

# ADVOCATE

The Official Publication  
of the New Jersey  
Land Title Association

## THE THIRD RAIL By: John A. Cannito

*“Social Security is the third rail of American politics. Touch it, and you die.”*

Jed Bartlet, *The West Wing*

Recently I was reviewing a search with a colleague and glibly (or so I thought) remarked that in New Jersey affordable housing is the third rail of title insurance.

It is beyond the scope of this article to explore and explain the history, policy and politics of affordable housing as it has developed in the Courts and the Legislature of this State, but a little background may be useful.<sup>1</sup>

In 1975, in the so-called “Mount Laurel Decision”<sup>2</sup> the New Jersey Supreme Court held that each “developing municipality” had an obligation to provide a “fair share” of low and moderate income housing, which obligation could

not be avoided through a scheme of exclusionary zoning. In *Mount Laurel II*<sup>3</sup> the Supreme Court found that the Legislature had not acted in response to its original decision. The Court carved out a specialized litigation process which, among other things, allowed trial level courts to approve construction of housing at density levels greater than might otherwise be permitted under a town’s zoning ordinance. This became known as the “builder’s remedy”. Thereafter, the Legislature enacted the Fair Housing Act (FHA)<sup>4</sup> which created the Council on Affordable Housing (COAH) as part of the Department of Community Affairs and required COAH to establish the need for affordable housing statewide, to assign to each municipality its share of the obligation, and to promulgate regulations to accomplish these ends. It is not necessary to fully explicate

the further judicial and legislative actions that have ensued or the processes by which regional needs were established, shares assigned to municipalities, or other details. However, for the purpose of title insurance it is necessary to recognize that the laws and rules tend to change as the Courts and Legislature continue to act, and that often when the laws and rules change they not only affect affordable housing going forward, but may be applied retroactively.

Relying on the builder’s remedy, developers sought and gained approval for housing project which likely would not otherwise have been possible under a town’s zoning and land use laws. These projects are often, but not necessarily, condominiums or planned unit developments in which a certain number of units are set aside to be sold at below

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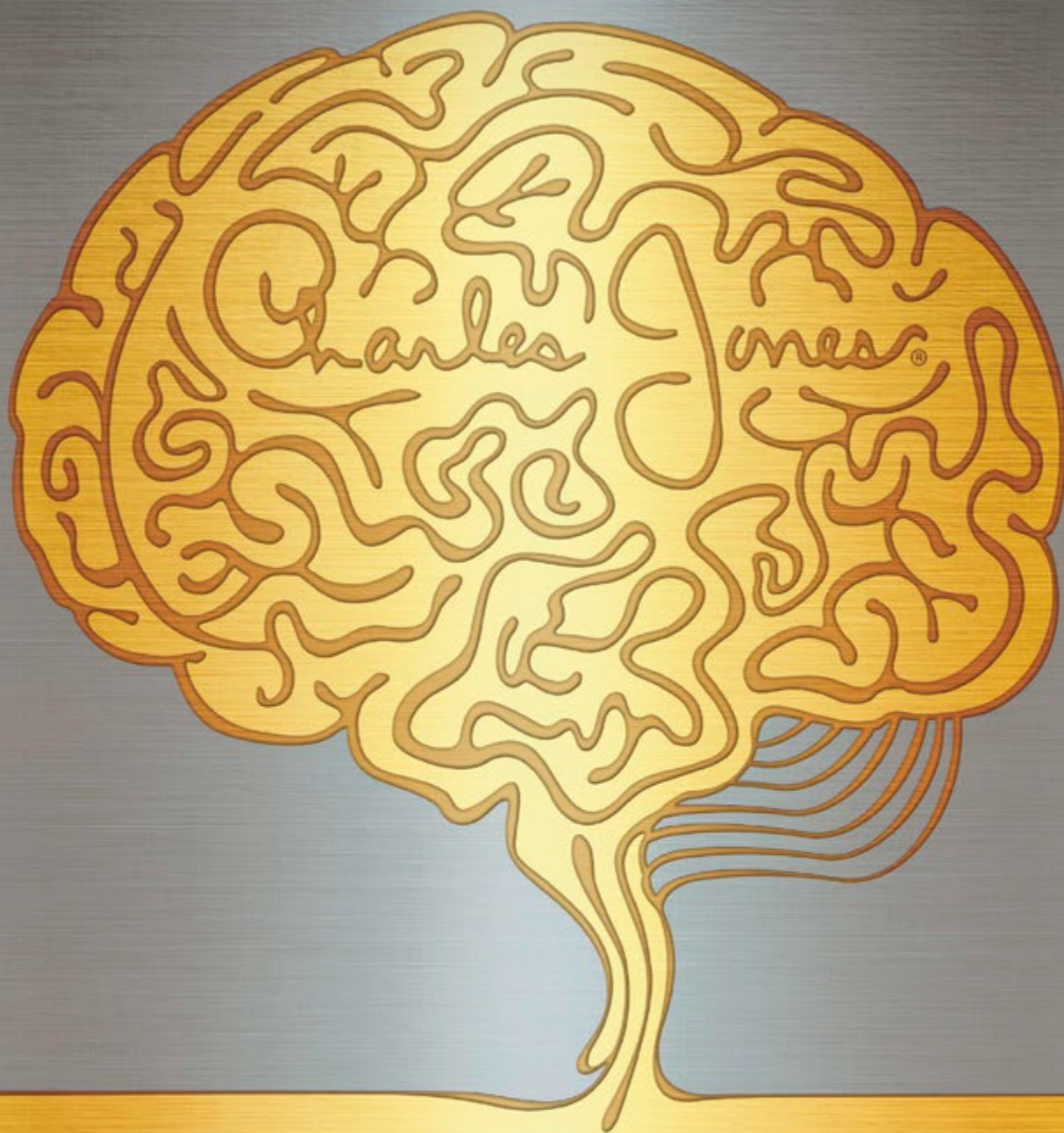
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## The Third Rail

continuation from cover

market prices to purchasers with low or moderate incomes who would not be able to afford to buy the housing.<sup>5</sup>

Each municipality should have established an official or department to administer its affordable housing obligation, and to qualify purchasers for affordable units. When a unit is designated as an affordable unit<sup>6</sup> the proposed purchaser, the terms of the sale, and often the mortgage must be approved. When insuring title to an affordable housing unit, requiring proof of such approval is essential. Usually this is not a problem when the initial sale from the developer is taking place but may be more of an issue when the affordable unit is resold. In order to avoid a purchaser's receiving a windfall and to maintain the supply of affordable housing, as a condition of reselling an affordable unit, there will be a restriction on the amount for which a unit may be resold and it must be resold to a qualified low or moderate income purchaser.

Typically, the conveyance of an affordable unit will be by a specific form of affordable housing Deed. This Deed will contain a number of restrictions and requirements, including the requirement that any sale may be made only to a purchaser qualified by the municipality at an approved price. Nonetheless, even if the record owner deed is a standard form of bargain and sale deed, the master deed, declaration of covenants and restrictions and/or any affordable housing agreement of record must be examined to determine whether or not the unit is question is an affordable housing unit. In addition, most often there will be a form of Affordable Housing mortgage recorded as a second or junior mortgage at the time of purchase. This Affordable Housing mortgage does not secure funds for the purchase but is a lien for any proceeds of a future conveyance in excess of the permitted resale price.

