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**Important Dates:**

May 15-18, 2018  
AEA Annual Conference  
Kansas City, Missouri

May 16-20, 2018  
Escrow Institute of CA Conference  
Carlsbad

July 20-21, 2018  
Nor Cal Conference  
San Ramon

August 3-4, 2018  
Board Meeting  
Ontario Airport Hotel

October 11-13, 2018  
63rd Annual Conference  
Anaheim Marriott Hotel

November 2-3, 2018  
Board Meeting  
Hyatt Mission Bay, San Diego

Visit [www.ceaescrow.org](http://www.ceaescrow.org) for educational offerings in your local area.

**CEA Vision Statement**

The vision of the California Escrow Association (CEA) is to empower and support escrow settlement agents through our commitment to the professional and personal growth of the escrow practitioner.

For their pursuit of continuing education, every member of CEA shall have the opportunity to participate in and receive timely and relevant information through modern technology and traditional methods.

For the needs of our diverse membership, CEA shall identify and address both state and national challenges that affect the escrow practitioner. CEA shall provide a forum for problem solving and strategic advocacy to seek resolution to these issues. CEA will cultivate mutually beneficial policies and procedures for the protection of its members, consumers, and related real estate industries.

Adopted by the CEA Board of Directors April 21, 2018.
Events ............................................................................................................. 1
From the President – Debbi Faber, CSEO, CEI, CBSS, CMHS ....................... 3
Legislature – Lexi Purich Howard, Esq. & Michael D. Belote, Esq. .................. 4
e-Closings: Are We There, Yet? ................................................................. 7
Another Ho-Hum Loan Document Signing? I Think NOT! ......................... 11
Once Again, Unintended Consequences
  From Bad Legislation ............................................................................... 13
GRIM FAIRY TALES:
  Notaries Who Retire Their Commissions ... or Die ................................. 15
Did You Know? ......................................................................................... 19
2018 CEA Professional Designation Exam Schedule .................................. 19
NOR-CAL 2018 Education Conference ..................................................... 20
Long Hours at the Desk: Texting Acronyms
  Your Kids May NOT Want You to Know .................................................. 22
2018 CEA Membership Application .......................................................... 23
2017 Roster of Officers and Regional Presidents ......................................... 24

The California Escrow Association
would like to thank our advertisers:

<table>
<thead>
<tr>
<th>Advertiser</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset Preservation</td>
<td>22</td>
</tr>
<tr>
<td>Citizen's Business Bank</td>
<td>25</td>
</tr>
<tr>
<td>Escrow Charms</td>
<td>14</td>
</tr>
<tr>
<td>Expert Notary Signers</td>
<td>17</td>
</tr>
<tr>
<td>Green Folders</td>
<td>12</td>
</tr>
<tr>
<td>ImageX Document Scanning</td>
<td>2</td>
</tr>
<tr>
<td>RBJ Software, Inc.</td>
<td></td>
</tr>
<tr>
<td>SMS – First American</td>
<td>5</td>
</tr>
<tr>
<td>SoftPro</td>
<td>18</td>
</tr>
<tr>
<td>Trustlink</td>
<td>10</td>
</tr>
<tr>
<td>U.S. Certified Signers</td>
<td>9</td>
</tr>
</tbody>
</table>
Hello fellow CEA members!

Good-bye to Spring and get ready for the Dog Days of Summer!

The second of four CEA Board of Director’s meetings was held in Sacramento April 20 and 21. It was a very productive meeting. CEA members are so lucky to have so many dedicated Directors who volunteer their time and work diligently on your profession’s behalf.

The Legislative Bill Review Committee is in full swing with over 200 bills to stay on top of. Remote on-line notarization (RON – another new acronym!) is a “hot” topic but there are also many other pieces of pending legislation our Legislative Advocates are keeping an eye on along with the Bill Review Committee on CEA’s behalf.

Bulk Sales: CEA and our partner ETI recently held our annual Bulk Sale seminar April 14. We had 46 registrants and two guest speakers. We covered several different ABC topics including a war story or two about closing and disbursing before you actually receive the ABC 226 with the “Authority to Close” stamped with signature by authorized ABC representative. Rose Pothier talked about Cannabis business escrows and a potpourri of other miscellaneous topics. We had open sharing and a few more war stories. I, for one, love to talk with other escrow officers who process bulk sales – we are all in this together. Nice to know there is someone out there to call and bounce things off of since most of us do not have that within our own companies!

The Education Committee has been busy arranging many educational presentations for you. Our first evening Webinar was held May 8 and was presented by Patty Beverly (CEA Past President 1996) and her commercial team. They shared the excitement of closing a portfolio of 160 closings in 18 states. And you thought you had stressful transactions!

The PD Committee is making good progress as they move toward on-line PD testing. Thank you to all the CSEO’s out there who have volunteered their time to assist Sharon Strahlendorf. Prices for PD tests will increase slightly come January 1. Why not obtain your PD this year and save a few bucks?

By the time I write the next President’s Message, registration info on the 63rd Annual CEA Educational Conference will be out! The Conference Committee has a great educational program lined up along with some Friday night fun! For you golfers out there, Dino Champagne and Susan Biggio will once again put together a great golf tournament on Thursday October 11th.

