



# ADVOCATE

The Official Publication  
of the New Jersey  
Land Title Association

## Time For A Change: The New 2021 Forms

By: Andrew J. Pitman, Esquire

The New Jersey Department of Banking and Insurance ("NJDOBI") has approved the use of new policy forms, endorsements, and a commitment for title insurance, all of which are to be used for title insurance orders received on or after November 1, 2023. The New Jersey Land Title Insurance Rating Bureau ("NJLTIRB" or "Rating Bureau") originally submitted the forms for approval to NJDOBI in January of 2022. This was followed by a second submission in August of 2022 and several rounds of detailed questions and responses between NJDOBI and the NJLTIRB. News of the approval by NJDOBI was finally received on July 14, 2023.

It is important to note that, in New Jersey, title insurance forms are highly regulated, and the approval process for new forms is occasionally lengthy. The Title

Insurance Act of 1974, N.J.S.A. 17:46B-54, et seq. (the "Act"), requires NJDOBI to approve forms (including policies, endorsements, and commitments), as well as rates and charges for title insurance and settlement services. The process begins in the Rating Bureau, which was created under the authority of the Act, and whose members consist of the title insurance underwriters conducting business in New Jersey. New forms and rates are first considered by the Rating Bureau's Forms and Rate committees, respectively. The Rating Bureau's Forms Committee is chaired by David Ewan and comprised of Lisa Aubrey, John Crowley, Chris Franco, Jonathan Friedman, and Ryan Trought, and its meetings are also attended by Anti-Trust Counsel Kevin Reich. The Forms Committee reviews the content

of any new forms and considers whether a particular form must be revised to account for New Jersey law or practice. Then, after the Forms Committee issues a final recommendation, the wider NJLTIRB votes on the matter. In this case, after the Rating Bureau voted to proceed, NJLTIRB General Manager, Ed Eastman, worked with the Rating Bureau to draft the initial voluminous submissions to NJDOBI, requesting approval of the forms. All parties then worked together to attempt to address the concerns voiced by NJDOBI in the subsequent months.

Most policy, commitment and endorsement forms in use in New Jersey are initially created by the American Land Title Association (ALTA), the national trade association for the title insurance

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## Time For A Change: The New 2021 Forms

continuation from cover

# ADVOCATE

industry. Some of those forms are then revised during the process described above. The ALTA 2021 forms, as ultimately approved by NJDOBI, will replace or revise almost every policy and endorsement form in use in New Jersey.

How does ALTA produce those forms? The ALTA forms process is constantly ongoing and evolutionary in nature. In fact, initial revisions to the prior set of forms (the 2006 series) were first considered shortly after ALTA adopted those forms. ALTA's recommended revisions and updates accumulated over the ensuing years, ultimately leading to the creation of the new 2021 forms, which have now been approved for use in New Jersey. Like the NJTIRB, ALTA has a dedicated forms committee that works on revising and amending existing policy, commitment and endorsement forms, as well as the development of new forms. Their work is often guided by input from the American College of Mortgage Attorneys (ACMA), The American College of Real Estate Lawyers (ACREL) as well as the Government Sponsored Enterprises, such as Federal Housing Finance Agency, Fannie Mae and Freddie Mac, in addition to the Mortgage Bankers Association. Of course, the ALTA forms committee also relies heavily on the expertise of internal title industry leadership in the creation of forms. Over 20 title insurance underwriters are represented on the ALTA forms committee. And not only are there individual underwriter members who provide input, but also claims attorneys, whose practical trial experience contributes to refining the language that ALTA ultimately incorporates in its forms.

These stakeholders look at the title insurance landscape to see what revisions and updates are necessary. For example, new case law can have an impact on forms, as can new regulations under Dodd Frank or their implementation by the Consumer Financial Protection Bureau. Responses to changes in technology can be seen in the new forms, as



Remote Online Notarization (RON/RIN) and electronic signatures both need to be considered. Widespread adoption by state legislatures of statutory frameworks like the Uniform Voidable Transactions Act have also been accounted for, with new terms incorporated into the Covered Risks and Exclusions sections of the new policies.

Once recommended for approval by the ALTA Forms Committee and approved by the ALTA Board of Governors, major changes are subject to a public comment period which may result in further amendment prior to adoption of a final form. ALTA published the new 2021 forms in July of 2021. Since that time, all states have now adopted the new ALTA forms.

While a comprehensive discussion of all of the changes to the forms is beyond the scope of this article, there are a few items that may be noted:

1. Both Owner's and Loan Policies will have a new Preamble:

*This policy, when issued by the Company with a Policy Number and the Date of Policy, is valid even if this policy or any*

*endorsement to this policy is issued electronically or lacks any signature.*

This language is similar to what is contained in the ALTA 39 (Policy Authentication) endorsement. While the endorsement continues to be available free of charge, its coverage is now incorporated into the policy itself.

2. Both Owner's and Loan policies have a new provision at the start of Schedule B, above the numbered exceptions:

*Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This policy treats any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document are excepted from coverage.*

It was common practice for similar language to be used when a restrictive covenant containing unenforceable discriminatory covenants was found in the chain of title and shown as an exception. Rather than raising such language

*Time for a change ...cont. on page 5*

Hot off the Presses

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## Time For A Change: The New 2021 Forms

Fall 2023

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for each restriction, this preprinted language clarifies that it applies to all unenforceable discriminatory covenants and restrictions in Schedule B.

3. Exclusion 7 in the Owner's Policy and Exclusion 9 in the Loan Policy now excepts:

*Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.*

Although Covered Risk 2c does not and did not previously include coverage for acreage, it was common practice to raise a similar exception in Schedule B. This exclusion is now part of the policy.

4. Both Owner's and Loan policies now have optional transaction identification information in the Schedule A header.

*[Transaction Identification Data, for which the Company assumes no liability as set forth in Condition 9.d.:*

*[Issuing Agent:]*

*[Issuing Office:]*

*[Issuing Office's ALTA® Registry ID:]*

*[Issuing Office File Number:]*

*[Property Address:]*

This information first appeared on the 2016 ALTA commitment form and is now part of the 2021 policies. It is in brackets, signifying that its inclusion is optional.

5. Owner's Policy Covered Risk 2(a)(iii) now references remote online notarization:

*a document affecting the Title not properly authorized, created, executed, witnessed, sealed, acknowledged, notarized (including by remote online notarization), or delivered;*

As stated earlier, these are just a few of the changes that have been made to the forms. ALTA has additional information and resources on their website: [www.alta.org](http://www.alta.org).

In accordance with NJDOBI's approval, the new forms must be used for orders received on or after November 1, 2023. Moreover, in anticipation of broad adoption of the 2021 ALTA policy forms, Fannie Mae has announced in its Selling Guide (7/6/2022) that the 2021 ALTA Loan Policy must be used for loans originated on or after January 1, 2024. For loans originated prior to January 1, 2024, Fannie Mae will accept either the 2006 ALTA Loan Policy or the 2021 ALTA Loan Policy. Needless to say, it is important for title agents to check with their lender customers as to what forms will be accepted for a given transaction, and for title agents to speak with their underwriters should questions arise.

NOTE: The opinions and ideas expressed in this article are solely those of the author. They do not represent the views of the author's employer, nor do they represent the views of the New Jersey Land Title Insurance Rating Bureau. ■



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## President's Message

# In or Near the Garden of the Gods: A reader-guided adventure.

By: Peter Casey Wall, NJLTA President

Is it the altitude, or is this place beautiful?



I am a frugal traveler and am not against flying at late hours if it means I can save a dollar or two. I typically prefer to fly directly to a location. However, in this case, I flew via a connection between Philadelphia and Dallas/Fort Worth (DFW), and then on to Colorado Springs Municipal Airport. As I said, I am a frugal traveler, but perhaps not a very smart one. A smart traveler would have flown directly from Philadelphia to Denver and taken a nice relaxing shuttle ride to Colorado Springs. **Travelers tip, if you are arriving in DFW airport after 8 PM, make sure to pack something to eat on the first leg of your journey, because unlike Newark or Philadelphia, DFW terminal stores and restaurants shut down around 8 PM local time.** I arrived at the Broadmoor Hotel around midnight local time, which was about 2AM Eastern, so I had been away from home for about 11 hours. The dark of night hid wonders that I would later discover, both in and around the hotel.

