



WFG Underwriting Bulletin

To: All Wisconsin Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: January 23, 2024
Bulletin No.: WI 2024-01
Subject: Issuing a Wisconsin Foreclosure Guarantee and Commitment

When you are requested to issue a Foreclosure Guarantee and Commitment, you must follow these Guidelines:

Search Standard:

Since a foreclosure is a judicially ordered sale, you must follow the search standard for a purchase. Do not run forward from a Loan Policy issued to the foreclosing lienholder.

Commitment Preparation:

1. Issue an ALTA Commitment including the jacket as if the transaction was a cash purchase.
2. On Schedule A, The Proposed Policy Amount for an Owner's Policy will be \$15,000. However, you may issue the Commitment for the Fair Market Value of the property or the principal balance of the lien being foreclosed at the request of the Proposed Insured.
3. On Schedule A, the Proposed Insured will be:

"Plaintiff in the foreclosure action required by Schedule B II."
4. Add the following requirements to Schedule B I in addition to any other requirements which may be necessary:
 - a. "An action to foreclose the mortgage by and between [Insert the description of the mortgage being foreclosed] (Example: "Mortgage executed 1-5-2021 by Joe Smith and Mary Smith in favor of First Bank in the principle amount of \$100,000 recorded in Book 18, Page 239 on 1-6-2021, Dane County, Wisconsin." Any modifications and assignments of the mortgage should be recited too.) must be duly filed and prosecuted

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The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.

to judgment, sale, confirmation of sale including a deed conveying title to the purchaser at the foreclosure sale.”

- b. The actual name of the foreclosure sale purchaser must be inserted in Schedule A as the Proposed Insured and the Proposed Policy Amount listed on Schedule A must be increased to the full value of the Land before an Owner’s Policy will be issued pursuant to this Commitment. At such time, an additional premium will be calculated and must be paid in order to issue a policy pursuant to this Commitment. Pursuant to the Conditions of this Commitment, this Commitment is not valid until such time as the Commitment is revised as set forth above.”
 - c. A deed issued to the purchaser at foreclosure sale must be executed and duly recorded.
5. The balance of the Commitment is the same as any other sale.
6. When you update the Commitment to increase the Proposed Policy Amount and insert the name of the Proposed Insured, you will update title in anticipation of closing and issuing a policy.

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