

## WFG Underwriting Bulletin



To: All Louisiana Policy Issuing Agents of WFG National Title Insurance Company  
From: WFG Underwriting Department  
Date: March 19, 2020  
Bulletin No.: LA 2020-05  
Subject: Coronavirus-Related Shutdown - Update

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The East Baton Rouge Parish Clerk reopened today to accept and record documents in a limited capacity. Policies may be issued for transactions in that parish subject to normal guidelines. However, we have learned that the St. Mary Parish Clerk will shut down all operations indefinitely effective noon tomorrow, March 20. This bulletin supplements LA 2020-04 and NB 2020-03.

If you have a transaction in any parish in which the clerk of court suspends recording, 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.
6. You may not close without specific written underwriting approval if your transaction involves any of the following:

**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.**

- 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. 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. 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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