconciliation.</p> <p>Trial balance reports are produced for each escrow/trust account maintained by The Company, including recording accounts and underwriter premium accounts.</p> <p>Escrow/Trust Account Reconciliations</p> <p>It is the responsibility of <u>SUE SMITH</u> to reconcile the escrow/trust accounts. Account receipts and disbursements activity are reconciled daily (two-way). Monthly, a three-way reconciliation between the bank records, book records, and trial balance is performed. This reconciliation is completed within <u>10 DAYS after receipt of bank statement</u>.</p> <p>A listing is kept of all escrow/trust accounts. This listing includes underwriter premiums accounts, recording accounts and dormant accounts.</p> <p>Escrow/trust account reconciliations are performed by an <u>OUTSIDE ACCOUNTANT</u> who does not have check signing authority or the capability/authority to perform wire transfer transactions.</p> <p>Each month escrow/trust account reconciliations are reviewed by Company management and evidence of the review is documented. The escrow/trust</p>

Name of Title Company
 Address or Website of Title Company

account reconciliations are available to the title insurance underwriter at any time requested.

Escrow/trust account reconciling items are clearly noted on the reconciliations. These reconciling items are followed up and addressed by **TERRY WEILL** within **5 days** of completion of the reconciliation so as to not carry over on the reconciliations from month to month.

Escrow/Trust Accounts are properly labeled and maintained in insured institutions.

Escrow/trust bank accounts are appropriately designated as "escrow" or "trust" accounts. This designation is noted in the original banking agreements as well as on our check stock, deposit slips, and bank statements. Unless mandated by state regulation or directed by a customer with a signed agreement, escrow/trust accounts are maintained with insured financial institutions.

Dormant file balances.

Customer files that continue to hold funds after the settlement date are reviewed periodically to determine if any disbursements have been made. Management approval by **TERRY WEILL** is required for any disbursement from an inactive escrow. An inactive escrow is defined as any escrow which has had no activity for the past six months. This approval is documented and maintained.

Banking Transactions conducted by authorized employees.

Via agreements with financial institutions, The Company management authorizes employees for escrow/trust bank account transactions. Wire transfer initiation and approval levels are set by The Company and reviewed for changes in staff routinely. Former employees are immediately deleted as signatories and authorized wire transfer individuals. A list of authorized individuals is maintained in the Escrow Account Information Report (see attached example). The individual(s) designated as the 'wire transfer administrator' to set-up and change online banking permissions has been authorized by management.

Authorized check signers and wire individuals do not maintain the escrow/trust accounting records or perform the escrow/trust account reconciliations.

Positive pay, ACH Blocks, and international wire blocks are used.

The "Positive Pay" feature offered by our financial institutions is used on escrow/trust accounts. **TERRY WEILL** reviews the positive pay exception report **EACH MORNING**. All positive pay reports are maintained and any exceptions are documented and explained.

ACH blocks and international wire blocks are placed on all escrow/trust accounts to prevent unauthorized users from withdrawing funds from the escrow/trust account.

Background checks.

Before an individual is hired, a background check (criminal and credit) is performed by **DAGWOOD BACKGROUND SERVICE**. Every **TWO** years a background check (including criminal and credit) is performed on existing

	<p>employees who have access to escrow/trust account funds.</p> <p>Escrow/trust account training.</p> <p>The Company provides escrow/trust account training WHEN AN EMPLOYEE IS HIRED to individuals handling customer funds and conducting escrow/trust account reconciliations. This training is conducted by SUE SMITH AND TERRY WEILL. All training and continuing education is tracked and maintained by SUE SMITH.</p>
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Contact Officer	TERRY WEILL
Date Approved	06/01/13
Date of Commencement	07/01/13
Amendment Dates	N/A
Date for Next Review	07/01/15
Related References and Links	<ul style="list-style-type: none"> • Policies and procedures relating to escrow accounting and trust accounts are kept in Terry Weill's locked filing cabinet under Policies and Procedures-Escrow. • Banking agreements and wire transfer user reports are kept in Terry Weill's locked filing cabinet under Policies and Procedures-Banking Agreements. • Escrow Account Info is kept in in Terry Weill's locked filing cabinet under Escrow Information. • Links to your specific state escrow regulations. <ul style="list-style-type: none"> • http://www.dbcf.state.ms.us/documents/mortgage/final073109.pdf • http://courts.ms.gov/rules/msrulesofcourt/rules_of_professional_conduct.pdf

