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# PLUGGING THE HOLES IN YOUR TITLE POLICY: SEVEN CRITICAL ENDORSEMENTS

**John L. Hosack, Esq., Jason E. Goldstein, Esq. and Joffrey Long**

**12:00 Noon**

**December 8, 2016**

**Webinar**

**Buchalter Nemer**

**1000 Wilshire Boulevard, Suite 1500**

**Los Angeles, California 90017**

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## A TITLE INSURANCE POLICY IS SIMILAR TO A HOUSE.

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## **BUT A TITLE INSURANCE POLICY WITH NO ENDORSEMENTS IS A HOUSE WITH A HOLE IN THE ROOF.**

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## UNLESS YOU LIKE HOLES IN YOUR TITLE INSURANCE POLICY, YOU SHOULD CONSIDER OBTAINING ENDORSEMENTS.

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**“[A]n endorsement is an amendment to or modification of an existing policy of insurance. It is not a separate contract of insurance. Standing alone, an endorsement means nothing.”**

*Adams v. Explorer Ins. Co.* (2003) 107 Cal.App.4<sup>th</sup> 438, 451.

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1. **ALTA Forms Of Endorsements.**
2. **CLTA Forms Of Endorsements.**
3. **Title Insurer Forms Of Endorsements.**
4. **Lender's Forms Of Endorsements.**
5. **Special Endorsements.**

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# How Many Endorsements Are There? (1 of 8)



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Endorsement
ALTA Form 1-06 Street Assessments (6-17-06)
ALTA Form 2-06 Truth in Lending (6-17-06) * Decertified effective December 1, 2015
ALTA Form 3-06 Zoning Unimproved Land (6-17-06)
ALTA Form 3.1-06 Zoning – Completed Structure (10-22-09)
ALTA Form 3.2-06 Zoning – Land Under Development (4-2-12)
<b>ALTA Form 4-06 Condominium – Loan Policy (2-3-10)</b>
ALTA Form 4.1-06 Condominium (10-16-08)
ALTA Form 5-06 Planned Unit Development – Loan Policy (2-3-10)
ALTA Form 5.1-06 Planned Unit Development (10-16-08)
ALTA Form 6-06 Variable Rate Mortgage (10-16-08)
ALTA Form 6.2-06 Variable Rate Mortgage – Negative Amortization (10-16-08)
ALTA Form 7-06 Manufactured Housing Unit (6-17-06)
ALTA Form 7.1-06 Manufactured Housing – Conversion – Loan Policy (6-17-06)
ALTA Form 7.2-06 Manufactured Housing – Conversion – Owner’s Policy (6-17-06)

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# How Many Endorsements Are There? (2 of 8)



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Endorsement
ALTA Form 8.1-06 Environmental Protection Lien (6-17-06)
ALTA Form 8.2-06 Commercial Environmental Protection Lien (10-16-08)
ALTA Form 9-06 Restrictions, Encroachments, Minerals – Loan Policy (4-2-12)
ALTA Form 9.1-06 Covenants, Conditions and Restrictions – Unimproved Land – Owner’s Policy (4-2-12)
ALTA Form 9.2-06 Covenants, Conditions and Restrictions – Improved Land – Owner’s Policy (4-2-12)
ALTA Form 9.3-06 Covenants, Conditions and Restrictions – Loan Policy (4-2-12)
ALTA Form 9.6-06 Private Rights – Loan Policy (4-2-13)
ALTA Form 9.6.1-06 Private Rights – Current Assessments – Loan Policy (4-2-15)
ALTA Form 9.7-06 Restrictions, Encroachments, Minerals – Land Under Development – Loan Policy (4-2-12)
ALTA Form 9.8-06 Covenants Conditions and Restrictions – Land Under Development – Owner’s Policy (4-2-12)
ALTA Form 9.9-06 Private Right – Owner’s Policy (4-2-13)
ALTA Form 9.10-06 Restrictions, Encroachments, Minerals – Current Violations – Loan Policy (4-2-13)

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# How Many Endorsements Are There? (3 of 8)