I’ve recently heard about another fraud scheme. The fraudster intercepts emails and posing as the escrow holder offers a discounted escrow fee if the Buyer wires their funds immediately to the Fraudster’s account. A few Buyers have taken the bait and wired their funds to the bad guys! Be vigilant, continue to educate your clients, and stay ahead of the fraudsters!

By the time you read this yours truly will have returned from the annual AEA Conference to be held May 16-18. Our own Rosanna Medeiros from Central Coast Escrow Association and CEA Past President (2011), will be installed as President of American Escrow Association at AEA’s Annual Conference in Kansas City. Congratulations Rosanna!

In closing, make time to keep an eye on your Trial Balances and clean-up those dormant checks!

Your Proud 2018 President,

Debbi Faber,
CSEO/CBSS/CMHS/CEI
2018 CEA President
The California Legislature is in the midst of hearing the over 2,000 bills introduced by mid-February. The first round of policy committee hearings has concluded, and the next round begins, depending on whether bills were keyed “fiscal,” meaning they need to also survive the Appropriations Committee in either house. Bills that have already passed out of their house of origin may be heard in the next house in the coming weeks. Two-year bills, bills that were introduced in 2017 and didn’t pass but stayed alive, will be heard soon as well.

CEA continues working on a variety of significant issues to escrow professionals, among them measures related to the Building Homes and Jobs Act of 2017, tax-deferred exchanges, and revocable transfer on death deeds, as follows:

Building Homes and Jobs Act (SB 2) Progeny: At least four bills contemplated changes to SB 2 (Atkins). Of those, one was a budget bill that was signed and immediately effective on March 13. That measure, AB 110, among other things resolved the question of whether lien releases from government entities, primarily the Internal Revenue Service, and also state and local governments, were subject to the $75 fee. As you might imagine, the IRS was not amused by the additional charges. Specifically, AB 110 exempts from the $75 additional fee any real estate instrument, paper, or notice executed or recorded by the federal government, the state or any county, municipality, or other political subdivision of the state, and does so retroactively to documents recorded since the beginning of 2018.

Four other SB 2 progeny have been introduced but have not yet moved. Those are AB 1765 (Quirk-Silva), which would exempt documents in connection with real property being repaired or rebuilt as a direct result of a disaster for which the Governor has declared a state of emergency; AB 1915 (Mathis) would exempt mining claims as not related to real estate; SB 1327 (Atkins), an unamended spot bill; and AB 166 (Salas), a two-year bill.

In the world of tax-deferred exchanges, AB 2529 (Chu) would have required remittance of California withholding on tax-deferred exchanges where the seller/exchanger subsequently used some or all of the exchange funds for out of state purchases. The proponent of the bill suggested this would ensure that any taxes from later-realized gain that took place away from California would be paid in California. The bill seemed to ignore existing law that already requires exchangors to file an annual tax form about any out of state exchange/purchases annually, and which gives the Franchise Tax Board the power to declare taxes due from a taxpayer when the out of state gain is recognized. CEA lead the charge opposing AB 2529, and was joined by a number of our real estate industry partners, including the California Land Title Association, California Association of Realtors, Federation of Exchange Accommodators, California Business Properties Association, California Building Industry Association, Western Manufactured Housing Communities Association, and the Howard Jarvis Taxpayers Association. The bill was pulled twice from its policy committee hearing and is effectively dead. Boom!

AB 3004 (Kiley) is a bill that would have further modified the revocable transfer on death deed (TODD) statute that was enacted in 2015, ostensibly to allow property owners the ability to do their own estate planning without an attorney. This measure, also not moving further at this time, would have allowed a grantee/donee to be a charitable organization or charity, and would also have removed the sunset date of the enacting legislation, essentially making the TODD permanent without the benefit of the study required by the original measure. CEA remains concerned about the possible unintended consequences of the TODD and opposed to any further expansion or removal of the sunset date. Like a related proposal, AB 1739 (Chau), the bill also provides that a TODD recorded without the Frequently Asked Questions attached is still valid, notwithstanding the removal of the FAQ section. AB 1739 seeks to do only this.

AB 2368 (Calderon) is a work in progress that would enact a statutory and regulatory structure for online notarization via a live, two-way audio-video link. Amidst myriad details, it would provide for notary application and registration for California online notaries (who must already be, or concurrently become, a California “traditional” or “paper” notary), for specified identification processes known as credential analysis and identity proofing, for the keeping of electronic notary journals, and for recording and storage of the two-way audio-video appearance. This nascent measure is a product of the collaborative efforts of real estate industry partners including CLTA, NNA, banks, lenders, credit unions, and others. In addition to regular discussions with CEA members and other interested parties, CEA has formed an online notarization working group to consider the measure as it progresses.

These are just a few of the measures being considered by your CEA Bill Review Committee, which continues to discuss these and many of the nearly 200 other bills identified as of interest, either directly or indirectly, to escrow professionals. All CEA bills can be viewed by members in the legislative section of the CEA website, and we welcome your comments. Your CEA membership gives you a voice in the California legislative process, and your involvement counts.
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e-Closings: 
Are We There, Yet?

