

WFG Underwriting Bulletin



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

From: WFG Underwriting Department

Date: March 7, 2023

Bulletin No.: NM 2023-01

Subject: Sales of Vacant Land and Unoccupied Property

Due to a dramatic increase in fraudulent activity, WFG National Title Insurance Company is instituting the following requirements for all closings involving natural persons selling vacant land or unoccupied property where the transaction is being conducted solely through the internet / email and the Seller will not be personally coming to your office for the closing.

1. Send a standard “welcome letter” to each Seller via email **and** U.S. mail to the owner’s address listed on the County Tax Record website.
 - a. As a new addition to that “welcome letter”, instruct the owner to contact your office immediately if the owner did not execute a contract to sell the property.
2. Carefully examine the Seller’s ID, as it has become more common for fake IDs to be used in fraudulent transactions.
 - a. Confirm that the name and mailing address listed on the ID match the name and address as listed with the County Tax Record.
 - b. Require a copy of the front **and** back of the ID
3. Confirm that the signature on any recorded document executed by the Seller closely resembles the signature on the ID provided by the Seller.
4. If the Seller is a US Citizen residing or visiting outside of the country, require a copy of the Seller’s passport.

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NOTE: 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.

5. The Seller's signing must be:
 - a. Conducted in the presence of a title company employee, or
 - b. Notarized via remote online notarization ("RON") or a mobile notary vetted and approved by the title company.

6. Be aware of the following potential red flags associated with vacant land and/or unoccupied property fraud, and contact New Mexico underwriting counsel if they are not satisfactorily addressed:
 - Unencumbered (free and clear) property;
 - Demand(s) to rush closing;
 - Listing agent has never met Seller in person;
 - Email is the only form of communication with the Seller (no in-person meetings, phone calls, video conferencing);
 - Documents notarized in places other than the location of the Seller or property;
 - Request(s) to wire Seller funds to another state or country;
 - Contact with only one of multiple vested owners who claims to have signing authority for the other owners;
 - Investor or wholesaler preventing contact with the Seller, directly.

Should you have any questions or concerns with any transaction that may suggest fraud, please contact Christopher Cullen, New Mexico Underwriting Counsel at either (505) 988-7114 or NMLegal@wfgtitle.com.

Thank you for joining our fraud prevention efforts!

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