

WFG Underwriting Bulletin



To: All Louisiana Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: March 18, 2020
Bulletin No.: LA 2020-04
Subject: Coronavirus-related shutdown of East Baton Rouge Parish Clerk's Operations

The East Baton Rouge Parish Clerk has announced effective immediately that he has shut down operations and will not process filings nor accept them in person, nor permit in person searches, until at least April 10. This bulletin supplements NB 2020-02.

If you have a transaction in East Baton Rouge Parish scheduled to close between now and April 10, you may proceed subject to all of the following requirements:

1. All sellers in a sale transaction and all borrowers in a refinance transaction must execute the standard Seller/Borrower Affidavit and Indemnity Agreement. [Attached is the form.](#)
2. All parties (sellers and buyers, or borrowers) must sign the new Coronavirus Shutdown Affidavit and Indemnification. [Attached is the form.](#)
3. Execution of this Coronavirus Shutdown Affidavit and Indemnification must be listed as a requirement on Schedule B-I of the Commitment. If the Commitment was issued previously, a revised Commitment with this requirement must be issued prior to closing.
4. The lender must acknowledge in writing that it understands the clerk's office is not currently recording documents and that neither you nor WFG can estimate when the mortgage or other documents will be recorded. This written acknowledgement must be retained in your closing file.
5. Review closing instructions carefully. If they require "prompt" recording, recording within a certain period of time or prior to disbursement, do not close without an amendment to permit recording after the clerk's office resumes normal operations.

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.

6. You may not close without specific written underwriting approval if your transaction involves any of the following:
 - a. construction or renovation financing
 - b. a non-traditional or non-institutional lender
 - c. judgments, liens, more than 2 mortgages, tax sales, notice of bankruptcy or notice of seizure against the seller or borrower
7. If you are unable to obtain a payoff or satisfy minimum statutory search and exam standards, you may not close without specific underwriting approval.
8. We have been advised by the clerk's office that it will continue to receive filings by mail and private delivery service (e.g., UPS, Fedex) and sort them by date of receipt, but will not record or otherwise process them until normal operations are resumed. Accordingly, we urge to you send your documents to the clerk's office by private delivery service with tracking. If this changes, you must safeguard the original executed documents and record them as quickly as possible when the clerk's office resumes normal operations.
9. After the clerk's office reopens and the documents have been recorded, you must update your title search. If the exam reflects any unpermitted encumbrances, transactions or other adverse matters which could affect the insured title, please notify underwriting counsel immediately.

These guidelines will remain in effect through April 10 only, unless changed by separate bulletin. If you have a closing after April 10, we encourage you to contact the parties and lender now to advise of potential delays. We will consider exceptions or deviations to these requirements on a case by case basis. Additional guidance will be provided as necessary.

This is an evolving situation. At this time, these guidelines apply only to transactions in East Baton Rouge Parish. We urge you to keep in daily communication with your local clerks of court. If you learn of shutdowns in other parishes or if you have any questions or concerns, please contact underwriting counsel.

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