An update on e-document, e-signature, e-notarization and e-recording legality and adoption

The real estate, mortgage, title insurance and settlement service industries have been inching slowly toward a more “electronic” homebuying experience for the better part of the last 20 years. But thanks to changing consumer expectations, the popularity of products like Quicken Loans’ Rocket Mortgage online mortgage application, increasing lender and secondary mortgage market appetites to go digital, the establishment of uniform data standards and changes to local laws, 2018 may finally be the year that closings catch up with modern technology.

“There are a lot of moving pieces to the electronic closing puzzle,” said Danielle Kaiser, Esq., regional underwriting counsel for NATIC’s Eastern region and forms counsel.

Kaiser has been educating title professionals across the country on these developments, and she stressed that there are many questions yet to be answered on the advent of e-closings.

“Does the law allow the use of e-documents, e-signatures and e-notaries? Can the county record e-documents? Does the technology exist to handle these functions?” Kaiser asked. “These are only some of the questions our industry is actively working to address as we prepare for the coming e-closing revolution.”

ANATOMY OF AN E-CLOSING

A true e-closing involves four main components that correspond to core events in the closing process. In order for an e-closing to work, we must determine the legality and capability to use and accept the following components:

Continued on page 8
**Electronic Documents, or e-Documents:**

This is any real property instrument or contract that is created, generated, sent, received or stored by electronic means. Common forms of e-documents include portable document format (PDF) files, online applications and software programs that allow licensees to prepare, deliver, store, download and print documents, either online or via e-mail.

**Electronic Signatures, or e-Signatures:**

This is broadly defined as any electronic sound, symbol or process attached or associated with a document an individual uses to express their intent to sign a document. A “digitized” signature may be similar in appearance to an ink, “or wet,” signature, with a signer using a stylus, finger or other instrument to replicate a traditional, paper signature. Different technologies may also involve the use of a unique password, a personal identification (PIN) number and the act of clicking an “I agree” or similar button.

**Electronic Notarization, or e-Notarization:**

An e-notary is one who notarizes documents electronically. This may take two different forms. An in-person e-notary transaction is one in which the notary and signer are present in the same location, the notary identifies the signer face-to-face and the signer executes documents with an e-signature. In a remote/online transaction, the notary and signer are located in different places, but they communicate via real-time, audio/video communication devices and the signer effects an e-signature.

**Electronic Recordings, or e-Recordings:**

The final piece to the e-closing puzzle involves the recording of real property instruments in an electronic manner; this may take a few different forms. The Property Records Industry Association (PRIA), a nonprofit organization that develops and promotes standards and best practices for the property records industry, has classified three models of e-recording. Model 1 is an ink-signed, paper document that is a scanned image with no indexing data. Model 2 is an e-signed, paper document that is scanned that includes indexing data. Finally, Model 3 is an electronic document that is electronically signed and notarized with all indexing data; this model is “paperless” in that it never involves a paper document.

In the past two decades, various federal and state laws have attempted to define and govern how each of these elements are carried out, starting with e-documents and e-signatures. With the internet gaining widespread adoption by the end of the 1990s, the Uniform Law Commission (ULC, also called the National Conference of Commissioners on Uniform State Laws, or NCCUSL) in 1999 promulgated the Uniform Electronic Transactions Act (UETA). The first national effort to provide uniform rules to govern electronic commerce transactions, UETA sought to validate e-documents and e-signatures and ensure they were enforceable the same as paper documents with “wet” signatures.

In 2000, the U.S. Congress passed the Electronic Signatures in Global and National Commerce Act, or ESIGN. The law created a standard across the United States for the legal recognition of e-signatures and e-records in interstate and foreign commerce. Simply put, ESIGN provides that e-signatures and e-records are the equivalent of paper documents, and are subject to the same legal standards. It also allows for state preemption of the federal law, as long as states provide the same level of protection for e-documents and e-signatures.

While UETA and ESIGN both validate the use of e-signatures and e-records and overlap significantly, there are key differences between them. As a federal law, ESIGN affects people who conduct online business in all 50 states; UETA, by contrast, is adopted on a state-by-state basis. Due to the state preemption provisions of ESIGN, where conflict arises between the two acts, a state law may usurp ESIGN. UETA is also more comprehensive than ESIGN, determining when information is considered legally sent or delivered in electronic form and when e-signatures are considered attributable to a person; validating contracts performed by electronic agents (computer programs that allow people to do business in electronic form); and defining the e-records that state government agencies must create and retain, to name a few key provisions.

In 2010, the UCL finalized the Revised Uniform Law on Notarial Acts (RULONA), modernizing an act it promulgated in 1982 to reflect the broadening use of technology and e-records. While RULONA allows for e-notarization, it does not allow for remote/online notarization. However, many states have enacted or are in the process of enacting laws and regulations governing the latter form of e-notarization.

Finally, in 2004, the UCL promulgated the Uniform Real Property Electronic Recording Act (URPERA) to give county clerks and recorders the legal authority to prepare for electronic recording of real property instruments. URPERA’s objective was threefold: It established that any requirement for a paper document’s originality is satisfied by an e-document and e-signature; it established the standards a recording office must follow and what it must do to make e-recording effective; and it established a board that sets statewide standards and that must be implemented in every recording office.