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Endorsement
ALTA Form 10-06 Assignment (2-3-10)
ALTA Form 10.1-06 Assignment and Date Down (2-3-10)
<b>ALTA Form 11-06 Mortgage Modification (6-17-06)</b>
ALTA Form 11.1-06 Mortgage Modification with Subordination (10-22-09)
ALTA Form 11.2-06 Mortgage Modification with Additional Amount of Insurance (12-2-13)
ALTA Form 12-06 Aggregation – Loan Policy (4-2-13)
ALTA Form 12.1-06 Aggregation – State Limits – Loan Policy (4-2-13)
ALTA Form 13-06 Leasehold – Owner’s Policy (4-2-12)
ALTA Form 13.1-06 Leasehold – Loan Policy (4-2-12)
ALTA Form 14-06 Future Advance – Priority (2-3-11)
ALTA Form 14.1-06 Future Advance – Knowledge (2-3-11)
ALTA Form 14.2-06 Future Advance – Letter of Credit (2-3-11)
ALTA Form 14.3-06 Future Advance – Reverse Mortgage (2-3-11)
ALTA Form 15-06 Non-Imputation – Full Equity Transfer (6-17-06)
ALTA Form 15.1-06 Non-Imputation – Additional Insured (6-17-06)

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# How Many Endorsements Are There? (4 of 8)



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Endorsement
ALTA Form 15.2-06 Non-Imputation – Partial Equity Transfer (6-17-06)
ALTA Form 16-06 Mezzanine Financing (6-17-06)
ALTA Form 17-06 Access and Entry (6-17-06)
ALTA Form 17.1-06 Indirect Access and Entry (6-17-06)
ALTA Form 17.2-06 Utility Access (10-16-08)
ALTA Form 18-06 Single Tax Parcel (6-17-06)
ALTA Form 18.1-06 Multiple Tax Parcel (6-17-06)
ALTA Form 18.2-06 Multiple Tax Parcel (5-25-16)
ALTA Form 19-06 Contiguity – Multiple Parcels (6-17-06)
ALTA Form 19.1-06 Contiguity – Single Parcel (6-17-06)
ALTA Form 19.2-06 Contiguity – Specified Parcels (4-2-15)
ALTA Form 20-06 First Loss – Multiple Parcel Transactions (6-17-06)
ALTA Form 22-06 Location (6-17-06)
<b>ALTA Form 22.1-06 Location and Map (6-17-06)</b>
ALTA Form 23-06 Coinsurance – Single Policy (10-16-08)
ALTA Form 23.1-06 Coinsurance – Multiple Policies (5-25-16)

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# How Many Endorsements Are There? (5 of 8)



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Endorsement
ALTA Form 24-06 Doing Business (10-16-08)
ALTA Form 25-06 Same as Survey (10-16-08)
ALTA Form 25.1-06 Same as Portion of Survey (10-16-08)
ALTA Form 26-06 Subdivision (10-16-08)
<b>ALTA Form 27-06 Usury (10-16-08)</b>
ALTA Form 28-06 Easement – Damage or Enforced Removal (2-3-10)
ALTA Form 28.1-06 Encroachments – Boundaries and Easements (4-2-12)
ALTA Form 28.2-06 Encroachments – Boundaries and Easements – Described Improvements (4-2-13)
ALTA Form 28.3-06 Encroachments – Boundaries and Easements – Described Improvements and Land Under Development (4-2-15)
ALTA Form 29-06 Interest Rate Swap – Direct Obligation (2-3-10)
ALTA Form 29.1-06 Interest Rate Swap – Additional Interest (2-3-10)
ALTA Form 29.2-06 Interest Rate Swap – Direct Obligation – Defined Amount (8-1-11)
ALTA Form 29.3-06 Interest Rate Swap – Additional Interest – Defined Amount (8-1-11)
ALTA Form 30-06 Shared Appreciation Mortgage (7-26-10)

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# How Many Endorsements Are There? (6 of 8)



