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Escrow Association of Santa Clara Valley

MAY 2011

President's Letter



Hello everyone!

I am back from attending the April Director's Meeting held at the Sheraton-Universal City. I had such a great time. Thank you to my friend/mentor who "held" my hand this time around. It made a world of difference for me. I had the opportunity to meet a lot of different people from all over the state. It seems that increasing membership and sticking to the budget are the primary challenges for all regions, including our own. Our Director's will be giving brief reports at our May 17th dinner meeting. We will also be welcoming Michael Haas, CPA as our speaker. There will be a lot of great, specific industry related information-So, I hope to see you all there-bring a friend, too!

As we move into the summer months, we can look forward to the upcoming AEA Conference being held in Las Vegas

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June 9-11th and let's not forget the Nor-Cal Conference that will be held July 15-16th in San Ramon. This year's theme is "Believe in the Magic of Escrow". Both of these events offer a lot of education and information that pertains to what is happening in the industry-NOW. PD holders-don't forget....this is the last year in a 3 year cycle. Come out to our dinner meetings and events to earn your credits! Just a quick reminder to all members-Your dues(\$210.00) entitle you to membership in our Escrow Association of Santa Clara Valley, California Escrow Association and the American Escrow Association -take advantage of the resources and information they offer-they can definitely make your life in the escrow world much easier. Please spread the word to any non-members-EASCV, CEA and AEA are the associations to be a part of! Please, bring a friend to one of our meetings and encourage them to become a member!

Happy Mother's Day to all the moms out there-thank you for making someone's life a little easier just by being you!

~Vickie Sweeney

~Vickie Sweeney, 2011 President
VSweeney@ortc.com





2011 Calendar of Events

- May 10, 2011**
May 17, 2011
- Teleconference Board Meeting at 5:30 p.m.**
General Membership Meeting at 6:00 p.m.
Three Flames Restaurant, 1547 Meridian Avenue, San Jose, CA 95125
Speaker: Michael Haas, CPA
Sponsor: Northern California Escrow
Sponsor: Community Bank of the Bay
Sponsor: First American NHD, JCP and LGS Reports
- June 9-11, 2011**
June 21, 2011
- AEA Conference – Las Vegas, NV**
Face to Face Board Meeting at 5:30 p.m.
Old Republic Title Company, 1900 The Alameda, 2nd Floor, San Jose, CA 95126
- July 15-16, 2011**
July 19, 2011
- Nor California Conference – San Ramon, CA**
Teleconference Board Meeting at 5:30 p.m.
- August 5-6, 2011**
August 16, 2011
- CEA Board of Directors Meeting**
Southern California
Face to Face Board Meeting at 5:30 p.m.
Old Republic Title Company, 1900 The Alameda, 2nd Floor, San Jose, CA 95126
- September 13, 2011**
September 20, 2011
- Teleconference Board Meeting at 5:30 p.m.**
General Membership Meeting at 6:00 p.m.
Three Flames Restaurant, 1547 Meridian Avenue, San Jose, CA 95125
Sponsor: Fidelity National Title Company
Sponsor: Bank of the West
- October 13-15, 2011**
October 18, 2011
- CEA Annual Conference**
Costa Mesa, CA
Face to Face Board Meeting at 5:30 p.m.
Old Republic Title Company, 1900 The Alameda, 2nd Floor, San Jose, CA 95126
- November 8, 2011**
November 11-12, 2011
November 15, 2011
- Teleconference Board Meeting at 5:30 p.m.**
CEA Board of Directors Meeting
Southern California
General Membership Meeting at 6:00 p.m.
Three Flames Restaurant, 1547 Meridian Avenue, San Jose, CA 95125
Speaker: Rosanna Medeiros, CEO, CSEO 2011 CEA President
Sponsor: Chicago Title Company
- November 30, 2011**
- 2012 membership dues to CEA Headquarters**
- December, 2011**
December 31, 2011
- Joint Meeting with 2011 and 2012**
Board of Officers and Directors
Time and Date - to be determined
P. D. 502 forms due to CEA Headquarters