Affordable housing restrictions, particularly those imposed earlier in time, may contain provisions for the benefit of lenders which purport to release the

# ADVOCATE



restrictions in the event of foreclosure and resale by the foreclosing lender. There also may be provisions which purport to provide an expiration of the restrictions in 20 or 30 years. Legislative changes and judicial decisions have thrown doubt on such provisions and rejected the termination of the restrictions even though clearly set forth in the recorded instruments. Whenever insuring the sale or especially the resale of an affordable housing unit, it is absolutely imperative to require proof that the transaction has been approved by the municipality or written proof that the municipality acknowledges that the affordable housing restrictions no longer apply and are no longer enforceable whether or not title has devolved through foreclosure and whether or not the restrictions appear to have expired.

Refinancing the mortgage encumbering an affordable unit can also be problematic. Although the recorded restrictions may not specifically require approval of a refinance, it is obvious that a mortgage in an amount in excess of the permitted resale value will be an issue if the mortgage goes into default and forecloses. It is not unusual to see a refinance the amount of which is based on what the market value of the unit would be rather than the permitted resale value. This may

be due to a lack of understanding of the restrictions or in some cases an example of predatory lending. Regardless of the intent and motivation of the borrower and lender, it should be confirmed with the local affordable housing agency that the refinancing is approved.

Thus far this all seems, if not fascinating and interesting, at least important, but not fatalistic. In 2010 the title and the lending industries touched the third rail.

An approved purchaser acquired a condominium unit subject to affordable housing restrictions for approximately \$68,000.00 with a \$61,000.00 purchase money mortgage. A little more than a year later, the owner refinanced the unit for \$108,000.00. At the time of the refinance, the resale price which would have been permitted was only about \$600.00 above the initial purchase price. Well you have probably already guessed what happened . . . within a few years the mortgage went into default and the lender initiated foreclosure proceedings. The unit owner/borrower contended that the mortgage and note were void for having violated the affordable housing restrictions. For procedural reasons, the trial court rejected the borrower's position.

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# The President's Message



By: Jason M. Dombrowski

## An Interesting Year Ahead

By: Jason Dombrowski, President

It is almost hard to believe but we are fully underway with the New Year and 2019 is clearly in our rearview mirror. But what does 2020 have in store for us?

Even with the early part of this year bringing unseasonably mild temperatures to our area and the talk of an early spring market, there are still concerns looming. The Coronavirus outbreak, a trade war with China and the upcoming presidential election, just to name a few. All of which could have an effect on the real estate market and our economy as a whole. According to Realtor.com, which holds one of the largest databases of housing statistics available it is expected that, "Home sales will drop, the housing shortage could become the worst in U.S. history, and home values will shrink in some cities." And to make matters worse, "2020 will prove to be the most challenging year for buyers, not because of what they can afford but rather what they can't find."<sup>1</sup> Clearly inventory is going to be a major challenge this year. One of the contributing factors causing this trend is that, "More homeowners are staying longer, according to real estate brokerage Redfin, which analyzed Census data. The typical American homeowner has spent 13 years in their home, up from eight years in 2010, as more households are choosing to age in place"<sup>1</sup>

What generation do you think will be the driving force in the real estate market in 2020? According to the National Association of Realtors, Millennials are expected to take half of all mortgages this year. "The generation's share will surpass that of Gen Xers and Baby Boomers combined, according to Realtor.com's 2020 Housing Market Predictions. Gen Xers will account for 32 percent of new loans and Baby Boomers for 17 percent, the report estimated."<sup>2</sup>

Presidential election years also bring about an effect to the real estate market. "Research and industry experts agree that the closer the election gets, the more likely its effects on housing, regardless of who the candidates are. In general, presidential races breed uncertainty in the housing market, which alters attitudes among home shoppers, sellers and investors and, thus, sways sale volumes and values."<sup>3</sup>



With no way to see into the future, we must use the information and knowledge

**LIVE**

**BREAKING**

**NEWS**

**MILLENNIAL  
BUYERS**

of the past to guide us. Staying informed and abreast of these situations can serve us well. Remain optimistic and remember, "After every storm, there is a rainbow". ■

### References

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CNBC-Real Estate. <https://www.cnn.com/2019/12/04/harsh-housing-forecast-for-2020-especially-in-these-big-cities.html>

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<sup>3</sup>Williams, Dima. "Here Is What A Presidential Election Means For Home Sales And Prices"

Forbes. <https://www.forbes.com/sites/dimawilliams/2020/02/16/here-is-what-a-presidential-election-means-for-home-sales-and-prices/#7606db025fce>

# An Agent's Perspective

By: Scott Rutkay

“[Bruce:] He’s not the man for you. I can see that. But I sort of like him. He’s got a lot of charm.

[Hildy:] Well, he comes by it naturally. His grandfather was a snake.”

*His Girl Friday* (1940)

It’s Thursday and I’m at another networking event. I find myself surrounded by people I only vaguely know. Most are people whom I’ve met over the years, whose sole job seems to be going from one event to the next. They flitter from one conversation to another, like hummingbirds, never quite making the impression that they want to. Considering I’m at the same event they are, maybe that’s my job, too.

I rarely know exactly what these events are for, and to be honest that always seems to be the last thing on everyone’s mind. Maybe it’s a local building alliance, or it’s a realtor event, or if I’m really lucky it’s a political event where I have to watch what I say, avoiding the constant vocal grenades that participants of events like that throw your way. There’s always time to mill around the cocktail hour before the MC hits the stage. Mediocre buffet food and watered-down drinks are usually the hallmarks of these types of events.

“Thanks for coming,” the MC always says. “It’s so great that you guys support Random Organization Inc., and it’s because of you people and all of your hard work and determination that we’re able to put on events like this one.” Loud thunderous applause erupts. Everyone loves being thanked, though I’m sure that if I asked 10 people what this organization did, they’d have no idea. The MC continues. “We’d like to start the night by handing out a couple of awards.” Everyone applauds again. Maybe I’ve grown a little cynical, but there’s nothing like successful people handing



out plastic trophies to other successful people.

As the award ceremony begins, I’m playing a little game of bingo in my head. I’ve made up four different categories of people that attend these meetings, and I like to see how quickly I can find a member of each. The categories are as follows: The Game Show Host, The Lover, The Pro, and The Good Guy. I’m not saying that everyone falls into these categories, but there are a lot of them out there, enough for you to spend the night categorizing the people you meet.

**First are The Game Show Hosts.** These people almost have theme music following them as they walk up to you. They’ve already extended their hands, ten, fifteen feet from where you are standing. “Scott...? How are yooooooooou?” Their handshake is firm. Teeth, glowing white. As you answer, they are already scanning the room, looking for the next conversation. Everything they say is done in this weird sing-song cadence. It’s mesmerizing. I don’t know if I’m supposed to spin the wheel next or get the next three questions correct to win \$25,000. Either way, I know I won’t have too much time with The Game Show Host before he rushes off to the next contestant. I never know if I won or not, but I’m pretty sure that their wardrobe was provided by Bob Mackie as they walked away.

**Next are The Lovers.** I find that they’re always behind me. I know they’re around when I feel a hand on my shoulder, gently moving down my back.

Heavy perfume or cologne wafts around them, announcing their intentions long before they start to talk. They could be a man or a woman, and they’re always on the prowl. The only business they’re after is of the simian variety, and they make no bones about it. “Did you see Steve?” they ask, “God he looks great...think he’s still married?” I have no idea who Steve is, and I have no idea of his marital status. Usually they ask me for Steve’s number, or Judy’s number or anyone else who is wearing a short skirt or a tight suit.