In the morning, I emerged from my well-appointed room and followed the path toward the back of the main building of the hotel. The weather for this day, and almost every day that followed on the journey, was sunny and in the mid-70s with no precipitation. As I crested the steps leading past their retail square, I emerged into the patio area and realized quickly why this hotel is so well-regarded and a popular choice



for the ALTA One convention. Right behind the Broadmoor is a majestic view of Cheyenne Mountain (including the antennas of NORAD) and Pike's Peak. The mountains frame the rear of the hotel in a way that creates instant postcard-quality snapshots no matter where you point your camera or phone. I'm not usually one to stop and absorb scenery, I prefer to walk through it, but in this instance, I found myself staring out at the mountains and taking copious amounts of pictures. I was afraid my wife wouldn't believe me when I tried to tell her how breathtakingly beautiful



the view from the deck is here if I didn't have photographs.

The first two days of ALTA One are primarily filled with activities for



committees and trustees. Since I am not currently involved with ALTA in that capacity, I had a little free time and would find myself enjoying some of the local splendor in Colorado Springs.



TO FOLLOW OUR NARRATOR INTO THE GARDEN OF THE GODS, CONTINUE READING.

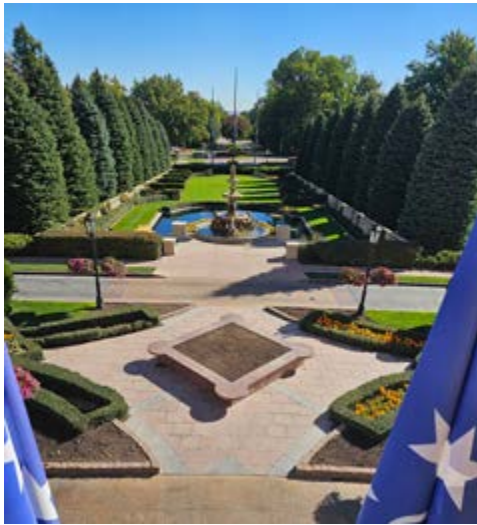
TO SEE IF OUR NARRATOR CAN SOLVE THE RIDDLE OF THE BROADMOOR'S LITTLE A, GO TO PAGE 22



## In the Garden of the Gods

There are a great many options when it comes to spending your free time in Colorado Springs. Activities at the Broadmoor include golf, falconry, spa treatments, mountain bike excursions, guided mountain hikes, fishing, and much more. Just outside of the hotel's compound, there is no shortage of natural beauty and things to do. I know more than a few people who took the cog-rail train up 14,000 feet to the top of Pike's Peak. From all accounts, it was a remarkable experience, complete with the only donut shop in the world that exists above the tree line, but I hesitated owing to the altitude. I chose a trip to a park owned by the City of Colorado Springs





called "The Garden of the Gods". I prefer my parks to undersell and over-deliver when it comes to naming. Think of Turkey Swamp Park in Monmouth County – lousy name but a great park. So, by my logic, I was primed for the "Garden of the Gods" to be a tourist trap.

In a certain way, I was right. This is a very tourist-friendly place with a welcome center, cafe, gift shop, and regularly departing tours on foot, on Segways, and in jeeps. There are lots of families, seniors, and couples. The walking tours are considered mild by Colorado standards. I had intended to take



the Segway tour when I arrived because I thought it would be fun and a good way to interact with the environment. However, I was cajoled into taking the jeep tour by a kindly guide who adopted the moniker "Calamity Jane". She assured me that we would see more in the jeep than I would on the Segway, as the jeeps go all throughout the park and the Segways ride around the outer rim. Apparently, I will buy anything if the marketing effort is good enough.

The jeep tour took us from the welcome center and through the park to Glen Eyrie Castle, a Tudor-style castle built in



1871 by General William Jackson Palmer, the founder of Colorado Springs. General Palmer built the castle as a gift to his wife, Queen, to remind her of her home in England. We saw a famous eagle's nest, and many rock formations with interesting names such as the "kissing camels" and "the Scotsman". I was mildly entertained by the jeep tour to this point, as Calamity Jane was an excellent



driver and a good sport who let me sit in the front because I have long legs and bad knees. The jeep tour went from mildly interesting to vividly intriguing when my pal, Jane, started to tell the following story:

*Sometime in the 1870s, the founder of Colorado Springs, General William Jackson Palmer, invited his friend and owner of the Q Railroad, Charles Elliot Perkins, to bring the railroad to Colorado Springs*



*and to establish a home in the Garden of the Gods. Perkins purchased 240 acres of land for a summer home and later added more land to the property, but never built on it. He considered its natural beauty too important to be diminished by anything made by man. In 1907, as he neared the end of his life, Perkins made arrangements for the 480 acres that he owned in Colorado Springs, including the land known as Garden of the Gods, to be donated to the City of Colorado Springs... WITH THE FOLLOWING CONDITIONS...*

I felt the title examiner's hairs on the back of my neck stand at attention. "Did I hear you say there was a conveyance of land with possible deed restrictions?" I thought to myself. I immediately stopped taking pictures with my phone and opened my notes app.

*The gift of land to the city had 5 conditions that recited as follows: access to the land*



*must always be free to the public, horses must always be allowed on the land, alcohol must never be permitted on the land, the only structures allowed to be built on the land are restrooms, and finally, the name of the park must never be changed, remaining forever known as Garden of the Gods. The conveyance of land was conditioned on these five stipulations not being violated, with any violation resulting in the land being immediately transferred back to Charles Elliot Perkins's heirs who reside in England, or so we are told.*

I lost my breath for just a moment. It's not very often that a lay person lays a story on you that contains a gift conveyance with restrictions and a reversionary clause, in public no less. At the end of the story, the jeep rolled to a stop in the  
*In or Near the Garden ...cont. on page 22*

# Agent Perspective.

By: Scott Rutkay - President, Concourse Land Transfer LLC

"I must say, for a charming, intelligent girl, you certainly surrounded yourself with a remarkable collection of dopes."

*Laura 1944*

Have you ever played poker with strangers? Have you ever played with people who, best you could tell, had the intention of taking every dollar you sat down with? I'm not talking about that home game you used to join when you were a kid – the one with your Aunt Ginnie. That's an entirely different game, and as mean as your aunt was, she wasn't out to really beat you.

The first game, however, the one with strangers? In that one, you're playing for life or death. You're sitting among thieves out to steal everything you've worked so hard to accumulate. Every movement you make is being watched, every mistake leveraged, every word recorded. Now, imagine you're not playing poker. You're at a real estate closing, and you're not sitting there with Aunt Ginnie.

It's life or death here at the closing table, too. If anything, the stakes are higher. Life's savings are passing through your escrow accounts. Holidays in a new home hang in the balance. In this game, every email is a land mine to navigate and unfortunately, you're not the only one opening them. The reality is you're playing a fixed game, with marked cards, and two men stand by your side randomly moving your arms against your will. The sun is about to rise, your phone just died, and you just realized your wallet is at home.

Hyperbolic to be sure, but the stakes really are that high. The problem you face is that everyone sitting at that closing table has their own unique way of committing fraud if they were looking to do so. It's your job to be hypersensitive to any one of the classic real estate tells that they may exhibit. I get it, your job is hard enough. At this point you've already been through the obstacle course of getting to the closing table. You've already obtained releases for two ancient mortgages. You've fought

with realtors for inspection invoices. You've wrestled with the lender's counsel about endorsements that don't apply. You've collaborated more on the CD than Lennon and McCartney. You've argued about bank holidays, rate locks, and HOA dues. Your guard is down, and the fraudsters know it.

It may start innocently enough. An email from the seller. It may start, "Good afternoon, I apologize, I don't know if I mentioned it before, but I am purchasing another property the same day that I'm selling. I thought that I would have a day in between to transfer funds. I am going to send you new wire instructions



for the proceeds, so we do not lose the house that we are purchasing." Right now, reader, you're saying to yourself, it's so obvious. Ignore the email, you're saying to yourself. Call the seller's attorney on the phone. Call their realtor. Do anything other than use those wire instructions without verifying them.

