

WFG Underwriting Bulletin



To: All WFG Policy Issuing Agents; all WFG Title Examiners and Offices
From: WFG Underwriting Department
Date: March 18, 2020
Bulletin No.: NB 2020-03
Subject: Recording Office Closings – Corona Virus -- Revision to NB 2020-02

The situation with recording office closings continues to evolve. At present only a small number of recording offices are totally closed to all recordings. That's the good news. However, that could change dramatically in the days and weeks ahead.

At WFG, we recognize that commerce in real estate sales and refinancings must continue during this crisis, and we appreciate the burden it places on our agents, to be constantly checking with every recording office to see if they are still open.

So we are revising our underwriting standard regarding recording offices that may not be open to receiving recordings.

You may continue to close normally, and WFG will continue to insure the “gap” created by a temporary inability to record. All of our standard policy forms automatically provide coverage for the recording “gap,” so no special endorsement or language is required for this coverage.

WFG does NOT require an indemnity agreement from the Seller or Borrower as a condition of insuring the post-closing – recording gap, so no change to your current Seller or Borrower Affidavit forms is necessary, although individual agents may choose to add indemnity language.

When a WFG commitment has been issued by an authorized agent or office, WFG's policy and CPL protections will remain in force as if the transaction was properly recorded on the date of disbursement.

As our agent, you are NOT required to confirm that the recording office is currently open to recordings before each closing.

That having been said, we encourage the use of e-recording in all jurisdictions where available – even if the recording office staff is not currently accepting and posting them. Simplifile, EPN and CSC have each confirmed that documents submitted through their portals will remain in the county recording queue until accepted by the recording office. In all cases, recordings must be accomplished as soon as the recording office re-opens.

If a mailed or delivered recording is returned unrecorded, like any returned recording, your office needs a policy and procedure for tracking and to make sure all unrecorded documents are resubmitted as soon as the recording office re-opens.

In other respects, bulletin NB 2020-02 remains in effect as to any inability to obtain current search information and third party closures that may affect insurability.

We rely heavily on our valued agents around the county to keep us informed as to what is happening in your areas. If you learn that a specific recording office is not accepting any recordings, or find the ability to complete searches has been impaired, we ask that you let us know by emailing ntsgovernmentandabstractornotifications@wfgtitle.com and to ALTA at countystatus@alta.org, [so we can share this vital information with all of our agents.](#)

As this situation evolves, and particularly if the number of office closings increases, we may have to modify these guidelines. We will not do this without prior notice to you. As always, the WFG underwriting team is available to assist with any questions you may have.

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.