Next thing I know, I get a text. It’s from **The Pro**. *Are you here*, it says. I reply, yes, and they instantly appear in front of me. They look as good as they did on the cover of the latest *Advocate*. Genuine smile. Perfect haircut. Impeccable suit. The Pro wears a watch that costs more than my car. The Pro talks about the last deal they closed. “The last deal I closed? Boy I wish you were in on it. Four hundred-million-dollar strip mall, hotel, condo development in the south. Next one, Next one.” Their fingers are constantly typing on their phones. They’re likely trading Japanese currency as they’re telling me about the last event they went to. “The last event? Some charity thing for abandoned pet racoons... Very sad... Kim and Chloe were there... so was Beyoncé... it was fun. Apparently, she’s buying a building in Cleveland she needs my help with.” They’re bored. I can see that. I start to ask them if they want a drink, and they’re gone.

*An Agent's Perspective... cont. on page 19*





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# Rejections Update

By: Nancy Koch

The Real Estate Settlement/Closing industry in New Jersey has experienced an increase in rejections of documents submitted for recording to the various county clerks. While many of these rejections are statute-based and thus legitimate, a large number do not appear to comport with State laws and rules regarding recordation of documents.

As reported in the last edition of *Advocate*, in hopes of helping the various County Clerks' staffs differentiate between legitimate (statute-based) rejections and those that do not appear to be based on the law, the NJLTA is collecting examples of improper rejections of documents by the County Clerks. A mailbox has been set up to which members are asked to e-mail examples of documents they believe were improperly rejected. The mailbox is [rejections@njlta.org](mailto:rejections@njlta.org).

When sending an example, members are asked to attach the rejection package to the e-mail. They are also asked identify the rejecting county in the subject line of the e-mail and to include their own contact information in the body of the e-mail in case there are any

questions. The Association intends to keep submissions confidential. ■

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**Nancy L. Koch, Esq. CTP – VP,**  
*Underwriting Counsel for FNTG Agency Operations*



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# The Third Rail

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However, on appeal the Appellate Division stated, “This primary question presented is whether a commercial lender, which makes a loan on an affordable housing unit in excess of the amount permitted . . . is prohibited from seeking to foreclose the mortgage. We answer in the affirmative, **holding that the mortgage is void** . . .”<sup>7</sup> That is, the Appellate Division did not just say that the excess over the permitted resale value was unenforceable, it ruled that the mortgage was totally void. In 2012, the New Jersey Supreme Court brought the loan back from the dead, but not unscathed, holding that the mortgage was valid “up to the legally permissible limits”.<sup>8</sup> A bad shock and severe trauma, but electrocution was averted.

However, many pitfalls still await if interpretation of affordable housing restrictions is litigated, as illustrated by an unreported Appellate Division decision in January of this year.<sup>9</sup> Husband and wife purchased an affordable housing unit in 1996. Both the unit deed and the master deed for the condominium in which that unit is situated imposed resale controls for 20 years, including a requirement that the unit be occupied by the owners as their primary residence. In 2014 the town in which the unit is located extended the affordable housing controls for another 30 years.

In 2016, based on an anonymous tip, the local affordable housing official investigated whether or not the owners were occupying the unit as their primary unit or were impermissibly renting it and numerous municipal citations were issued. Although he owned several other residential properties, the husband maintained that he had resided in the unit since it was purchased in 1996. However, he did concede that his wife and children had moved out a number of years prior. The local judge ruled that there was no evidence to sustain the charges against the husband, but found that the wife had ceased using the property as her residence in 2002, and accordingly violated the restrictions. The judge terminated the wife’s interest in the unit and transferred her interest in

the unit to the town . . . as tenant by the entirety with the husband!

The Appellate Division held (thankfully) that a tenancy by the entirety could not exist between the husband and the town. Nevertheless, it held that the town had properly extended the term of the affordable housing restrictions and affirmed that the town had acquired the wife’s interest in the property, albeit as tenant in common with the husband.



The lesson for title . . . **DON’T MESS WITH AFFORDABLE HOUSING RESTRICTIONS.** Whenever dealing with an affordable unit, whether a sale or a refinance, **NEVER** rely on any provision which seems to indicate that such restrictions have expired or are no longer applicable. **ALWAYS** require, regardless of

the transaction or the amount, proof that the municipality has approved the transaction or has confirmed that its approval is not necessary.

Don’t touch that third rail! Any questions or uncertainty . . . **CALL YOUR UNDERWRITING COUNSEL.** ■

<sup>1</sup> And by no means is it the intent of this article to take either a pro or con position with respect to affordable housing, how it has developed, or how it ought to be implemented. Nevertheless, this is the obligatory disclaimer that this article reflects the views of the author only and not those any other person or organization, including particularly, but not by way of limitation, *Advocate*, the New Jersey Land Title Association, or my employer.

<sup>2</sup> *So. Burlington Cty. N.A.A.C.P. v. Twp of Mt. Laurel*, 67 N.J. 15 (1975), also referred to as “Mount Laurel I”.

<sup>3</sup> *So. Burlington Cty. N.A.A.C.P. v Twp of Mt. Laurel*, 92 N.J. 158 (1983)

<sup>4</sup> N.J.S.A. 52:27D-301 et seq.

<sup>5</sup> Affordable housing is not limited to sales of units in such developments, but may also affect apartment and mixed use developments in which rental units are set aside to be leased to tenants at lower rent levels. The issues and title considerations of these developments may be the subject of a future article.

<sup>6</sup> Generally the Master Deed or Declaration of Covenants and Restriction and/or a separate Affordable Housing Agreement with the developer will specify the affordable units.

<sup>7</sup> *US Bank, N.A. v. Hough* 416 N.J. Super. 286 (2010), citations omitted, emphasis added.

<sup>8</sup> *US Bank, N.A. v. Hough*, 210 N.J. 187 (2012).

<sup>9</sup> *State of New Jersey v. Reiter and Rayter*, A-2167-18T3. You may wish to read the case, even if only because not many title or real estate cases involve actual police investigations, <https://njlaw.rutgers.edu/cgi-bin/swish-e/courts.cgi?query=Rayter&submit=Search%21>.

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John Frates is a seasoned underwriter and a go-to source for Stewart Trusted Providers™. John joined Stewart in 1998 with a decade's worth of title-related experience. Prior to joining Stewart, John held several positions, including regional claims counsel and commercial underwriting counsel for two national title companies in New York.

Upon joining Stewart, John was named executive vice president and general counsel for the New York Underwriter, where he was responsible for all New York state underwriting, claims and insurance practices. Currently John holds multiple leadership positions, including senior vice president and regional underwriting counsel for Stewart Title of New York and New Jersey.

John earned his B.A. from Franklin and Marshall College and his J.D. from the University of Dayton School of Law. He's also a sustaining member of the New York State Bar Association and an active member of the New York State Land Title Association (NYSLTA) and the New York Land Title Association (NYLTA).



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John Crowley is a reliable source of assurance for Stewart Trusted Providers™. John joined Stewart Title Guaranty Company's New Jersey operations in 2015, bringing a multifaceted legal background and extensive title-related experience. Prior to joining Stewart, John spent several years as an associate for a Boston-based law firm that represented clients during all stages of residential and commercial real estate transactions. He was also lead attorney for resolving all title-related issues. John subsequently worked as in-house counsel for a corporate asset recovery firm, where he honed his talent for identifying potential business opportunities and implementing creative solutions for his clients.

John holds a B.A. from Florida State University and a J.D. from Suffolk University Law School. He is a member of the New Jersey, New York, and Massachusetts bars. John is a valued resource, a reliable partner and a source of confidence on deals where success hinges on critical details.



