



# **The State of Arizona**

## **Manual of Escrow and Settlement Services**

**Effective as of October 1, 2024**

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# **1 Introduction**

## **1.1 Forward**

Any reference herein to WFG National Title Insurance Company, a Florida corporation or “the Company” shall include all of their direct operations, subsidiaries, and affiliates. The rules and procedures contained herein are in no manner, either express or implied; to be construed as establishing or changing the rules and procedures pertaining to the practices followed by the Company, but are shown in order to properly apply the applicable Escrow Rate Table(s) and associated charges and fees. The rates shown herein are for the escrow rates that are not excessive or inadequate for the safety and soundness of the Company, that do not unfairly discriminate between risks in this state which involve essentially the same exposure to loss and expense elements and that give due consideration to: (a) the desirability for stability of rate structures, (b) the necessity, by encouraging growth in assets of the Company in periods of high business activity, of assuring the financial solvency of the Company in periods of economic depression, and (c) the necessity for paying dividends on the capital stock of the Company sufficient to induce capital to be invested in the capital stock. The rates, fees and charges contained herein do not include any additional services(s) unless otherwise noted or provided for in this schedule of fees and charges.

## **1.2 Definition of Escrow**

“Escrow” means any transaction wherein any property, money, written instrument or evidence of title or possession to real or personal property or other thing of value is delivered with or without transfer of legal or equitable title, or both, and irrespective of whether a debtor/creditor relationship is created, to a person not otherwise having any right, title or interest therein in connection with the sale, transfer, encumbrance or lease of real or personal property, to be delivered or redelivered by that person upon the contingent happening or non-happening of a specified event or performance or nonperformance of a prescribed act, when it is then to be delivered by such person to a grantee, grantor, promisee, promiser, obligee, obligor, bailee, bailor, or a designated agent or employee or any of them. (A.R.S. 6-801, as Amended)

## 2 Basic Escrow Rates Schedule

### 2.1 Residential Escrow Rate Schedules

The Basic Escrow Rate schedule incorporated herein is applicable to and referenced in various parts of this manual.

<b>Fair Value of Transaction</b>	<b>2 Standard</b>	<b>3 REO</b>	<b>4 Short Sale</b>
\$0 through \$100,000	\$650.00	\$1,000.00	\$1,250.00
\$100,000 through \$150,000	\$720.00	\$1,000.00	\$1,250.00
\$150,001 through \$200,000	\$790.00	\$1,000.00	\$1,250.00
\$200,001 through \$250,000	\$860.00	\$1,200.00	\$1,400.00
\$250,001 through \$300,000	\$930.00	\$1,200.00	\$1,400.00
\$300,001 through \$350,000	\$1,000.00	\$1,200.00	\$1,550.00
\$350,001 through \$400,000	\$1,070.00	\$1,200.00	\$1,550.00
\$400,001 through \$450,000	\$1,140.00	\$1,400.00	\$1,700.00
\$450,001 through \$500,000	\$1,210.00	\$1,400.00	\$1,700.00
\$500,001 through \$550,000	\$1,280.00	\$1,500.00	\$1,850.00
\$550,001 through \$600,000	\$1,350.00	\$1,500.00	\$1,850.00
\$600,001 through \$650,000	\$1,420.00	\$1,500.00	\$2,000.00
\$650,001 through \$700,000	\$1,470.00	\$1,600.00	\$2,000.00
\$700,001 through \$750,000	\$1,520.00	\$1,700.00	\$2,150.00
\$750,001 through \$800,000	\$1,570.00	\$1,700.00	\$2,150.00
\$800,001 through \$850,000	\$1,620.00	\$1,800.00	\$2,300.00
\$850,001 through \$900,000	\$1,670.00	\$1,800.00	\$2,300.00
\$900,001 through \$950,000	\$1,720.00	\$1,900.00	\$2,450.00
\$950,001 through \$1,000,000	\$1,770.00	\$1,900.00	\$2,450.00
\$100,000.00 and over	Add \$20.00 per each \$20,000 or fraction thereof or by written agreement	Add \$20.00 per each \$20,000 or fraction thereof or by written agreement	Add \$20.00 per each \$20,000 or fraction thereof or by written agreement