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Endorsement
ALTA Form 30.1-06 Commercial Participation Interest (8-1-12)
ALTA Form 31-06 Severable Improvements (2-3-11)
ALTA Form 32-06 Construction Loan Pending Disbursement (2-3-11)
ALTA Form 32.1-06 Construction Loan – Loss of Priority – Direct Payment – Loan Policy (4-2-13)
ALTA Form 32.2-06 Construction Loan – Loss of Priority – Insured’s Direct Payment – Loan Policy (4-2-13)
ALTA Form 33-06 Disbursement (2-3-11)
ALTA Form 34-06 Identified Risk Coverage (8-1-11)
ALTA Form 35-06 Minerals and Other Subsurface Substances – Buildings (4-2-12)
ALTA Form 35.1-06 Minerals and Other Subsurface Substances – Improvements (4-2-12)
ALTA Form 35.2-06 Minerals and Other Subsurface Substances – Described Improvements (4-2-12)
ALTA Form 35.3-06 Minerals and Other Subsurface Substances – Land Under Development (4-2-12)
ALTA Form 36-06 Energy Project – Leasehold/Easement – Owner’s Policy (4-2-12)

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# How Many Endorsements Are There? (7 of 8)



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Endorsement
ALTA Form 36.1-06 Energy Project – Leasehold/Easement – Loan Policy (4-2-12)
ALTA Form 36.2-06 Energy Project – Leasehold – Owner’s Policy (4-2-12)
ALTA Form 36.3-06 Energy Project – Leasehold – Loan Policy (4-2-12)
ALTA Form 36.4-06 Energy Project – Covenants, Conditions and Restrictions – Land Under Development – Owner’s Policy (4-2-12)
ALTA Form 36.5-06 Energy Project – Covenants, Conditions and Restrictions – Land Under Development – Loan Policy (4-2-12)
ALTA Form 36.6-06 Energy Project – Encroachments (4-2-12)
ALTA Form 36.7-06 Energy Project – Fee Estate – Owner’s Policy (12-1-14)
ALTA Form 36.8-06 Energy Project – Fee Estate – Loan Policy (12-1-14)
<b>ALTA Form 37-06 Assignment of Rents or Leases (12-3-12)</b>
ALTA Form 38-06 Mortgage Tax (12-3-12)
ALTA Form 39-06 Policy Authentication (4-2-13)
ALTA Form 40-06 Tax Credit – Owner’s Policy (4-2-14)
ALTA Form 40.1-06 Tax Credit – Defined Amount – Owner’s Policy (4-2-14)

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# How Many Endorsements Are There? (8 of 8)



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Endorsement
ALTA Form 41-06 Water – Buildings (12-2-13)
ALTA Form 41.1-06 Water – Improvements (12-2-13)
ALTA Form 41.2-06 Water – Described Improvements (12-2-13)
ALTA Form 41.3-06 Water – Land Under Development (12-2-13)
ALTA Form 42-06 Commercial Lender Group (12-2-13)
ALTA Form 43-06 Anti-Taint (12-2-13)
ALTA Form 44-06 Insured Mortgage Recording (12-2-13)
<b>ALTA Form 45-06 Pari Passu Mortgage – Loan Policy (12-1-14)</b>
ALTA Form 46-06 Option (8-1-15)
ALTA Limited Pre-Foreclosure Policy – Date-Down Endorsement (12-3-12)
ALTA Endorsement JR1 (8-1-12)
ALTA Endorsement JR2 (8-1-12)
ALTA Standard Exceptions (10-16-08)
Waiver of Arbitration (for loans less than \$2,000,000.00)

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***Save The Date!***

# **LENDER LIABILITY: AVOIDING LAWSUITS AND TRAPS**

**John L. Hosack, Esq., Jason E. Goldstein, Esq. and Mr. Rick Rodriguez**

**12:00 Noon PST**

**February 21, 2017**

**Webinar**

**Buchalter Nemer**

**1000 Wilshire Boulevard, Suite 1500**

**Los Angeles, California 90017**

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## Condominium Endorsements

*[ALTA Forms 4-06 and 4.1-06 and CLTA Forms 115-06]*

***Insures the interest covered is “really” a condominium.***

***Form 115.1-06 also insures the priority of the Deed of Trust over condominium assessment liens and the absence of encroachments onto the common area or another unit.***

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## **Usury Endorsement [ALTA Form 27-06 and CLTA Form 132-06]**

***Removes the standard loan policy exclusion for usury.***

***Insures against loss or damage caused by the invalidity or unenforceability of the lien of the insured mortgage by reason of the violation of usury laws.***

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## Leasehold Loan Endorsement [ALTA Form 13.1-06 and CLTA Form 119.6-06]

***When a loan is to be secured by real property which is leased by the borrower, the standard form of the loan policy should be modified by a Leasehold Loan Endorsement.***