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Underwriter Roberto Ditaranto is a fresh addition to the New Jersey underwriting team. Roberto joined Stewart Title in January 2019. Prior to joining Stewart, Roberto started his title career as an intern in the New York Agency division for First American Title Insurance Company and spent the last two years as associate underwriting counsel in their National Commercial Services division. He also served as a judicial intern for the Honorable William Meehan in the Bergen County Superior Court, where he reviewed cases pertaining to the New Jersey Fair Housing Act. Roberto has a diverse background of residential and commercial title-related experience and specializes in getting deals done in an efficient manner.

Roberto is a member of the New Jersey Bar and the New York Bar. He received his B.A. from Seton Hall University, his certification for Paralegal Studies at Fairleigh Dickinson University, and his J.D. from Pace University.



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Underwriter Carl Samson brings an abundance of legal experience to his job at Stewart. Prior to joining Stewart Title, Carl was general counsel and then president of New Jersey Title Insurance Company, where under his leadership they expanded their underwriting operations to Pennsylvania and New York. Carl also spent two decades as principal and partner at various private-practice firms. Most recently, Carl served as general counsel for Surety Title Company. Carl's experience runs the gamut from title litigation as a private practitioner to underwriting, claims and closing procedures. He has handled over 10,000 closings in his career.

Carl received his B.A. in English Literature from the University of Pennsylvania and his J.D. from Washington College of Law (American University). He is also a past president of the New Jersey Land Title Association.

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## Agency Section Update

By: Peter Casey Wall, Agency Section Chair

“Coming together is a beginning, staying together is progress, and working together is success.” – Henry Ford

At our last regular meeting, we asked the membership to consider joining a committee, some of them newly formed and others existing committees that we are trying to rejuvenate. We’ve had some success, but we know that there are more members out there who can get involved. If you’re worried that you don’t know enough to help or that you don’t know the people involved, be assured that none of us knew anything or anyone when we began, and your participation is appreciated no matter your level of expertise. Also, getting involved is the best way to become more knowledgeable and to get to know your fellow agents.

### LINK TO JOIN A COMMITTEE:

<https://forms.gle/5UioRR25goFWDeF4A>



### COMMITTEE DESCRIPTIONS:

<https://qrgo.page.link/qKXYK>



The most successful new committee by far has been the Issues Committee which has seen enrollment of more than a dozen members. We held our first meeting on February 19th and discussed a variety of issues. The overall energy in the meeting was exceptionally positive and I feel that we really made some great strides toward addressing some areas of real concern. We will certainly have a lot to talk about on the Issues Committee

going forward. We welcome you to join the conversation. As of this writing, meetings are planned for the first Tuesday of every month, with the time and location of the next meeting to be set at the end of the present meeting. Get in touch with a member of the Agency Section Management Board, or Anthony Floria-Callori if you would like to join the committee and attend the next meeting in person or by phone.

We are still in need of members to participate in the following committees: Planning, Membership, Education, and Sponsorship. Please consider signing up today. My hope is that those committees will all have a meeting or a phone call before the Convention in which they set a time for regular meetings or phone calls, and nominate a chairperson. If we want to make things better for ourselves, the best thing we can do is to work together to improve things for all of us.

**Due to the ongoing concern of the COVID-19 coronavirus pandemic, the meeting scheduled to convene at Forsgate Country Club on March 25th was canceled. The continuing education will be hopefully rescheduled for a later date to be determined. ■**

# AGENT SPOTLIGHT

## interview

### An interview with Jana Segarra, Brian Teel, Maria Gargano and Bill Pulzello, Partners

#### FOUR OF A KIND!



**Q: Partners, thank you for taking the time to allow our readers to get to know you and your company better. Please tell us how Investment Title, LLC began.**

Investment Title, LLC began in 2016 as a result of acquiring Title Consulting Services, LLC which had been in business since 2004. The company has since pursued a strategy of merging with premium small to mid-sized title agencies in order to combine resources and remain competitive in today's demanding market. Today the company is licensed in New Jersey, Pennsylvania and Florida and has grown to over 20 employees with offices in Warren, Cedar Knolls, Rochelle Park, and Boynton Beach, Florida.

**Q: What is your earliest memory of the title business?**

**Jana** – Walking lists of mortgages to be checked to the searcher in the vault room at the Hall of Records in Freehold; there were signs everywhere that pens were not allowed!

**Brian** – Pulling jackets for policies and paying the remittances at Title Consulting Services, LLC.

**Maria** – I was a paralegal for an attorney in 1993. My boss asked me to review the title commitment on my first real estate matter. I had absolutely NO idea what that even was or what to do with it.

**Bill** – After asking a friend of mine “How do I get into the mortgage business?” he recommended I go into the title insurance business instead; I didn't even know what title insurance was.

**Q: Describe your career paths that brought you to Investment Title.**

**Jana** – I copied policies and binders as a summer job in college. But college wasn't the right path for me, and I ended up staying with title insurance instead. I worked at a few different agencies before Title Consulting and learned a lot from working with different people. But I've always done title since that summer job, so I always say it's like I'm still working at my summer job now. I just never left!

**Brian** – I took on a title agency client as a bookkeeper and over the years learned the title industry from the inside out. I gained my CPA in 2015 and that was the same year Eileen

Starkman was ready to retire and she asked me to take over the company from her.

**Maria** – After I graduated college in 1992, I worked as a paralegal for an attorney. When he closed his practice in 1995, his friend, who owned Crosstate Title Agency, offered me a job as an examiner. I left Crosstate Title and co-founded Spring Valley Title, which merged with Investment Title in 2018.

**Bill** – I have worked in the Title business since 2004 as a sales executive and built my book of business largely based on the good service Maria provided so I followed Maria. It was the best decision I ever made.

**Q: What were the most memorable ‘words of wisdom’ that you were given by a family member – whether business related or personal?**

**Jana** – The longest journey begins with a single step.

**Brian** – An accounting client, friend and attorney said to me once “identify problems before they become a problem and find a solution that goes beyond the immediate problem”.





# INVESTMENT TITLE

## COMMERCIAL & RESIDENTIAL TITLE AGENCY

**Maria** – My parents are Italian immigrants who started their own successful business in 1978. My mom's advice was to take chances because if you don't you'll always have regrets.

**Bill** – I don't believe in luck, I believe in hard work; it's never let me down.

**Q: What do you think is the most significant issue facing our industry?**

Company culture and the shortage of knowledgeable title professionals available to meet the demands of this industry today. Title agencies are taking steps to stop wire fraud and address 21<sup>st</sup> century cybercrime, but they hire, train and interact with their employees the way they did 20 and 30 years ago. That may not always resonate well with Millennials or Generation Z. The title industry needs to update and acclimate to stay vibrant and productive in this super-fast-paced, instant information world.

**Q: How are you and your team preparing for it?**

By making the way we communicate with each other as partners and with our employees priority #1. We all come from different backgrounds but our diversity is our strength. Communication is key and we try to hear everyone out. We've found that if we can maintain an open and respectful dynamic, new and unexpected ideas come from all of our employees and

the best ideas rise to the top. Our people are our greatest asset. When a group works well together the whole can be greater than the sum of its parts.

**Q: What do you see for the future of Investment Title, LLC?**

We are growing. There are a lot of agencies out there today where the owners are so smart and talented, but they are tired of bearing the brunt of the overhead and being responsible for every aspect of their company all of the time. We're continuing to seek these offices out and encouraging them to grow with us. By combining the wealth of established title knowledge that these existing agency owners have to share with the energy and creativity of the young people entering the industry today, we hope to make our company and the industry a better place to work and do business for our employees and our clients. We also plan to continue to grow into other states on a national stage to help the industry grow.

