

WFG Underwriting Bulletin



To: All Georgia Policy Issuing Agents of WFG National Title Insurance Company
From: Underwriting Department
Date: January 2, 2018
Bulletin No. GA 2018-01
Subject: HB 337 - Statewide Indexing for Georgia Department of Revenue Liens

This is a follow up bulletin to [Bulletin No. 2017-04](#). We have been informed that the regulations for [HB 337](#) with an effective date of January 1, 2018, have been stayed. This means that the Department of Revenue ("DOR") regulations put in place to carry out the legislation in HB 337 are no longer effective. The title industry here in Georgia made a hard push to get the regulations which appeared to be overreaching removed and we were successful. This means that real estate attorneys and other practitioners will rely on searches for each county's lien records. Also, contrary to what was previously stated in the prior bulletin, you will NOT be required to obtain a Certificate of Clearance from the DOR to file a deed in the deed record. The method of filing the DOR liens and obtaining payoff information will remain the same or you can use the DOR SOLVED lien registry to verify a lien. You will have to register to have access to this system if you have not done so already. During the next legislative session the Real Property Law Section will be working with the General Assembly and the DOR to make some needed revisions to the law. Once the law is revised and finalized an updated bulletin will be released with the changes.

The DOR's lien index remains in place (SOLVED). SOLVED is the system that the DOR uses to provide lien information and the certificate of clearance. If you check the system and obtain a certificate of clearance, enter that information on the PT-61. It's not required but if you've obtained it enter that information on the PT-61. Please review the attached [SOLVED presentation](#) from the DOR which explains SOLVED and how to obtain lien information and how to submit a payoff if a lien is due.

After 2017, the lien period will be 10 years for any liens filed on or after January 1, 2018. These liens will not be renewable. Current liens go away on December 31, 2017, with the DOR refiling the liens that they want to continue to attempt collection. If you currently have a DOR lien in your chain of title that is due, recheck the liens through GSCCCA over the next several months to see if the lien has been refiled. The DOR has over 300,000 liens and only intend to refile about 80,000 of them. The remaining will go away on December 31, 2017. If you are uncertain as to how to handle a DOR lien after December 31, 2017, please contact your Georgia WFG Underwriter for further guidance.

NOTE: This Bulletin is for the sole purpose of establishing underwriting positions and policies reflecting WFG National Title Insurance Company's best business judgment. The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department. The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.