

WFG Underwriting Bulletin



To: All New York Policy Issuing Agents of WFG National Title Insurance Company
From: New York Underwriting Department
Date: April 20, 2021
Bulletin No: NY 2021-16
Subject: Execution of ECB liens in NYC

It has come to our attention recently that the Environmental Control Board in NYC has been looking for avenues to maximize the payment of ECB judgments in New York City. To that end, the City has begun executing against real property held by parties who have ECB liens of record.

An ECB judgment or lien is treated like any other money judgment found in a judgment and lien search. It will attach to all real property that is owned by the judgment debtor, regardless of what address is listed on the ECB printout. In addition, any ECB lien that shows the subject property without a name attached will attach to the property and must be disposed of at the time of closing.

Please be careful when disposing of ECB liens that affect title. Liens should be paid at closing if possible, and escrows should be limited to payment in a short period of time. In addition, we should determine that an execution has not been issued and that a sheriff's sale has not been scheduled.

This is a very new practice and we will continue to keep you updated as more information is received by our office. Please feel free to contact us if you have any questions or concerns.

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.