Or maybe it's the first email, maybe it's an investor who wants to buy vacant land in Florida. That's something real people do. He needs a new title partner, that seems obvious from his email, but the reasons are vague. He complains about service issues, speed issues, price. All of those seem to make sense. He wants to follow up with a phone call. He says in his email that he is old school, needs to talk to the people he's doing business with. That makes sense too. He's doing the things that a professional would do. He makes an appointment, and does, indeed, make the meeting. He sounds so nice on the phone – so professional. However, it's up to you to know that there's a possibility that he's trying to commit title fraud. Keep on asking questions – sooner or later the scam falls apart. These people are used to the same questions over and

over, be smarter than them, throw them curveballs. See how they react.

It would be wise of me to mention that I am not afraid of new business. I talk to new clients all the time. I go to conventions across the country, and meet hard working loan professionals, realtors, and attorneys that are just trying to live their lives jumping from one real estate deal to the next. I've spoken to legitimate real estate investors, as you all have, that have varying levels of success buying and selling properties. They sound exactly like the people trying to commit fraud. That's the terrifying thing. Legitimate people sound exactly like the people who are trying to commit fraud. Fraudsters are calm. They're knowledgeable. They seem professional. Worse still, more recently, they're patient. They don't always rush the transaction like they used to. They understand what makes people wonder if something is going wrong, so they now avoid adding stress to the transaction.

Understand that, for the most part, most people realize that the third prince of Siam is not in need of help wiring funds to the United States. People have seen enough of those emails to realize that those are the emails to throw away as soon as they come in. Most of them are caught by your spam filters anyway. These aren't the emails I'm talking about. They're not the conversations that you, or your team members may be having. Criminals are smart. If it didn't work, they'd abandon these tactics; they'd give up. The reason that they're on the rise is that they work, maybe not at a high percentage, but their upside potential is huge. Transactions are routinely hundreds of thousands of dollars. In 2022 wire fraud was almost a billion and a half dollar business. That's a lot of money for a lot of Siamese Princes.

That's poker, some people say. Understanding the rules, the math and the psychology is what makes the wins so exciting and the losses so crushing. I say nonsense. Thieves are among us players, here at the table, and we must call them out. Yell at everyone who will listen how they're cheating. Make them leave the table, hopefully never to return. But if they do, they won't be as smug, as they suddenly realize that you understand their game and how to beat them. ■





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# Agency Section Update



## An Update on Daniel's Law

By: Heather R. Bell, Chair of the Agency Section Management Board

Most of us have already started to see the effects of Daniel's Law on our day-to-day business. Names have been removed from County indices without any indication that it has been done, images are restricted from online databases and name and address information has been redacted from documents to name a few. Each of these present a problem for us seeing as how a core function of our role is to review and report this information. In addition, it seems all of the Counties have set their own process to allow access to this information, some going as far as requiring a notarized affidavit from the protected parties. As always, with change comes the bumpy road of implementation.

We saw the Department of Banking and Insurance issue Bulletin No. 23-03 and create an online registration system for all "Title Search Business Entities": [https://www.nj.gov/dobi/bulletins/blt23\\_03.pdf](https://www.nj.gov/dobi/bulletins/blt23_03.pdf). It advised that the Act required these entities to register with

the Department or potentially be denied access to any "documents affecting title that contain an address subject to redaction or nondisclosure". This was followed by a flurry of registration activity by any and all companies, independent vendors and inhouse examiners for title companies involved in title searching. DOBI's website now contains a list of the registered parties and the link to register is still available: [https://www.nj.gov/dobi/division\\_insurance/titlesearch/index.html](https://www.nj.gov/dobi/division_insurance/titlesearch/index.html)

The Act created the Office of Information Privacy ("OIP"). Their stated mission is to carry out the mandate of Daniel's Law and to work with State, county and local government agencies to shield the protected information of Covered Persons as defined by the law. Their website contains a wealth of information, along with access to the Title Search Business Entity links and contact information for DOBI: <https://www.nj.gov/dca/oip/>

On October 3<sup>rd</sup>, a group representing the NJLTA met with OIP Director Christine Campbell, Somerset County Clerk Steve Peter, and Middlesex

County Clerk Nancy Pinkin with the hope of working with them to assist with setting a more uniform procedure on how the law is followed at the County level. The OIP stated that they are responsible for setting the rules although they do not have the authority to enforce them. That aside they are willing to assist us in any way that they can within their power, including being available to work with the NJLTA and the 21 Counties on setting a standard that works for all involved. It was an informative meeting which started the much-needed discussion and our group and concerns were well-received. Director Campbell said the NJLTA should feel free to contact her any time and Clerk Steve Peter offered to assist us in working with the County Clerks and Counsels. I look forward to seeing how this develops and will provide updated information to the Agency Section as it is received. If you would like to get involved, please feel free to contact myself, Dawn Lagowski, Co-Chair of the Recording Practices Committee, or John Crowley, Chair of the Liaison Committee. ■





## ALTA Advocacy Update

*The American Land Title Association keeps us up to date with changes and events affecting our industry. These are some of the news items that were found most relevant over the last quarter. Join the association today at <http://www.alta.org/membership/> and become a part of ALTA. Articles compiled by David E. Penque.*



### FBI Says BEC Scams Targeting Real Estate Increasing

June 20, 2023

<https://tinyurl.com/2s3wj3zu>

From 2020 to 2022, there was a 27% increase in victim reports to the FBI's Internet Crimes Complaint Center (IC3) of business email compromise (BEC) scams connected to real estate. During the same period, the FBI reported a 72% increase in victim loss due to BECs involving real estate.



## ChatGPT

Pros and Cons of Today's Technology, ChatGPT

June 27, 2023

<https://tinyurl.com/bdf5nfv3>

The ALTA Insights webinar titled "Pros and Cons of Today's Technology" provided a comprehensive overview of the benefits and challenges associated with modern technology. As we navigate the digital age, it is imperative to harness the power of technology while being aware of its potential drawbacks. By understanding the multifaceted nature of technology and adopting a balanced approach, title and settlement professionals can maximize its positive impact while effectively addressing its challenges, ultimately shaping a future where technology serves as a tool for progress.

### How to Overcome Leadership Challenges as a Title Agency Manager

August 3, 2023

<https://tinyurl.com/59m7zjrh>

Title agency managers face key leadership challenges that ultimately affect

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A silhouette of a person holding an umbrella, standing against a dramatic sky with clouds and a bright light source, possibly the sun or moon, creating a lens flare effect. The person is facing away from the camera, looking out over a body of water.

# NJ LEGISLATIVE UPDATE

## RESILIENT ENVIRONMENTS AND LANDSCAPES

**Pursuant to Executive Order 100**

By: Edward C. Eastman, Jr., Executive Director

The New Jersey Department of Environmental Protection has adopted Rules and Regulations this summer proving for amendments relating to Flood Hazard and to the State's Storm Management Rules. The Regulations are premised upon the scientific study that the sea level will be raised by five feet by the year 2100.

The NJDEP has adopted a long-range plan to regulate the envisioned rise in sea level entitled the Protection Against Coastal Threats (the PACT or the Plan). The Plan contemplates requiring the acquiring flood hazard insurance even though the lot was never flooded. The use of deed notices to alert buyers of the possibility of flooding in the future is also contemplated.

An expanded tidal wetland monitoring program is anticipated. Funding for resilience programs will be sought and

planned for at the local level.

Governor Phil Murphy has opined that, "Climate change is the single greatest long-term threat currently facing humanity. Confronting climate change requires decisive and intentional action across all sectors and levels of government." The whole government will require a resilience strategy backed by innovative solutions to ensure that communities will be prepared for increased temperature and rising seas. ■



# ALTA Advocacy Update

continuation from page 11

employee engagement and business decisions. Read on to learn how to address some of them.

## ALTA Statement Regarding Inaccurate Commentary about Title Insurance

August 15, 2023

<https://tinyurl.com/3x2jxd3s>

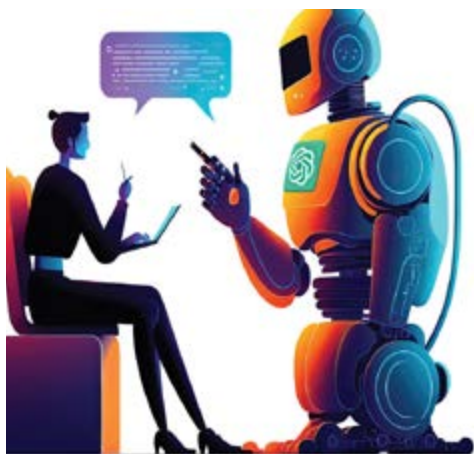
Recently, Daily Mortgage News' Chrisman Commentary amplified inaccurate assertions about title insurance. Read on to read the facts that undercut the false claims.