Bank Account Information

TERRY WEILL TITLE AND ESCROW

Date Updated: 07/01/2013

Objective: To summarize banking information.

Bank Name	Type of Account (Escrow, Operating, Recording, Premium, etc.)	Account Number	Bank Contact	Name of each authorized check signer and title	Authorized Wire Users	Positive Pay utilized?	ACH debit blocks activated?	International wires prohibited?
1 Bank of the Midwest	Escrow	xxxx9876	Joe Banker, VP 555-976-1234	Matthew Mattson (Escrow Officer) Jason Jameson (President)	Matthew Mattson (Escrow Officer) Jason Jameson (President)	Yes	Yes	Yes
2 Chase	Escrow - FL	xxxxx88332	Mr. JP Morgan, 333-444-5555	Matthew Mattson (Escrow Officer) Jack Close (Escrow Officer) Betty Jackson (Escrow Officer)	Matthew Mattson (Escrow Officer) Jason Jameson (President)	Yes	Yes	Yes
3 Wells Fargo	U/W Premium	xxxx5432	Mr. Stage Coachman, 555-123-4567	Jason Jameson (President)	Jason Jameson (President)	n/a	n/a	n/a
4 Union Bank	Dormant/Inactive	xxxx6778	Susan B. Anthony	Jason Jameson (President)	n/a - no wire capabilities	No	No	No
5 US Bank	Operating-Payroll	xxxx7777						
6 Wells Fargo	Recording	xxxx5433	Mr. Stage Coachman, 555-123-4567	Matthew Mattson (Post-Close Mgr)	Matthew Mattson (Post-Close Mgr)			

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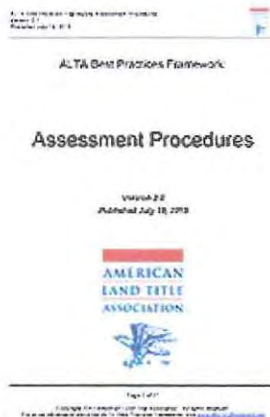


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Implementing ALTA's Best Practices - Privacy & Information Security



Welcome to the Best Practice Privacy & Information Security tab. Here you will find materials, source documents and other resources that will assist you in implementing ALTA's Best Practices for your agency. The template source documents can be downloaded for your use and manipulated to fit the processes of your agency. Feel free to use all the sample text, none of the sample text or mix and match. Just click on the link, save the document to your computer and start the process of documenting your "best practices."

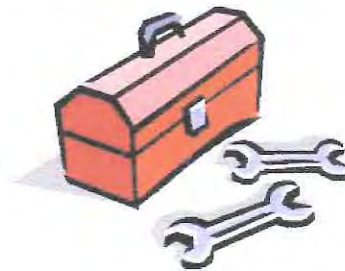
Is there something missing that you would find helpful? Let us know and we will put our crew to work to expand our library of resources to suit your needs.



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- ②  [SAMPLE - Privacy & Information Security Policies & Procedures](#)



[Tools and Reference Materials](#)

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OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

OLD REPUBLIC TITLE BULLETIN

ALTA BEST PRACTICES UPDATE

From: Anne L. Anastasi, CLTP

Update #15, May 4, 2013

The requirement to protect non-public personal information (NPI) exists for the title industry today under the Gramm Leach Bliley Act (GLB). Heightened awareness surrounding NPI is forcing agents to refocus and shore-up their procedures if they want to assure lenders they understand and are following the NPI regulations.

