

**Guide Sheet to: APPLICATION FOR REGISTRATION OF A TITLE INSURANCE AGENT
FORM RA-10 (DFI-Rev.11/10)**

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1] Please read the instructions. Forms not completely typed, incomplete forms and forms containing inconsistent information will be returned.

2] Use the EXACT agent name as currently used in other registrations. Use the DFI look-up system at: www.idfpr.com/dfi/TitleInsur/TISearch.asp. Once at the agent look-up section, put in only the first three letters of the agent's name (last name, if an individual) and print the page showing the agent's name so we can see that you are using the exact same name, or print the page that says there is "no agent where the last name begins with _ _ _." If there is no suite number, fax number, email address or branch office, type "None". Do not leave blanks.

3] Please note that depending upon the type of entity the agent selects for its operating form, there are additional questions or requests for information below. This information is not optional, but is required.

4] Answers to the six numbered paragraphs that correspond to the agent's form of entity to be registered are required. Names and percentages of ownership for all owners are required.

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5] Use the blank lines at the top of page two for additional information required from page one, if additional space is needed. Additional sheets may also be attached, if properly identified.

6] List **ALL** title insurance companies that have active registrations for this agent. It does not matter if the agent has never written a policy for the title insurer by which the agent was registered, if the agent is already registered by a title insurer, so state and provide the requested/required follow-up. List **ONLY** title insurance companies, do not list other agents, even if those agents provide services to the agent being registered.

7] If the answer to Question 2 is "yes", then explain the surrounding circumstances in full **AND** provide the requested information.

8] If the answer to Question 3 is "yes", explain in full on a separate attachment.

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9] Answer Question 4 by putting a check or "X" in the boxes for each and every service the title insurance company registers the agent to provide. There **must** be a check in 4A. and at least one other box in Question 4.

10] If any services are contracted out by the agent to others, check or "X" the "YES" box **AND** provide the additional information. Please note the additional information required includes a description of the process, which may be on the lines on page 3 of 6 or on a separate attachment, along with a copy of the actual contract or contracts. Except for simple orders for abstracts or title searches, all other services contracted out to others **require** written contracts, copies of which must be attached.

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11] Fill in the name of the County for the Agent's Affidavit. For out of state agents, change "Illinois".

12] The affiant must be a natural person and a competent adult and must read the affidavit before signing it.

13] Be sure the affidavit is notarized. Although some attorneys will argue that as officers of the court their signatures do not have to be notarized, this is a government form for a branch of the government other than the judicial branch and a notary's signature and stamp are required.

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14] Fill in the name of the County for the Title Insurance Company's Affidavit.

15] Please have the person making the affidavit on behalf of the title insurer read that affidavit prior to attesting to its accuracy.

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16] Date the form and type the full name of the Agent.

17] The answer to the first question is either (a) or (b), but **not** both.

18] Regardless of the answer to the first question, any or all of (a), (b) and (c) in the second question may be answered in the affirmative or in the negative.

19] Type the name of the person making the report and be sure to have the person sign where indicated.

IN GENERAL:

20] In addition to the forms and information required on them, the Application for Registration should not be submitted until after the title insurer does the following:

A—If the agent to be registered is an individual attorney or if an attorney is a principal of an entity to be registered, go to www.iardc.org and include a screen-shot of the attorney's information showing that the license is current, whether the attorney says he or she carries malpractice insurance and the disciplinary history of the attorney. Hint: when the attorney's name is first reported back to you after your inquiry, click on the attorney's name to discover the information about insurance and discipline and print THAT screen. If the ARDC website says the lawyer has malpractice insurance, a copy of the Declarations page of the policy must accompany the registration application or the discrepancy must be explained.

B—If any registrant claims to have any other professional license from any state, check with the appropriate authority and report that information. While one does not need to be an attorney or real estate broker to be a title agent, if the person says he or she holds such a license, the disciplinary history of that license is required.

C—Google the name and address and report any and all inconsistencies or information that could present a problem. In particular, title agents and insurers are subject to HUD's guidelines with respect to Affiliated Business Arrangements (AfBA's) and the use of identical addresses, phone numbers, staff, etc. may be prohibited.

D—For entities, anything other than an individual human, go to the Secretary of State's website, www.cyberdriveillinois.com/departments/business_services/corp.html to access the required information.

E—For all registrants, go to www.obre.state.il.us/MBLookup/MBList.htm to check the names against the list of mortgage banking licensees (see, item C, above).

F—For all registrants, go to the Title Insurance Section portion of the IDFP website and enter the Agent's name to verify which other title insurance companies have already registered this Agent. Print and submit the appropriate page or pages from the website lookup system. Incorrect answers to Question 1 on page 2 of 7 will result in a rejection of the application and its return to the title insurance company.

21] Names are important. Agents already registered must use **exactly** the same name on subsequent registrations. An individual who is an officer, director, owner or principal of a firm that is a registered agent may not also be registered as an individual agent.

22] When in doubt, spell it out. For example, if a lawyer was disciplined, disclose the nature of the case and punishment and point out, if true, that the license is now once again in good standing. The same rule applies to Questions 2 and 3 on page 2 of 7. It is preferable for the applicant to disclose potential problems or questionable circumstances and explain the facts of the situation as opposed to attempting to cover up or hide the matter.

23] **Inconsistencies will always result in rejection.** The title insurer may not require a lawyer to have malpractice insurance, but where the ARDC website says the lawyer has it, and the insurer's own form says the lawyer does not, the application will be rejected unless the discrepancy is explained. There are many possible innocent explanations. There is also the possibility that the lawyer provided false information to the ARDC at the time of renewal. Whatever the cause of the inconsistency, if the lawyer carries insurance, a copy of the Declarations page must accompany the application. Explain address inconsistencies and indicate which address is accurate and tell why the old address has not been changed.

24] Be sure to include the following print-screens, as appropriate:

- A) For all agents: the website lookup screen showing the agent's name exactly as the current Application lists it, or the screen showing no agent with the name starting with the first three letters;
- B) For attorneys, the page from the ARDC showing the attorney to be in good standing and without disciplinary matters (if there are disciplinary matters, explain in full);
- C) For corporations and LLC's, the Secretary of State page showing it is authorized to do business in Illinois;
- D) For individuals who claim any other professional license from any state, the page showing that license to be current and in good standing;
- E) For all agents, the OBRE page showing whether or not a mortgage broker's license has been issued.