



**Title Insurance Issues (C) Working Group  
Washington, D.C.  
November 14, 2008  
1:00 p.m. – 2:00 p.m. CST**

Mo Chavez, Chair	New Mexico		
Woody Girion, Vice Chair	California	Pamela Gergen/Paul Hanson	Minnesota
Ted Lehrbach	Alaska	Tamara Kopp	Missouri
William Lacy/Sarah Harper	Arkansas	Betty Baker/Elena Ahrens	Nevada
Paula Sisneros	Colorado	Susan Donnellan	New York
Steve Parton	Florida	Christopher Bean/Sara Waitt	Texas
Margaret Witten	Georgia	Brad Tibbits	Utah
Kathy Hulbert/Stephen Robertson	Indiana	Michael Beavers/Mary Bannister	Virginia
Dudley Ewen	Maryland	Jim Odiorne	Washington

**Conference Call on the Development of a Nationwide Title Insurance Statistical Plan**

**Agenda**

Purposes of Statistical Plan

- a. Measuring profitability and competitiveness of title industry
- b. Measuring reasonableness of rates and charges
  - i. At overall levels or for individual products and services?
  - ii. To capture costs associated with marketing and with affiliated business arrangements (ABAs)?
  - iii. To aid regulators in their evaluations of title rate filings?
- c. Should escrow, closing and settlement revenues and charges be included?

2. Granularity and Sources

- a. Geographic level of detail: state vs. county vs. zip code
- b. Capture number of transactions or policies issued?
- c. Unit stat plan (i.e. individual transaction reporting) or aggregate stat plan?

- d. Base revenues on HUD closing statements (perhaps with additional detail)?
- e. Base expense line items on what? Allocate salaries and other expenses between regulated vs. unregulated operations?
- f. Allow small independent agencies to submit simplified reports?

### 3. Stat Plan Administrator

- a. Find an independent licensed stat reporting entity?
- b. Create an NAIC stat reporting entity?
- c. Some other method?

### 4. Compliance

- a. Should reports be voluntary or mandatory?
- b. Should we undertake a review of individual state authorities to collect data from title agents and underwriters?
- c. Should we consider revising NAIC Title Model Acts to require mandatory reporting? To require regulation of all title operations including escrow and closing?
- d. Should submissions be kept confidential?
- e. Should submissions be audited? How?

### 5. Handling differences between states

- a. Should we compile a list of key differences by state?
  - i. Whether title premium includes: search; examination; closing costs
  - ii. Whether title agents are: all licensed; all unlicensed attorneys; a mixture
  - iii. Whether title agents handle: examinations; claims below a deductible
- b. Should we temporarily or permanently omit significantly odd states from the stat plan?