The ALTA Best Practice #3 addresses the importance of having procedures in place that are known and followed by all who come in contact with NPI. Out of all of the 7 pillars of the ALTA Best Practices, this practice may seem the most daunting so let us break it down for you and encourage you to take it step by step.

Non-Public personal information is more than just social security numbers. GLB describes it as:

"any information an individual gives you to get a financial product or services (for example, name, address, income, Social Security number, or other information on an application)

Any information you get about an individual from a transaction involving your financial product(s) or service(s) (for example, the fact that an individual is your consumer or customer, account numbers, payment history, loan or deposit balances, and credit or debit card purchases): or

Any information you get about an individual in connection with providing a financial product or service (for example, information from court records or from a consumer report)."

Please remember, that having procedures in place is one thing but committing those procedures to writing will allow you to provide your plan to an inquiring lender or regulator.

Consider your procedures when it comes to the seven (7) following areas:

- 1) Physical Security: Restrict access to NPI to authorized employees (consider running background checks on employees who handle the funds and have access to NPI); prohibit or control removable media; and utilize secure methods of transmitting NPI.
- 2) Network Security: Secure access to company information technology; establish guidelines for appropriate use of company technology; and ensure secure collection and transmission of NPI.

- 3) Disposal: Dispose NPI in a manner that protects against unauthorized access or use.
- 4) Disaster Management Plan: Document your procedures relating to internal or external security breaches. Start with notice requirements and end with updating your plan, if applicable, once normalcy has returned.
- 5) Training: Train your employees on the importance and seriousness of safeguarding NPI.
- 6) Use of Service Providers: Know the security procedures of NPI for your service providers such as independent searchers and settlement agents.
- 7) Notification: If you suffer a security breach describe the steps you will take to notify customers and law enforcement agencies.

Here are some simple suggestions for consideration when it comes to the security of NPI:

- Establish a process to use strong passwords that are changed frequently.
- Employees should close paper and electronic files containing NPI when away from their desks.
- Have secure points of entry to your building or office. If reasonable, include individualized access identification so that you could establish who was in the office and when they were there.
- Assess your computer network system for appropriateness of firewalls.
- Consider establishing a policy through a written agreement that it is the independent service provider's responsibility to protect NPI when documents are in their possession.

Obviously the importance of protecting NPI is critical and we encourage you to review, adopt and document your efforts.

Resources and reference material that can help keep agents in the game and assist with securing NPI can be found at:

How to Comply with the Privacy of Consumer Financial Information Rule of the Gramm-Leach-Bliley Act: <http://business.ftc.gov/documents/bus67-how-comply-privacy-consumer-financial-information-rule-gramm-leach-bliley-act#whois>

A Guide to Protecting Personal Information: <http://business.ftc.gov/documents/bus69-protecting-personal-information-guide-business>

You may also wish to visit Old Republic Title's op2 website at <http://www.op2online.com/> to find out more about title insurance software applications that can assist small agencies with data and network security.

Information about all of the ALTA Best Practices is contained under the Agent Services tab at www.Starslink.com. Look for the drop down that says "Understanding the CFPB and go to the "OR Bulletins" Bucket.

Questions and comments:

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Policies and Procedures
Privacy and Information Security

