

WFG Underwriting Bulletin



To: All Ohio Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: April 02, 2020
Bulletin No: OH 2020-04
Subject: Reliance upon Statutes of Limitation to Eliminate Liens

On March 27, 2020, The Supreme Court of Ohio issued Administrative Action 2020-Ohio-1166, as a follow-up to and in support of Am.Sub.H.B. No. 197, signed into law by Governor DeWine also on March 27. [A copy of the Administrative Action is attached hereto.](#)

In relevant part to the title industry, the Bill and the Administrative Action provided for the tolling of all statutes of limitation, time limitations, and deadlines in the Ohio Revised Code and the Ohio Administrative Code. The suspension of these limitations was made retroactive to March 9, 2020 and would be in effect until the expiration of the state of emergency in Ohio or July 30, 2020, whichever is sooner.

Therefore, you may not eliminate from your commitments and policies any lien filed against real property which expires or would have expired on or after March 9, 2020. *This is only a temporary tolling of the statute of limitations.* The clock will run again when the state of emergency is terminated or on July 30, as set forth above.

Thus, assuming the July 30 end date, if a mortgage lien would have expired on March 30, 2020 (21 days after the March 9 suspension), that lien will now expire on August 20, 2020 (21 days after July 30).

This tolling of the statutes applies only to liens which are already filed and for which the clock is ticking under Ohio law. It does NOT apply, for example, to the necessity to file new mortgages, and it does not apply to IRS liens or federal judgments, for which the duration is specified by federal law.

If you have any questions, please contact underwriting counsel.

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.