**PIECES AND PARTS**

Here’s a status update on where we are with the legality and adoption rate of each e-closing component:

**e-Documents and e-Signatures:**

Greenlit by UETA and ESIGN nearly two decades ago, a number of software vendors have offerings in this area, and most companies in the marketplace are using some form of this technology. To date, 47 states, plus Washington, D.C., Puerto Rico and the U.S. Virgin Islands, have adopted UETA. The three remaining states – Illinois, New York and Washington – have enacted similar legislation of their own.

**e-Notarization:**

Sometimes referred to as “the last mile” before total e-closing is realized due to still-evolving technology and legal

*Continued on page 9*
e-Closings – continued from page 8

standards, e-notarization is finally gaining momentum. States have been slow to enact RULONA, which does not address remote/online transactions. So far, only nine states have hopped on the RULONA train: Colorado, Idaho, Iowa, Montana, North Dakota, Oregon, Pennsylvania, Washington and West Virginia. Six more states, plus Washington, D.C., are working to enact RULONA measures this year: Georgia, Kentucky, Minnesota, New Jersey, South Dakota and Vermont.

Meanwhile, Indiana, Montana, Ohio, Tennessee, Texas and Virginia have enacted laws that address the remote/online notary issue, or are actively working to introduce legislation to do so. More than two dozen states are expected to introduce similar measures this year and in 2019.

“When all of these states have finally passed their legislation, half the country will have addressed the e-notarization issue,” Kaiser said.

**e-Recordings:**

To date, 30 states plus Washington, D.C., have enacted URPERA to provide for e-recording at the county level, which the UCL has said is essential in order for e-closings to finally become a reality. Five other states – Kentucky, Maryland, Massachusetts, Rhode Island and West Virginia – have introduced measures of their own this year.

“It is important to make the start on electronic recording of real estate documents,” the UCL says on its website, www.uniformlaws.org. “Real estate transactions involve billions of dollars in the United States. The efficiency of real estate markets depends upon the adoption of technology to make them faster and more competitive. After UETA and ESIGN, the key is URPERA. Every state needs to consider it as soon as possible.”

**ARE WE THERE YET?**

“We are almost there,” Kaiser said of e-closings. “We expect e-closings and remote online notarizations to become a regular part of our business practices in the coming years, but true adoption will depend on the passage of state laws and regulations, technological advancements and testing and then finally, lender acceptance of the various components involved in e-closings.”

Debate still swirls around issues such as the differentiation between an e-notary and a remote online notary; the notary’s ability to properly identify the signer and his/her capacity; potential fraud and undue influence concerns; security of consumers’ nonpublic personal information; and the county’s ability to accept and record e-notarized documents. However, Kaiser noted that a cross-industry consortium is actively working to address these concerns.

“Many states are working to require legislative safeguards and additional rulemaking in the remote online notarization arena. We’re seeing improvements in technology that prevents fraud and properly identifies signers. And our industry is actively and collectively working to promote the acceptance of e-documents by county recorders,” she said.”

Amy Tankersley is manager of education and research at NATIC. She can be reached at atankersley@natic.com.

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ife as a Traveling Notary is not all fine and dandy. There can be very interesting twists of fate involved.

Take for instance the signing I did for a good client on a Saturday some time ago.

Because we try and accommodate the signing party we travel to almost anywhere they want to meet. This signing was at the Chase Bank Pasadena branch. The Loan Officer originally was not going to be present at the signing due to other “prior commitments.”

I arrived at the bank at the predefined time (4:30 pm) and was directed back thru a small out-of-the-way alcove to the Mortgage Broker office area where I was able to set up for signing at a small table. I waited for about 15 minutes for the Borrower and her “Non-Borrower” spouse to arrive. The Loan Officer was off in his office doing “other” stuff so we proceeded to go thru all the loan documents.

During the signing the Loan Officer stopped by, made nice to the clients and then walked away. The signing went smoothly and I finished the process in a little over an hour (a relatively normal time for my signings). I thanked the Borrowers for their time and told them to enjoy their new payment. We gathered our stuff and proceeded to walk into the main office area to leave.

The lights were on and everything looked normal except for one small thing.

We were all alone. We called out and no one answered. There was no bank employee around. NO ONE. The bank closed at 5:00 pm on Saturday and all employees left without making the rounds for possible clients. We went around to all the exit doors and tried to get out and could not. WE WERE LOCKED IN THE BANK.

O.K. Stop, take a moment and think, what would you do in this situation?

I called the Loan officer on his cell phone and would you believe got his voicemail indicating that he was gone for the weekend and would return all calls on Monday. Well it turned out the Non-Borrower spouse was a Security Guard – not for the bank but for another company. He found the bank switchboard and started punching numbers and working the board trying to get someone to answer.

The Borrower and I started walking around the bank together. We could feel the security cameras looking down, watching every step we made. We stopped at every desk to try and find a business card for any bank employee with a cell number, so we could report our predicament. No such luck.

Finally, the Non-Borrower spouse somehow connected with actual bank security people who told us that they had contacted the bank manager and a bank person would be there within 45 minutes. They also noted that the police had been notified.

Well it took almost 30 minutes for the police to show up at the bank on Lake and Colorado Boulevard. When we walked to the front door waving to the police as they arrived, we discovered that there was a door with a single toggle lock. If we had realized this earlier, we could have just opened the door and walked out and left the bank open.

It took another 30 minutes for the police to take all or our ID info and make sure we were not really bad persons and finally release us. The bank personnel had still not yet arrived.

