

WFG Underwriting Bulletin



To: All Louisiana Policy Issuing Agents of WFG National Title Company
From: WFG Underwriting Department
Date: April 21, 2026
Bulletin No. LA 2026-02
Subject: Standard Exceptions: Updated Guidelines on their Inclusion and Removal

This bulletin updates and replaces Underwriting Bulletin [LA 2017-09](#). Except as provided below, the following standard exceptions must be included on all Commitments (Schedule B-II), standard Owner's Policies (Schedule B), and standard "long form" Loan Policies (Schedule B-I):

1. Any defect, lien, encumbrance, adverse claim or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part 1 – Requirements are met.
2. Any taxes or assessments which are not shown as existing liens by the Public Records.
3. Rights or claims of parties other than the Insured in actual possession of all or part of the Land not shown in the Public Records.
4. Encroachments, overlaps, boundary line disputes, shortage in square footage, acreage or area, right of access, ingress and egress, or other matters which would be disclosed by a current, complete and accurate survey and inspection of the Land.
5. Unrecorded easements or claims of easements not shown by the Public Records.
6. Any claim, lien or privilege, or right to a claim, lien or privilege, imposed by law, for work, services, labor, material or parts, heretofore or hereinafter furnished for the improvement, construction, erection, reconstruction, modification, repair, demolition or other physical change of or on the Land herein, or any part hereof, and not shown by the Public Records.

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The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.

7. Taxes or assessments for the year _____ and subsequent years, which are not yet due and payable.
8. Ownership or lack thereof of oil, gas and other minerals of any kind and in any form, and any lease, grant, servitude, royalty interest, exception, any prior reservation or conveyance, together with release of damages, pertaining to such minerals.

In addition to those standard exceptions, you will need to add special exceptions for matters known to you or disclosed by the title exam, survey or other sources. Examples include encroachments; servitudes; covenants, conditions or restrictions; leases; riparian rights; and mortgages that will not be cancelled.

The above standard exceptions may be deleted from Schedule B-I of the Loan Policy in accordance with the following guidelines. Please note that the numbers below refer to the exception number referred to above.

1.

This “gap” exception is intended only for the Commitment. It may be omitted or deleted from the policy upon receipt of the [Seller’s/Borrower’s Affidavit and Indemnity Agreement](#). However, you should update your title exam prior to closing and add exceptions for any subsequently-recorded matter.

2.

The exception for unrecorded tax liens may be deleted upon receipt of the [Seller’s/Borrower’s Affidavit and Indemnity Agreement](#), and verification that all property taxes have been paid or will be paid from settlement funds. If it appears that the property was improperly assessed, please do not delete this exception and refer to Underwriting Bulletin LA 2023-05 for further guidance.

3.

The exception for parties in possession may be deleted upon receipt of the [Seller’s/Borrower’s Affidavit and Indemnity Agreement](#) certifying that the owner is the only person in possession of the property. If applicable, this exception may be modified upon request to be limited to: “Rights of tenants or others in possession under unrecorded leases only.”

4-5.

The survey and unrecorded easement exceptions may be deleted from a loan policy subject to the following:

Residential transactions

For an existing 1-4 family residence, a current survey is not required. The only requirement is receipt of the [Seller’s/Borrower’s Affidavit and Indemnity Agreement](#). For new construction,

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removal of these exceptions without a current survey requires underwriting approval. Encroachments, setback violations, gaps, overlaps, access issues, and other adverse matters shown on a prior survey or otherwise known must be listed as special exceptions.

Commercial transactions under \$5 million

For existing commercial property, a current survey is not required. The only requirement is receipt of the [Seller's/Borrower's Affidavit and Indemnity Agreement](#). For new construction, removal of these exceptions without a current survey requires underwriting approval. Encroachments, setback violations, gaps, overlaps, access issues, and other adverse matters shown on a prior survey or otherwise known must be listed as special exceptions.

Commercial transactions at/over \$5 million

A current survey is required to delete these exceptions. Matters shown on the survey must be listed as special exceptions. A prior survey, together with a [Prior Survey Affidavit](#) certifying no changes to the improvements shown, may be accepted with underwriting approval.

6.

The mechanics' and materialmen's (M&M) lien exception may be deleted from a loan policy subject to the following:

No recent or contemplated work

The only requirement is receipt of the [Seller's/Borrower's Affidavit and Indemnity Agreement](#) certifying no work done on the property within at least the last 70 days.

Contemplated work

Requirements are: (i) receipt of the [Seller's/Borrower's Affidavit and Indemnity Agreement](#) certifying no work done within at least the last 70 days; (ii) timely-filed 'No Work' affidavit pursuant to R.S. 9:4820; and (iii) payment of the additional M&M lien protection coverage premium.

Recent or ongoing work

Underwriting approval is required if work is ongoing or was completed within the last 70 days (or seven months if there is a recorded notice of contract and no notice of termination). Please refer to Underwriting Bulletins LA 2016-03 and 2019-05.

7.

The exception for taxes not yet due reflects standard policy conditions excluding coverage for matters arising after its effective date and generally should not be deleted. However, if all property taxes that are due and payable have been paid or will be paid from settlement funds, you may delete this exception.

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8.

The mineral rights exception may be deleted from a loan policy subject to the following:

Residential transactions

For an existing 1-4 family residence where the title exam reflects no mineral reservations or leases, the only requirement is receipt of the [Seller's/Borrower's Affidavit and Indemnity Agreement](#). For vacant land or if the title exam reflects prior mineral activity, underwriting approval is required.

Commercial transactions

Requirements are: (i) a title exam from patent to current date certifying mineral ownership, or underwriting approval and (ii) receipt of the [Seller's/Borrower's Affidavit and Indemnity Agreement](#).

The standard exceptions should remain on the Commitment unless the requirements for their removal have been satisfied as of the Commitment Date. However, you may indicate on Schedule B-II of the Commitment that designated exception numbers will be deleted from the Loan Policy upon compliance with the Schedule B-I Requirements. You should add the appropriate requirements (e.g., current survey, 'No Work' affidavit, etc.) to Schedule B-I of the Commitment. Please refrain from removing standard exceptions from an Owner's Policy without underwriting approval.

If you have any questions about these guidelines or their application to particular transactions, please do not hesitate to contact underwriting counsel.

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