

Trends, Practices and Claim Issues

Sponsored by Stewart Title Guaranty Company

November 11, 2011

Villa Milano

1630 Schrock Road

Columbus, OH 43229-1560

8:00 a.m. - 8:30 a.m. Registration, Continental Breakfast
Welcome, Opening Remarks
George Naumoff, Senior Agency
Manager

Session I (Approved for 3.5 CLE hrs. - Approved for 3 CIE hrs)

- I. 8:30 a.m. - 9:30 a.m. IT Recommendations for Small
Business'
Brian A. Gorenflo, Business
Development, AccuNet, Inc.
- II. 9:30 a.m. - 10:30 a.m. Best Practices in Developing Controls
for Agency Operations
Russell Kutell, Esq., Frost Brown Todd
- III. 10:30 a.m. – 11:30 a.m. Bankruptcy and Receiverships
Kerin Kaminski, Esq., Giffen and
Kaminski

11:30 p.m. - 12:15 p.m. LUNCH (Provided)

Session II (Approved for 3.5 CLE hrs.-Approved for 3 CIE hrs)

- I. 12:15 p.m. - 1:15 p.m. Title Trivia
Frank Long, Esq., State Counsel,
Stewart Title Guaranty Company
- II. 1:15 p.m. - 2:15 p.m. Regulatory Matters
James Havens, Esq., Havens, Ltd.
- 2:15 p.m. - 2:30 p.m. BREAK
- III. 2:30 p.m. - 3:30 p.m. Fraud Issues in the 21st Century
Frank Long, Esq., State Counsel,
Stewart Title Guaranty Company

Brian A. Gorenflo

Brian is Head of Business Development for AccuNet, Inc. located in Westerville, Brian joined AccuNet in March of 2010. Previous to joining AccuNet Brian spend 5 years working for a few local phone companies providing phone and internet services to small businesses in Central Ohio. Brian also worked for a Telecom distributor based in Avon, Oh servicing fortune 500 companies with their needs from phone systems, audio conferencing, video conferencing, call-center applications, and all things related to telecom. Overall Brian has spent over 8 years in the technology sector meeting with Samll Businesses to learn and understand their needs when it comes to IT.

Brian graduated from Baldwin Wallace College in 2000 with a Bachelor of Arts degree with a double major in Business Administration and Fitness Management.

Brian is currently an associate member of the Central Ohio Land Title Association as well as the Ohio Land Title Association.

Brian Gorenflo
Business Development, AccuNet, Inc.

- I. Who is AccuNet?
- II. Hot Topics for Small Business IT needs
 - Small Business Server 2009
 - Windows 7
 - Microsoft Office 2010
 - Firewall
 - Anti-virus
 - Data Back-up & Disaster Recovery
 - Battery Back-up
- III. Title Company Specific Software we have seen used at some of our clients
 - RamQuest, SoftPro,eCopy, KwikTag, SwiftView, etc
- IV. Major Challenges Title Agencies & Small Businesses
- V. Questions

Russell J. Kutell
Frost Brown Todd, LLC

Best Practices in Developing Controls for Agency Operations

Russell is a member of Frost Brown Todd, LLC, with a practice concentrated in real estate and other commercial litigation. He represents title insurance underwriters, title insurance agents, mortgage brokers, lenders and other corporate and individual clients in matters involving land title issues, mortgage fraud, real estate disputes, lending and truth-in-lending issues, insurance coverage issues, contract disputes, and business torts.

Russell is also a member of the board of Managers of the law firm's title agency, Multi-State Title Agency, Ltd. Multi-State is an agent for Stewart Title Guaranty Company.

He is a member of the Ohio State Bar Association, Federal Courts Committee; Columbus Bar Association, Common Pleas Court Committee; Real Property Committee; Ohio Land Title Association, Education Committee, Chairperson; Legislative Liaison and Study Committee; American Land Title Association, Title Counsel Committee; and the American Bar Association.

Russell has had several articles published and has been a speaker for many seminars. He is also a member of Civic and Charitable Organizations.

