**ALTA Federal Conference and Lobby Day**

May, 2015

Submitted by Paula J. Bachmeier, NDLTA Executive Director

In attending the Government Affairs Committee meeting, the State Leaders’ Breakfast Meeting, the General Session, the Abstracter Section meeting and the Lobby Day Preparation meeting, the themes presented were all the same: Implementation of the new combined TILA-RESPA (TRID) forms coming down the pike on August 1st.

The two most important items that will be presented on our visits to our State delegation are:

1. A request to have a hold-harmless period on any fine imposition through the end of the year. It was stressed heavily that there are going to be many issues that will present themselves in the course of the implementation of the new combined HUD-TILA forms. An ask is being made to allow our businesses to adapt to these changes without fear of any enforcement action. In the House there is bi-partisan legislation introduced by Representatives Pearce (R-NM) and Sherman (D-CA). We will ask our delegates to support this.
2. The second request is to allow lenders to truthfully disclose the actual cost to the consumer for a title policy. The way the disclosure is now the lenders have to quote the full cost of the lender’s policy – even if there is going to be a simultaneous or a re-issue rate involved. Remember, North Dakota has filed rates so the quote the lender would then be providing would not follow the filed rates that are in effect. Right now 43 states would have an inaccurate disclosure of rates to the consumer. At closing, then, when the premiums are disclosed correctly, it would confuse the consumer (even though the total amount would be the same.

There was also a third topic that was discussed at the briefings – that of Tax Reform and its

effect on real estate.

We are being pro-active in urging our delegation to make sure there are no changes implemented that would negatively affect Americans investing in real estate. Specific to that would be the current mortgage interest and real property tax deductions allowed continuing, and the current allowance of an individual’s ability to exclude $250,000 of gain realized on a sale or exchange of their primary residence. Hand-in-hand would be the continued ability for a consumer to enter into a 1031 tax-free exchange.

**ALTA POLICY BRIEFING**

**Justin Ailes, ALTA Director of Government Affairs**

**Steve Gottheim, ALTA Legislative and Regulatory Counsel**

Much information is presented to us to help prepare us for our meetings with our state delegation – specific handouts to the topics above. Also encouraging us to share the state of business at home, invite them to our business to see all that we do, etc.

**LOBBY DAY**

Nick Hacker, Tim Pearson and I were scheduled to meet with Senator Heitkamp at 9; Representative Cramer at 3 and Senator Hoeven at 4:45 – so quite a spread out schedule. We were able to meet with Senator Heitkamp right before she had to leave for a committee meeting. She was very receptive to our discussions – even willing to look at co-sponsoring the same request that is on the House side for a delayed implementation in any fines. Steve Gottheim from ALTA was also able to join us at that meeting so we had a great discussion. At Representative Cramer’s office we met with Chris Marohl, his Legislative Director, and we were also joined by Justin Ailes from ALTA – very positive meeting. At Senator Hoeven’s office, we again are very lucky in that Lisa Wheeler, an affiliate in our organization, has a niece, Emily Tryon, who serves on his staff and has a true understanding of our industry, the insurance quotes, timing of closing documents, etc. We met with her and were joined a bit later by the Senator. With Senator Hoeven’s background in banking, he of course is total on board with our concerns about the initiation of any fines or penalties at the outset of implementation of the new rules – he will definitely be a positive force for us with the issues we have.

In summation, I can again only say that these were three days are intense meetings, briefings and information-packed presentations.

If I can impart the most important piece of information on all of the changes – that is that timeliness of service is going to be even more important in the future. The time parameters that govern the new disclosure processes are so strict that we as abstracters, title insurers, or closers, MUST work with our lenders to ensure that our service in no way adversely impairs delivery of any of the new documents going forward August 1st.

I urge all of you if you have any influences, friendships, contacts with our congressional delegation that you remind them that we are here at home in the trenches trying to make the American dream possible for all North Dakotans. We do not want the new rules going into affect to stop or hinder our ability to do business.

If you have any questions, please, please call me!