2011 Officers and Directors

President	Vickie Sweeney	VSweeney@ortc.com	408-255-5880
Vice President	Lena Signor, CEO, CSEO, CEI	lena@norcalescrow.com	408-267-2200
Secretary	Linda R. Murphy, CEO	Linda.al@comcast.net	408-203-0820
Treasurer	Joette Joseph, CEO, CSEO, CEI	jjoseph@ortc.com	408-354-9128
Site Chair	Linda Bentson, CEO, CSEO, CEI	lbentson@ortc.com	408-255-5880
Raffle Chair	Marie Barber, CSEO	marieb@fnf.com	408-234-5909
Speaker Accomm.	Jackie Chai, CEO, CSEO	jchai@ortc.com	408-261-5555
Video/Historian Chair	Philipe C. Doren	pdoren@hotmail.com	408-464-2158
Hospitality Chair	Jason Herrera, CET6	jherrera@fnf.com	408-623-1858
PD Chair	Anita Rubeck, CSEO, CEI	Anita.rubeck@yahoo.com	510-709-5318

Did you know?

Individual Intern Membership would only cost you \$60.00 a year? – Your membership includes a California Escrow Association membership and a membership to the Escrow Association of Santa Clara Valley; no American Escrow Association membership or voting privileges. If you are an individual who participates in the escrow or settlement process as a secretary, assistant, or any other position that is clerical and/or at an entry level, please complete the attached membership application and contact: Linda Murphy, Membership chairperson at linda.al@comcast.net. This is a one-time grant for a period not to exceed two consecutive years. You should definitely consider the benefits of local and state associations and join TODAY.

Thank you to our Sponsors for 2011



CHICAGO
TITLE



Escrow Association of Santa Clara Valley

MAY'S DINNER MEETING

Where: Three Flames Restaurant, 1547 Meridian Avenue, S.J., CA 95125

When: Tuesday May 17th, at 6:00

MENU

Beef Kebobs
OR
Sauted Chicken Breast
OR
Pasta Primavera

Speaker: Michael Haas, CPA

Michael is speaking about several current tax topics - if you want to remain up-to-date on current tax laws, don't miss this!

Sponsors: Northern California Escrow Services, Community Bank of the Bay and JCP and LGS

\$25.00 for Members and \$30.00 for Non-members

***** RSVP's must be sent by 3pm the FRIDAY BEFORE the meeting!*****

Company Name: _____ Phone _____

Company Contact: _____

	Name of guests	Dinner Choice	Member Y/N	Designation
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please email reservations to Linda Bentson
at lbentson@ortc.com or fax (408) 331-3208.

"PD holders will receive 2 to 2 ½ credits for this dinner meeting & future general membership meetings."

CEA DIRECTOR REPORT
APRIL, 2011

This is my first CEA director report for this year. I have not been able to attend too many of the different CEA committee meetings as the CEA President, Rosanna Mederios, has kept me busy with amending the By-Laws and Policy and Procedures Manual. I thought some of these proposed changes might be of interest to you, and the history behind requesting the proposed changes.

CEA directors will vote on these proposed changes in August.

Quite some time ago, the membership categories were changed to reflect individual memberships only. At the time CEA felt the need to limit membership to individuals, because the need for “company” memberships was not an issue anymore.

At the time it was also felt that “active” and “associate” member descriptions needed to be defined in a way to show their vast differences. “Active” individual or state membership means “a person in the escrow settlement profession”. It comes with a regional membership, full voting rights and membership in CEA and AEA.

An “associate” member is described as “those individuals in allied fields not engaged in the practice of escrow”. This category requires regional membership, has no voting rights in CEA and no membership in AEA. Therein lays the problem.

Problem number 1: Some of the “associate” members thought they had membership in AEA and tried to attend AEA webinars and conferences at the membership price, and were not able to receive the reduced fee. Apparently they did not read the membership category description before they signed up, I guess.

Problem number 2: Some regions are having trouble finding people to serve on their board. One region actually changed their By-Laws to allow affiliate/associate members to hold office and come to CEA as a director and/or as President of that region. It was this particular region that has brought about the proposed changes in CEA membership categories.

