

Fraud and Foreign
Nationals

2021 Forms Update

FLC Celebrity
Conference 2022

Carolyn Monroe's
Holiday Letter



Fraud and Foreign Nationals By Doug Pollack

The continuing incidents of fraudsters stealing the identity of owners of vacant lots and real property in Florida seem to have no end in sight. In many cases, the real owner is a foreign national living outside the United States and the fraudsters provide images of foreign passports and other identification that cannot be verified.

The simple truth is there is no website or service available to verify if the foreign identification being presented is authentic and belongs to the real seller. They use fake email addresses, proxy servers, foreign bank accounts and internet telephone numbers making it extremely difficult to be sure you are dealing with the real owner of the property.

The following are some simple suggestions to help you determine whether you are dealing with the proper individuals and have been presented with valid government identification:

1. Call the owner of record if you can establish a telephone number through independent sources and/or send a letter to the owner's address as listed on the property appraiser's website to inquire if they have listed their property for sale and have accepted an offer to sell.
2. Verify through public records the property has not been conveyed without reasonable consideration or by Quit Claim Deed in the last six months.
 - a. In the case of forged Quit Claim Deeds, they are usually prepared, executed and recorded shortly before the Contract for Sale & Purchase has been executed.

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Fraud and Foreign Nationals (continued)

b. Check to make sure the notary public is real and if necessary, contact the Notary to make sure they are qualified and knowledgeable about real estate documents and that they notarized the deed in question.

Require high quality color images of all identification presented so the holograms and other security features can be observed.

- a. When a foreign passport is presented along with either a national identification card and/or foreign driver's license, you can utilize the ["PRADO" website](#) to find current examples of passports and other government identification for members of the European Union and other participating countries in Latin America and North America.
- b. Importantly, understand you will NOT be able to positively verify any foreign passport without confirming through the country of issue. Instead consider requiring copies of their US documentation as that can be more easily verified. More importantly, you need to require good quality color images of all identification presented.

3. For property held by a foreign nationals, it is possible to verify their travel and passport information from 2016 forward quickly and without cost through a US government website operated by the US Customs & Immigration Service (USCIS) <https://i94.cbp.dhs.gov/I94/#/history-search>. If their travel history is inconsistent with the facts and circumstances of their acquisition or management of the property, this is a big red flag.

- a. If the passport number they provide does not show up in the database, that passport has never been used for entry to or exit from the US since inception in 2016 or the passport may be fraudulent, and you need to exercise more caution.
- b. If their travel was prior to 2016, you will want to make sure you ask for copies of the immigration stamps for the last entry and exit from the United States.

4. For those individuals that purport to be permanent residents of the US and present a copy of the Alien Registration Card (green card) for identification, keep in mind that they are required to live full time in the United States with the intention of immigrating and gaining citizenship. If a "green card holder" has been out of the US for more than six months, efforts to immigrate are considered abandoned, their "green card" is cancelled, and thus is no longer a valid form of identification

5. Always request two forms of identification. We have found it is very unlikely that fraudster will go to the trouble of making more than one or two counterfeit identity documents.

If you still have suspicions after completing due diligence, DO NOT CLOSE UNTIL YOU ARE SATISFIED ALL IS IN ORDER. Consider requiring the seller to appear in person for closing at a location you select prior to disbursing seller's proceeds.

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The new ALTA 2021 forms for Florida are here! The Department of Insurance Regulation approved the form and content of the forms in October. Old Republic Title has been working diligently with your vendors to ensure the forms are functioning as expected. At this juncture most vendors have the updated 2021 forms available for use.

For a detailed overview of the changes in the 2021 forms, please reference the August 2021 Bulletin <https://www.starslink.com/services/bulletins/?state=FL>. For additional discussion, consider checking out the "Previously Recorded Webinar" tab on the FLC website to view a replay of the "2021 ALTA Forms" webinar presented by our own long time ALTA Forms Committee member, Jim Russick, and Amber Ashton from the FLC.

Additional resources, including a line-by-line comparison chart of the 2006 and 2021 commitments and policies, are available on the ALTA website: <https://www.alta.org/policy-forms/>

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FLC Celebrity Conference 2022

The FLC's second annual virtual Celebrity Conference, which took place on October 4th and 5th, was a huge success. Agents and attorneys had the opportunity to earn up to five (5) hours of CE or CLE credit from the comfort of their office. For those of you that were unable to attend but are interested in tips and tricks to utilize your social media marketing more effectively, check out the Virtual Conference tab on the FLC website to access these videos. <https://www.starslink.com/flc/>

The Florida Learning Center website on StarsLink is an excellent resource for all your education needs. Here, you will find past Title Talk Tuesday videos answering common underwriting questions, educational videos designed to assist with closing questions and concerns, as well as our ezLearning platform which offers on-demand CE and CLE programming for credit and our revolutionary Title Academy program to train your employees as they step into new roles in your business.

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December 2022

Dear Valued Agent,

As we near the end of 2022, reflection on the last several years is natural. There is much to consider; the fortunate results that have been generated, as well as the toll these trying times have taken on so many. When we flip the calendar to December, we cannot help but consider what opportunities may lie ahead in 2023.

During the holiday season, we hope you can take time to appreciate all you have accomplished during the last several years. We are proud of the resilience and dedication our agents have displayed. We want each of you to know that Old Republic remains steadfast in its support of our hard-working title agents.

Agents remain Old Republic Title's priority; we are focused on your success. In 2023 we look forward to offering you new services and resources along with innovative enhancements to our online tools. Our continued goal is to make doing business with Old Republic easy, fast, and effective.

We appreciate your continued commitment to helping us bring property owners peace of mind, and as always, for selecting us as your underwriter. I cannot thank you enough for your business and your loyalty.

On behalf of all the employees at Old Republic Title, thank you. We wish you peace and joy this holiday season, and health, happiness, and success in the New Year.

Sincerely,

Carolyn Monroe

President,
Old Republic National Title Holding Company