## **3 General Escrow Rules**

### **3.1 Definitions**

As used in this manual, the following terms have the definitions ascribed:

#### **3.1.1 Basic Escrow Services**

Basic Escrow Services includes any or all of the following services, as applicable to a particular transaction:

- Preparation of Escrow Instructions
- Preparing Estimates of closing costs
- Ordering demands as reflected on the title commitment
- Pay secured obligations, as required
- Pay up to three credit cards or unsecured debts as required by the lender on a loan escrow transaction
- Amendments to the escrow instructions as required (LRT, etc.)
- Preparation of ALTA settlement statement and/or coordination of Closing Disclosure with Lender
- Disburse proceeds to borrower and/or seller
- Schedule borrower and seller signing,
- Document preparation;
- Receipt of incoming funds and issuance of disbursements, whether by check or wire transfer, including associated wire transfer fees;
- Processing a subordination on refinance transactions;
- Arrange for a mobile notary. The use of a mobile notary will incur separate fees.

Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges.

#### **3.1.2 Commercial or Commercial Property**

“Commercial” or “Commercial Property” refers to any real property which is not a Residential Property.

#### **3.1.3 Company**

The “Company” shall mean WFG National Title Insurance Company, a Florida corporation, which is the insurer filing this rate manual.

#### **3.1.4 Fair Value**

Escrow rates shall be computed based upon the “Fair Value” of the property being sold or leased or the amount of the loan being closed as follows:

- The fair value of any parcel shall be construed to be the sales price or full fair market value of any parcel(s), including the encumbrances, whichever is greater. In those situations where a sale is not involved, the fair market value shall be based on available information, but in no event, less than the sum of all the monetary encumbrances to which the title is subject.

- In the context of a lease, fair value shall be based upon the fair value of the property as if the transaction was a sale, or the total amount of the lease payments, whichever is less.
- In the context of a loan escrow, fair value shall be the amount of the loan being closed.

### **3.1.5 Investor**

A Person or an entity that owns three (3) or more properties, or has owned three (3) or more properties at some point during the past 24 months.

### **3.1.6 Residential or Residential Property**

“Residential” or “Residential Property” refers to a parcel of real property which is improved with a one-to-four family residential structure including a mobile or modular home; a single residential condominium or cooperative unit or unimproved property that is intended for use as a residential property.

### **3.1.7 State**

“State” shall mean the State of Arizona.

## **3.2 In General**

When escrow services of any type are involved, all offices of the Company will use the appropriate rate rules and Basic Escrow Rate schedule which are set forth in this manual.

The various Escrow Rates are minimum rates and additional charges may be made in the event unusual escrow risks are assumed or unusual services are performed. In the event such charges are made, agreement thereto will be obtained from each person or entity obligated to any part of such charges in writing in advance.

All third party charges and costs incurred in connection with the transaction will be charged at the actual cost or estimated actual cost thereof, other than as expressly set forth herein.

For purchase transactions, the escrow fees set forth herein reflect the total charge for the service, and will be allocated 50% to the buyer and 50% to the seller unless a different allocation of charges is set forth in the purchase agreement or by agreement of the parties.

In the case of a short sale, unless a different allocation of charges is set forth in the purchase agreement or by agreement of the parties, all escrow fees will be paid by the purchaser.

## **3.3 Rounding**

Whenever percentages of the Basic Escrow Rate are used, the charge shall be rounded off to the next highest dollar.

## **3.4 Minimum Charges/Additional Charges for Unusual Services**

The charges set forth herein are minimum charges for ordinary services in connection with the escrow business and the services associated therewith. Additional fees will be charged when unusual conditions are encountered and for special services requested. The fee for additional escrow work when unusual conditions are encountered or special services are rendered is \$100 per hour or any fraction thereof.