## The New Normal: How Title Agencies Are Fighting Crime Without a Badge

August 29, 2023

<https://tinyurl.com/2vrry8hv>

Seller impersonation has now been perfected by scammers working together on what appears to be a nationally coordinated effort. The potential to harvest large sums of money has attracted the resources of organized crime syndicates. They're increasingly emboldened and they are targeting higher value properties. The key is to incorporate multiple layers of protection into your strategy to help prevent this fraud.



## ChatGPT: Unmistakable Benefits or Pandora's Box?

September 19, 2023

<https://tinyurl.com/36d6yfsx>

Among the advantages of ChatGPT is the ability to generate content quickly with minimal effort. On the flip side, potential risks of the natural language

processing tool include plagiarism, security, privacy and bias. Read on as title professionals debate the pros and cons, as well as a look at how Congress, the Consumer Financial Protection Bureau, and Federal Trade Commission are approaching this technology.

## Key Information for 1099-S Reporting

September 26, 2023

<https://tinyurl.com/4an6ems4>

We say it every year: Where did the time go? It seems one day it's the Fourth of July, then suddenly, it's 1099 season. We realize 1099 reporting is a thankless burden for all title agencies as most are required to report 1099 information to the IRS as well as furnish copies to sellers. It can be an arduous task that takes employees time, while risking penalties from the IRS if reporting is late or done inaccurately. Read on to learn about new requirements, important dates you need to mark on your calendar and how to best handle 1099 reporting.



## To JV or Not to JV: That Is the Question

October 3, 2023

<https://tinyurl.com/3f4ej3rb>

During this downturn in the mortgage and real estate markets, title companies may contemplate entering some type of business relationship with real estate agents or lenders. Joint ventures may ensure that orders come your way, but what are the risks? The Consumer Financial Protection Bureau is cracking down on RESPA violations and is focused on abusive practices that harm consumers. During this ALTA Insights webinar, attorney Jeff Ehrlich analyzes the potential pitfalls and why title companies

should be cautious when forming joint ventures.

## ALTA Unveils New Brand Identity and Website

October 12, 2023

<https://tinyurl.com/mwbycyv8>

ALTA unveiled its new brand identity—redesigned for the first time in nearly 60 years to reflect how the industry has adapted in the digital age—and revamped website during ALTA ONE, the largest annual event for the land title insurance industry.

## Partnering in a Down Market Can Be a Winning Strategy

October 17, 2023

<https://tinyurl.com/37h52yea>

For many settlement services business, 2023 has been a challenging year.



Although there will certainly be a rebound at some point, the most successful firms and owners have rolled out several new strategies to bolster revenue until then.

## MBA Predicts Origination Volume to Increase 19% in 2024

October 19, 2023

<https://tinyurl.com/4tpsw2sz>

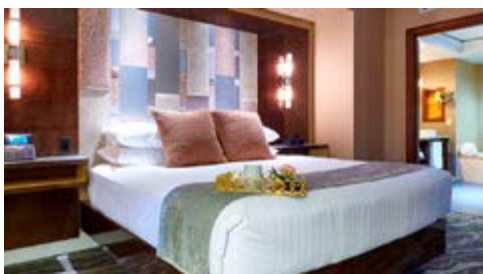
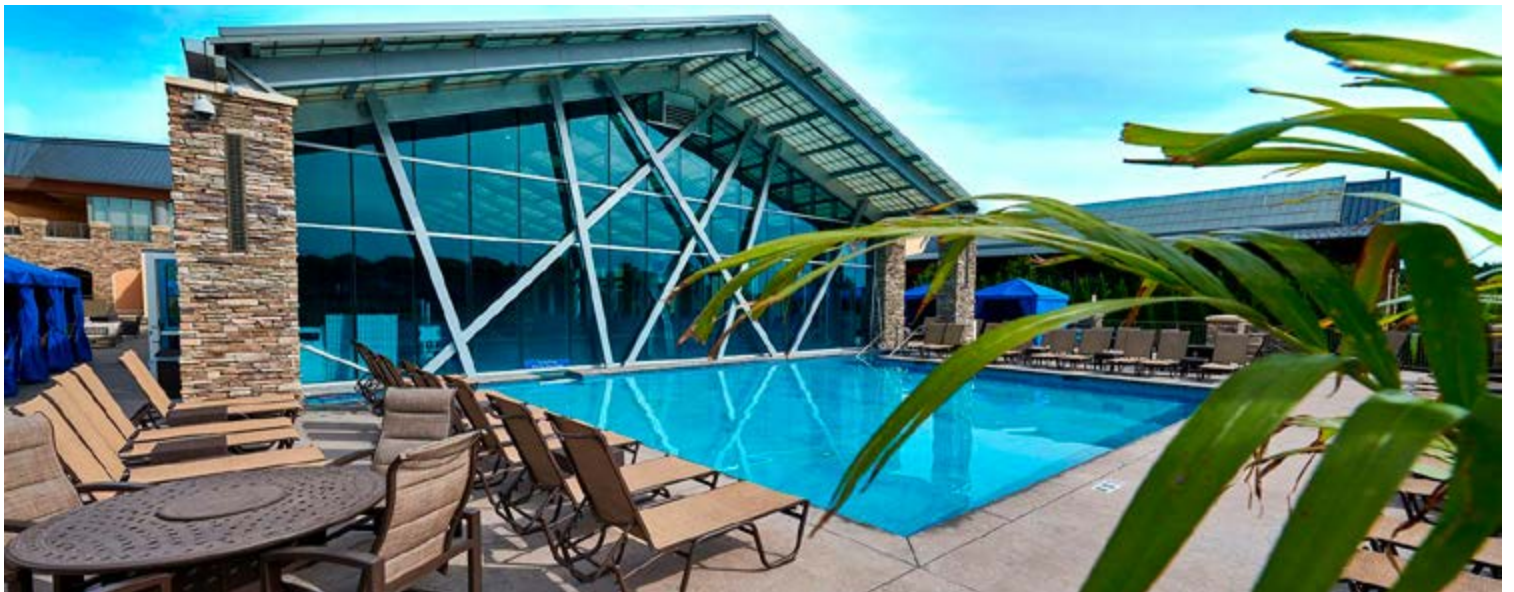
The Mortgage Bankers Association (MBA) expects total mortgage origination volume to increase to \$1.95 trillion in 2024 from the projected \$1.64 trillion in 2023. Purchase originations are forecast to increase 11% to \$1.47 trillion next year. By loan count, total mortgage origination volume is also expected to increase by 19%, to 5.2 million loans in 2024 from 4.4 million loans expected in 2023. ■





# Save the date for New Jersey Land Title Association's 2024 Convention.

Join us on September 22, 2024 – September 25, 2024 at Mount Airy Casino Resort in Mount Pocono, Pennsylvania. Take advantage of Mount Airy's extraordi-AIRY views, 18-hole golf course, and full-service spa. Get ready for a jammed packed three-day event filled with informative topics, motivational speakers, dancing at our gala, and rounds of golf with stunning views! We are excited to announce our special keynote speaker; Darryl Turner will be joining us to share his sales training solutions, techniques, strategies, and business expansion ideas. This is a convention you don't want to miss! ■





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# Unconventional

By: George A. Stickel, Esq., C.T.P.

The New Jersey Land Title Association Constitution and By-Laws provide for an annual meeting of members. There are no parameters laid out for the structure or format of the meeting. By virtue of tradition, the annual meeting has been folded into a three- or four-day convention where members are provided the opportunity to commune with other like-minded individuals who would otherwise be considered "the competition". Kudos to John Crowley for considering an alternative to the convention this year. John was in the awkward position of having to plan an event two years out in the midst of a Covid epidemic. The result was the Awards Banquet held at Forsgate Country Club last June.

