



WFG Rate and Form Bulletin

To: All Louisiana Policy Issuing Agents of WFG National Title Insurance Company

From: WFG Underwriting Department

Date: July 25, 2019

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Subject: ALTA 8.1 Environmental Protection Lien Endorsement - Additional Exception

The La. Legislature recently amended R.S. 30:2205, which deals with the Hazardous Waste Site Cleanup Fund. See Bulletin No. LA 2019-02. As amended, the statute now provides the state with a lien against property on which the Fund was used for remediation. A notice of lien must be filed in the mortgage records to be effective. But once filed, the state's lien will outrank a prior recorded mortgage, judgment, lien or other encumbrance for any amount in excess of the fair market value of the property prior to the remediation. This partial 'superpriority' status is similar to the lien rights provided in R.S. 30:2281.

The ALTA 8.1-06 endorsement insures against loss or damage due to lack of priority of the insured mortgage over recorded and unrecorded environmental protection liens. Subparagraph (b) of the endorsement excludes from coverage unrecorded liens arising under designated state statutes.

Currently, our forms only list R.S. 30:2281 as an exception. Effective for all new title orders received on or after August 1, 2019, both R.S. 30:2281 and 30:2205 must be listed as exceptions in subparagraph (b) of the ALTA 8.1 endorsement.

This change affects the following forms: ALTA 8.1 endorsement, Short Form Residential Loan Policy, Short Form Expanded Coverage Residential Loan Policy, Loan Policy, and Short Form Commitment.

Please remember the ALTA 8.1 endorsement may only be issued with loan policies covering residential property.

Copies of the revised forms may be downloaded <https://wfgunderwriting.com/louisiana/forms>. Please ensure that your software vendors have updated their forms. If you have any questions about or need assistance, please do not hesitate to contact your Louisiana WFG team.

NOTE: This Bulletin is intended for use by title issuing offices, title insurance agents and approved attorneys of WFG National Title Insurance Company only. Reliance by any other person or entity is unauthorized. This bulletin is intended solely for the purpose of establishing underwriting policies and/or procedures of WFG National Title Insurance Company.