Purpose	Document a privacy and information security program (policies and procedures) to help ensure (insert name of entity /agency) maintains written protocols for the protection of data and Non-public Personal Information (NPI).
Scope	These policies and procedures are for all of (insert name of entity /agency) (hereafter referred to as "The Company") locations including all satellite offices. These procedures are to be followed by all employees and independent contractors where applicable.
Procedures	<p><i>[The Company should review its legal, contractual, and statutory requirements for privacy and information security and incorporate those requirements in these procedures.]</i></p> <p>The Company has a formal privacy and information security program that is appropriate with the size and complexity, the nature and scope of the Company's activities and the sensitivity of the information in the Company's possession. As part of this program, The Company maintains a Privacy Policy Notice (see attached) that is posted on The Company's website and provided to customers and consumers for each order processed. Additional information about The Company's privacy and information security program is available to consumers and customers upon request.</p> <p>The Company policies associated with the privacy and information security program are given to all employees and the employees must acknowledge in writing that they have read and understand such policies. It is the responsibility of (insert role/function) to help ensure The Company has received all employee acknowledgements.</p> <p>The Company makes an assessment (insert frequency) of the standards and requirements affiliated with The Company's information security program, including those set out in this policy and procedure document. This assessment is conducted by (insert role/function/vendor) and a formal report on compliance is issued to The Company management.</p> <p>Physical Security of NPI</p> <p>The Company utilizes (insert vendor name) as the information provider for background and credit checks. The Company individuals who have access to NPI is restricted to authorized principals and employees who have undergone a formal background check and credit report process which identified no irregularities.</p> <p>Removable media devices, including but not limited to external hard drives, compact discs, magnetic tapes and USB/flash drives are issued by the Company with the approval of (insert role/function). The use of removable</p>

media devices is prohibited unless (insert role/function) has authorized such use. Removable media is kept in a secure area and accounted for via (insert method or role/function) when not in use.

Other standard procedures for security of NPI include closing paper files other than the one currently being worked on, stow files away when away from workspace and lock desks and file cabinets at the end of the day. Hardcopy NPI that is transmitted outside The Company is done so using only secured envelopes and/or locked document bags.

Network Security of NPI

At the direction of (insert role/function), The Company's designated Network Administrator grants appropriate access to The Company's various computer technology applications. The Company's file server(s) or main central processing unit is housed (describe where and if in a secured environment). The Company's computer network utilizes up-to-date anti-virus, anti-spyware and data encryption software applications. The Network Administrator is responsible for such software maintenance.

Access to The Company's information technology computers and network is secured by individual and unique passwords. The Company utilizes a computer application that prompts employees to change passwords in regular frequency (specify frequency, i.e. 90/60/30 days). All The Company's computers no mater, desktop or laptop run a "screen timeout" application causing automatic system sign off when the system detects no activity for a period of (insert length of time).

Disposal of NPI

The Company has defined and communicated to employees the types of data/information that falls into the NPI category. Any NPI data is disposed of accordingly. Paper records by shredding. Small shredders are available throughout the office. Large, secure shredding bins provided by (insert vendor name) can also be found in the office. When disposing of computers and portable storage devices, The Company uses a software application to erase/wipe clean the device.

Disaster Management Plan for NPI

The Company has a documented disaster management plan to help ensure adequate back-up, recovery and business continuation procedures. The plan also includes required procedures for notification and response to security incidents and breaches. (Specify name of document, i.e. Disaster Management Plan). The Company also maintains insurance coverage (Indicate types of insurance coverage including commercial property insurance, business interruption coverage, and cyber-security coverage if applicable) for such circumstances. The disaster management plan is reviewed on an annual basis by (insert role/function) and updated as appropriate.

Security Practices of Independent Service Providers

If independent service providers for The Company receive NPI from The Company, The Company shares this policy document with the service provider and/or conducts appropriate due diligence of the NPI security measures of the service provider before transmitting any NPI data. Service providers are aware they must notify The Company regarding NPI security breaches of NPI data that has been transmitted.