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## Variable Rate Mortgage Endorsement [ALTA Form6-06 and CLTA Form 111.5-06]

***If the loan provides for changes in the rate of interest, then the lender should obtain a variable rate mortgage endorsement to provide coverage against loss or damage due to the change in interest rate provisions.***

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## Planned Unit Development

*[ALTA Forms 5-06 and 5.1-06 (Rev. 02/03/10) and CLTA Forms 115-06 and 115.1-06]*

***Insures against loss or damage caused by violations of CC&R's, encroachments, rights of first refusal and unpaid HOA dues.***

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**Future Advance Endorsement [ALTA Forms 14-06, 14.1-06, 14.2-06 and 14.3-06 and CLTA Forms 111.14-06, 111.14.1-06, 111.14.2-06 and 111.14.3-06]**

***Insures the priority of future advances under a Deed of Trust securing a construction loan.***

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# ENDORSEMENTS TO BE CONSIDERED

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**Tie-In/Aggregation Endorsements [ALTA Forms 12-06 and CLTA Forms 117-06]**

***This endorsement should be considered when a lender is making a loan secured by Deeds of Trust against multiple properties.***

***This endorsement enables the lender to aggregate coverage so that the cumulative indemnity limits of all of the policies of title insurance are available to any one of the properties for a loss.***

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## Contiguity Endorsements

**Multiple Parcels [ALTA Forms 19-06 and CLTA Forms 116.4.1-06]**

**Single Parcels [ALTA Forms 19.1-06 and CLTA Forms 116.4.-06]**

***The ALTA policies do not insure contiguity. Where the lender's security consists of two or more lots, which are adjacent to one another, a contiguity endorsement should be obtained to provide coverage against loss or damage which might be sustained in the event that it were determined that there were any "gaps, strips or gores" between the boundaries to the parcels of real property.***

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# ENDORSEMENTS TO BE CONSIDERED



## **First Loss – Multiple Parcel Endorsement [ALTA Form 20-06 and CLTA Form 130-06]**

***This endorsement should be considered when the lender has multiple parcels of property as security.***

***Provides coverage for a loss, without first having to declare and default and foreclose on all of the parcels of property which are security for the loan.***

***From the insurer's perspective, a title defect must exist which results in a claim under the policy, the borrower must be in default on the loan and the value of the property, as diminished by the title defect, must be less than the outstanding balance due on the loan.***

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# ENDORSEMENTS TO BE CONSIDERED

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**Modification Endorsement [ALTA Forms 11-06, 11.1-06 and 11.2-06 and CLTA Forms 110.11-06, 110.11-06 and 110.11.2-06]**

***Insures against loss or damage caused by a modification of the loan terms.***

***Without this endorsement, the insurer may contend that the modification is a “post policy” risk and deny coverage.***

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## Truth-In-Lending Endorsement [ALTA Form 2-06 and CLTA Form 125-06] [Decertified by ALTA on 12/01/15]

***Insures against loss or damage caused by a challenge to the insured mortgage under the Federal Truth-In-Lending Act.***

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***Save The Date!***

# **LENDER LIABILITY: AVOIDING LAWSUITS AND TRAPS**

**John L. Hosack, Esq., Jason E. Goldstein, Esq. and Mr. Rick Rodriguez**

**12:00 Noon PST**

**February 21, 2017**

**Webinar**

**Buchalter Nemer**

**1000 Wilshire Boulevard, Suite 1500**

**Los Angeles, California 90017**

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# ENDORSEMENTS TO BE CONSIDERED



**Tax Parcel Endorsements [ALTA Forms 18-06 and 18.1-06 and CLTA Forms 129-06 and 129.1-06]**

***A lender does not want to risk the loss of its security, whether in whole or in part, because the property, including appurtenant easements, are taxed as separate parcels.***

***The ALTA Form 18-06 and CLTA Form 129.06 (single tax parcel) provides coverage with respect to the land being separate tax parcel.***

***The ALTA Form 18.1-06 and CLTA Form 129.1-06 (multiple tax parcels) provides similar coverage with respect to multiple parcels and the loss of an appurtenant easement through a tax sale.***

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## Non-Merger Endorsement

[CLTA Form 107.11-06]

***Insures against loss or damage caused by the invalidity or unenforceability of an insured Deed of Trust when the beneficiary of a Deed of Trust has also acquired fee title.***

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## Subdivision Map Act Compliance Endorsement [ALTA Forms 26-06 and CLTA Forms 116.8-06]

***Insures against loss or damage when the secured property is not in compliance with the Subdivision Map Act.***

***Note: When you see a metes and bounds description this is a potential red flag of subdivision map act issues***

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# NO COMPLIANCE?