Problem number 3: AEA has obtained the list of the CEA “associate” members, and have been calling them to see why they haven’t joined AEA through their regional membership. No one really knows how AEA got the list. AEA has been contemplating changing their membership categories to allow membership in AEA WITHOUT a state membership and/or regional membership in that state. It has been tabled for now and won’t be on the agenda at the convention in Las Vegas in June. But we will probably be dealing with this issue again in the future.

CEA needs to take action now to circumvent any future membership change that AEA might make in that direction. The Executive Board has not come to an agreement in regards to the AEA issue, but we are moving forward with addressing the issues in problem 1 and 2.

It has been proposed that “associate” membership will now include voting rights in CEA and membership in AEA. That proposed change brought its own set of issues. Since ‘associate’ members are from allied industries, their involvement on certain committees would be from the viewpoint of their particular allied field, and not from the perspective of the escrow practitioner. Their comments made during discussions of controversial subjects could diminish the core focus away from needs and the practice of escrow. Their vote could impact the committee vote, and ultimately dilute the legislative strength of CEA. Think for a moment what would happen if there were more affiliate members on the bill review or forms and practices committee. If there were more committee members from an allied field, than escrow practitioners, they could sway a vote to benefit their allied field’s interest. Our escrow interests could be voted down. Interesting thought!

So with that in mind, the proposed changes include: “associate” members cannot serve on PD, Forms and Practices, or Bill Review committees. Another proposed change is that a region is limited to sending only 1 “associate” member per year, to serve as a CEA Director. If every region sent 1 associate member to CEA, that would limit the count of associate members, as CEA directors, to 26. Also, the price of membership will be increased to include the dues for AEA. If an affiliate wants to serve on a regional board as a director and/or President, we need to allow them to contribute.

What all this is really about, is retaining members at the regional level, which ultimately results in a larger voice at CEA on issues where it matters. Members are the life-blood of any organization. With the current economy and so many people unemployed, membership in anything seems too costly.

But is it? Consider what would happen if there was no regional association in our area. Many regions have disbanded or have very few members. Imagine no meetings, no education, no information sharing on the latest trends, no chance to meet and greet each other, share experiences, hear great speakers, and no CEA representation in the California legislation process.

Now consider no CEA! Who would fight for us in Sacramento? Who would take the lead and get us new laws that actually benefit us. Who would sound the alarm each time a lender, taxing authority or real estate agent tries to put more and more responsibility on our shoulders, for matters that are not an escrow matter. CEA, along with other organizations, has fought and won quite a few “wars”. Remember the fight against allowing title insurance to be assumed? Remember the time a proposed bill had the escrow officers holding a bucket under a running shower to see if it was meeting new state requirements for water saving? **Remember when the notary public had to “personally” know everyone we notarized?** CEA got all of that defeated and/or changed. CEA was there for us. Without CEA imagine what our state legislators would do to us. It would be open season on escrow, as our legislators would push more and more responsibilities onto escrow. The legislators don’t understand what we do. And if they do, they don’t care.

And who would fight the national legislators? Without CEA there would be no AEA. If that were the case, today we would be reading a script at the signoff table to our buyers and borrowers. We would be comparing the terms of the loan vs. the terms given in the GFE, AND explaining the differences to them. We would be issuing a 1099 to everyone who receives a check from an escrow. And the list goes on and on. Again, without AEA, it would be open season on all settlement agents.

So, is membership too costly? I think it would be more costly to not be a member. It would cost our industry way too much to not have CEA and AEA in our corner looking out for us. It is true we haven’t won all the battles. But when the battles do come, and they will, do we really want to be left on our own without a collective voice? Scary thought!

I know I am preaching to the choir, but I urge everyone reading this to reach out to someone in your office or someone you know, to become a member today. Remind them of the value of membership in CEA. Tell them about what I wrote in this report. Tell them why you belong and the benefits that you see in CEA and AEA.

Bring them to our regional meeting. Let them see for themselves all that CEA and our region have to offer. While we are far from fading away, our region and CEA needs members to continue the fight.

Respectively submitted:

Lena Signor, CSEO, CEI
Senior Director
President Elect of California Escrow Association

CEA Director Report for April 2011

Miriam Schwarz Benevolent Fund: The California Escrow Association charity of the year is the Miriam Schwarz Benevolent Fund. This fund was established in 1976 to help CEA members who have experienced a catastrophic accident or illness. CEA has recently received many requests for assistance from this fund. If you would like to support this fund, please send a check, payable to CEA Miriam Schwarz Benevolent Fund, and mail it to CEA Headquarters, 2520 Venture Oaks Way, Sacramento, CA 95833.