**Q: If you were not in the title industry, what other profession would you like to be in?**

**Jana** – Travel writer? I love traveling and books. Lots and lots of books.

**Brian** – I am doing it right now in addition to being a part of Investment Title LLC. My passion for a long time was brewing beer and in

2019 a good friend and I opened our brewery Jersey Cyclone Brewing Company.

**Maria** – I would have a food truck, I love to cook.

**Bill** – I would have been an architect, I like to create things.

**Q: What advice would you give to your 21-year-old self?**

**Jana** – Have more confidence but also keep listening to everyone around you, they know what they are talking about.

**Brian** – Always take the road less traveled. It will lead to success and happiness.

**Maria** – I would say "listen to the adults in your life, they really do know what they're talking about".

**Bill** – Figure out what kind of student you are right away because it will shape your life.

**Interviewer's Note:** *It has been an absolute pleasure to get to know these partners better. Their passion and vision for the future of the title industry gives me hope that it will be in very good hands! ■*

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**Lisa J. Aubrey, CTP** – V.P., NJ State Agency Manager for FNF Family of Companies



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# LEGISLATIVE WATCH

By: Edward C. Eastman, Jr., Executive Director

## The Unintended Consequences of the adoption of Assembly Bill A-528

This Bill would prohibit government entities from releasing the home addresses of corrections officers, parole officers, probation officers, as well as current and retired law enforcement officers. Before allowing access to the public records that contain such addresses, the record keeper would be required to redact the addresses from the record. It seems harmless enough on its face. Shouldn't we assist in protecting those who protect us?

Well, land records are public records and the records contain the home addresses of the proposed protected class. Who is going to pay the cost of redacting the land records? How can the land record keeper be assured that the redactions are accurate? Is the redacted land public record to be restored to the visible public land record once the law enforcement officer moves? Will



the land record keeper have to keep two separate sets of records: redacted and unredacted? Which version is archived? How is access given to the unredacted version? Would the duty to redact land records cause the home address of the person married to a law enforcement officer to be redacted if the spouse is not a law enforcement officer if they are on the same deed? How are the redacted land documents to be indexed? Is the metes and bounds description of the redacted

land record to be redacted as well? Does redaction software and hardware accept hand written documents? Are signatures and acknowledgments to be redacted? What steps must be taken to guard against using a black magic marker to redact that may allow the address to be seen by holding the redacted document up to a light? How will a law enforcement officer get a mortgage and buy a house if the complete title cannot be searched due to redaction?

Although we, as a people, have declared it to be the public policy of our State that governmental records shall be readily accessible for inspection, it is also in the public interest that the right be subject to limitations that make land records easily searched and insured. Once the unintended consequences of this Bill are explored it will be self-evident that land title records will need to be carved out as an exception. ■



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# CONVENTION

The 2020 Convention has been canceled due to the ongoing concerns of the COVID-19 coronavirus pandemic. Updates to follow. ■

Dawn A. Lagowski,  
*NJLTA Convention Chair*





# 2020



NJLTA 98<sup>th</sup> Annual Convention  
Gurney's Newport Resort  
1 Goat Island, Newport, RI 02840  
Sunday to Tuesday, 2020

**Sunday**

1:00 pm to 5:00 pm	Registration	<b>Ballroom Foyer</b>
1:00 pm to 5:00 pm	Vendor Exhibits Open	<b>Brenton Hall/Ballroom A</b>
1:30 pm to 4:30 pm	Welcome Snacks and Refreshments <i>sponsored by Action Title Research and Priority Search/State Capital/Western Technologies</i>	<b>Ballroom A</b>
3:00 pm to 5:00 pm	Continuing Education by The Grabas Institute	<b>Brenton Hall</b>
6:00 pm to 7:00 pm	Ice Breaker Cocktail Hour <i>sponsored by True Arrow Group</i>	<b>North Lawn*</b>
7:00 pm to 10:00 pm	Clam Bake Opening Night Reception <i>sponsored by Charles Jones</i>	<b>North Lawn*</b>
	Chance Auction – Monmouth Park Charity	<b>North Lawn*</b>

\*Brenton Hall/Ballroom are rain location

**Monday**

7:00 am to 9:00 am	Buffet Breakfast <i>sponsored by Greater Atlantic Legal Services</i>	<b>Ballroom Foyer</b>
8:00 am to 12:00 pm	Vendor Exhibits Open	<b>Brenton Hall/Ballroom A</b>
8:00 am to 9:00 am	ALTA Speaker <i>sponsored by Skyline Lien Search</i>	<b>Brenton Hall</b>
9:00 am to 9:45 am	NJLTA Board of Governors Meeting	<b>Brenton Hall</b>
	NJLTA Agency Section Meeting	
10:00 am to 11:00 am	Coffee/Snacks <i>sponsored by True Arrow Group</i>	<b>Ballroom Foyer</b>
10:00 am to 12:00 pm	Continuing Education Seminar by NJLTI	<b>Brenton Hall</b>
12:00 pm to 1:00 pm	Box Lunch Pickup <i>sponsored by Action Title Research</i>	<b>Ballroom Foyer</b>
1:00 pm to 4:00 pm	Schooner Boat Tour <i>sponsored by Accutitle</i>	
1:00 pm to 4:00 pm	Cliffwalk Mansion Tour <i>sponsored by Priority Search/State Capital/Western Technologies</i>	
1:00 pm to 5:00 pm	Golf – Newport National Golf Club	
6:30 pm to 7:30 pm	Cocktail Hour Food <i>sponsored by Charles Jones</i>	
	Cocktail Hour Beverages <i>sponsored by Customers Bank and Greater Atlantic Legal Services</i>	
	Cocktail Hour Music <i>sponsored by Skyline Lien Search</i>	
		<b>Ballroom and Rose Island Foyers</b>
7:30 pm to 10:30 pm	Gala – Black Tie/Great Gatsby Theme Optional <i>sponsored by Priority Search/State Capital/ Western Technologies</i>	<b>Rose Island Room</b>
	Gala Music <i>sponsored by Customers Bank</i>	

**Tuesday**

8:00 am to 10:00 am	Buffet Breakfast <i>sponsored by Charles Jones</i>	<b>Ballroom Foyer</b>
8:00 am to 10:00 am	Vendor Exhibits Open	<b>Brenton Hall/Ballroom A</b>
9:00 am to 10:00 am	Convention Wrap up/Awards	<b>Brenton Hall</b>



## An Agent's Perspective

continuation from page 6

I can hear The **Good Guy** from across the room. They have an audience of between ten and twelve people around them, and they're telling a story. The subject is always different, but the catchphrase is always the same. "...so I called him and said, you know me...I'M A GOOD GUY." They all laugh. Five minutes later they're in the middle of another story. "The deal was going south, but I called the realtor. You know me...I'M A GOOD GUY...everything closed the next day. That's the thing about The Good Guy, they're constantly reminding everyone that they're a good guy. Makes you wonder. For me, The Good Guy is the toughest to talk to, the least genuine.