	If security breaches occur, proper notification is provided to consumers and law enforcement in accordance with The Company's privacy and information security program and disaster management plan.
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Contact Officer	<i>Provide the position title and name of person(s)</i>
Date Approved	<i>Day Month Year</i>
Date of Commencement	<i>Day Month Year</i>
Amendment Dates	<i>List the dates the policy has been amended (Day Month Year)</i>
Date for Next Review	<i>Month Year</i>
Related References and Links	<i>Internal Company Policies:</i> <ul style="list-style-type: none"> • <i>Reference any specific privacy and information security program policies and where they are kept.</i>

SAMPLE

Name of Title Company
Address or Website of Title Company



HOME LICENSING; ESCROW/TRUST ACCOUNTS PRIVACY & INFORMATION SECURITY
 RECORDING & PRICING PROCEDURES TITLE POLICY PROCEDURES PROFESSIONAL LIABILITY INSURANCE RESOLVING CONSUMER COMPLAINTS
 ASSESSMENT

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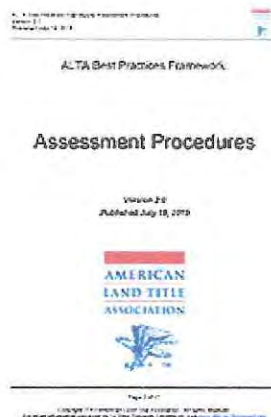


Implementing ALTA's Best Practices

Dodd-Frank Wall Street Reform & Consumer Protection Act and the [Consumer Financial Protection Bureau \(CFPB\)](#) are pushing the mortgage lending industry to take a new look at the traditional relationship between lenders and title insurance agents. At this point, no one can say with any certainty what the outcome will be. One thing is certain, Old Republic Title remains agency focused. Our success depends on our network of committed agents who have earned the right to issue Old Republic Title policies by meeting the high standards that we have set for YOU, our agents.

Our goal is to "keep our agents in the game" by helping you prepare for any possible additional lender and regulatory scrutiny that may lie ahead. Please click the tabs above or below to explore the resources we have created.

ALTA'S Best Practices Version 2.0



- **LICENSING** - Establish & Maintain current license(s) as required to conduct the business of title insurance and settlement services.
- **ESCROW/TRUST ACCOUNTS** - Adopt & maintain appropriate written procedures & controls for Escrow/Trust Accounts.
- **PRIVACY & INFORMATION SECURITY** - Adopt & maintain a written privacy and information security program to protect Non-public Personal Information as required by local, state and federal law.
- **RECORDING & PRICING PROCEDURES**- Adopt standard real estate settlement procedures and policies that helps ensure compliance with Federal and State Consumer Financial Laws as applicable to the Settlement Process.
- **TITLE POLICY PROCEDURES** - Adopt & maintain written procedures related to title policy production, delivery, reporting and premium remittance.
- **PROFESSIONAL LIABILITY INSURANCE** - Maintain appropriate professional liability insurance and fidelity coverage.
- **RESOLVING CONSUMER COMPLAINTS** - Adopt & maintain procedures for resolving consumer complaints.



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 TO SEE A SAMPLE OF
 A COMPLETED
 POLICY & PROCEDURE BOOK**



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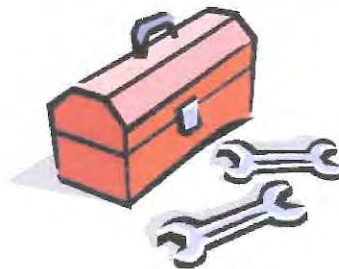
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Implementing ALTA's Best Practices - Title Policy Procedures

Welcome to the Best Practice Title Policy Procedures tab. Here you will find materials, source documents and other resources that will assist you in implementing ALTA's Best Practices for your agency. The template source documents can be downloaded for your use and manipulated to fit the processes of your agency. Feel free to use all the sample text, none of the sample text or mix and match. Just click on the link, save the document to your computer and start the process of documenting your "best practices."

Is there something missing that you would find helpful? Let us know and we will put our crew to work to expand our library of resources to suit your needs.

- ①  [ALTA Best Practices Bulletin - Title Policy Procedures](#)
- ②  [SAMPLE - Title Policy Production Policies & Procedures](#)
- ③  [SAMPLE - Policy Register Report Template](#)
- ④  [SAMPLE - Policy Inventory Monitoring Template](#)



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