Moral of the story: Please have empathy on your possibly harried Traveling Notary.
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Last July, we wrote a column regarding the foolishness of Senate Bill 2, a new $75 tax on real estate recordings, ostensibly for the purpose of funding housing programs. We pointed out that imposing a tax on real estate transactions to pay for programs to make housing more affordable is like treating someone with a low blood count with leeches.

While the fundamental irrationality of SB 2 is water under the bridge, there have arisen a host of implementation problems that need corrective action.

One example, which was recently clarified with urgency legislation, made it difficult for California’s 58 County Recorders to determine if they should charge the additional $75 for tax liens and lien releases presented by government agencies. These tax liens can originate from small local business activities like selling Avon, from failure to pay your annual income taxes, from a missed tax payment on your jet ski, for child-support collection and more. You don’t even need to own a house to have one of these liens recorded against you, and worse yet, you may not even know that the lien exists until it shows up on your credit report.

State agencies and the IRS refused to pay the $75, arguing that these documents were exempt from the new tax. The Attorney General agreed (see AG 18-101), but Legislative Counsel issued an opinion that contradicted the AG – making it even more confusing for taxpayers and County Recorders.

Up until AB 110 was signed into law, most Recorders interpreted the statute as mandatory, because Legislative Counsel told them this was the original intent of the bill. Therefore, they were mailing back lien releases as unrecorded to state agencies and to the IRS for lack of the $75. For property owners, this is a real problem because their debt has been paid but their credit is not cleared because the lien hasn’t been released.

Some taxpayers were so eager to clear their credit that they intercepted the lien releases at their County Recorder’s office and offered to pay the $75, legal or not. The Department of Child Support Services gave notice that they intended to record all lien releases instead of giving them to the redeemed payer to record more quickly on their own. Some child-support payers took the releases to the Recorder themselves and paid the $75 to have their credit cleared, even though AB 110 clarified that the tax was not due on these document retroactively to Jan 1, 2018. The extra hurdle did not help the government, the taxpayer, or the children.

It is also true that the State of California cannot tax the federal government. Although this has been settled law for hundreds of years, many County Recorders attempted to collect the tax from the IRS anyway. And although this is legal doctrine, it makes common sense as well. Would there be any sense or justice if the States had the power to tax the Federal Government out of existence?

Because the language of SB 2 is so confusing, and it relies on many assumptions that the County Recorder has no ability to independently verify, payment of the tax on most documents relies on self-certification.
Most people do not have law degrees, so many people are paying the tax when they are not legally required to pay it, and others are receiving exemptions when they are not entitled to them.

All but a handful of County Recorders collected the tax on these documents, but it is not clear if they will proactively issue refunds. If you believe that you wrongly paid this tax after January 1, 2018, we suggest that you contact your local County Recorder and request a refund.

The legislature may have cleared up a single issue regarding collection of the tax on government agencies, but there are still many more problems that need to be addressed. For example, private contractors are still required to pay the tax. If a contractor does $600 worth of work and isn’t paid, this person must record a Mechanic’s Lien, which is subject to the $75. Once paid, he will have to record a Release, which will also be subject to the $75 tax. All together it will cost around $200 to collect on his unpaid service of $600.

Clean-up legislation is needed promptly. SB 2, as substantive legislation, was bad enough. Its implementation is almost worse.

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Notaries Who Retire Their Commissions ... or Die

By Debi Peters, CSEO, Coast Cities Escrow

After a long and glorious career Grunilda, the world famous Escrow Officer of the village of Voldin announced that it was time to grab the brass ring of retirement. She timed her exit to take place at the same time her notary commission was due to expire.

After announcing her retirement date, Grunilda began making plans to travel afar in search of the most expert instructors she could find, to teach her all the many fine arts she’d never had the time to accomplish, such as learning how to joust, slay dragons and weave tapestries.

Grunilda’s travels were set to commence immediately after the festivities of a grand ball that was to be held in her honor. At the ball, everyone was envious of her shiny new lance and custom-made suit of armor, which she took pride in showing off!

Full of confidence that she would quickly master the skills of jousting and become a knight, Grunilda mounted her beautiful stallion and rode off to seek her fortune. After all – if she had been able to settle escrows, surely becoming a medieval knight would be a cinch!

As Grunilda gallantly rode out through the gates of Voldin, she was suddenly troubled by a niggling memory ... something about the need to dispose of the 542 notary journals she had stored for safekeeping in the dungeon. But her attention quickly returned to the excitement of learning how to joust and the hope of receiving an invitation to sit with the knights of the round table.

Quick study that she was, it took only a few months before Grunilda proved herself worthy of being granted knighthood! She learned that along with the honor came the requirements that she take an oath of allegiance to the king and abide by a strict code of honor. As Grunilda began reading the codes, she thought, “Well this isn’t much different from practicing escrow ... I’m to swear that I’ll....”