## **3.5 Fees which include Services Provided by Others**

The fees and charges described in this manual are those actually charged to the customer. Such fees often include the fees, costs and charges for goods and services provided by WFG, its employees,

subcontractors, agents, banks, electronic service providers, recording offices and others, each of whom may be paid portions of the fees charged for the services they render. When and as required by Arizona law, the rules of the Bureau of Consumer Finance Protection, (the “BCFP”) 12 C.F.R. part 1026, *et. seq.* or determined by the Company as desirable for purposes of a clearer explanation to consumers of the transaction, such other parties and/or their fees may be referenced in various documents and settlement statements, provided such inclusion will not cause the total fee charged for escrow services to exceed the otherwise applicable amounts set forth in this manual.



## **4 Residential Property Escrow Rates**

### **4.1 Basic Residential Sale Escrow**

#### **4.1.1 Bundled Sale-Cash Sale**

The minimum charge of 100% of the Basic Escrow Rate plus \$200 shall be based upon the amount of insurance issued, purchase price, or fair value of the property subject to the escrow (includes Basic Escrow Services as shown in Section 3.1.1 Basic Escrow Services, plus Overnight Delivery Fees, Courier Fees, Payoff Tracking and Processing Fee, Electronic Document Fee and Wire Processing Fees). If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable, as set forth in Section 5 Miscellaneous Fees and Charges.

#### **4.1.2 Bundled Sale-Sale Transaction with Concurrent Loan(s)**

The minimum charge of 100% of the Basic Escrow Rate plus \$400 shall be based upon the amount of insurance issued, purchase price, or fair value of the property subject to the escrow (includes Basic Escrow Services as shown in 3.1.1 Basic Escrow Services, plus Overnight Delivery Fees, Courier Fees, Loan Tie-In Fee, Payoff Tracking and Processing Fee, Electronic Document Fee and Wire Processing Fees). If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable, as set forth in Section 5 Miscellaneous Fees and Charges.

NOTE: The Bundled Sale Escrow Fee and Mobile Notary Fees (5.14 Mobile Notary Fee: of this manual) may be aggregated and disclosed on the Settlement Statement as a bundled rate.

### **4.2 REO (Real Estate Owned)**

When handling escrows involving the sale of a residential property owned by a seller, who is either a lender who foreclosed on the property or its nominee who acquired title via a judicial foreclosure, a trustee's deed in foreclosure or a deed-in-lieu, the escrow charge will be as set forth in Column 3 - REO of the Basic Escrow Rate Schedule.

The services include the Basic Escrow Services and overnight mail, courier charges, reconveyance tracking and wire transfer fees.

Additional charges may be made for one or more Loan Tie-In Fees, if applicable and additional services as set forth in 5 Miscellaneous Fees and Charges

### **4.3 Leasehold Escrow**

The leasehold escrow fee on a residential property shall be the same as set forth in Section 4.1 Basic Residential Sale Escrow but based on the fair value of the leasehold interest.

### **4.4 Residential Short Sale**

When handling escrows involving the sale of a residential property, the proceeds of the sale are insufficient to satisfy the outstanding obligations secured by the subject property, and one or more creditors or lenders agrees to accept less than the full amount owed on the property and release the property as collateral, the escrow charge will be as set forth in Column 4 – Short Sale of the Basic Escrow Rate Schedule.

The services include the Basic Escrow Services and Reconveyance Tracking, Overnight Delivery Service (Federal Express, Airborne, UPS, Express Mail), Special Courier Service, Wire Transfer Fees, E-Doc Fees and one or more Loan Tie-In Fees.

Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges.

## **4.5 Residential Loan Escrow Refinance Rate**

When handling escrows involving a loan only, secured by a residential property, regardless of whether or not there is/are any existing loan(s) to be paid off as a part of the escrow the escrow fee shall be \$400.00.

The services include the Basic Escrow Services and courier and overnight delivery fees (2), wire transfer fees, electronic document delivery and payoff tracking and processing.

Additional charges may be made for any additional services requested or required to close the escrow, as set forth in 5 Miscellaneous Fees and Charges Miscellaneous Fees and Charges, including the recording service fee.

