



OFFICE OF  
INSURANCE COMMISSIONER

To: Title Insurance Agent

Re: SSB 6847  
Filing of Escrow Rates  
Reporting of Affiliated Business Arrangements

Date: June 11, 2008

**FILING OF ESCROW RATES**

As you may be aware the Washington State Legislature passed Substitute Senate Bill (SSB) 6847 during the 2008 legislative session. The Act becomes effective June 12, 2008. The Act can be accessed at [www.leg.wa.gov](http://www.leg.wa.gov).

In particular we wish to call your attention to Section 6 of the Act which requires that all title insurance companies and title insurance agents to immediately file a schedule of your escrow fees. Therefore, if you conduct escrow closing involving property located in any county or counties in this state as a direct branch operation, then you will need to file a schedule of your escrow rates with the Commissioner. If you conduct escrows in more than one county in the state, but have different escrow rate schedules for the different counties, then you will need to file a rate schedule for those counties indicating for which county the escrow rate schedule is effective.

For the purposes of the initial escrow rate filing, you may continue to use your current fees which will not be considered to be in violation of the act, as long as you file the fees with the Commissioner by August 15, 2008. All subsequent escrow fee filings must be received by the Commissioner at least 15 days prior to their effective date. Until future notice the escrow fee filing must be filed in paper copy format.

To accomplish the filing of your escrow fee schedule send it to:

for regular mail:	for overnight delivery
Rate & Forms Division	Rates & Forms Division
Office of the Insurance Commissioner	Office of the Insurance Commissioner
PO Box 40255	5000 Capitol Blvd.
Olympia, WA 98504-0255	Tumwater, WA 98501

As indicated in the Act the escrow rate schedule to be filed must include an effective date which shall be no earlier than 15 days after the schedule has been filed with the Commissioner. In establishing your effective date be sure to include any mailing or delivery time as the schedule is not to be effective until 15 days after the Commissioner actually receives the filing.

We also call to your attention to subsection 2(b) of this section which states that the escrow fee schedule must clearly state the amounts to be charged for the escrow services, the manner in which the fees are to be determined, and any charges that will be charged to the consumer that are not included in the total escrow fee. Any escrow fee schedule received by the Commissioner that is not filed in this manner will not be considered to be a filed escrow rate schedule.

#### **REPORT OF AFFILIATED BUSINESS ARRANGEMENTS**

We also wish to call to your attention Section 2 of the Act which requires title insurance agents to file with the Commissioner an Affiliated Business Arrangements report. If a title insurance producer or an associate of a title insurance producer (see Section 1 of the Act for the definition) owns a financial interest in your title insurance agency, then you must file the report with the Commissioner within 30 days of the effective date of the Act, annually thereafter (by March 15<sup>th</sup>), and within 15 days after the end of the month in which a change occurs.

The first report is due to be filed with the Commissioner by the end of the business day on July 14, 2008. This initial report will only need to include the ownership interests held by title insurance producers or associates thereof in your title insurance agency. However, future reports will also require that you include the percent of title orders originating from each of these producers. The form for this first report is attached and is also available on the Commissioner's website at: [www.insurance.wa.gov/publications/other\\_types/title/Reportform.pdf](http://www.insurance.wa.gov/publications/other_types/title/Reportform.pdf)

To accomplish the filing of your Affiliated Business Arrangements Report send it to:

for regular mail:

Agent Licensing  
Office of the Insurance Commissioner  
PO Box 40257  
Olympia, WA 98504-0257

for overnight delivery

Agent Licensing  
Office of the Insurance Commissioner  
5000 Capitol Blvd.  
Tumwater, WA 98501