Bingo I say, almost out loud. I glance down at my watch. I've only been here for 30 minutes and I've already spotted two Game Show Hosts, three Lovers, one Pro and six Good Guys. Not a bad haul for Random Organization Inc., and they put on a great event. As I start to walk toward the exit, I wonder what

category that girl across the room is putting me in. My vote is for The Pro, but as I see her mouth the word Bingo as I pass, I could be wrong. ■

---

**Scott Rutkay** - Vice  
President of Business Development  
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**(4th Ed. Spring 2016 Revision)**  
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## IN MEMORIAM:

### Robert R. Nieltopp — More Fondly Known As “Gramps”



Robert L. Nieltopp  
ME2



By: Jason Dombrowski

Robert L. Nieltopp, my Grandfather, also known as “Bob,” was born on April 7, 1932 in South Amboy, NJ and was raised by his loving parents Lloyd and Margaret. They instilled in him good values and a strong work ethic. As a young boy, Bob was a member of the Boy Scouts of America, South Amboy Troop # 91, of which he was very proud. It was there that he learned that a Scout is: *Trustworthy, Loyal, Helpful, Friendly, Courteous, Kind, Obedient, Cheerful, Thrifty, Brave, Clean, and Reverent.*

Beyond the values that his parents taught him, I believe that the Boy Scouts also played a significant role in his life and helped shape the man that he would become.

Following his graduation from Harold G. Hoffman (South Amboy) High School in 1949, Bob attended the Middlesex County Vocational & Technical School to learn the trade of sheet metal fitting. In 1951, at the age of 19, Bob met the love of his life, Madeline C. “Mattie” Hughes. After working in the sheet metal trade for a short while, Bob unselfishly went on to serve our great nation by enlisting in

the United States Navy. Bob fought in the Korean conflict and served aboard the Battleship New Jersey (BB-62), the most decorated battleship in US Naval history.<sup>1</sup> He also served a short period of time on the USS Iowa. On November 11th, 1953, my Grandparents wed, and in 1955, while still serving in the Navy, their first child, Margaret “Peggy”, was born.

Having served from 1952 to 1956 in the Navy, Bob returned home to his family and worked various jobs to make ends meet and support his family. In late 1956, he found his calling in the title business. His big break came searching title in the Middlesex County record room, under the tutelage of those skilled in the craft, where he quickly learned the art of slinging record books in the county vault in an effort to assure title was clear before any conveyance. It was in that county vault that my Grandfather was bit by the title bug. In 1959, their second daughter Carol was born and shortly thereafter in 1960, after searching titles for a few years, Gramps went on to open his own title insurance agency, Mid-State Legal Services, Inc. an agent for New Jersey Realty Title Insurance Co. located at 79 Paterson St.,

New Brunswick, NJ. It was around this time that Bob was an active member of the Title Abstractor’s Association of New Jersey, and also a member and Past President of the Title Searchers Guild (Middlesex County).

My Grandfather worked diligently and put in long hours and after many years, in 1978 was approached by Lawyers Title Insurance Company (LTIC) to join their operation. LTIC quickly realized the strong work ethic and long hours Bob was willing to put in to get the job done. After only a few brief months with LTIC, Gramps was named Branch Manager of the Somerville, NJ office.<sup>2</sup> In 1979, he moved to Branch Manager of the New Brunswick, NJ branch located at 57 Paterson Street.<sup>3</sup> It was there that my Grandmother “Mattie” would join the title industry and work in sales for the office. They were both joined by Carol who learned under my Grandfather and became a skilled title officer herself. Together they took on the world one title at a time.

In 1986, the New Brunswick branch of Lawyers Title Insurance Company was the largest of the firm’s New Jersey branches. When it was opened in 1978,





it employed 17 full- and part-time employees, and by 1986, Gramps had expanded his staff to 23 employees and occupied the entire two and a half story building located at 57 Paterson Street.<sup>4</sup> Having made his way to being named Assistant State Manager, Gramps eventually took an early retirement option form LTIC to again pursue his aspirations of owning and operating his own title agency. In 1991, Bob & Mattie formed Title Agency, Inc., and the office opened ironically at the same 57 Paterson Street office they had spent so many years prior. The office eventually moved its operations to South River, NJ in 1995. It would be there that Gramps would ride out his career until his retirement in 2017, having spent a little more than 60 years in the industry.

As I have recounted before, as a young pre-teen I would often join my Grandfather on Saturday trips into his office to assist in any way possible, but mostly as the copy guy. I worked with him through high school and college and went on to work with him full-time upon graduation, having worked side-by-side with my Grandfather for basically my entire working career. My grandfather was

one of the hardest working people I have ever met and was an amazing man and businessman. Gramps successfully carved out a name for himself in the title industry, through his hard work and determination. With only a High School education, it always amazed me to watch as skilled, well-educated, seasoned attorneys would call my Grandfather for his opinion on complex title matters.

When my Grandfather wasn't handling complex title transactions, he dedicated the rest of his free time to his family. Bob was also a man of faith and was an active member of Christ Episcopal Church in South Amboy. His favorite place, other than being in the office, was spending time down at the Jersey Shore with family and friends. My Grandparents were married for 55 years until my Grandmother's passing in 2008. Bob passed away at home surrounded by his loving family on September 24, 2019. He was a devoted husband, father, grandfather, great-grandfather, brother, uncle and friend and will be greatly missed by all who knew and loved him.

Over the course of my life I learned so many things from him and so many life lessons.

Gramps had 2 coined phrases that I will never forget and try to follow.

- 1. Do it right or don't do it at all**
- 2. Don't take the lazy man's load**

I was honored that *Advocate* asked that I write a piece on his life and career in our industry. Gramps was my mentor, he taught me everything about the business, he even taught me how to tie my necktie. My Grandfather is the biggest reason I am the man and businessman I am today. ■

## References

- <sup>1</sup>U. S. S. New Jersey (BB-62) : The Big "J" Battleship by Turner Publishing Company Staff (1996, Hardcover)
- <sup>2</sup>"Names in the News..." *Title News*, vol. 57, no. 6, June 1978, pp. 12
- <sup>3</sup>"Names in the News..." *Title News*, vol. 58, no. 2, February. 1979, pp. 11
- <sup>4</sup>Karasik, Gary, Partners in Progress - "Lawyers Title Insurance Corporation" New Brunswick & Middlesex County: The Hub and the Wheel: An Illustrated History, Windsor Publication, Inc. - History Book Division, 1986, pp. 188



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- Miscellaneous Search



# ALTA Advocacy Update

By: David E. Penque

*The American Land Title Association keeps us up-to-date with the ever changing events and articles affecting our industry. Here are some of the news items that were found most relevant over the last quarter. Join the association today by going to <http://www.alta.org/membership/> and become a part of ALTA. Articles compiled by David E. Penque.*

## R.I. Bar Association Seeks to Require Lawyers be Present for All Real-estate Closings

Providence Journal | December 8, 2019  
<https://tinyurl.com/snqsqxj>

The Rhode Island Bar Association argued before the state's Supreme Court that lawyers are best equipped to ferret out potential pitfalls involving taxation, easements, probate law and the environment.

## Why Every Website Wants You to Accept Its Cookies

Recode | December 10, 2019  
<https://tinyurl.com/wmusf4>

If you've visited a new website on your phone or computer over the past 18 months or so, you've probably seen it: a notification informing you that the page is using cookies to track you and asking you to agree to let it happen.

## The Docket: Kansas Supreme Court Rules on Validity of Transfer-On-Death Deed

Title News Online December 12, 2019  
<https://tinyurl.com/sxfha2e>

Stephen Gregory, underwriting counsel for WFG National Title Insurance Co., provided today's review of a decision by the Kansas Supreme Court that upheld the validity of a transfer-on-death deed. Read on to learn why this case is important to the title industry.