## **4.6 Deleted and Reserved for Future Use**

## **4.7 Home Equity Escrow Services:**

### **4.7.1 Limited Home Equity Services**

Limited Home Equity Services shall be charged at a rate of \$400.00, (FLAT FEE) for escrow services in connection with a home equity loan transaction, up to \$500,000. This fee includes the following services:

- Preparing a settlement statement; ordering payoff demands when applicable, and disbursing payoffs on up to two (2) previous loans and disbursing the balance of the proceeds to up to five (5) payees.
- Ordering and making payoffs on additional loans shall be charged at \$25.00 for each additional loan. Document preparation in connection with such service shall be at the rate of \$75.00 per hour.

### **4.7.2 Home Equity Disbursement Services**

Home Equity Disbursement Services shall be charged at the rate of \$250.00, (FLAT FEE) for loan transactions up to \$500,000. This fee includes the following services:

- The receipt of funds by the escrow handler/closer from a lender and disbursement to the borrower via on check or wire transfer. Any preparation of settlement statements shall require the full limited home equity services fee.

Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges.

## **4.8 Limited Escrow or Sub-Escrow Service**

When the Company is requested to provide a limited subset of escrow services, which may or may not arise in connection with a transaction insured by the Company directly or through another agent, the fee charged for such services shall be \$125.00 or as otherwise negotiated between the parties.

This limited escrow rate is appropriate where the services to be provided are significantly less than the Basic Escrow Services and, for example:

- A customer (a buyer, seller, or lender) is requesting the Company to hold and disburse funds as per their written instructions, as well as having a settlement statement and/or a deed of trust executed, and the Company is not being asked to address potential matters of title and no payoffs are being ordered by the Company.
- A customer (a buyer, seller, or lender) is requesting the Company to hold and disburse funds as per their written instructions, and the disbursement of such funds are being used for the elimination of matters affecting title, but only as expressly directed under such instructions. Any Preparation of a settlement statement shall require the full basic escrow fee or Residential Loan Escrow/Refinance rate, as applicable.
- When the Company is being asked to accept and record documents of record and hold and disburse funds, but no matters of title are being addressed and no payoffs are ordered by Company.

Additional charges may be made for any additional services requested or required to close the escrow, as set forth in Section 5 Miscellaneous Fees and Charges, including the recording service fee.

## **4.9 Escrow only-Basic Charge**

The escrow fee for an escrow involving a transfer or encumbrance of real property, manufactured home, mobile home or factory-built building designed for use as a residential dwelling in which no title insurance is to be issued shall be 200% of the Basic Escrow Rate. This rate does not preclude the application of charges under Section 4.4 Residential Short Sale. No other rate shall be applied to this rate.

**Approval of the County Manager or Escrow Administrator must be obtained prior to acceptance of such a transaction.**

## **5 Miscellaneous Fees and Charges**

When services are requested or appropriate to a residential property transaction, or commercial property transaction, if applicable, which are in addition to those included in the primary escrow services rate described in Section 4 Residential Property Escrow Rates or 6 Special Rates for Transactions, fees for the additional services shall be as set forth in this Section.

### **5.1 Deleted and Reserved for Future Use**

### **5.2 Loan Escrow Service – Concurrent Loans in a Sale Escrow (Loan Tie-In Rate)**

This fee is included on Residential Sale Transactions, as indicated in Section 4 Residential Property Escrow Rates

When a loan escrow is closed concurrently with a residential sale escrow the sale escrow shall the fees appropriate under Section 4 Residential Property Escrow Rates or Section 6 Special Rates for Transactions as applicable.

This fee includes the following additional services (as required and appropriate to the transaction):

- one additional electronic document download
- preparation of additional documents

Additional charges may be made for additional services as set forth in this Section 5 Miscellaneous Fees and Charges.

### **5.3 Subordinate Loan Escrow Service – Multiple Loans in a Loan Escrow**

When escrow services are requested in connection with one or more residential second mortgages, home equity lines of credit, or other subordinate financings, being closed concurrent with and secured by the same property as another loan escrow, one loan escrow shall be charged as set forth in Section 4 Residential Property Escrow Rates, and each additional loan shall be charged an escrow fee of \$125.00.

Additional charges may be made for additional services as set forth in this Section 5 Miscellaneous Fees and Charges.