So how was the event? For me, being at Forsgate made it feel like an Agency Section meeting with plaques, but no credits. It reminded me of the year the convention was held in Princeton; just

four days shorter. I am old enough to remember when the NJLTA convention was a much anticipated four-day event/commitment attended by the same people every year at Seaview Country Club in Gallaway Township. Then in 1986 Isi Teitelbaum boldly broke with tradition and relocated to the Catskills. Since then, a different destination has been chosen each year by the Convention Chairperson. There was actual anticipation of the announcement every fall of where the upcoming convention would be held – Bermuda? Montreal? A cruise to the Bahamas?

Still, agents always had an excuse for not attending. It was too expensive. It required being away from the office for two workdays. Four days of hanging around with title people was four days too much. I still remember the title agent I met at Newark Airport as our group was flying to Beth Way's 2002 Walt Disney World convention. This agent admitted she had no intention of spending any time with title people. She registered merely to qualify for the reduced hotel rates Beth was able to negotiate with Disney.

It would be fair to ask how I presume to qualify as a commentator on this year's novel approach to the NJLTA Annual Meeting. Well, I was the guy who vowed that when it was my turn to chair the Convention Committee the event would be a rodeo themed bar-beque in my backyard with a balloon animal clown as keynote speaker. Wiser heads prevailed and I was conveniently bumped up one rung on the Executive Committee ladder sparing everyone a most certain convention disaster. I still think with enough alcohol the rodeo theme would have worked with our group.

As I view it there were some pluses and some minuses to this year's Awards Dinner format in lieu of a typical convention.

Plus: Did not have to spend four days away from my wife and kids.

Minus: Did not get to spend four days away from my wife and kids.

Plus: I did not need to hire a cat sitter.

Minus: My cat died eight years ago.

*Unconventional...cont. on page 32*



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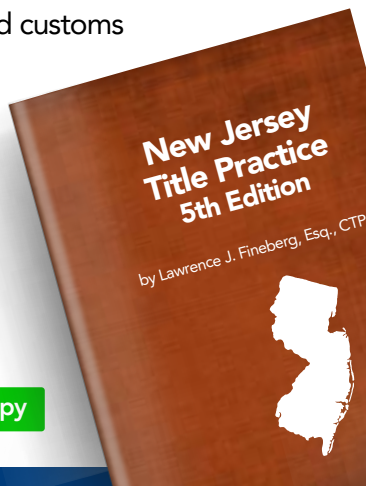
by Lawrence J. Fineberg, Esq., CTP.

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## ANNOUNCEMENT: Did you know you are reading an award-winning publication?



**NJ AD Club  
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Cedar Grove.**

The Jersey Awards for creative design excellence in advertising was held Wednesday, September 20th. This was the 55th Annual Event for the NJ Advertising Club. The exhibit and awards evening featured winners out of over 350 entries in seven categories, from print thru digital, radio and television.

For the seventh straight year the NJLTA's quarterly newsletter, *Advocate* is an Award winner. We won a 2nd place award for Digital Collateral and a 1st place award for Newsletter, Print Version.

I would like to take the time to send a very special thank you to the Editorial Board, Committee Members, Advertisers and all of the people who contributed in 2022, without you the success of the *Advocate* would not be possible:

AccuTitle

Action Title Research

Amboy Bank

Brian Teel

CATIC Title

Charles Jones

David Penque

David J. Penque

David Stamm

Davison, Eastman, Muñoz, Paone, PA

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Fran Kelly Professional Liability

George Stickel

Grabas Institute for Continuing  
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Be a part of the Award-Winning Team that brings you the *Advocate* each quarter! Reach out to me or one of the other committee members today.

Heather R. Bell  
Editor-in-Chief





# Awards Dinner held at Forsgate Country Club in Monroe,



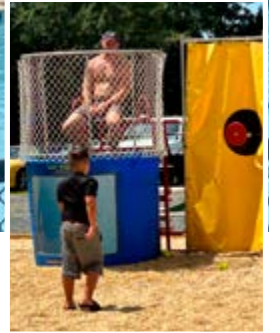




# NJ on June 9, 2023



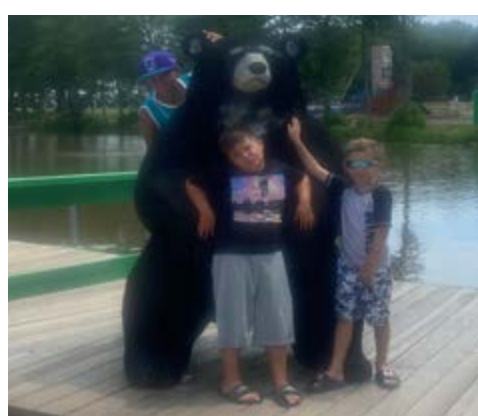




## NJLTA Picnic held at Black Bear Lake in Millstone, NJ on July 22, 2023









**continuation from page 7**

A black steam locomotive and a green passenger car are on display in front of a large, light-colored building with a clock tower. The locomotive is black with white wheels and a tall smokestack. The passenger car is green with a black roof and has the words "HAWAIIAN RAILROAD" written on its side. The building behind them is light-colored with a clock tower on the left side. The scene is set outdoors with some greenery in the foreground.

A black and white photograph of a steam locomotive, numbered 95, pulling a passenger car. The locomotive is dark-colored with a prominent smokestack and is moving along a track. The passenger car is light-colored with a dark roof. The background shows a hilly, wooded landscape. The photograph is mounted on a dark, textured plaque with a gold-colored border. Below the photograph, the text "STEAM ENGINE 95" and "MANITOU &amp; PIKE'S PEAK RAILWAY" is printed in a serif font. Further down, there is a paragraph of smaller text describing the locomotive's history and its role in the railway's operation.



A photograph of a large, reddish-brown rock formation. The rock has a prominent, pointed peak and a large, dark, irregular opening that appears to be a cave entrance. The rock surface is textured and shows signs of weathering. Green foliage is visible at the base and to the right of the rock formation. The sky is clear and blue.



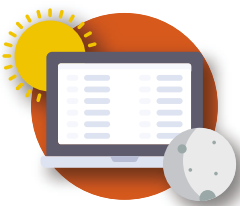


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# In or Near the Garden of the Gods: A reader-guided adventure.

continuation from page 22



like. Spencer wanted to go west and seek his fortune.

After finding his way to Colorado Springs and having a middling career in real estate, Spencer Penrose formed a partnership with a Philadelphia friend Charles L. Tutt, forming the C.O.D. Mine on Cripple Creek. Cash on Delivery gold mining was much more lucrative and rewarding than real estate, as it turns out. Penrose and Tutt became very wealthy men and branched out to mining other metals in other locations with enormous success.

Penrose returned to Colorado Springs as a wealthy entrepreneur in the early

1900s, met his future wife and started a family, establishing roots. Wanting to diversify his business portfolio and further cement his place in Colorado Springs, the city that took him from a struggling real estate hustler to a mining magnate, he approached the owner of the Antlers Hotel, one General William Jackson Palmer. General Palmer had established the City of Colorado Springs itself and had the Antlers Hotel rebuilt after a fire in 1901. One might think that it was sentimentality that caused him to rebuke Spencer Penrose's offer to buy the little hotel for more than it was worth. But the truth of the matter was that General Palmer was a teetotaler whose initial vision for Colorado Springs was for it to be a dry city. Spencer Penrose had other ideas about what patrons should be served when they came to recreate in the mountains of Colorado.



Having been refused the Antlers Hotel by General Palmer, Penrose found another tract of land to buy from then Prussian Count James Pourtales for \$90,000.00 in 1916. This money would translate to about \$2.5 million in 2023. Designs were procured from Warren and Wetmore, the architects who designed

On every sign, piece of stationery, napkin, and anywhere else where the hotel's name was emblazoned it was shown in all capital letters, with the A slightly smaller than all the other letters. It is said that this was Spencer Penrose's way of taunting General Palmer and his heirs, as the small Antlers Hotel (little A) could never amount to the grand BRO<sup>A</sup>DMOOR. Who knew that wild, black sheep, rum-running, gold mining,



Philadelphian tycoons could be so petty?

TO RESTART YOUR ADVENTURE,  
GO BACK TO PAGE 6

TO SKIP TO THE SERIOUS PART,  
CONTINUE READING

## ALTA One - Themes and Impressions

As President of NJLTA this year, it is my honor and privilege to attend ALTA One on behalf of the Association to absorb the messages and make connections with members of our community from other places who have similar experiences, and different solutions worth sharing.

