



NALTEA

The National Association of Land
Title Examiners and Abstractors

Message from the President

In this issue:

Message from the President

Front Cover

Board of Directors Report

Page 2

Board of Directors Opening

Page 3

**Membership Research
Position**

Page 3

**Membership Committee
Update**

Page 3

Vice President's Commentary

Page 4

Fraudulent MERS Releases

Page 4

**Benefits & Publications
Committee Update**

Page 4

Please take the opportunity to
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Mary Mitchel, President
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Most, if not all, of us find ourselves in the midst of, what I would refer to as, a professional crisis. As a matter-of-fact, I speak to you from personal experience, as I now find myself seeking employment! One just assumes that, after over 32 years of continuous employment, you continue along in your profession able to weather any storms that come over the horizon. Well, this storm has been never-ending and, unfortunately resulted in the closure of my office. That being said, I know that I am far from alone. Everyone is affected by the current economic conditions. For those of you that have been able to continue to operate, more power to you! For those of you who are struggling to "keep afloat", perhaps you can try to expand your current product/service selection to your clients or seek those clients who provide other services for which you can support. In other words, explore all possible opportunity options.

We are all aware of the tremendous increase in the number of foreclosures taking place all over the country. Perhaps this is an area you can look into further. The Foreclosure & REO property numbers are growing daily. Forgive me if I sound infantile to those of you, like me, that have "been around" a while but, since we have many members who are rather new to our profession, who may not have worked on these types of searches, I feel that I should provide a little education – just in case. What is the

difference between "REO" and "Foreclosure"? A foreclosure is an action or proceeding, in and/or out of court, to extinguish all rights, title and interest of the owner(s) of a property in order to sell to satisfy a debt or lien on their property, most commonly a mortgage. You may see requests for a 10-year search labeled "pre-foreclosure", with additional copy requirements. In most of these searches, you should find at least one open mortgage or lien on the property. It is very important to be very thorough in your search of all possible encumbrances on the property, running out all of the parties within the 10-year chain of title, or within the stipulated length of time requested on the order. You may already find a Lis Pendens of record. In many cases, there are other judgments/liens of record, i.e., Federal or State Tax Liens, etc. You must also be very meticulous in verifying real estate taxes, especially any delinquencies. Most likely, your client is looking to be able to create a list of "Parties Defendants", to subsequently serve notice of foreclosure. You may, or may not, eventually receive a Lis Pendens to be recorded in the applicable county/registry of deeds. In the old days, foreclosure searches were always completed as a 40-year search, with full copies of everything. These standards have certainly been downgraded over the years, due primarily to cost and shrinking turn time requirements.

A "REO", which stands for Real Estate Owned, is a property, which is traditionally owned by a lender. In more cases than not, this is as a result of a foreclosure action. You may see an order that will state that the current vesting is in the name of a lender, while providing you with the prior owner (s)' name(s) and a "new buyer(s)" as well. These can be challenging in so far as you have to run out a lender, in most cases for a short period of time. If the name of a "new buyer" is provided, than, most likely, the client will want you to run that potential buyer for judgments & liens as well. I usually start with the deed into the prior owner, showing any/all documents pertaining to the foreclosure action, thru to the most current conveyance. I never assume that a foreclosure procedure was completed properly or thoroughly. In these cases, more is always better than less. You may be asked to provide copies of any/all foreclosure documents available of record.

I am sure that there are many more avenues you can explore, however these two are probably the most prevalent in our market place right now. Not only was our association created to provide you with a voice to the "outside world", our association is here to support each other in both good & bad times. Don't be afraid to reach out to other abstracters for ideas and support. We are all in the same boat, so don't be shy about asking for an extra oar to navigate through the current choppy waters. I wish us all a rapid turnaround.

You will see in this newsletter, as well as in future issues, your board of directors considering various ways to provide you with ways to reduce your costs. We are always open to fresh ideas, so please take the opportunity to share your thoughts, ideas & suggestions. We welcome the input!