Russell is a graduate of Georgetown University Law Center, J.D. 1992, cum laude, University of Pennsylvania, B.A., 1989, cum laude, the University of Pennsylvania, B.S. 1989, cum laude and Wharton School of Business.

Russell J. Kutell, Esq.
Frost Brown Todd LLC
10 West Broad Street, Suite 2300
Columbus, OH 43215
(614) 559-7280

Best Practices in Developing Controls for Agency Operations

- I. Introduction
 - A. Examples of Potentially Avoidable Title Agency Losses
 - B. Avoidable Mortgage Fraud Scenarios
- II. Recommended Standard Procedures and Controls for Title Agencies
 - A. Types
 - B. Recommended Controls
- III. General Administration Controls
 - A. Standards
 - B. Examples
- IV. Closing Controls
 - A. Standards
 - B. Examples
- V. Escrow Controls
 - A. Standards
 - B. Examples
- VI. Underwriting Controls
 - A. Standards
 - B. Examples
- VII. Policy Controls
 - A. Standards
 - B. Examples

Kerin Lyn Kaminski
Giffen & Kaminski, Attorney at Law

Education

- Cleveland-Marshall College of Law, Cleveland, Ohio
Juris Doctor, 1984
Magna Cum Laude
- Ashland College, Ashland, Ohio
Bachelor of Arts, 1980
Cum Laude

Admitted to Practice

- Supreme Court of Ohio
- U.S. District Court
- U.S. Court of Appeals, Sixth Circuit
- U.S. Supreme Court

Professional Associations, Affiliations and Achievements

- Ohio Super Lawyer (2005 – Present)
 - Ohio Super Lawyer – Top 50 Women Lawyers in Ohio
 - Super Lawyer, Nationwide Business Edition
 - Super Lawyer, Nationwide Corporate Counsel Edition (208 – Present)
- Leadership Cleveland Class of 2010
- Crain's Woman of Note, 2007
- Founders Award – Ohio Women's Bar Association (OWBA)
- Leading Lawyer by Inside Business, 2007
- Rainmaker Award by Northern Ohio Live, 2007
- Co-Chair of the Life Member Section of the Eighth District Judicial Conference
 - Life Member Eighth District Judicial Conference
- Ohio Bar Association
- Cleveland Metropolitan Bar Association (CMBA)
 - 2007-2008 President
 - 2006-2007 President-Elect
 - Trustee – 1997-1999
 - Judicial Review Committee
 - Past Chair, Commission for Women in Law
- Ohio Women's Bar Association
- American Bar Association

Giffen & Kaminski Attorneys at Law

I. Bankruptcy

A. Primer in bankruptcy for title professionals

B. Favorite attacks of bankruptcy trustees

a. Notary acknowledgment clauses

b. Title

c. Legal descriptions

d. One-half interest

e. Preferences

C. Approaches to settlement with trustees

II. Receiverships

A. Role of the receiver

B. Duty of the receiver

C. Title issues in receivership

Frank Long

Frank is Ohio State Counsel and Underwriting Counsel for Stewart Title Guaranty Company, having joined Stewart in March of 2005 as the Senior Ohio Claims Counsel. Before joining Stewart he was involved with two other national underwriters for ten years as branch underwriting counsel and title production manager. Prior to and during that time he maintained a private law practice with an emphasis on real estate and title law, representing numerous title agents, realtors, lenders and mortgage brokers. He was formerly a two-time elected Municipal Director of Law and prosecutor.

Frank graduated from Muskingum College in 1983 with a Bachelor of Arts degree in English, and from Ohio Northern University, College of Law, in 1987.

Frank currently serves on the Board of Trustees of the Ohio Land Title Association.

Frank Long
Ohio State Counsel
Stewart Title Guaranty Company

TITLE TRIVIA
How much do you REALLY know?

- I. The audience contestants will be challenged on their knowledge of the title industry by answering questions on title searching, insurance, endorsements, closings, escrow, surveys, easements, etc.; anything and everything that encompasses the title industry.**

James R. Havens

Jim Havens founded Havens Limited in 1981 and represents and litigates for title companies, developers, management companies, construction firms, sellers, buyers, and lenders involved in real estate. In 1984, in response to his clients' increasing need for title insurance, he founded Cardinal Title Insurance Agency, of which he is President and owner. He is also a managing general partner of various real estate development, construction, and management entities, which currently own and operate numerous commercial real estate investments in central Ohio.