• Never do outrage nor murder;
• Never be cruel, but give mercy; and
• Always abide by the laws of the land

Continued on page 16
Pausing for a moment, Grunilda thought again of those 542 notary journals that had been stashed in the damp dungeon. Startled, curious and if the truth be told, a bit worried now, she decided to check the Secretary of State’s Notary division website www.sos.ca.gov/notary, and let out a little gasp when she read that:

“A notary public is guilty of a misdemeanor if the notary public willfully fails to properly maintain the notary public’s journal. (Government Code section 8228.1) Within 30 days from the date the notary public commission is no longer valid, the notary public must deliver all notarial journals, records and papers to the county clerk’s office where the oath is on file. If the notary public willfully fails or refuses to do so, the notary public is guilty of a misdemeanor, and shall be personally liable for damages to any person injured by that action or inaction.”

Realizing it had been well over 30 days since she’d last been to Voldin, Grunilda hastily rode back to collect her notary journals, hoping that as she’d been a notary public for so many years, surely she’d be forgiven for forgetting this “little” detail.

She became dismayed to see that after sitting in the dungeon for so long, her journals had become moldy, and it was even difficult to tell if all 542 could be accounted for. Nevertheless, Grunilda carefully loaded the messy books into several wagons for delivery to the village registry office.

By this time the folks of Voldin had heard of Grunilda’s legendary skills as a joust and began showering her with gifts and throwing flowers in her path. Oh, it was a wonderful feeling, to be sure!

Walking into the registry office and presenting the journals took all of ten minutes, which at first seemed like a good thing... but before Grunilda could beg for leniency, the County Clerk handed her a dated certificate stamped with the royal seal, which declared:

“Having failed to turn in her notary journals within the prescribed period of time after the expiration date of her commission and not having properly maintained said journals, Grunilda has not abided by the laws of the land and shall be denied knighthood.”

The Clerk further chastised her, saying, “While you were off gallivanting about the countryside, Squire Lancealittle was looking for you! He needed one of your journals to defend his case in court, to prove that his uncle had indeed deeded over a parcel of land to him so that he could be married. Without your records, his lady love tired of waiting and took off with that rogue, Captain Rotter!”

How quickly word got out! The folks of Voldin no longer hailed Grunilda as the fairest in the land, but instead turned their backs to her as she lowered her head and slunk away in shame, never to fulfill her fondest desire to sit with the knights of the round table.

The moral of the story: Notary journals are an important record that the public needs to access from time to time! The name says it all: those who are commissioned are Notaries PUBLIC. When called upon to support testimony in court, for instance, the journals must be made available under certain conditions, either directly by the Notary Public during their tenure, or by the County Clerk afterward.

We can imagine that Grunilda was not alone in not remembering what to do with her journals after a long and illustrious career....

Important suggestions for Notaries:

- Always maintain your journals and any other records in such a way...

Continued on page 17
that they can be easily found and surrendered.

- Each time you begin a new journal, be sure to immediately complete the first page with your name as it appears on your seal, the commission number, its expiration date, and the date of the first entry. You might also affix your seal on the page, as confirmation of the name, number and term.

- When a book is filled, and before starting a new one, remember to go back to that first page and complete the date of your final entry.

- If you are renewing your commission with no gap in time, as soon as your old one expires, make a notation in your journal, or cross through any remaining blank lines. This way, you’ll avoid picking up the wrong book by mistake and using the same journal for two different commission numbers.

- Tell your spouse and/or other personal representative that pursuant to the Government Code, the Secretary of State must be promptly notified of the death of a Notary Public, and that all notarial journals, records and papers of the deceased must be delivered to the Clerk of the County in which the Notary Public’s official oath of office is on file, to ensure that these important records are available to the public in case of need. (Otherwise, what is the point of keeping the journals in the first place?)

- Take care to include this information in your estate planning documents.

- When you at last retire as a Notary Public, do turn your neatly-kept journals over to the County Clerk where your oath is on file, and obtain a receipt for the lot.
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In our world of escrow, we’re very familiar with the word “mortgage.”

Did you ever wonder where the word “Mortgage” originated?

Proudly proclaiming myself as a word-class geek and using my “Super Sleuth-Powers,” I discovered that the word came to us from Latin roots with continued use until around the 13th century, when French society provided a common definition: “mort” = dead or death; and “gaige” (or “gage”) = a pledge for security. Ergo, a “mortgage” is a “death pledge.”

That sounds pretty ominous! Interpretations of the fine details may vary, but it’s generally understood to mean that by entering into a mortgage, one “pledges” to continue paying the debt until it is paid in full (satisfied, terminated ... “killed”). And if the debt cannot be paid in full, one’s ownership in the property is what “dies,” and passes to the holder of the mortgage.

One story goes that historically, when the oldest son of a nobleman needed large sums of money which his father refused to give him, he would turn to borrowing. In arranging the loan, he would “gage,” or pledge to repay the debt when his father died (at which time the son expected to receive his inheritance). Hence, the literal translation of “mortgage” to “death pledge” makes some sense.

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2018 CEA Professional Designation Exam Schedule

In order to take a Professional Designation Exam, you must first be a member of the California Escrow Association.

- **June 2, 2018**
  - **Central Coast**
  - May 2, 2018 – Deadline for candidates to submit applications to CEA Headquarters.

- **July 20, 2018** (Friday)
  - **Nor Cal Conference**
  - June 20, 2018 – Deadline for candidates to submit application to CEA Headquarters.

- **August 18, 2018** (tentative)
  - **Southern California** (TBD)
  - August 18, 2018 – Deadline for candidates to submit application to CEA Headquarters.