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## “County Settles HumCPR Lawsuit Over ‘Shaded Parcels’”

“The suit related to the county’s practice of “shading” parcels of unknown legal status. This shading — a literal shading with pencils on the county’s parcel-book map — was the Community Development Services Department’s way of marking parcels that had been recorded for taxation purposes with the Assessor’s office but, for whatever reason, did *not* appear as legal parcels with the Planning Department.”

“These parcels were “shaded” in parcel-map books or otherwise noted in county records to indicate that a parcel’s compliance with the Subdivision Map Act is unknown.”

<https://lostcoastoutpost.com/2015/sep/22/county-settles-humcpr-lawsuit-over-shaded-parcels/>

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# ENDORSEMENTS TO BE CONSIDERED

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## Location

*[ALTA Forms 22-06 and CLTA Forms 115-06]*

## Location and Map

*[ALTA Form 22.1-06 and CLTA 116.02-06]*

***Insures against loss if a described improvement having a street address is not located on the land.***

***Note: The greater detail the better!***

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# LOCATION ENDORSEMENTS

## NICE HOUSE? OR VACANT LOT?



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## Foundation Endorsements

*[CLTA Forms 102.4-06, 102.5-06, 102.6-06 and 102.7-06]*

***Insures that the foundation for the subject real property is properly located.***

***The CLTA 102.5-6 insures that the foundations are located within the boundary lines of the land, do not violate any CC&R's and do not encroach onto certain easements.***

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## Guy Builds \$680k Beach House in **Wrong** Lot



<http://www.foxnews.com/us/2014/10/15/dream-florida-beach-house-turns-into-nightmare-when-owners-learn-it-built-on.html>

**Reliance on your insurer and your borrower may sometimes be misplaced.**

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## Utility Access Endorsement

[ALTA Forms 17.2-06 and CLTA Form 103.13-06]

***Insures against loss caused by the lack of a right of access to specified utilities as checked in the boxes provided because of a gap or a gore or termination of a right of way on an easement.***

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# Utilities?



**UNLESS YOU THINK UTILITIES ARE NOT IMPORTANT TO VALUE . . .  
ACCESS TO UTILITIES SHOULD BE INSURED TO EXIST.**

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# ENDORSEMENTS TO BE CONSIDERED

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## Zoning Endorsements

**Unimproved Land** [ALTA Forms 3-06 and CLTA Form 123.1-06]

**Completed Structure** [ALTA Forms 3.1-06 and CLTA Form 123.2-06 ]

**Land Under Development** [ALTA Forms 3.2-06 and CLTA Form 123.3-06 ]

***Insures against loss when the use of the land is not permitted by the applicable zoning ordinances. These endorsements reflect the applicable zoning classifications and the uses permitted under these classifications.***

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# IS THE USE OF THE LAND PERMITTED?



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A \$1.4-million damages award that a jury granted to the owner of a San Bernardino adult cabaret has been upheld . . . . The damages were based on expenses and lost income from a 53-month period when the City of San Bernardino's zoning ordinance — which was eventually ruled unconstitutional — prevented Flesh Night Club from operating.

<https://www.cp-dr.com/node/257>

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## Environmental Protection Lien Endorsements

**Residential** [ALTA Forms 8.1-06-06 and CLTA Form 110.9-06]

**Commercial** [ALTA Forms 8.2-06 and CLTA Form 110.9.1-06 ]

***Insures against loss or damage caused by any existing environmental protection liens which were either recorded in the County Recorder's Office or filed with the Clerk of the United States District Court.***

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# Got Toxic Waste?