Membership Committee: Legislative action and educational tools have been the core benefits of membership in the California Escrow Association. The California Escrow Association has also offered credibility for the Escrow Professional by the establishment of the requirements to earn professional designations. During this time, known as the 'mortgage crisis', our nation has questioned the credibility of the various services involved with the processing of a mortgage and real estate transaction. One way to gain credibility in the escrow industry would be for all escrow practitioners to commit to continuing education, and membership in the California Escrow Association. CEA has been a long established reputable and reliable place to obtain escrow education.

Ask your fellow Escrow Officer, Assistant, or County Manager to join in building the credibility in the escrow industry by becoming a member of CEA and attending educational programs.

Members are encouraged to show their membership in CEA, AEA and their local escrow association under their signature on letters, e-mails and fax cover sheets.

Would you like to have your name entered into a drawing to win a free CEA membership for 2012?

This is all you have to do! On the back of your business card, provide the name and e-mail address of a person who is not currently a CEA member. This is a great opportunity to reach out to someone who could benefit from CEA membership. The non-member could be a real estate, exchange, signing or loan agent, title or escrow officer, or real estate attorney.

Then, give your business card and \$2.00 (check payable to CEA) to our President. Our President will take care to submit your entry to CEA Headquarters.

The non-member will be provided with an invitation to join CEA and attend the 2011 conference in Costa Mesa.

You may enter multiple times, with as many qualifying non-member names as you like. The winner's name will be drawn at the upcoming CEA conference. If your business card is drawn, your membership for 2012 is free! You do not need to be present to win....but of course;

Entries must be sent to CEA Headquarters no later than September 1, 2011.

Nor Cal Conference Committee: July 15 and 16 is the date for the Nor Cal Educational Conference to be held at the San Ramon Marriott Hotel. This year's theme is "Believe in the Magic of Escrow". Often escrow practitioners are expected to perform magic to close escrows. Come to the conference to find out the difference between 'black' magic and 'white' magic. This small but mighty committee has lined up an interesting variety of speakers and sponsors. You won't want to miss this!

Professional Designation Examination available at Nor Cal: In order to take the Professional Designation Exam, you must first be a member of the California Escrow Association. To obtain a P.D. test application, visit www.ceaescrow.org or contact Stephanie at CEA Headquarters at (916) 239-4075.

The new Professional Designation Study Guide manuals I and II are available. These manuals have been designed to help the escrow practitioner prepare for the professional designation examination. The examination has been expanded to include information from the California Association of Realtors contract.

The updated Escrow III manual is receiving final editing from the education committee.

CEA is offering all three manuals at a cost of \$95.00 (plus shipping/handling). You may order all three manuals by going to www.ceaescrow.org or call (916) 239-4075. Manuals I and II will be sent now, with manual III sent when available later this year.

Our CEA president met with the president from Escrow Institute to discuss mutual interests and to establish mutual goals for our two organizations.

Bill Review Committee: Once again a bill has been introduced that will establish a Deed that will transfer title upon death. Currently there are 13 states that have had this type of deed established for as long as 20 years without any problems.

The hot topic for this committee was AB 1321. This bill would require a mortgage/Deed of Trust to be recorded within 30 days of execution, and record with a copy of the Note (or certificate establishing various note information). This bill would also require an Assignment, with a copy of the Note/Certificate record within 30 days of execution. Furthermore, this bill requires that a Notice of Default may not record until 45 days after the recording of the Mortgage/Deed of Trust or Assignment. This bill generated so much discussion that each committee member was requested to put their thoughts on paper, and e-mail their opinions to Mike Belote, no later than Monday April 18. With these comments, Mike will prepare a presentation on the issues concerning this bill to the Senators supporting this bill.

SB507 is proposing to increase the fee, for a transfer deed recorded without a PCOR, from \$20.00 to \$100.00.

