

# Here we grow again...

# Title PLUS<sup>®</sup>

## is on the move



Angela Alaimo

*TitlePLUS has just closed the books on its most successful year yet: TitlePLUS is now licensed in all provinces except Quebec, and in 2003 added PEI, Manitoba, Alberta and British Columbia to the growing list of provinces in which lawyers are using TitlePLUS for conveyancing. Business was up over 13 per cent, and the number of lawyers using TitlePLUS for the first time grew by close to 400, many of them attracted by the user-friendly Web-based application process. To learn more about what draws lawyers to TitlePLUS and why many have made TitlePLUS a mainstay of their real estate practices, LAWPRO Magazine canvassed TitlePLUS users in all corners of the province for their views.*

*Comments for this article came from: David Hurley of Hurley, Fasano in Kingston; Brenda Bell of McAuley & Partners in Dryden; Christine Lewis of Foreman, Rosenblatt & Lewis in Hamilton; and Angela Alaimo of Janzen Alaimo in Arthur.*

***You've made a decision to recommend TitlePLUS instead of other title insurance options. Why TitlePLUS?***

**Brenda:** I recommend TitlePLUS because it provides better coverage to our clients than the other title insurers. I also use TitlePLUS because it is offered by our own insurer, LAWPRO: That makes it the only title insurer that has a vested interest in ensuring that we, as lawyers, continue to be involved in the conveyancing process.

**Christine:** As a former law clerk, I may look at things differently: I want to be involved in each of my files, I look for quality and consistency – and TitlePLUS delivers. I've used RealtiPLUS (the conveyancing program that generates all of the documentation required for a transaction, including a TitlePLUS policy) since its inception and love it. It gets everything done together, the reporting letters are of superior quality, and I like



David Hurley and Sharon Burrell

the way the exceptions are worded. It meets my standard for client communication and has really streamlined my real estate practice.

**Angela:** We have in the past used a number of different title insurance companies, but now use TitlePLUS exclusively. Why? To support a purely Canadian title insurance provider, and one that is supporting the role of lawyers in the real estate profession. Another reason is that the intake questions are helpful in ensuring that all issues are dealt with in the transaction. The TIPs that are provided make it relatively straightforward in terms of what action needs to be taken. And finally, the fact that TitlePLUS covers our (legal) services gives greater protection to our clients, and in the event that a claim is made, gives us greater protection in terms of our professional liability deductible (E & O) not being required.

**David:** One thing I really like is that it standardizes the way we do each and every transaction. We have to do everything the TitlePLUS way – no matter if it's me or my staff. This gives me more confidence in the transaction itself – because I know TitlePLUS has made sure that I have done all the work required. It's like having someone else supervising my staff and me.

***You're using TitlePLUS more frequently than in the past. Why? What has prompted this shift?***

**David:** TitlePLUS has moved its application to the Web, making it possible for us to do our work at 6 a.m. or 6 p.m. or in the middle of the night or weekend if we have to. Anyone in real estate knows that there are often not enough hours in the day for a law office to get all the work done – and with TitlePLUS we can get the transaction completed when it suits us best.

I also like the fact that working in the online environment is predictable. I know ahead of time what the questions will be, so I can get my information ducks all lined up and ready to just type in the information that I know must be provided. I don't have to worry about being put on hold, if I get interrupted half way through I can deal with that interruption and come back to the application without a problem. It is a great way to work.

**Brenda:** TitlePLUS has become much more user friendly in the last couple of years. The steps required by TitlePLUS that may not be required by other insurers are there to ensure that we, as

lawyers, are completing our deals efficiently but properly. I also find TitlePLUS easy to use; it provides a checklist to ensure that everything has been done to better cover not only ourselves but our clients. In other words, it offers better protection to both lawyers and clients.

**Christine:** A key reason we use TitlePLUS is because of the legal services coverage. Neither of the American title insurers which dominate the market provide that kind of protection – and I think a lot of other lawyers underestimate the value of that legal services coverage. TitlePLUS also provides broader coverage – in that it covers both the purchaser and lender in one policy. So it's an easier sell. And it is truly 'dummy-proof:' It simplifies the whole transaction and walks you through it, ensuring you provide your clients with the information and services they need to have.

(Ed. note: In early 2004, a Web-based version of RealtiPLUS, which offers full document assembly and generation capabilities online, will be launched.)

#### ***How easy or difficult is it to use the Web-based application?***

**Brenda:** It's really very straightforward and easy to use. The Web application takes 10 to 20 minutes and produces all of the appropriate documents. It basically cuts my time in half when compared to the TitlePLUS software we used to use. The first application I did with Lawyer Mortgage.Com was so straightforward that I questioned whether I was really done.

**Angela:** I've used all of the Web-based products and find them to be very straightforward: I can complete an application in 10 to 15 minutes if all of the information is available. I think that once a person has completed a few applications, and becomes familiar with the due diligence section and what responses and documentation are required, it becomes very easy to apply over the Web.