First matter of note, ALTA has changed the look and logo of its branding. I think this is a well thought out and attractive rebranding. The shield and eagle logo is now more suited for digital uses as well as print, and the modern font conveys the focus on innovation and keeping up with the times that ALTA focuses on.



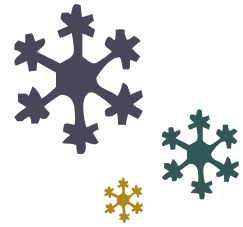
Secondly, a theme at many of the sessions I attended was "change" as a force for moving your business forward. One speaker, Peter Sheahan, made a point of saying, "Find out where your customers are going to be tomorrow, and then get there first". His message was it is no longer enough to innovate at the speed



New York's Grand Central Terminal, and construction commenced in 1917, with a grand opening in 1918. The BRO<sup>A</sup>DMOOR Hotel was established and thrives to this day.







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of your competition. It is imperative that business owners and operators understand that the speed of business change is so fast that if you wait to change when everyone else does, the thing you are changing to no longer matters. We need to learn to be even more pro-active when it comes to things like technology and artificial intelligence. Peter Sheahan advised 1) tell yourself the truth, 2) put tension on your own organization to change, and 3) go first.

Coinciding with the theme of change as a positive force, there were multiple sessions with A.I. as a theme. In one panel, participants were encouraged to use ChatGPT to show not only how it works but also how it can be used as a tool to help you run your business. A common theme in the A.I. sessions was, "A.I. will not take your jobs. People who know how to use A.I. will take your jobs." Frightening to hear, but we should heed the call of Peter's talk and be honest with ourselves about where our business, along with many others, is headed.



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## In or Near the Garden of the Gods: A reader-guided adventure.

continuation from page 25

Unregulated Title Alternatives (Attorney opinion letters and the like) were discussed at length as well. There is a bill in Congress called the Protecting American Prosperity Act that would prevent the GSEs from not getting title insurance for their mortgage products. It is important to our business and an important piece of the system that protects the smooth and reliable selling and financing of real estate in our country. Write to your Senators and Representatives and ask them to support the bill. If you have not already done so, please join the ALTA Title Action Network today too. It alerts and assists with communicating with your legislators. <https://www.alta.org/advocacy/tan/join-tan>

Diversity, Equity and Inclusion was discussed, and I was very interested in hearing what I could do to promote minority representation in our industry, especially at my company. I think the session I attended was a good first step, an opening to the conversation, but I did not leave with any actionable information that is different from what we already do. I did learn, however, that it is important for us to, again, be honest with ourselves, about whether or not

our organizations are places where under-represented people feel comfortable and wanted. I think that is the case in my own business, but I also feel like it is something I'm going to intentionally pay more attention to going forward.

I attended sessions on the economy, Good Funds, and modern payment rails, about the common frauds in the industry that are being reported, about how to build a better engaged and loyal workforce, and even one on underwriting railroad properties. All of those were very informative and if you have a chance to see a recording of them, I recommend it.

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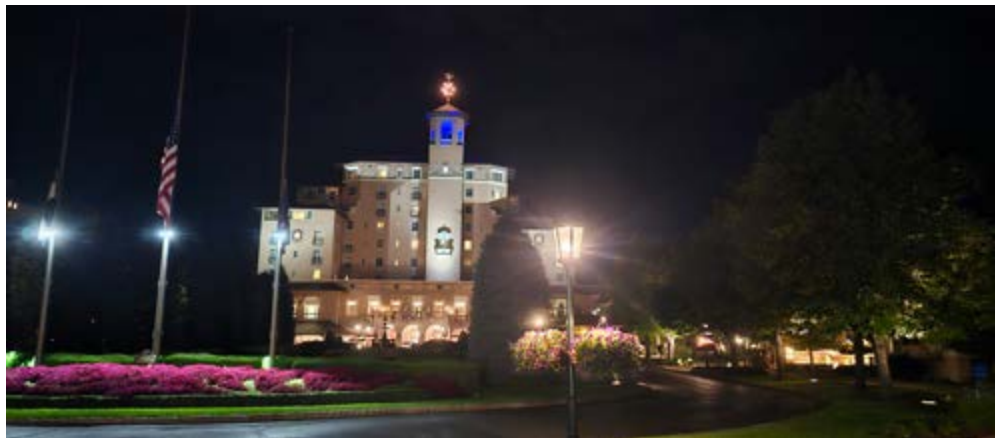
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One other session of note was presented by two New Jersey Land Title Association members and former Agency Section board members. Nicole Timpanaro, CEO of Fortune Title Agency and Paula Zwiren, of Zwiren Title Agency, presented a session on Ethics and Well-Being. We should be proud of them for their well thought out and heartfelt presentation about the need for open and, again, honest conversations about mental health for members of the Title Insurance Industry. A corollary was drawn to the attorney code of ethics in which attorneys are called upon to not put their clients in peril owing to their health conditions. An emphasis was given on recognizing mental health as healthcare and the importance of taking care of our thoughts and emotions to serve our fiduciary duties as settlement agents, and our responsibilities to our employees and business partners. In most sessions people are politely attentive, but in this session I felt as if the entire room was engaged and interested, as this was not



what I would call an expected topic, but well conveyed and well received. Kudos to Paula and Nicole, NEW JERSEY STRONG!

I attended the Title Agents and Abstractor's section meeting on the last day and witnessed the swearing in of the next slate of board members and trustees, including Nicole Timpanaro for a 3-year term as trustee. Congratulations! The outgoing Chair who conducted the meeting was Richard Welshons of DCA Title/The Title Team in Minnesota.

Richard was our ALTA speaker at the 2022 NJLTA convention. It was good to see him and his wife, Jodie, again in a larger setting. He'll be the ALTA President the year after next, I believe, so if you have a chance to meet him, say "hi" for me.

I hope you enjoyed this adventure, and I hope that you will take the opportunity to have an adventure of your own at ALTA One in Orlando in 2024, or New York City in 2025! ■

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By: Brian N. Elliott, Esquire

As a title insurance underwriter, nothing is more concerning to me presently than seller impersonation fraud. This is a fraud scheme where someone impersonates the true property owner and attempts to convey the land whether vacant, unimproved, or unoccupied. When the fraud is successful, it results in a complete failure of title and the subsequent payout of a claim on the full insured amount of the owner's policy. Over the past couple of years, I have seen attempted or completed seller impersonation fraud increase from the occasional fraudulent conveyance to the necessity of circulating weekly underwriting alerts with the property addresses of the attempted or successful fraud. As unnerving as this is for me as an underwriter, what is more concerning is most of the conveyance fraud I see is preventable if the agent just took the time to vet the seller and recognized the red flags alerting the agent to the fraud. The red flags, when recognized, can clearly alert the agent who is vetting the seller that this is a case of seller impersonation and ultimately an attempt at conveyance fraud. The red flags are not difficult to notice; and more often than not the fraudster is sloppy in their attempts at seller impersonation, revealing errors and inconsistencies that are sure signs of conveyance fraud.

As an agent, when the transaction comes to you, it may seem like nothing more

than a routine sale of residential property involving vacant, unimproved, or unoccupied land. Because the fraud involves land that is unimproved or vacant and less likely to be encumbered by a mortgage or other liens, the fraudster has the largest possible amount of money netted. There are no payoffs nor deductions from the proceeds of the sale. Essentially, all the fraudster must do is convince the agent that they are the true owner of the property. The process is not complicated for the fraudster. A fully executed contract of sale is provided to the agent with the forged seller signature. Forged sale documents (deed, power of attorney, git-rep, affidavit of title, etc.) are sent to the agent for the closing as the fraudster will opt for a "mail away" closing. The fraudster provides the agent with an account for the wire transfer of the proceeds, and if the agent does not notice any of these red flags along the way, voila! – another completed conveyance fraud. Often the property is for sale by owner, but it is common for the fraudster to have the property listed with a realtor that works in the area where the property is located. Moreover, the fraudster will engage the services of a New Jersey attorney. The fraudster's engagement of both a realtor and an attorney in the transaction lends an appearance of the sale being legitimate. Unfortunately, more often than not, both the realtor and the attorney do not take the necessary steps to vet the fraudster as the true owner of

the property. Ultimately, the burden falls on the agent who is insuring the transaction to confirm that the seller is the true owner of the property. That being said, I often hear from the agent that the realtor "knows" the seller personally and is absolutely positive that the fraudster is the true owner of the property, but the realtor has done nothing to confirm that is in fact the case. More often than not, the attorney has not had a conversation with the fraudster prior to the conclusion of the transaction but has only communicated through email or text. In reality, prior to the transaction closing, there is very little vetting done by the realtor or attorney to determine if the seller is the true owner of the property.