Board of Directors Report

Jay Duncan

Email: jay@interstatets.com

The following is a summary of the items discussed at the June and July NALTEA Board of Directors meeting. The purpose of this report is to keep the membership up to date on the actions and discussions that take place at the Board of Directors monthly teleconference meetings. The Board would like to welcome any comments and ideas from both members and non-members in an effort to make NALTEA more productive and active in promoting its ideas and mission.

The minutes from both the May and June Board meeting were approved with some minor corrections along with the treasurer's report.

Committee Reports:

Planning and Events: Jan Vogler made the sad announcement that she would have to make a move back into full time work world and would have to step down from her position on the NALTEA Board of Directors. A letter and an ad ise posted in this newsletter announcing the vacancy and for those interested in filling the position to contact the Board. The Board had been discussing two possibilities concerning the January 2009 Annual Conference. The first was to have a traditional conference in a major city hopefully with warm weather this time. The second was to have satellite conferences in various cities with web camera connection. So those attending in Chicago could listen to the speaker in Florida. More research is required on the second option to make sure it is possible and cost effective. Please go to the link in the cover email with this newsletter and complete the survey so we can get opinions of the membership. Other ideas were discussed included a 3-day cruise which some were found with a price as low as \$159. This will also take some further research. A discussion also ensued to try to get conference attendance up by possibly waiving the conference registration fee. This had a favorable response among the board and will warrant further discussion upon the results of the newsletter survey.

Ethics: Mary Mitchell had nothing new to report from the Ethics Committee.

Membership: Jay Duncan reported that plans to research a possible 1099 position with NALTEA as a Membership Researcher were proceeding. A discussion was had regarding the requirements and responsibilities which included: must be a NALTEA member, be able to make long distance calls, gather and verify information in a timely manner. The contractor would also work from a script developed by the Board as well as be provided with direction and assistance from the Board. The purpose of the position would be to supply valid information for a membership drive.

Public Relations: Pat Scott noted the survey regarding a possible video conference was set and ready for the newsletter. He also reported that NALTEA's comments concerning the RESPA reform comments were submitted prior to the June Board meeting.

Publications and Benefits: Vikki Moffitt reported that Doug Gallant had made contact with Jerry Theobald of Fox Point Programs, Inc., regarding E&O insurance. They are willing to give a break to our membership. A discussion also ensued concerning the use of polls outside of the newsletter in reference to the participation of members and non-members alike. The cost warrants further research and discussion.

Education: Lynn Hammett reported that she and Jeanne Johnson had prepared and attended the REEA conference that was held 6-25-08. It was discussed with several educators that maybe the NALTEA certification class should be offered at the conference in addition to the test. At the REEA conference anyone wanting to take the test came a day early. The discussion continued concerning test centers in major cities around the country at a reasonable price. An on-line version of the test was also discussed but research into this produced some road blocks such as the high price of setting it up, \$3000 to \$6000 and a test fee on top of that. Also there would be issue concerning maintaining the integrity of the test as well as the internet speed of the person taking the test. A discussion proceeded and was agreed on that if the membership should choose satellite conferences sites and the test is offered at the conferences it should only be administered by a Board Member or a member of the Education Committee.

The next Board meeting is scheduled for August 18th at 5pm CST. Again all comments and concerns are welcome at info@naltea.org.

NALTEA Board of Directors Opening

Effective immediately, there is one opening on our current Board of Directors, which would fill the vacancy left by Jan Vogeler's departure. Jan was elected to the Board of Directors during our last conference in January 2008. Although she only served just short of 7 months into her term, she was an asset to this board and will be missed. We appreciate Jan's contributions to date and wish her the best of luck in her future endeavors. This current vacancy is open to any active NALTEA member who may be interested in contributing to NALTEA's future work. This opening will fulfill the remainder of Jan's term, which was a two-year term ending in mid-January, 2010. If you are interested, please

submit a brief statement expressing your reasons for your interest in becoming a board member and submit to Mary Mitchel at: president@naltea.org. Everyone can make a difference. Please consider joining us today!

