

WFG Underwriting Bulletin



To: All Ohio Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: June 25, 2025
Bulletin No. OH 2025-04
Subject: Ohio Purchase Contract Affidavits

Situation:

The Company has observed an increase in requests for Letters of Indemnity due to affidavits filed asserting that the affiant is the buyer pursuant to a purchase contract for the subject real estate. Many of these are filed when the property is considered an “investment” property. These affidavits are typically filed shortly before the referenced seller transfers title to a different purchaser.

An example of such an affidavit can be found here: [Example Affidavit of Facts](#)

Underwriting Standard:

The risk associated with such affidavits is an extra-hazardous risk:

1. Update title immediately prior to closing as these affidavits are generally filed within 14 days of the sale to a different purchaser; and
2. Even if the affiant has failed to close by the Closing Date specified in their purchase contract, you must require a release of the affidavit.
3. You may ignore an affidavit of this nature when the affidavit recites a Closing Date for the referenced purchase contract which is more than six (6) years ago.

Please note that while the Company believes such affidavits to be an abuse of ORC 5301.252, the affiants tend to be litigious and assert claims for specific performance. While such claims are generally meritless, the cost of litigation results in significant loss for the Company.

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.