Vacant land is not the only scenario where conveyance fraud can happen. I have seen conveyance fraud where the land is improved but unoccupied, there is no seller realtor or attorney involved and the true owner resides out of state or in another country. In this scenario, it may be difficult to correspond with the true owner as there may be very little contact information available. A quick check online via Zillow, Realtor.com, etc., would reveal that the property is off the market and therefore not for sale by the true owner. It is best in this situation to demand having a conversation with the fraudster via a zoom meeting or some other "facetime" method.

What can the agent do to guard against such rampant fraud and avoid a buyer falling victim to seller impersonation fraud? Often it comes down to taking the extra time to examine and analyze the seller IDs and seller sale documents. Although sellers rarely appear in person at closings anymore, it is imperative for the agent to require two (2) forms of ID. One of them being a government issued ID with a color photo of the seller. More importantly, you must scrutinize the information contained in the ID. It may be hard to believe, but within a few minutes one can discover whether an ID is fake or not. The physical information contained on a state issued driver's license can be very telling. I have seen a fake driver's license where the height information reflects the seller as being 4' 27" (yes, that is how the fraudster showed the height on this particular driver's license) and



not 6' 3". A date of birth on the driver's license may reflect that the given age of the licensee does not reflect the age of the person in the photo as it appears. I have seen a fake driver's license where the DOB calculated out to the seller being 95-years-old on a license that was issued last year. However, the picture that appeared on the driver's license reflected someone in their mid-50s. I have seen a color copy of driver's license where the photo reflected someone who has blue eyes and the information on the license itself reflected the holder as having brown eyes. I have seen scans of a female driver's license being held by a male hand when the picture of the ID was taken. I have seen IDs where the signature of the licensee is clearly a printed adobe font that in no way resembles a handwritten signature. I have seen fake driver's licenses that exemplify a complete lack of command of the English language such as commas inserted after the state abbreviations or failure to capitalize proper nouns or nouns that should not be capitalized are. I have seen fake passport and driver license photos that are clearly photo

shopped. This is all information that can quickly be gained by an examination of the ID that is offered by the fraudster.

Examination of sale documents, although a little more involved, can quickly alert us to seller impersonation and conveyance fraud. More often than not, the fraudster will execute sale documents using an out of state notary. Recently, I have seen several instances of conveyance fraud where the notary is a Texas notary. The notary stamp itself looks legitimate, but upon examination, one will discover that the stamp has been "lifted" off of a legitimate document recorded in the county land records and superimposed onto the current sale documents, along with a forged notary signature. Most of the notary names that are used in the seller conveyance documents are legitimate notaries, from what I can tell. Unfortunately, nothing more can be gleaned from checking a state notary website other than the notary whose stamp is being used in the fraud scheme is a legitimate notary. If there is contact information for the notary on the state's website, then it's imperative to reach out to the notary to

confirm if they notarized the documents being offered for the sale of the property. But many times, the signature of the notary is so suspect, it is a clear indication that conveyance fraud is being attempted. Moreover, the indications are such that the notary signature may not even resemble the letters in the actual notary's name. Or the notary signature does not appear to be the complete name of the notary and/or the signature is not handwritten but is obviously a computer generated, digital font. And often, the signature does not reflect a command of the English language as there are no spaces between first, middle and last names, nor capitalization of first and last names nor middle initials. The same goes for signatures on the Deed and other conveyance documents that reflect computer generated, digital font signatures and the lack of command of the English language.

In all the fraud transactions that I have seen, the fraudster never shows up in person at the closing. They opt for a mail away closing as I mentioned earlier. When the fraudster hires counsel, the sale

*Seller Impersonation ...cont. on page 31*

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John Crowley is a consistent source of assurance for Stewart Trusted Providers™. John joined Stewart Title

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John is the Director of the Stewart Title Continuing Education School for New Jersey and Pennsylvania and is responsible for the development and presentation of CE and CLE courses in both states. He currently sits on the Board of Governors for the New Jersey Land Title Association and serves as Stewart Title's representative to the New Jersey Land Title Insurance Rating Bureau. John received his B.A. from Florida State University and his J.D. from Suffolk University Law School. He is admitted to practice law in the states of New Jersey, New York, and Massachusetts.



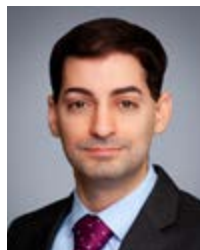
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Kevin Guyon joined Stewart in 2021 with more than 25 years of experience in the title industry. Prior to joining Stewart, Kevin was senior title officer for a large, regional title

agency. He also spent several years in private practice and served as claims counsel with a major title insurance underwriter. Some of Kevin's past roles include attorney, title officer, manager and settlement agent. His expertise as a residential transaction specialist has been a reliable resource for our agents.

Kevin received his B.A. in political science from the University of South Florida and his J.D. from Loyola University School of Law. He is admitted to practice law in the state of New Jersey and holds an active New Jersey title insurance producer license.



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Roberto Ditaranto has been a valued addition to the New Jersey underwriting team since joining Stewart in 2019. Prior to joining Stewart, Roberto started his title

career as an intern in the New York Agency division for another major title company, where he spent the last two years there as associate underwriting counsel in their National Commercial Services division. He also served as a judicial intern for the Honorable William Meehan in the Bergen County Superior Court, where he reviewed cases pertaining to the New Jersey Fair Housing Act. Roberto has a diverse background of residential and commercial title-related experience and specializes in getting deals done in an efficient manner.

Roberto received his B.A. from Seton Hall University, his certification for paralegal studies at Fairleigh Dickinson University and his J.D. from Pace University. He is admitted to practice law in the states of New Jersey and New York.



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Susan Bavaro is the newest addition to this New Jersey underwriting team. Prior to joining Stewart in 2023, she served as underwriting counsel for another national

title insurance underwriter for four years. Susan previously served as claims counsel and as an associate at two major law firms. With over 25 years of industry experience, Susan has a wealth of knowledge in both residential and commercial real estate transactions, REO, foreclosures and bankruptcies. Susan's talent at working creatively and cooperatively with all parties keeps transactions moving forward.

Susan received her B.A. in political science at Ramapo College of New Jersey and her J.D. at Quinnipiac University. She is admitted to practice law in the State of New Jersey and holds an active New Jersey title insurance producer license.

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## Seller Impersonation Fraud

continuation from page 29

documents themselves are drafted by local counsel and then sent to the fraudster for execution. This creates an opportunity for the fraudster to “choose” the notary. As an agent, if you suspect fraud early on in the transaction, it is prudent for the agent to choose the notary of their choice. Most underwriters have resources where they can direct the agent to a notary in another state that can notarize the sale documents and ultimately vet the seller as the true owner of the property. As remote online notarization is now an acceptable form of acknowledgment in NJ for real estate transactions, the agent can insist that the seller executes the sale docs with a remote online notary. Regardless, whether the notary meets the seller in person or uses technology to notarize, the crucial point here is

that the agent, not the fraudster, chooses the notary.

Most of the time, seller impersonation fraud will involve the fraudster having the sale proceeds wired. When you have NJ property with sale documents notarized out of state and wire proceeds are being sent to a bank in a state that is different than where the sale documents were notarized, you should be asking yourself some questions. Why are there three different states involved in this transaction?

It is imperative if the fraud is discovered subsequent to the wiring of proceeds that you contact the sending bank immediately and ask for the wire fraud department. It should be the first phone call you make. In addition, you should file a complaint with the FBI’s Internet Crime Complaint Center (IC3) [www.ic3.gov](http://www.ic3.gov). You should also reach out to law enforcement, i.e., local police, state police, FBI field office and Secret Service to report the fraud.

