



UNDERWRITING BULLETIN

FROM: Underwriting Department

DATE: April 8, 2014

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

BULLETIN No.: NM – 2014-03

SUBJECT: Commercial Environmental Lien Endorsement (NM 70)

Please see the attached revised underwriting guidelines for issuance of the Environmental Lien Endorsement (NM 70). The revision deletes the necessity to search the Federal District Court records, as it is overly burdensome for many agents to check Federal District Court for such liens and the liens are required to be filed in the county clerk's office in the county where the property is located.

These guidelines should be substituted for the existing guidelines in your WFG Endorsement Manual. Please contact local underwriting counsel if you have any questions or concerns.

NOTE: This Bulletin is intended for use by title issuing offices, title insurance agents and approved attorneys of WFG National Title Insurance Company and any reliance by any other person or entity is unauthorized. This bulletin is intended solely for the purpose of underwriting policies of WFG National Title Insurance Company.

**COMMERCIAL ENVIRONMENTAL PROTECTION LIEN ENDORSEMENT
(NM 70)
ALTA 8.2-06; CLTA 110.9-06**

**UNDERWRITING APPROVAL IS REQUIRED
PRIOR TO ISSUANCE OF THIS ENDORSEMENT**

Procedural Regulation(s)

NMAC §13.14.8.31 COMMERCIAL ENVIRONMENTAL PROTECTION LIEN ENDORSEMENT: The “commercial environmental protection lien” endorsement, NM form 70, may be attached to owner’s policies and loan policies provided the premium in 13.14.10.52 is paid. This endorsement may not be attached to policies insuring residential property containing four or fewer dwelling units. Each insurer shall establish written instructions and underwriting standards concerning the use of this endorsement. [13.14.8.31 NMAC N-07-30-10]

Rate Regulation(s)

NMAC §13.14.10.52 COMMERCIAL ENVIRONMENTAL PROTECTION LIEN ENDORSEMENT: When a “commercial environmental protection lien” endorsement, NM Form 70, is issued pursuant to 13.14.8.31, on either owner’s policies or loan policies, the premium for each endorsement shall be twenty-five dollars (\$25.00) in addition to the premium charged for the policy.

WFG UNDERWRITING INSTRUCTIONS: *This Endorsement is available with owner’s or loan policies insuring title to land used or intended to be used for purposes other than one-to-four family residential. It provides coverage against environmental protection liens.*

You may issue endorsement if all of the following requirements are met:

- 1. A thorough search of the county records.*
- 2. No environmental liens are recorded or filed which affect the insured land; or*
- 2. There is an exception in Schedule B to any environmental liens which have been recorded or of which you have actual notice.*

This endorsement does not include coverage against liens created under state statutes, which is provided under the NM 29 Environmental Protection Lien Endorsement for one-to-four family residential properties only.

PREMIUM: \$25.00