I like the fact that the draft title insurance policy and supplementary documents are immediately available for printing upon pre-approval, and that the final policy is also available immediately. I think this is one of the major advantages of TitlePLUS in that you don't have to send an invoice with payment. This speeds up reporting. It also makes it easier to review the policy to ensure that there are no inaccuracies prior to issuing the final policy.

And if a manual review is required, I have also found that the response time from the TitlePLUS representatives is fast, and that staff are very helpful in answering questions.

#### ***What do you tell your clients about TitlePLUS? How do you compare it against other products or ways of closing a transaction?***

**David:** As soon as I explain the savings and the fact that it provides broader coverage than I could ever give, my clients are on side. My introductory letter does explain the title insurance option and that I am not being paid to title insure their transaction, and





Christine Lewis

I do provide clients with the “Working with a Lawyer” book. But bottom line: Clients trust me to do what is best for them.

**Angela:** I believe that TitlePLUS provides more protection to clients in that it covers legal services whereas other title insurance providers seem to be primarily concerned with the protection of mortgagees.

**Brenda:** I recommend TitlePLUS to my clients because, for a similar price, TitlePLUS provides better coverage to our clients than the other main title insurers in Ontario. And as I mentioned, it is also the only title insurer that has a vested interest in ensuring that lawyers are an integral part of real estate conveyancing.

**Christine:** As well as providing legal services coverage – which better protects the client – TitlePLUS also offers more comprehensive coverage in specific areas. For example, I just had a claim involving a final meter reading. TitlePLUS covered that claim and paid out the \$500 quickly – making both me and my client very happy. Back in December, when this happened, I took it on myself to ask some of the other title insurance companies in our area if they would have covered the claim, and they all said, no.

When I use TitlePLUS, I can say with confidence to my clients that this is a better policy than that offered by anyone else. It's also often less expensive than the competition.

**Would you – or do you – recommend TitlePLUS to other lawyers? What do you say to those who do not use TitlePLUS?**

**David:** Many of my colleagues use TitlePLUS when they have a difficult title issue. But I use it all the time, partly because it is cheaper to the client than if we do a full certification. Often, I can't get answers out of municipalities in time, and being able to bypass some of that makes my life a lot easier. But the big selling point is the absence of personal liability when you use TitlePLUS: To be able to do your work knowing that you are eliminating the whole issue of personal liability if a negligence issue crops up is a huge bonus, as far as I am concerned.

**Brenda:** Not only do I recommend TitlePLUS, I want to say that it is imperative for lawyers in the province to understand that if we don't use TitlePLUS, we run the risk of becoming extinct to less personable, less cautious, but cheaper closing centres. In many cases, we have already been cut out of the mortgage process by other service providers, including title insurers. If you do not know the difference between the types of coverage that your client can get, now is the time to research it. TitlePLUS has a vested interest in ensuring lawyers stay in business and offers better coverage to our clients. Using TitlePLUS is, in my opinion, a 'no brainer.'

**Angela:** I have a sense from lawyers attending the various real estate continuing education courses that many are not aware of just how fast the Web-based program works, or that the (E&O) deductible is not called upon in the event of claims. I think it is a matter of educating lawyers and their staff about the product and assuring them that the hands-on approach is actually more effective in ensuring that all matters in a file are appropriately looked after.

# New Home Program makes its mark outside Toronto



The TitlePLUS New Home Program, a Web-based conveyancing program tailored to the specific needs of the new home and condominium markets, is catching on quickly among lawyers and the developer community across the province.

Close to 1,500 lots in a dozen new developments from Ottawa to London to Oakville are now registered with the New Homes Program. This is in addition to the 6,000 units registered with the New Home Program in the greater Toronto area.

Lawyers selling properties in these qualifying developments work on a central Web site that is pre-populated with virtually all of the project-specific data they need to close the transaction – from the project’s legal description to the builder information, title data and more. Underwriting criteria, built right into the online application program, streamline workflow for lawyers, making transactions more cost-effective. All the lawyer has to do is enter client and property specific information — such as the client’s name, the actual unit number the client is purchasing, mortgage information, and how the client is taking title.

The New Home Program Web site also automatically generates the documents needed for the transaction, as well as reports that enable both the lawyer and developer to track the status of various individual transactions.

Developers like the central site because it saves them time and money: They upload documents, such as title advice statements, site or condo plans, Condominium Declarations and more, directly into the database that lawyers representing purchasers in a specific transaction then work from.

The New Home Program is delivered through the [titleplus.lawyerdonead.com](http://titleplus.lawyerdonead.com) Web site – the central Web portal through which lawyers can access a wide variety of TitlePLUS products and services. For more information visit the New Home Program page on the TitlePLUS Web site at <http://www.titleplus.ca/Newhome> or call the TitlePLUS hotline at 1-800-410-1013 or 416-598-5899.