### **5.4 Electronic Commerce Service Fee**

Escrow services, in some cases, may involve the use of electronic commerce, i.e. web based platforms that are designed to improve the customer experience or the efficiencies of the lenders by limiting, or in some cases, eliminating the need for wet signatures on documents. The Company may wish, or in some cases, be required to utilize these platforms as part of the lending/closing experience. The charge for utilizing electronic/web-based platforms shall be \$50.00 in addition to costs of the service, which may be passed through to the parties. Unless otherwise agreed, the Electronic Commerce Service Fee shall be split between buyer and seller.

### **5.5 Deleted for Reserved for Future Use**

## 5.6 Recording Service Fee:

The fees charged for recording and /or filing fees with the County Recorder, Secretary of State or other applicable government office shall be the amount(s) indicated below or the invoiced charges from the title provider, whichever is greater:

Residential Resale Transaction	\$125.00
Residential Refinance Transaction	\$100.00
Commercial Transaction	\$200.00

This fee will be divided equally between the Buyer and Seller, unless otherwise instructed in writing.

## 5.7 Stop Payment Fee:

A fee of \$35.00 (per check) shall be charged when applicable for processing a stop payment on a check written from an escrow or operating account, except for stop payments placed on checks at the request of escrow personnel.

## 5.8 Non-Sufficient Funds Fee:

A fee of \$25.00 (per check) may be charged for any deposit returned due to insufficient funds, dishonor or a stop payment.

## 5.9 Interest Bearing Escrow Account Fee:

A fee of \$50.00 per account shall be charged when the Company is requested to establish a separate interest bearing account for any party to a transaction. This fee may be waived under certain conditions, such as commercial transactions or volume users.

## 5.10 Manufactured Unit Title Transfer/Affixture Processing Fees

For purposes of this section, the term UNIT shall mean a single manufactured dwelling, trailer or other modular or manufactured structure used for residential or commercial purposes and whether or not comprised of one or more sections, which requires the processing of Manufacturer's Certificate(s) of Origin, Certificate(s) of Title and/or Affidavit(s) of Affixture.

The charge for these services will be \$200.00 in addition to the otherwise applicable escrow rate charged for closing the transaction. The above fee does not include any and all fees due to any State Motor Vehicle Department and /or any third party vehicular title service.

## 5.11 Dormant Funds Maintenance Fee

There shall be a maintenance fee charge of \$25.00 per month for funds remaining in an escrow account 180 days following closing of the related transaction due to any payee's failure to negotiate funds evidenced by outstanding checks or rejected wire transfer.

A written notice of this fee will be provided at close of escrow.

In the event the fees incurred meet or exceed the amount of the non-negotiated funds, the amount of the unclaimed funds shall be deemed payment in full.

## 5.12 Holdback of Funds Fee

A holdback fee may be charged when a request is made to continue to hold funds to satisfy a post-closing condition. The holdback fee may be assessed as follows:

Holdback total is less than \$2,500.00	\$100.00
Holdback total is \$2500.01 through \$10,000.00	\$200.00
Holdback total exceeds \$10,000.00	\$400.00

This fee is non-refundable.

Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges.

## 5.13 Hourly Work Fee:

A fee of \$100.00 per hour, or fraction thereof, may be charged when special services or additional work is requested and/or required that is over and above the normal services provided in the type of escrow to be closed. In the event charges are made, the deposit of final funds and the signing of final documents or the acceptance of the work performed will constitute approval of the charges.

## 5.14 Mobile Notary Fee:

At the request of the customer, the company may employ an outside signing service to obtain document signatures. This fee may be aggregated with the escrow fee as indicated in Section 4 Residential Property Escrow Rates and processed as a pass through fee to the customer.

## 5.15 Direct Transaction Fees-Sale or Loan Transaction:

If Sale or Loan Escrow Instructions are prepared in an escrow transaction, the charge for the preparation of such documents shall be \$150 plus the applicable sale and/or loan escrow rate.

## 5.16 Exchange Accommodation Fee:

When an escrow transaction involves a 1031 Tax Deferred Exchange or a simultaneous exchange of property, there shall be an additional charge of \$100 for each exchange or property involved in the transaction. This fee shall be in addition to the escrow fee charged for closing the transaction.

