



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

February 5, 2016

Honorable Representative John Wood
303 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300

RE: Rule 69B-186.010, Florida Administrative Code
Unlawful Inducements Related to Title Insurance Transactions

Honorable Chair Wood:

The Department of Financial Services' interpretation of subparagraph 626.9541(1)(h)3., Florida Statutes, and subsection 69B-186.010(4)(a), Florida Administrative Code, is that the advanced payment by a title insurance agent and/or agency for an estoppel certificate out of the funds of the agent or agency would be an inducement to title insurance and therefore a violation of the Florida Insurance Code.

We believe that this prohibition is already included within Rule 69B-186.010, F.A.C., which was recently promulgated and will go into effect on February 9, 2016. However, in an abundance of clarity to the Florida Legislature and the real estate industry, we anticipate beginning rulemaking proceedings to amend the rule to include the advanced payment by a title insurance agent and/or agency for an estoppel certificate out of the funds of the agent or agency as an unlawful inducement.

If you have questions, please do not hesitate to contact me.

Sincerely,

Greg Thomas