I was on the agency side of title insurance at one point in my career. I understand the sense of urgency and expectation from all parties involved that a transaction closes quickly with the least number of hurdles to clear. But it is imperative for the agent to take the time to thoroughly vet the seller as the true owner of the property. Although all the above fraud indicators as mentioned may not be present in the situation that you encounter, it is the totality of the red flags given that become clear indicators of seller impersonation fraud.

I am grateful and thankful to be a part of the title insurance industry for over 20 years. I am also very protective of the industry. Conveyance fraud is a very serious issue right now. It is imperative to be mindful of seller impersonation fraud and to notice the obvious signs that indicate the same. In closing, I urge you all to stay alert and, when in doubt, reach out to your underwriter for guidance. ■

## Unconventional continuation from page 16

Plus: Saved the NJLTA a bunch of money.  
Minus: (Have not come up with a minus.)  
Plus: Freed up a lot of Maureen Crowley's schedule.  
Minus: Maureen had already retired.  
Plus: No need to have my old tuxedo dry cleaned.  
Minus: I miss wearing that tuxedo. I look good in a tuxedo.  
Plus: Four-hour open bar.  
Minus: Driving home immediately thereafter.  
Plus: Getting to drive home and sleep in your own bed with your own spouse.  
Minus: No excuse for sleeping in a hotel bed with someone else's spouse.  
Plus: Only a short drive to Forsgate.  
Minus: Short drive and NJLTA convention don't pair well.  
Plus: Beautiful rain-free evening on the Forsgate patio.  
Minus: Rain-free and NJLTA convention usually don't pair well.  
Plus: You did not need a plane ride to attend.  
Minus: You did not need a plane ride to attend.  
Plus: Did not have to see title people in bathing suits by the pool this year.  
Minus: With the exception of Joe Grabas who wore his Speedo to the banquet. Correction, Joe Grabas was not able to attend this year. So, who was that guy?  
Plus: This year was so inexpensive an Agency Section rebate was unnecessary to spur attendance.  
Minus: Some agents apparently still considered \$35.00 too expensive to attend.  
Plus: Inspiring speech from President's Award recipient Rick Wilson.  
Bigger plus: No boring speech from Stickel.  
Plus: Sitting in the amiable company of title people for three hours.  
Minus: What do you mean no education credits? If I'm forced to sit in the company of title people for three hours, no

matter how amiable, I expect my three credits.

Plus: We accomplished all the constitutional requirements in three hours.

Minus: It just seemed like three days.

Plus: No dancing.

Minus: Falling down was still an option.

Plus: Moving memorial tribute to newly installed Honorary Member Al Santoro by his wife, former NJLTA President and former *Advocate* Editor Elissa Buonarota.

Minus: I did not even know Al was ill.

Minus: How was Elissa not also inducted as an Honorary Member?

Minus: Snarky comments made about alleged Honorary Member George Stickel by certain people wishing he was dead.

Plus: Heartfelt invocation from Lisa Aubrey.

Minus: No heartfelt invocation from Jim Loughman. As much as I love Lisa, I missed seeing Jim. (Now there's a guy who most certainly deserves Honorary Membership.)

Plus: Open seating at the awards dinner.

Minus: The very real possibility you may be stuck sitting next to me for three hours.

Plus: Saved vendors a lot of money.

Minus: Seriously negative impact on the tchotchke industry.

Plus: Everyone had an equal opportunity of winning closest to the pin.

Minus: Because there was no golf option.

Plus: There's always next year.

Minus: From now on anything over \$35.00 will be considered expensive by some people.

After the Awards Banquet I hopped in my car and drove directly to Seaview where I spent the next four days golfing and raising a glass to the NJLTA of yesteryear.

A very brave Lisa Dombrowski has chosen to restore the 4-day convention format for next September. Show your support by responding as soon as registration opens. And, Lisa, please consider offering the banquet with a rodeo theme. ■

---

**George A. Stickel, Esq., C.T.P.** is a third generation, 45-year veteran of the title industry, now retired. George is a Past-President and Honorary Member of the New Jersey Land Title Association and a contributing writer for the *Advocate*. The opinions expressed are not those of the NJLTA or *Advocate* or John Crowley. The opinions are those of the author himself and should be ignored, as usual. (George is just grumpy because he didn't get a goody bag this year.)

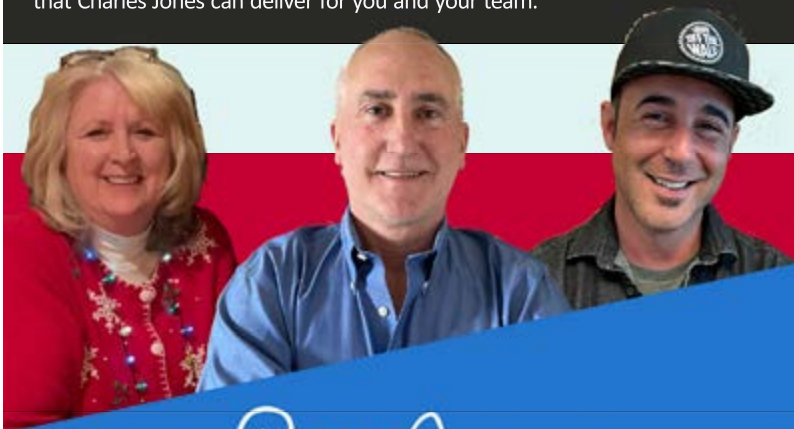
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# DATES TO REMEMBER

## December 2023

**6th** NJLTA-Agency Meeting & Seminar  
Monroe, New Jersey  
<https://njlta.org/> for additional information

## January 2024

**14th** ALTA January Large Agents Conference  
Palm Beach Gardens, FL  
<https://www.alta.org/> to register.

**17th** NJLTA Board of Governors' Meeting  
Freehold, New Jersey  
<https://njlta.org/> for additional information

## February 2024

**7th** Agency Section Meeting & Seminar  
Monroe, New Jersey  
<https://njlta.org/> for additional information

**25th** ALTA Commercial Network Conference  
San Diego, CA  
<https://www.alta.org/> to register.

## March 2024

**19th** ALTA Springboard Conference  
Oklahoma City, OK  
<https://www.alta.org/> to register.

*Subject to change. Please check websites as needed.*

Would you like your event or continuing education class included on this calendar? If so, please contact, Robert Yakovchuk ([robert.yakovchuk@fnf.com](mailto:robert.yakovchuk@fnf.com) or 732-545-1174) for information.

Thank you!

## On the Move



### Welcome New Member!

Nu World Title, LLC – Rutherford, NJ

### Congrats!

Julie McCleary of Trident Land Transfer Company has joined the Agency Section Management Board as a trustee.

### In Remembrance

Jeremiah "Jerry" Loughman, Jr. (June 20, 1944-September 7, 2023). Jerry worked many years in the title industry, owning Central Jersey Title Company in Morristown for over 50 years. He played

an integral role in the community, serving in the National Guard (1966-1972), Morris Plains Planning Board (1982-1990), and Morris Township Planning Board (2006-2022). Jerry was also a member of the Knights of Columbus for over 50 years and a founding member of the Friendly Sons of St. Patrick. He and his wife remained in the greater Morristown area to raise their two daughters.

### In Remembrance

Robert Y. McWilliams, Sr. passed away on September 20, 2023, at the age of 79. For over 30 years, Robert was a fixture in the New Jersey Title Insurance industry. In 1995, he co-founded the Title Academy of New Jersey where he was instrumental in transforming the continuing education process. Prior to cofounding the Title Academy of New Jersey, Robert worked as a Special Agent for the National Security Agency in the Washington, DC area before settling in Elmer.

## Notes from the Editor

By: Heather R. Bell, Editor-in-Chief

Brand new forms, rising sea levels and seller impersonation fraud are all landing in our front yards with the Fall leaves. *Advocate* brings you the information you need to assist with the cleanup! Mixed, of course, with amazing photos and information from our latest events and the upcoming Convention. Wishing you all a successful and claim free Fall season while you navigate the new Covered Risks and wrap your head around what it would mean to have a five-foot rise in sea levels.

We are always on the lookout for the next agency for our Agent Spotlight Interview. Please reach out and let me know if you are interested in being interviewed and having your company under the spotlight for our next issue.







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