## Environmental Protection liens are not always recorded.

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**“Comprehensive” Endorsements [ALTA Forms 9-06 (REM-Loan Policy), 9.3-06 (CC&R-Loan Policy), 9.7-06 (REM-Land Under Development- Loan Policy), 9.10-06 (REM-Current Violations-Loan Policy)]**

***Insures against loss or damage which is the result of violations of existing covenants, conditions and restrictions.***

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# TALL HOUSE NEXT TO A SMALL HOUSE?



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**There might be a violation of an existing covenant, condition or restriction.**

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## Access Endorsements

**Access and Entry** [ALTA Forms 17-06 and CLTA Forms 103.11-06]

**Indirect Access and Entry** [ALTA Forms 17.1-06 and CLTA Forms 103.12-06]

***Access endorsements provide coverage: (1) with respect to there being a right of access to a specifically identified physically open street or (2) the land abuts upon a physically open street.***

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# ACCESS IS IMPORTANT?



## SOMETIMES YOU HAVE TO THINK ABOUT HOW YOU WILL ACCESS YOUR HOUSE.

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# ENDORSEMENTS TO BE CONSIDERED

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**Same as Survey Endorsement [ALTA Forms 25-06 and CLTA Forms 116.1-06]**

**Same as Portion of Survey Endorsement [ALTA Forms 25.1-06 and CLTA Forms 116.1.2-06]**

***Insures that the land described in a survey which the lender or owner obtained is the same as the land which is described in the policy of title insurance.***

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# IS THAT MY PROPERTY?



**Smart lawyers like to litigate real property disputes. Smart lenders and owners prefer their title insurance company to pay lawyers to do so.**

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***Save The Date!***

# **LENDER LIABILITY: AVOIDING LAWSUITS AND TRAPS**

**John L. Hosack, Esq., Jason E. Goldstein, Esq. and Mr. Rick Rodriguez**

**12:00 Noon PST**

**February 21, 2017**

**Webinar**

**Buchalter Nemer**

**1000 Wilshire Boulevard, Suite 1500**

**Los Angeles, California 90017**

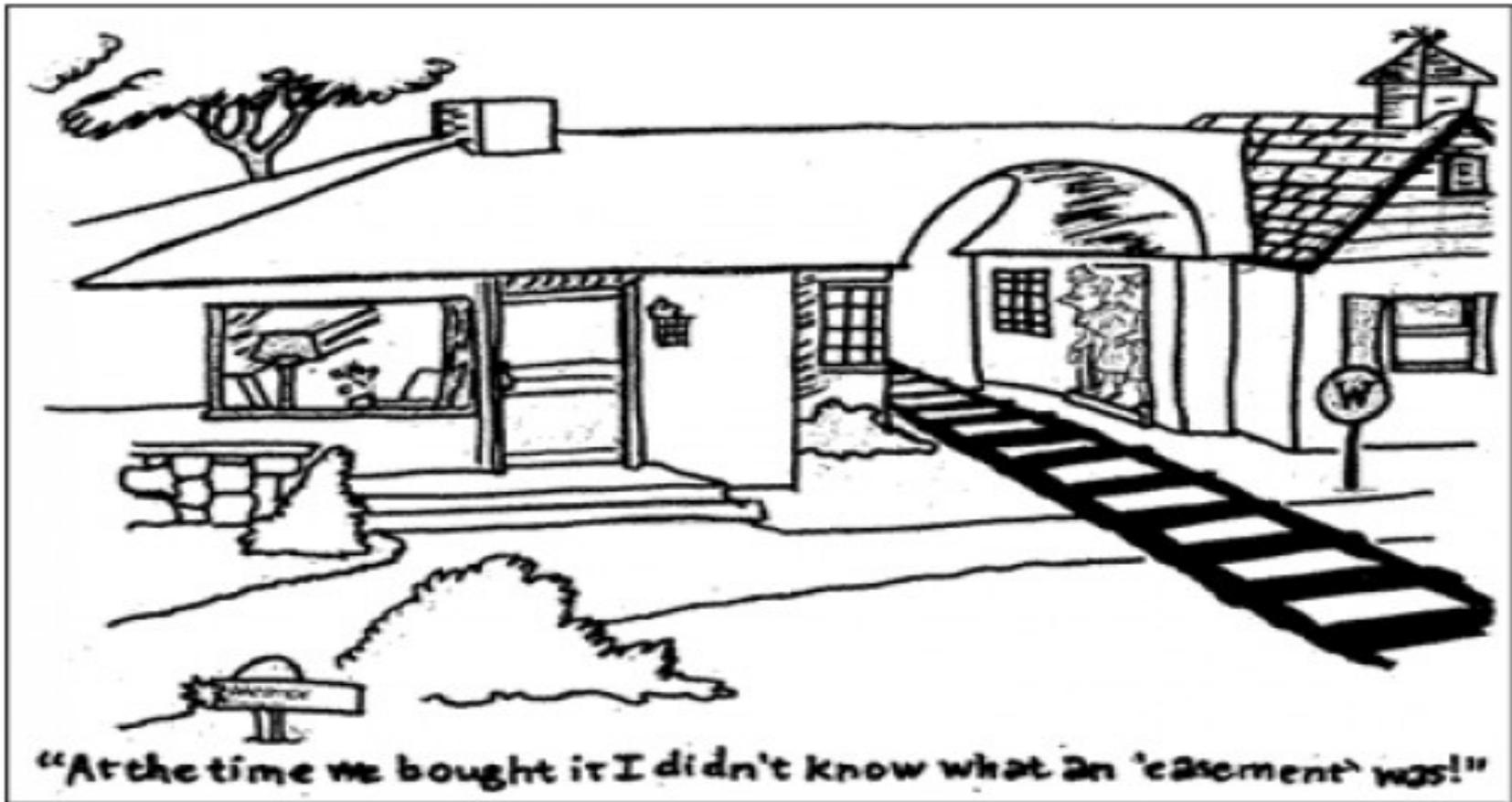
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## **Encroachment – Boundaries and Easements [ALTA Forms 28.1-06, 28.2-06 and 28.3-06 and CLTA Forms 103.14-06, 103.15-06 and 103.16-06]**