## Supreme Court Notches Landmark Victory for Property Rights

December 12, 2019  
<https://tinyurl.com/yx743lyh>

The Supreme Court of the United States issued a landmark property rights decision on June 21, 2019, ruling that the federal courts are open to decide landowners' claims for a Fifth Amendment

"taking" of property by local regulatory agencies.

## Crowning Moment: British-born Mary O'Donnell First Woman From Underwriter Ranks to Serve as ALTA President

Title News Online January 7, 2020  
<https://tinyurl.com/yefbv8zc>

Margaret Thatcher served as prime minister of the United Kingdom from 1979 to 1990. She was the longest-serving British prime minister of the 20th century and the first woman to hold that office. Her uncompromising politics and leadership style earned her the nickname "The Iron Lady." Growing up in Liverpool, England, Mary O'Donnell dreamed of rising to similar heights. "I wanted to be the first British female prime minister, but Margaret Thatcher beat me to it," O'Donnell joked. Instead, she blazed her own path on this side of the pond. In October, O'Donnell became the first woman out of the Underwriters' Executive Section to be named president of ALTA. Read on to learn more about ALTA's president.

*ALTA Advocacy... cont. on page 28*



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# Be a 21<sup>st</sup> Century Thinker with NJCCIC

By: Joseph A. Grabas, CTP, NTP

The FBI reported in their recently released 2019 Internet Crime Report, that wire fraud victims rose from 11,300 to 11,677 in 2019, representing a three percent increase over 2018. That doesn't seem so bad, however of far greater concern is the **48 percent increase** in the amount of wired funds that were stolen during that same period. 2019 losses totaled \$221 million and there is no reason to expect them to decline. It is a national trend, but also a very local concern. In my work as a title consultant, I have witnessed an alarming spike in New Jersey title operations being sued due to their work as Settlement agents and the infiltration of cybercriminals in to daily title transactions. This is a very real concern, which must be actively addressed.

The ALTA has launched an effort to raise awareness and educate consumers called **The Coalition to Stop Real Estate Wire Fraud**, and that is a very important step



in battling this scourge. However, the bigger question is “WHAT ARE **YOU** DOING TO EDUCATE YOURSELF AND YOUR STAFF ABOUT CYBER-SECURITY???” We must all adapt to become 21<sup>st</sup> Century thinkers! This new century is the Information Century; all our lives revolve around information, at work and at home. You can't just use the internet and use a smartphone and use Alexa and use GPS. You must educate yourselves personally and professionally to be safe and productive, understanding the power of those cyber tools thereby avoiding the pitfalls of cyber threats and

taking advantage of the vast benefits that cyber technology has to offer.

That is why I am excited to introduce you to the **NJ Cybersecurity & Communications Integration Cell (NJCCIC)** [www.cyber.nj.gov](http://www.cyber.nj.gov). This is a division of the *NJ Office of Homeland Security & Preparedness*. Your tax dollars are supporting their daily efforts to keep New Jersey safe from Cyber-Predators.

They are “the State’s one-stop shop for cybersecurity information sharing, threat analysis, and incident reporting. A component organization within the *21st Century Thinker... cont. on page 26*



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# Be a 21st Century Thinker with NJCCIC

continuation from page 25

New Jersey Office of Homeland Security and Preparedness (NJOHSP), the NJCCIC works to make the State of NJ more resilient to cyber attacks, to promote statewide awareness of local cyber threats and widespread adoption of best practices. Located at the Regional Operations Intelligence Center (ROIC), and acting in a cyber fusion center capacity, the NJCCIC is comprised of members from NJOHSP, the New Jersey Office of Information Technology (NJOIT), and the New Jersey State Police (NJSP)."

I invite you to visit their website at [www.cyber.nj.gov](http://www.cyber.nj.gov) today and while you are there become a member! By providing minimal information you will begin to receive invaluable bulletins, alerts and advisories about events and training. They provide real time data about matters which affect your life every day. Their "Be Sure to Secure" page provides detailed tutorials about how to format your Privacy Settings on Android,

Facebook, Google, Instagram & Twitter; How to properly configure and secure your Home Wi-Fi Router; How to avoid Phishing and other Social Engineering attacks.

NJCCIC provides free access to a library of important and valuable online training. They identify the most recent Cyber-Threats. They maintain a list of all known Ransomware variants and decryption codes, so you won't have to send \$500 in BitCoin to a foreign country to get your computer and data back. If you take the time and make the effort this website, which you pay for, can help you become a 21<sup>st</sup> Century Thinker.

Not only do they provide essential information, education and tools, NJCCIC is there when the Cyber Predator attacks. They offer 24/7 Incident Reporting and will answer your call when the bad guys strike. You cannot afford to ignore this important resource. **The Agency Section had invited NJCCIC to their next meeting to participate in the**

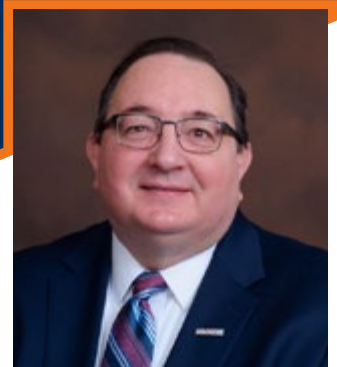
**continuing education seminar with the Grabas Institute for Continuing Education. Due to the ongoing concern of the COVID-19 coronavirus pandemic, the meeting scheduled to convene at Forsgate Country Club on March 25th was canceled. The continuing education will be hopefully rescheduled for a later date to be determined.**

All of your staff should attend, even if they are not Licensed Producers, because CyberSecurity Training offers invaluable life lessons. Each employee is a doorway that a Cyber Predator can exploit. Don't place your business at risk.

So come to the continuing education program when held and become more fully aware. The seminar is free. You are already paying for NJCCIC and you get an excellent dinner in a country club setting. There are too many reasons for you to attend. Become a 21<sup>st</sup> Century Thinker! ■

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# Regrets? I've Had a Few.

By: George A. Stickel, Esq., C.T.P.

My former employer, New Jersey Realty Title, hired a number of young attorneys over the 15 years I worked there. The hiring was done by senior management. The new recruits would then be trained

but at least I was one with a title searching background who knew the difference between a Deed and a Lis Pendens. When you graduate law school, you have no practical knowledge of real estate law. So when they were sent to me, they still had a lot to learn. And most of them

the office and ran down the hallway to the bathroom, pausing in front of my desk long enough to inform me that he thought he was going to explode. Now soiling one's clothing is not something I would wish on anyone; except for this guy. Did it make me a terrible person to



for three months in the basics of title insurance at the home office in Newark. After that initial training, they were often sent to me, and my New Brunswick office, to help polish their title skills. I've trained a number of these 90-day wonders and, to my knowledge, only one has gone on to be disbarred; so I consider my track record to be pretty good. I had nothing but respect for these trainees. Heck, I was one of them at one point,

tried. But then there was this one guy. Goodness, he was arrogant. Smart, but arrogant. The fact that he made it past the initial interview in the home office amazed me. This guy somehow thought that the quickest path to the judicial appointment he was convinced he so richly deserved was through my title office.

But then I was provided a revelation about him one morning. He rushed into

have been disappointed when he exited the bathroom with the seat of his pants still intact? Yes. And that was the revelation. The problem was with me. This young attorney was only human after all, with very real feelings hidden behind his arrogance. I needed to treat him like a human and avoid my rather negative responses to his attitude.

