



GEORGIA AGENCY BULLETIN

No. 2020 - 1

To: All Georgia Agents and Approved Attorneys

Re: CTICGA Response to COVID-19

Date: March 17, 2020

As are many of you, Chicago Title Insurance Company (CTIC) and Commonwealth Land Title Insurance Company (CLTIC) are closely monitoring the latest developments regarding COVID-19 (Coronavirus) in the United States and abroad to help ensure the health and safety of our employees, business partners, and the consumers we both serve every day. We also recognize that you are relying upon our ability to continue to provide title insurance and underwriting guidance, even during these uncertain times.

In response to courthouse closures throughout the state, Chicago Title Insurance Company and Commonwealth Land Title Insurance Company will continue to insure titles in the following situations:

1. If a Clerk's office is closed to the public, but retains the ability to accept documents for recording at the courthouse.
2. The County allows for e-recording.
3. In the event the above recording options are not available, we will insure over the gap created by a temporary inability to record provided that:
 - a. The Amount of Insurance does not exceed \$10,000,000.00 (ten million dollars) – provided however, that approval for any policy

liability amount which exceeds your contractual authority limit must still be obtained in the usual course;

- b. [Indemnity and Undertaking Agreement](#) is obtained from all sellers/buyers/borrowers. The following language may be an appropriate requirement in the commitment to insure: *Satisfactory Indemnity and Undertaking Agreement for defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the Commitment Date but prior to the date of recording of the instruments under which the Proposed Insured acquires the estate or interest or mortgage covered by this commitment must be provided. Note: Due to office closures related to COVID-19 we may be temporarily unable to record documents in the normal course of business;*
- c. The documents are sent for recording as soon as possible after the recording office opens.

Insofar as the inability to record and resulting delay in recording may be inconsistent with provisions in closing instructions, it is strongly recommended that the lender be contacted for direction prior to closing or settlement.

Agents are also permitted to update titles on the GSCCCA website. Tax information must also be available to insure without a general tax exception.

As to parties that cannot attend your closing, and they cannot comply with our National mail away policy we will accommodate as follows:

1. Buyers in your purchase transactions can use any witness and notary in the U.S. they choose. Due to the fact that the State of Georgia does not recognize an e notary, that option is not available.

2. Borrowers on a rate and term refi (no cash out) can use any witness and notary in the U.S. they choose. Due to the fact that the State of Georgia does not recognize an e notary, that option is not available.
3. Due to the heightened concern for the possibility for fraud, sellers or cash out borrowers on refi's will be addressed on a case by case basis. Contact your CTIC/CLTIC underwriter for direction.

These guidelines will remain in effect until April 15, 2020 unless extended or modified by subsequent bulletins.

CTIC and CLTIC have a tested Business Continuity Plan to ensure uninterrupted underwriting and agency support services while managing any natural disaster and the evolving situation with COVID-19. Many of our Georgia CTIC and CLTIC employees are working on a remote basis in order to comply with the social distancing standards. NOTE: We are fully operational. If you should have a question regarding this bulletin or otherwise please contact us. [Click here for contact information for everyone on the Georgia CTIC and CLTIC Agency team.](#)

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