- **October 14, 2017** (Sunday)
  - **Conference, Anaheim**
  - September 14, 2018 – Deadline for candidates to submit application to CEA Headquarters.

To obtain a P.D. test application, please visit the CEA website, www.ceaescrow.org, or contact Headquarters at (916) 239-4075. Submit your completed application to CEA Headquarters, you must be a member of the California Escrow Association to take the Professional Designation exams. For additional information, please contact Juliet Ellis at the CEA Headquarters Office.

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**Did You Know?**

By Debi Peters, CSEO
Coast Cities Escrow

In our world of escrow, we’re very familiar with the word “mortgage.”

Did you ever wonder where the word “Mortgage” originated?

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“Save the Date”

July 20-21, 2018
San Ramon Marriott Hotel

Ahoy Matey! Multiple speakers will batten down the hatches to present subjects to help you.

“Yo Ho Ho, an Escrow Life for Me”

Earn Professional Designation Credits.

Shiver me timbers more details to follow on the CEA website.
NOR-CAL Educational Conference
San Ramon Marriott, 2600 Bishop Drive, San Ramon, CA 94583 – July 20th – 21st, 2018

Registration Form
(Please complete in its entirety)

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Address: City: Zip Code: Phone:

E-mail Address:

(for an e-mail confirmation, please give us your e-mail address)

Member of (if non-member, indicate “none”) ____________________________ Escrow Association

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   (includes dinner and 2 lunches)
   $350.00 or $325.00 for PD Holders

B. FULL REGISTRATION FOR NON-MEMBER
   (includes dinner and 2 lunches)
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E. EXTRA LUNCH TICKET
   _____ x $60 each

F. EXTRA DINNER TICKET
   _____ x $75 each

Please Note: Registration after July 6th, 2018 Add $50.00

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Make checks payable to NORTHERN CALIFORNIA ESCROW CONFERENCE
Mail, Fax, or e-Mail to:
Kathy Lozano, c/o Green Escrow Services, 2010 Crow Canyon Place, #212
San Ramon, CA 94583  e-mail: Kathy@greenescrow.biz  fax 925-397-3114

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Make your reservations directly with the Hotel (925) 867-9200 or (800) 228-9290 or

At their website - https://aws.passkey.com/e/49540062

Marriott Hotel 2600 Bishop Drive, San Ramon, Ca 94583
NOR-CAL Educational Conference, Friday July 20th & Saturday July 21st, 2018
Ask for the NOR-CAL Group Room Rate by June 28, 2018 of $129.00 (parking fees apply)
I remember when my girls were growing up, they were being sent to the computer more and more to gather information for homework. The more you “surfed” the web the more you realized there were places you did not want your children to go. Since that time social media was introduced and it literally exploded. Facebook was the first huge player. When the older generation discovered Facebook and embraced it, the younger generations disengaged. Then you slowly started to see your kids gravitate towards other outlets such as Instagram, Twitter and Snap Chat. I asked my kids one day, “I haven’t seen you posting much on Facebook lately” they said, “Oh we aren’t on Facebook all that much anymore we post on Instagram.” When I asked why I was told, “BECAUSE” all of you ‘old people’ got on there.

Your kids probably don’t want you sitting next to them at school or on the bus and they do not want you listening to and/or reading their conversations they have with friends or whomever else they may be talking to or chatting with online. Because our children know that we get online and check their Social media and take a peek at an e-mail account every now and then, they have had to get creative in their communication and so have the predators.

Acronyms ... even a student who struggles with English probably knows what these are. Just like in our world of escrow, we use many acronyms every day. The younger generation seems to be using acronyms as well and they have a lot of them. I have provided a sampling below, to help you sort through their secret codes.

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Meaning</th>
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<tbody>
<tr>
<td>LMK</td>
<td>Let Me Know</td>
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<tr>
<td>WYCM</td>
<td>Will you call me</td>
</tr>
<tr>
<td>PIR</td>
<td>Parent in room</td>
</tr>
<tr>
<td>NIFOC</td>
<td>Naked in front of computer</td>
</tr>
<tr>
<td>53X</td>
<td>Sex</td>
</tr>
<tr>
<td>9</td>
<td>Parent Watching</td>
</tr>
<tr>
<td>99</td>
<td>Parent Gone</td>
</tr>
<tr>
<td>1174</td>
<td>Party meeting place</td>
</tr>
<tr>
<td>THOT</td>
<td>That ho over there</td>
</tr>
<tr>
<td>CID</td>
<td>Acid (the drug)</td>
</tr>
<tr>
<td>Broken</td>
<td>Hungover from alcohol</td>
</tr>
<tr>
<td>420</td>
<td>Marijuana</td>
</tr>
<tr>
<td>POS</td>
<td>Parent over shoulder</td>
</tr>
<tr>
<td>KOTL</td>
<td>Kiss on the lips</td>
</tr>
<tr>
<td>(L)MIRL</td>
<td>Let’s meet in real life</td>
</tr>
<tr>
<td>CD9</td>
<td>Parents around/Code 9</td>
</tr>
<tr>
<td>IPN</td>
<td>I’m posting naked</td>
</tr>
<tr>
<td>WTTP</td>
<td>Want to trade pictures?</td>
</tr>
<tr>
<td>DOC</td>
<td>Drug of choice</td>
</tr>
<tr>
<td>TWD</td>
<td>Texting while driving</td>
</tr>
<tr>
<td>GYPO</td>
<td>Get your pants off</td>
</tr>
<tr>
<td>KPC</td>
<td>Keeping Parents clueless</td>
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</table>