NALTEA Membership Research Position

NALTEA is looking to fill a Membership Research Position. This position can be considered part-time and will be paid, based on specific volumes, pursuant to a contractual agreement to be drawn up by NALTEA. A Form 1099 will be provided for reporting purposes.

The responsibilities would include, and may not be limited to, conducting research, compiling & verifying data to be used for a future membership drive. This position does involve long distance phone calls. NALTEA will provide some assistance with initial sources of information, in an effort to get the project started. This individual will report to the Board of Directors and will be expected to submit a weekly work summary. After verification of the weekly results, you would be paid the following week. This is an opportunity to supplement your abstractor income, while promoting NALTEA. This position can be renewed as certain levels of the project are completed. You must be a current NALTEA member in good standing.

If you are interested, and/or would like to discuss more specifics, please submit your request, along with a summary of your professional experience & current membership number to: membership@naltea.org

Membership Committee Update

Carol Walker

Email: membership@NALTEA.org

NALTEA welcomes the following new member:

Mike Campbell—Doc Hunters, Clearwater, FL

This brings the total membership to 205 with 104 active members. If you know someone that may be interested in becoming a member, please e-mail membership@naltea.org and someone will contact them with a membership application.

In Hard Economic Times, Think Outside the Box

Vikki J. Moffitt, Vice President
Email: vp@naltea.org

It is a task in itself these days to try and avoid all the negativity that is swirling around. The down markets, the foreclosure crisis, and of course in our own industry, non-paying clients. As I travel around in the counties we cover, I am hearing the same story, only the names have been changed and of course the dollar amounts. However, it's all the same story. People are not getting paid. I have come to realize that everyone has down times, whether they admit it or not. It's how we choose to handle those times, that reflect our character and eventually how the situation will end, either on a positive note or the least favored negative one.

As vice president of NALTEA, I am privileged to be able to attend the monthly board meetings, via conference call. I am far more aware of what is going on in the industry, what NALTEA is trying to accomplish and who we are trying to promote... the membership. I am also the board liaison to the Benefits/Publication Committee and work with Doug Gallant on ideas for the newsletter and what types of benefits our membership would like to have available to them in the near future.

My challenge to my fellow abstractors and title examiners is this, that if and when you start to experience the down times, the bills are stacking up and the phone and fax are not at their usual pace, take that time and reinvent yourself. *Think outside the box.* Look at your business as it is today and where you would like it to be in the future. Then take the steps to get there. If the calls are not coming in, make the calls. If your current client base is not working any longer, expand. Make the positive changes during these difficult times and more than likely you will have a leg up on the competition when it's all said and done, and they will just be getting started.

If any of our membership is interested in joining a committee or would like to volunteer your services at any upcoming events, the NALTEA board would very much appreciate hearing from you.

Fraudulent MERS Releases

Recently, all of the underwriters have sent out bulletins about fraudulent MERS releases. There

have been a fair number recorded of late, and we all need to be on the lookout for them.

The releases are quite authentic looking. The releases are scanned and the officer signatures are cut and pasted on the satisfactions.

One thing to look out for is releases dated prior to the execution of the new mortgage.

In the event you question a MERS release, it can be verified through the MERS website at www.mers-servicerid.org/sis/

As many of our clients do not have complete access to our notes, it is important to point out to them any unusual activity noted during the search.

Benefits & Publications Committee Update

Doug Gallant
Email: benefits@naltea.org

I hope everyone took the opportunity to take the survey that is linked in the cover letter for this newsletter. It is still a bit of a work in progress. The hope is to present the membership with more surveys on topics of interest.

It is important to the organization that the membership inform the board of their concerns and ideas for NALTEA.

If any member has suggestions for a future survey, please let us know by contacting Benefits at the above address..

We also would enjoy writing about more of the members in the newsletter. If you would like to be profiled in a future issue, please contact Benefits/Publication at the above e-mail address.

The Publications Committee is always looking for your ideas, comments or submissions for the newsletter. Please address to benefits@naltea.org.

The organization welcomes input from the membership. You can contact the board members or the various committee chairpersons at the e-mail addresses found on the NALTEA website at www.naltea.org.