***Insures against loss or damage caused by the risk that certain of the improvements, which comprise the lender's security, may encroach upon identified easements and may impair the value of the security.***

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# Problems with Easements?



**You do not want to be the lender who made a loan secured by this property if the borrower defaults.**

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## “Seattle” Endorsement For Construction Loans

*Provides coverage against the issues presented to a construction lender regarding undisbursed loan proceeds and the insufficiency of the proceeds to complete construction.*

*The “true” “Seattle” endorsement provides that the title insurer will not raise the defense that the lender has not disbursed all of its construction funds, provided that the lender has complied with its loan documents.*

*Caution: there is a “phony” “Seattle” endorsement which provides that the title insurer will not raise the issue of the construction lender’s undisbursed loan funds provided that the construction lender pays those funds to the title insurer.*

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# A HOLE IN THE GROUND AND YOUR WALLET?



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**When the project goes bad, limit the holes to the construction project.**

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## Deletion of Item From Policy Endorsement [ALTA or CLTA Form 110.1-06]

*This endorsement can amend the title insurance policy to delete any item.*

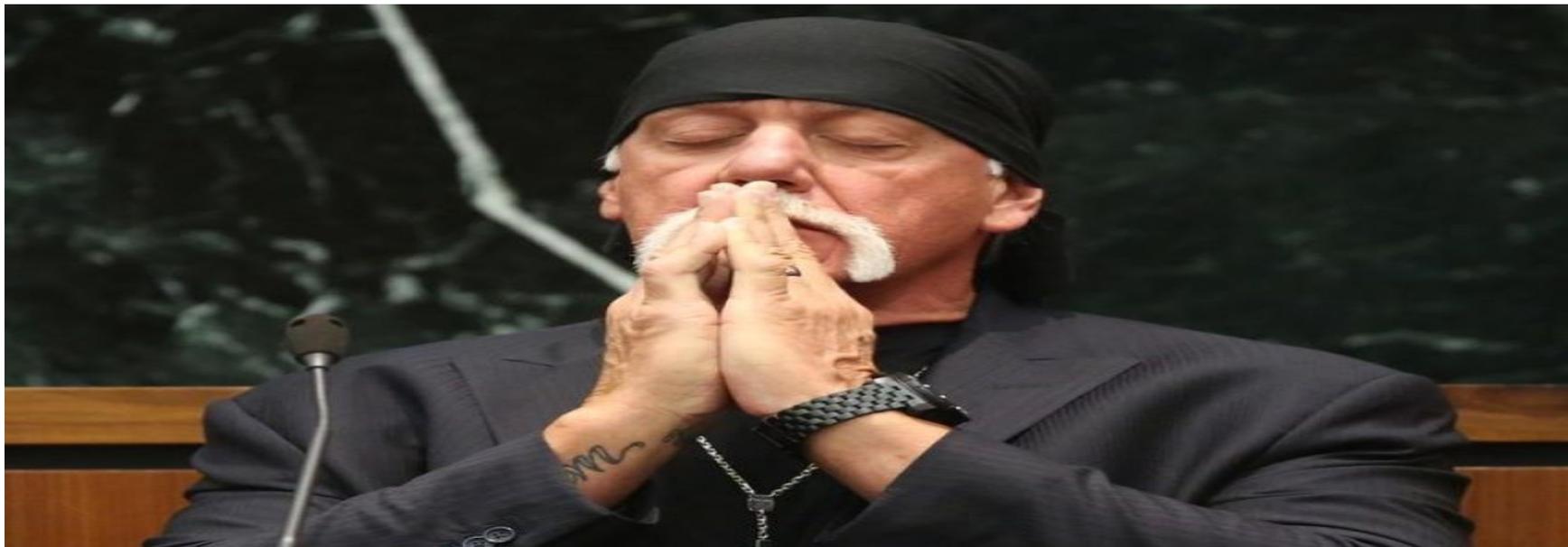
*Example of commonly deleted item: arbitration provision.*

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# WHEN A JURY IS BETTER – ASK HULK HOGAN!



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“[A] jury in Florida awarded [Hulk Hogan](#) \$140 million in compensatory and punitive damages after he sued the website [Gawker](#) . . .” <http://abcnews.go.com/Business/future-gawker-hulk-hogan-jury-verdict/story?id=37843961>

**When you are a Plaintiff suing an insurance company, your “day in court” should be before a jury!**

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# Presenters

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## **John L. Hosack—Presenter**