In the case of a 1031 Tax Deferred Exchange, the exchange fee shall be paid by the exchanger, unless otherwise instructed in writing by the parties. In the case of a simultaneous exchange, the exchange accommodation fee shall be paid one-half by each party, or when the purchase agreement states that the escrow fee shall be paid according to custom, unless otherwise instructed in writing by the parties.

## 5.17 Accelerated Escrow Rate:

There shall be an additional fee of \$250 charged on any transaction that is processed within a three-business day period at the request of the customer.

5.18    **Courtesy Payoff Processing:**

If more than three credit cards or unsecured debts are required by the lender to be paid through escrow, a fee of \$100 may be charged for up to five additional payments. In the event more than eight payments are made through escrow, the fee shall be \$250.

5.19    **Account Servicing Processing Fee:**

In the event the customer requests an Account Servicing Account to be set up and arranged through closing, a fee of \$200, in addition to the Basic Escrow Rates, as set forth in Section 4    Residential Property Escrow Rates, may be charged. This fee does not include any fees charged by the Account Servicer required to establish and/or service the new account.

5.20    **FIRPTA Filing Service Fee:**

A FIRPTA Filing Service Fee of \$125.00 will be charged to the seller of real property for preparation of the FIRPTA package to be filed with the IRS, post-close. This is in addition to the Basic Escrow Rates, as set forth in Section 4    Residential Property Escrow Rates, and all other applicable fees.

5.21    **Inspection Fee:**

When an Inspection of the subject property is required the following fee shall apply and will be charged to the party or lender requesting the inspection or the invoiced charges from the title provider, whichever is greater:

Maricopa County	\$100.00
All other Counties	\$150.00 Minimum

5.22    **Construction Disbursement Services:**

This rate is charged for the disbursement of construction funds pursuant to a construction disbursement agreement and related services on escrow transactions.

An additional fee may be charged for each disbursement and/or inspection that exceeds the original written disbursement agreement. In the event the lender or borrower request additional services in connection with the hold back/disbursement account at the time of closing, then such fees shall be collected as set forth in this rate manual at close of escrow and shall be considered earned and non-refundable.

Disbursements	Flat Fee
Up to \$1,000,000.00	\$1,500.00
\$1,000,001.00 to \$3,000,000.00	\$2,000.00
\$3,000,001.00 to \$5,000,000.00	\$3,000.00
\$5,000,001.00 to \$9,000,000.00	\$4,000.00
\$9,000,001.00 to \$13,000,000.00	\$5,000.00

Over \$13,000,001.00

By quote after further review of project



## **6 Special Rates for Transactions**

### **6.1 Builder/Developer Rate on Sale to a Home Buyer or Lot Purchaser:**

There are substantial efficiencies possible in handling sales of multiple units in a single residential subdivision, condominium or project. When individual units of a subdivision, condominium, PUD or other project are being sold by a builder, contractor, developer or subdivider (a “builder/developer”), the builder/developer’s share of the applicable rate established under Section 4 Residential Property Escrow Rates shall be discounted by the percentages set forth in the table below.

The percentage discounts are based on the number of units in the project that have been committed to WFG for closing, as follows:

<b>Units Committed to WFG</b>	<b>% Discount</b>
1-50 Units	30%
	40%
151-300 Units	50%
301-500 Units	60%
501-1000 Units	70%
1001 or more Units	80%

If the builder/developer is contractually obligated to pay the buyer’s portion of the escrow fee, the discount to the builder/developer from the otherwise applicable escrow fee shall be 50% for 51 units or above.

This rate may not be used in conjunction with any other discounted rates contained in this chapter. Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges.

### **6.2 Churches, Charitable, Not-For Profit Organizations (“NPO’s) and Corporate Relocation Rate**

The rate for escrow services for residential or commercial property purchased or sold within the normal scope of activities by Churches, Charitable, and Not-For Profit Organizations and extended to the employer or employer’s Relocation Company only if the transferred employee has already conveyed title to the employer or relocation company. This rate shall apply only to transactions involving the purchase or resale of an employee’s primary residence and only to the relocated employee’s share of the Basic Escrow Rate shall be discounted 30% of the otherwise applicable Escrow Rate under Section 4 Residential Property Escrow Rates or Section 7 Commercial/Industrial Escrow Transactions.