CEA News Committee: This committee is responsible for finding, creating, editing and selecting the articles for the CEA News magazine. The second issue has already been edited and is awaiting final approval and printing. The committee selected articles for the 2011 third issue.

If you read an article that you find of escrow-interest, please forward the article and author contact information to anita.rubeck@yahoo.com. Contact will be made with the author to obtain permission for print into our CEA magazine, and presentation to the committee.

Do you wish someone would write an article about an issue? Why not try your hand at writing an article for the CEA News magazine?

Forms and Practices Committee: A discussion was held concerning the brokers asking escrow to disburse portions of the commission payable to escrow coordinators, who are not licensed by the DRE. Matt Davis from the law firm of Davis and Davis has been asked to include this topic as part of his presentation at the Nor Cal Conference.

Another topic was lender instructions that ask escrow to perform services that are outside the scope of escrow. Several committee members reported that when they tell the lender that escrow cannot perform certain functions, the lenders then place the title/escrow company on a 'do not use' list. HUD has become more involved by offering their assistance in these matters. It was reported that after HUD contacts the lender regarding an issue, the lenders are removing the title/escrow company name from the 'do not use' list. It was decided that the committee should prepare a letter to address the concerns and issues that escrow is experiencing with regard to lender instructions. This letter is intended to be sent from CEA, to the lender, to identify the areas that are outside the scope of escrow. A sub-committee was formed to draft the letter for presentation to the committee at the next CEA meeting for consideration/approval.

It seems our industry is challenged with new legislation, changing regulations, increased demands, and expanded expectations to perform duties that are outside the scope of escrow. Through education and members making their voice heard, CEA can show a united front to maintain the true function of an escrow. Please forward your issues, questions, or ideas my way, so your voice can be heard at CEA.

Respectfully Submitted, Anita Rubeck, CSEO, CEI



Escrow Association of Santa Clara Valley Minutes of the March, 2011 Board Meeting

Dated: March 8th, 2011

Called to Order: 5:33 p.m. by President, Vickie Sweeney.

Held by teleconference.

Attendance: Vickie Sweeney, Lena Signor, Linda R. Murphy, Marie Barber, Linda Bentson, Jackye Chai, Philippe C. Doren, Jason Herrera, and Anita Rubeck.

Absent: Joette Joseph.

Guest: None

Approval of Minutes: Motion to approve February 15th, 2011 minutes made by Jason Herrera, seconded by Linda Bentson. Motion carried or as amended.

Treasurer's Report: A motion to approve January and February 2011 Reports was made by Anita Rubeck, seconded by Marie Barber. Motion carried or as amended.

Bills to submit:

\$115.00 to JC Vasquez for the March, 2011 newsletter and stats of website.

\$ 19.95 to Daniel Eisenman for Web hosting.

Funds to deposit:

\$250.00 from Old Republic Title Company

Discussion:

- i. Vickie received an AEA Pledge form and asked the board if we had funds in our budget to sponsor a portion of the AEA conference. Since we did not budget for this expense, Vickie was advised to send the form back marked "none at this time".
2. Membership Chair - Linda R. Murphy.
 - a. Amount of total members as of 02/10/11: 23, 21 Individual active members and 2 individual associate members. We have 1 new member to induct at the March dinner meeting – Robert Gionfriddo with Community Bank of the Bay.
3. Education and Professional Designation Chair - Anita Rubeck.
 - a. Anita reported that PD holders are allowed 1 hour credit for board meetings. Teleconference meetings and "face to face" board meetings are defined as board meetings.
4. Site Chair - Linda Bentson.
 - a. So far we 20 reservations for the March dinner meeting. We usually receive a batch of reservations at the last minute even some of the board members have not sent in their RSVP.
 - b. The menu is Corned beef and cabbage, Chicken Piccata or pasta primavera.
 - c. The reservation list will be emailed to Jason Herrera and Linda Murphy for the March dinner meeting by end of the day Friday, March 11th, 2011.
5. Fund Raiser: Entire Board.
 - a. Anita Rubeck will also chair the County Managers night
 - b. Anita is working on obtaining the rules and information for the County Managers night from Jeff and Jennifer Disch – more details for follow.
 - c. The board discussed that we need more information about the process of the game and a motion to approve the format as a fundraiser. TABLED for the April 15th, 2011 board meeting.
6. Raffle Chair- Marie Barber.