John L. Hosack is a Shareholder in the firm's Litigation Practice Group in Los Angeles and a member of the firm's Mortgage Banking Group. Mr. Hosack represents mortgage brokers, secured lenders and property owners at trial and on appeal in real property disputes including, broker liability, lender liability, fraud, breaches of contract, mechanic's liens, stop notices, judicial foreclosures, receiverships, escrow claims and title insurance claims. His transactional practice includes commercial real property loan documentation, loan workouts, REO sales and foreclosures. He is an Affiliate Member of the California Mortgage Association and a member of the Los Angeles Mortgage Association, a Fellow of the American College of Real Estate Lawyers and a Fellow of the American College of Mortgage Attorneys. He is the author of "California Title Insurance Practice (First Ed., Calif. Cont. Ed. Bar), the first book on title insurance, and is a past Chair of the ABA's Title Insurance Litigation Committee.



**John L. Hosack**  
Shareholder  
Los Angeles Office

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## **Jason E. Goldstein—Presenter**

Jason Goldstein is a Shareholder in the Firm's Litigation Practice Group in Irvine and Chairman of the Firm's Mortgage Banking Group. Mr. Goldstein specializes in prosecuting title insurance and escrow claims and defending lenders and brokers in court (negligence, fraud, TILA, RESPA, HBOR, wrongful foreclosure, lender liability) and before government agencies. Mr. Goldstein also regularly prosecutes misappropriation of trade secret claims, judicial foreclosures and conducts general civil litigation. He is an affiliate member of the California Mortgage Association.



**Jason E. Goldstein**  
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## **Joffrey Long—Presenter**

Joffrey Long is President of Southwest Mortgage, a lender/broker that makes, arranges, and services non-consumer and consumer loans real estate loans including both private money and institutional loans. He has been licensed as a real estate broker and active in real estate lending since 1979. He is a member of the California Mortgage Association (CMA) Education Committee, a Past CMA Education Chair and Past CMA President. He has been a member of CMA's Board of Directors since 2001. Joffrey frequently serves as an expert witness, providing mortgage expert witness reports, declarations and expert testimony. He has testified in numerous depositions, arbitrations and trials relating to real estate lending, loan servicing, loan brokerage and trust deed investment matters.



**Joffrey Long**  
President  
Southwest Mortgage

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# Conclusion

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