This rate may not be used in conjunction with any other discounted rates contained in this section. Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges

### **6.3 Senior Citizen Rate**

A customer who is at least 60 years of age shall be discounted 20% of the otherwise applicable residential Escrow Rate under Section 4 Residential Property Escrow Rates on the purchase or sale of a residential property. Escrow shall verify that the customer qualifies for the discount.

This rate may not be used in conjunction with any other discounted rates contained in this chapter. Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges.

### **6.4 Realtor, Public Servant, Military Rate or Investor Rate**

Active Realtors®, brokers, active military, veterans, investors as defined in Section 3.1.5 Investor and currently employed public servants, including but not limited to: teachers, police officers, firefighters and emergency medical personnel, shall be discounted 30% of the otherwise applicable residential Escrow Rate under Section 4 Residential Property Escrow Rates on the purchase or sale of a residential property.

This rate may not be used in conjunction with any other discounted rates contained in this chapter. Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges.

### **6.5 Negotiated Rates**

The Company reserves the right to negotiate fees. Any such negotiated rate agreement must be approved in writing by Company management and signed by all pertinent parties. A copy of said agreement is to be placed in each escrow file for which the rate applies.

This rate may not be used in conjunction with any other discounted rates contained in this chapter.

### **6.6 Special Rule for VA Loans**

Regulations of the Department of Veterans Affairs contained in 38 CFR 36.4313 set strict limits with regard to charging loan closing or settlement fees or escrow fees in connection with a VA made, guaranteed, or insured loan, which limitations may change from time to time. Accordingly, the Company may negotiate and agree to an acceptable escrow fee(s) with the Department of Veterans Affairs or its approved lender(s) and shall be bound by the rate(s) so negotiated. All such rate matches must be approved in writing by Company Management with a copy of the approval placed in each escrow file for which the rate applies.

### **6.7 Competitor's Rates**

The Company reserves the right to match any written escrow rate quote from a State of Arizona licensed title or escrow company. All such rate matches must be approved in writing by Company Management with a copy of the approval placed in each escrow file for which the rate applies.

This rate may not be used in conjunction with any other discounted rates contained in this chapter,

Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges .

### **6.8 Employee Rates**

No charge shall be made to employees of the Company, its subsidiaries and affiliated companies for escrow services in connection with the financing, refinancing, sale or purchase of the employee's primary

residence. Waiver of such charges is authorized only in connection with those costs which the employee would be obligated to pay as a party to the transaction.

## **6.9 Government Agencies and Affiliates**

Any government entity, including municipal corporations, will be charged a rate for escrow services which has been mutually agreed or which has been accepted in the form of a bid. Additional charges may be made for additional services as set forth in Section 5 Miscellaneous Fees and Charges , or as agreed or set in the bid.

## 7 Commercial/Industrial Escrow Transactions

### 7.1 Commercial Sale Escrow Rates

Escrow services provided in connection with the sale or lease of any commercial property shall be charged based upon Fair Value in accordance with the following schedule:

Liability Amount	Rate
Up to including \$1,000,000.00	30% Discount of Basic Escrow Rate
\$1,000,001.00 to \$3,000,000	35% Discount of Basic Escrow Rate
\$3,000,001.00 to \$5,000,000.00	40% Discount of Basic Escrow Rate
\$5,000,001.00 to \$10,000,000.00	\$3,000.00
\$10,000,001.00 to \$20,000,000.00	\$4,000.00
\$20,000,001.00 to \$30,000,000.00	\$5,000.00
\$30,000,001.00 and above	Quote Only

### 7.2 Commercial Loan Escrow Rates

Escrow services provided in connection with loans secured by any commercial property shall be charged based upon the loan amount in accordance with the following schedule:

Up to and including \$1,000,000.00	\$750.00
\$1,000,001.00 to \$3,000,000.00	\$1,000.00
\$3,000,001.00 to \$5,000,000.00	\$1,500.00
Over \$5,000,000.00 or involving multiple properties	Quote Only

**7.3 Deleted and Reserved for Future Use**

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