Jim's early involvement in real estate development began at age 11 when he started working as a laborer in his stepfather's construction company. By the time he was 14, he was operating heavy equipment and had become a mason's tender. At 16, he became a bricklayer and worked his way through college on large commercial construction projects. It was during those years that he became familiar with major contractors, subcontractors and suppliers, and the development process in central Ohio.

In 1978, while in law school, Jim gained practical legal experience by working as a law clerk and title searcher for a firm that specialized in savings and loan representation. After his acceptance into the bar, Jim opened his own practice and, soon after, chose to focus on construction and real estate development.

In 1992, Jim began forming several commercial real estate development partnerships. Through this variety of arrangements, he has developed, owned, and managed office buildings, office warehouse projects and medical office facilities.

Professional Contributions: Early in his career, Columbus realtor and developer Bob Weiler asked Jim to lecture on real estate at Capital University Law School. Since then he has lectured extensively to many of central Ohio's commercial real estate organizations. Jim has also served as Education Chair of the Central Ohio NAIOP Chapters. During his three-year tenure, he worked with Tony Sanders, the Galbreath chair of the OSU Fisher College of Business MBA program, and selected a line-up of prominent real estate experts who served as course instructors – Jeffrey Palmquist, Tim Norris, Robert Weiler, Jon Rolwing, Tracy Allen, Donald Roberts, George Stecz, Don Hunter, Michael Young, David Pontia, Don Casto, Frank Kass, and Robert Schottenstein.

Public Service: Mr. Havens served as an elected Granville Township Trustee for three terms (1996-2008) and as trustee chair for 11 years. He formed and implemented Ohio's first open space acquisition program under the newly enacted ORC 5705.19(HH). This program collected approximately \$5 million in tax and unrestricted proceeds used to acquire 18 properties, involving 753 acres, in Granville Township. Further details of the program are described at www.granilletownship.org.

Honors & Engagements

Past President – Central Ohio Land Title Association

Guest Lecturer, Real Estate – OSU Moritz College of Law and Capital University Law School

Business First “Who's Who in The Law, Real Estate” January 1995

161 Corridor Accord Member

Licensed Real Estate Title Insurance Agent, 1983

Steering Committee – Mid Ohio Regional Planning Commission (MORPC)

Chairman – Granville Township Board of Trustees 1996-2007 member since 1996

Member – Granville Township Board of Zoning Appeals & Commission 1991 – 1995

Former member – Newark-Granville New Community Authority

Admitted: 1981, Ohio

Education: Juris Doctor, Capital University Law School, 1981

**James Havens
Havens, Ltd.**

Regulatory Matters

I. Annual Review of Title Agent Escrow Account

- Ohio Administrative Code Rule 3901-7-01 relates to the Annual Review of Title Agent Escrow Account. This Rule was recently amended and the changes went into effect on August 2, 2011. The seminar will discuss substantive changes to the rules reporting requirements and related forms.

II. New National Licensing Standards

- On February 25, 2011, House Bill 300 was signed into law. The bill incorporates national licensing standards designed by state insurance regulators and industry trade association into Chapter 3905 of the Ohio Revised Code. The seminar will discuss the new bill, including its effect on license renewal and continued education requirements.

III. Recent Enforcement Actions

- The seminar will discuss recent enforcement actions, including actions relating to maintenance and reporting of escrow accounts.

Frank Long
Ohio State Counsel
Stewart Title Guaranty Company

FRAUD ISSUES IN THE 21ST CENTURY
Who is guarding your escrow account?

- I. Older Problems With a New Face**
 - A. Who can you trust?
 - B. Best crimes are simple crimes
 - Fraud
 - Forgery
 - Impersonation

- II. New Problems**
 - A. Technology is great, right?
 - Smart phones
 - Wire Fraud
 - B. Business Entities
 - Who Gets the Check?