*Regrets... cont. on page 29*

## ALTA Advocacy Update

continuation from page 23

### What Is Multifactor Authentication?

Title News Online January 21, 2020

<https://tinyurl.com/wt76e3j>

An update to ALTA's Title Insurance and Settlement Company Best Practices that went into effect in January requires the use of multifactor authentication (MFA) for all remotely hosted or remotely accessible systems storing, transmitting or transferring non-public personal information. Read on to learn more about MFA and how to set it up.

### The California Consumer Privacy Act Q&A

Title News Online January 23, 2020

<https://tinyurl.com/v24un2z>

This document provides an overview of key questions regarding the California Consumer Privacy Act. The Q&A answers which companies are covered by the regulation; applicability to controlled entities with shared branding; who is protected; examples of personal information; exemptions; consumer

right to access, disclosure and opt-out; obligations on a company; and costs of compliance.

### Take the CFPB's TRID Survey

Title News January 30, 2020

<https://tinyurl.com/w7t76zb>

The Consumer Financial Protection Bureau (CFPB) is asking companies that conduct closings covered by the TILA-RESPA Integrated Disclosure Rule (TRID) to take a survey to help the bureau assess the effectiveness of the regulation. It's important for as many title and settlement companies to take the survey by March 6 to help ALTA's efforts to fix the title fee disclosure and remove the optional tag for owner's title insurance.

### ALTA Members: Get Free Online Industry Training for New Hires

Title News January 30, 2020

<https://tinyurl.com/yx4hgyp>

ALTA recently launched free on-line training to help companies train new employees become familiar with industry terminology and concepts.

Titled "Nuts and Bolts of the Land Title Industry," the training includes three videos covering the what, who and how of title insurance. The training is free to members and \$75 for non-members.

### Don't Bank on a 'Cleared' Check

Federal Trade Commission | February 12, 2020 <https://tinyurl.com/th89fck>

For the past couple of years, criminals turned to wire fraud to steal money. With companies paying closer attention to this scam, check fraud is starting to surface again, according to the FTC. Fake check scams take advantage of what we don't know about how banks handle check deposits. Scammers do know, and they trick people into sending them money before the bank spots the fake. ■

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**David E. Penque** – Vice-President of  
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## Regrets? I've had a Few

continuation from page 27

It was a struggle at first, but we both finally came around. It also helped that he realized his career was not going to be in title law, and that he moved somewhere very far away. But to this day I regret how I judged this young man and handled the situation overall. I am sure that our Human Resources Department, if we had one, which we did not, would have taken issue with my approach. Had I not been young and arrogant myself, I may have been more tolerant of his attitude. Sometimes the way to handle a difficult situation is with a softer approach, regardless of whether it is reciprocated.

I served as co-chair of our County Bar Association's Real Estate Committee. The Chairman was a strict, by-the-book, don't mess with me, don't pick a fight or you'll lose, adversarial type of attorney. He was also review attorney for a local bank which had a very large volume of mortgage business. No matter how perfect I thought our title binders were when submitted to him for his review, he would tear them apart and demand changes; most of them, in my opinion, being unnecessary or trivial. One of

the reasons I agreed to be his co-chair on the real estate committee was that I thought he might make things easier on me and my staff if I got to know him on a more personal level. Well, that didn't work. So much for wishful thinking! He was a closed book; a nut I could not crack. And it was not just me. His reputation among the bar and the title industry was someone tough and unreasonable and unapproachable. Then one morning I opened the local newspaper to the story that he was found dead. Not just dead, but had taken his own life. And to make matters worse, it was revealed that he had been invading his firm's trust account to use other people's money to pay off his gambling debts. This man was a troubled individual. He had put up a front all those years to hide his true nature. I was shocked and pondered, at least for a moment, if there were something I could have done to help a fellow human being who was obviously hurting. I determined there was not, but I regret not trying.

There was another review attorney in my career who made my life miserable in a similar way. Our binders were never to his satisfaction even when we followed his instructions perfectly. He

made me angry; so angry that I made the mistake of confronting him on the telephone. He ended up hanging up on me. I then went over his head and wrote a letter to the President of the bank for which he did review work and, to my surprise, I received a nice reply that they were looking into the matter. Shortly thereafter I read he had been disbarred for stealing trust account funds. I don't believe my letter had anything to do with his having been revealed as a crook, but my regret in this case was not acting sooner to complain.

The lesson I've learned is that if someone is arrogant, hard-headed or unreasonable there may be a reason for it. Most people try to be nice. If not, use it as a red flag to yourself. The problem may be, but is likely, not you. ■

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**George A. Stickel, Esq., C.T.P.** is a Third Generation, 45-year veteran of the title industry, now retired. George is a Past-President and Honorary Member of the New Jersey Land Title Association and a contributing writer for Advocate. In reality, George is a very nice person. This article and these comments are largely fiction.



## DATES TO REMEMBER

**June 2020**

**1st – 3rd** ALTA Commercial  
Network  
Minneapolis, Minnesota

**July 2020**

**August 2020**

**11th – 12th** Digital Closing and  
eMortgage Boot Camp  
Minneapolis, Minnesota

**September 2020**

**October 2020**

**6th – 9th** ALTA ONE  
New York, New York

*Would you like your event or continuing  
education class included on this calendar?  
If so, please contact Maureen Crowley  
([Maureen.Crowley@fnf.com](mailto:Maureen.Crowley@fnf.com) or  
732-545-1172) for information.  
Thank you!*



## WELCOME NEW AFFILIATE MEMBER

### Independence Search & Abstract

**Honored!** Two Rivers Title Company has won the 28th Annual Spinnaker Award for Community Service. This award is granted every year to “a business with less than 50 employees which has shown a dedication to the good of the eastern Monmouth community by leadership and spirit in support of our quality of life.” The announcement was made by the Eastern Monmouth Area Chamber of Commerce (EMACC).

**Outstanding!** CATIC Title Insurance Company is pleased to announce that Jeffrey A. Grabowski, Esq. has joined the Company as New Jersey Title Counsel. Mr. Grabowski has been engaged in the practice of law in New Jersey for over 30 years with deep and varied experience in all aspects of real estate transactions and litigation, title claims litigation, foreclosure and bankruptcy matters. Mr. Grabowski will be working from CATIC’s Woodbridge, NJ offices.

**Congratulations!** Steve Goldstein from Charles Jones LLC has been promoted to New Jersey State Sales Manager. Michael Kennerley will transition to Vice President of Strategic Partnerships.

## Notes from the Editor

By: Heather R. Manfredi, Editor-in-Chief

April showers and May flowers.  
Affordable Housing and Cyber Security.  
All things we are bringing in with our

Spring edition of *Advocate*. May your spring roar in like a lion but feel like a lamb. Hoping this issue can bring some calm reading time to the many changes this season will bring.

We are always on the lookout for the next agency for our Agent Spotlight Interview. Please reach out and let me know if you are interested in being interviewed and having your company under the spotlight for our next issue. ■







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### **Title Plants by year of data collection and by New Jersey County.**

#### **Northern Counties**

	<b>Start Date</b>
Hudson	1/1/1989
Hunterdon	1/1/1984
Mercer	8/25/1997
Middlesex	1/2/1998
Morris	1/1/1986
Passaic	1/2/2009
Somerset	1/1/1984
Sussex	1/1/1986
Warren	1/1/1985

#### **Southern Counties**

	<b>Start Date</b>
Atlantic	1/1/1986
Burlington	1/1/1984
Camden	1/1/1986
Gloucester	1/2/2008
Monmouth	1/1/1984
Ocean	1/1/1983

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