These are just a few of them out there. Acronyms are always changing and it is a lot to keep track of. Google is a good tool to use to learn the meaning behind an acronym. Long hours and busy kid’s schedules are tough. Learning another acronym? We got that! 🤔
CALIFORNIA ESCROW ASSOCIATION MEMBERSHIP APPLICATION 2018

Membership Categories

Individual Active Membership ($280) – Individual Active members shall be a person currently in the escrow settlement profession with a Regional membership or a person formerly in the escrow settlement profession, with a Regional membership, who currently holds a CEA Professional Designation. This category shall allow for full voting privileges at the Regional level, in the California Escrow Association and the American Escrow Association.

Individual Support Staff Membership ($75) – An Individual Support Staff Member shall be a person that participates in the escrow or settlement process as a secretary, assistant, or any other position that is clerical and/or entry level. This category of membership is not available to an escrow officer or any other person in a management or supervisory position. This category of membership provides for no voting rights in the California Escrow Association and no membership in the American Escrow Association. This category allows for Regional membership.

Individual Associate Membership ($280) – An Individual Associate membership shall be available to those individuals in allied fields not engaged in the practice of escrow. This category also allows for Regional membership and membership in the American Escrow Association, but has no voting rights in the California Escrow Association.

State Only Membership – Individual Active ($280) – A State Individual Active membership shall be available to those persons currently in the escrow settlement profession without Regional membership, or a person formerly in the escrow settlement profession without Regional membership who currently holds a CEA Professional Designation. This category allows for full voting privileges in the California Escrow Association but no voting rights in the American Escrow Association, as defined in the Bylaws of the American Escrow Association.

State Membership – Individual Support Staff ($75) – A State Individual Support Staff Member shall be a person that participates in the escrow or settlement process as a secretary, assistant, or any other position that is clerical and/or entry level. This category of membership is not available to an escrow officer or any other person in a management or supervisory position. This category of membership provides for no voting rights in the California Escrow Association and no membership in the American Escrow Association. This category allows for no Regional membership.

Inactive Membership ($115) – Inactive members shall be those past Individual Active members or State Individual Active members who are no longer engaged in their profession, either permanently or temporarily. An Inactive member shall not be entitled to vote or hold office, but may serve on any special committee or committees. An Individual Active member or State Individual Active member shall be considered inactive only subsequent to a period of one (1) year after such member has ceased to meet requirements of an Individual Active or State Individual Active member. At such time an Inactive member is deemed to subsequently meet requirements for an Individual Active membership or State Individual Active membership, they may be reinstated.

A. Individual Membership

Membership Category: □ Individual Active □ State Individual Active □ Individual Support Staff □ State Individual Support Staff □ Individual Associate □ Inactive

Name: ____________________________ Title: ____________________________ Referred by: ____________________________

For categories other than State, please choose a primary regional membership using the CEA map.

If no region, please select State. □ Region: ____________________________ □ State (no region)

Employment Category (check one): □ TC – Title Company □ BE – Broker Escrow □ S/L/B – Savings & Loan or Bank □ LE – Licensed Escrow □ OT – Other

□ Please check this box if you DO NOT want CEA to release your contact information to industry related entities.
□ Please check this box if you DO NOT want CEA to include your contact information on the public area of the CEA Web site.

Membership is based on a calendar year, on an individual basis, and is non-transferable.

B. Business Address

Company Name __________________________________________________________

Address ________________________________________________________________

City / State / Zip _________________________________________________________

Phone ____________________________ Fax ____________________________

E-mail _________________________________________________________________

For mailing and online membership directory purposes, please use my (check one): □ Business Address □ Home Address

C. Home Address

Address ________________________________________________________________

City / State / Zip _________________________________________________________

Phone ____________________________ Fax ____________________________

Mobile Phone ____________________________

D. Payment

Amount: ____________________________

□ CHECK Check # ____________________________ □ Company □ Personal

□ AMEX □ MasterCard □ Visa CVV: ____________________________

C.C.# ____________________________ Exp: ______________

Name on Card: ____________________________

Billing Address __________________________________________________________

Signature: ____________________________

In making this application, I certify that the above is true and correct and I agree to abide by the Bylaws of the above named Regional Association and the California Escrow Association and the American Escrow Association, if appropriate.

Contributions or gifts (including membership dues) to the CEA are not tax deductible as charitable contributions. Pursuant to the Federal Revenue Reconciliation Act of 1993, association members may not deduct as ordinary and necessary business expenses, that portion of association dues dedicated to direct lobbying activities. Based upon the calculation required by law, 8% (Intern) or 16.6% (all others) of the State Dues payment only should be treated as nondeductible by CEA members. Please consult your tax advisor for tax credit/deduction information.

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When completed, return form and payment to:

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Readers of the CEA News, whether members of non-members of CEA, are welcome and encouraged to submit articles, questions or editorials for publication in this newsletter. All submissions are reviewed and considered for appropriateness by the Material Review Committee before being published.

Official Publication of California Escrow Association

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Susan Paul
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