- a. The raffle tickets are sold as: 6 tickets for \$5.00 or 30 tickets for \$20.00. Marie reported that we have enough funds in the budget for 2 baskets at each of the next 4 dinner meetings as long as they cost \$43.75 each. Marie will contact Sherry with Baskets by Design (408) 846-4729 for delivery of the baskets to the Three Flames Restaurant for the balance of the year.
7. Speaker Accommodations - Jackye Chai.
 - a. Jackye is ready to go with the Certificate of Appreciation. Linda Bentson commented that we have the speaker's name on the Calendar of Events and reservation form misspelled. It is Korey Richardson.
8. Hospitality Chair - Jason Herrera.
 - a. Jason is still working on getting the photos uploaded to the website.
9. Videographer and Historian Report - Philippe Doren.
 - a. Philippe has been in contact with the March speaker and is ready to go.
 - b. Philippe also reported that he has found a video of a waiving flag that can be shown during the flag salute if we need it.
10. CEA Directors: Lena Signor and Anita Rubeck
 - a. No report at this time since Lena's and Anita's reports were published in the March newsletter and their next CEA directors meeting is scheduled for April 15-16, 2011 in Southern California.
11. **Sponsors:**
 - a. January sponsor was Raymond Scheaffer, Managing Principal with Abbott, Stringham & Lynch, Inc. *Certified Public Accountants & Business Advisors*
 - b. March sponsor is Old Republic Title Company
 - c. May sponsor is Northern Escrow Services and Comerica Bank
 - d. September sponsor is Fidelity National Title Company
 - e. November sponsor is Chicago Title Company
12. **Old Business:**
 - a. None.
13. **New Business:**
 - a. Anita found 2 additional sponsors after attending the San Diego dinner meeting last month that would like to sponsor one of our dinner meetings this year. After much discussion, it was decided that Anita should contact them and see which month would be favorable to them. She will also inform them that they will be co-sponsors and given a few minutes to speak to the audience at our dinner meeting as well as their logo will be published in our newsletters and inspiration video throughout the year.
 - i. In January the sponsor donated \$250.00 and centerpieces and I think a few raffle prizes, too. (An approximate \$500.00 value.)
 - ii. In March the sponsor will be donating, contributing the centerpieces and a few raffle prizes. Many thanks to both sponsors, so far!
 - iii. In May we have 2 sponsors; 1 donating \$250.00 and other providing the centerpieces and raffle prizes – still a \$500.00 value.
 - iv. In September we may have 2 sponsors – Fidelity and 1 Anita is working on. So, between the two of them, they can decide what to do. But, we do know that at least a \$250.00 donation is required, 5 to 6 centerpieces and a few raffle prizes, again a \$500.00 value for the evening.
 - v. In November we may also have 2 sponsors and again they have options for the evening.
 1. We discussed the dual sponsorship. They could each donate \$250.00 and Marie orders the centerpieces and raffle prizes for them.
 - b. When times were flush, the sponsor(s) of the dinner meetings donated much more, provided more centerpieces which were also used as raffle prizes. We had attendance of 80 to 100 people, too. We concluded our discussion and asked Marie Barber to order the centerpieces on behalf of the sponsor(s) if they chose to just donate \$250.00 each on the dual sponsorship evenings. The cost of the centerpieces will be taken from the sponsor's donation.
 - c. Marie commented that she would not object to a dual sponsorship with First American Exchange or a Home Warranty for the month of September.
 - d. Chicago Title Company is sponsoring November and a board member needs to contact Chicago Title Company for approval of dual sponsorship.

- e. Next General Membership meeting will be on March 15th, 2011 at the Three Flames Restaurant, 1547 Meridian Avenue, San Jose, CA 95125 at 6:00 p.m.
- f. Next Board meeting will be on April 19th, 2011 at Old Republic Title Company, 1900 The Alameda, San Jose, CA 95126 at 6:00 p.m.

Adjourned at 6:17 p.m.

Respectfully submitted

Linda R. Murphy, CEO

Certified Escrow Officer

Secretary for the Escrow Association of Santa Clara Valley