



BOARD MEETING MINUTES

**Iowa Title Guaranty
Des Moines, Iowa
December 5, 2023**

Board Members Present

Daniel Seufferlein, Chair
Jason Froehlich, Vice-Chair
Sam Erickson

Judy Hilgenberg
Sarah Pesek
Dillon Malone, *Ex-Officio*

Board Members Absent

None.

Staff Members Present

Dillon Malone, Director, Iowa Title Guaranty
Kim Axtell, Lender Services Coordinator
Mallory Bartlett, Commercial Settlement
Attorney
Kevin Blackman, Senior Residential Attorney
Michelle Bodie, ITG Accounting Manager
Mary Brucker, Compliance Officer
Rachel Buckingham, Production Specialist
Julie Frye, Compliance Officer
Beau Hanson, IT Support Specialist

Heidi Koll, Participant Program
Administrator
Doug Mizer, Legal Counsel
Karla Moccero, Claims and Compliance
Attorney
Ethan Murray, Commercial Attorney
Carrie Nutt, Senior Production Specialist
Rachel Pettit, Operations Manager
Matthew Veldey, Senior Commercial
Attorney

Others Present

Richard Bordwell, Bordwell & Parsons,
PLC
Jan Gemar, Iowa Land Title Association
Sandy Guy, Community Title LLC
Sally Hertel, Iowa Land Title Association

Dean Hoag, Community Title LLC
Tim Kuiken, Foss, Kuiken, Cochran,
Helling & Willman, P.C.
Ranee Slings, Iowa Title Company
Vanessa M. Y. Willman, Foss, Kuiken,
Cochran, Helling & Willman, P.C.

Call to Order

The December 5, 2023 meeting of the Iowa Title Guaranty Board of Directors was called to order by Chairman Seufferlein at 10:30 a.m. Roll call was taken, and a quorum was established with the following Board Members present: Daniel Seufferlein (Chair), Jason Froehlich (Vice-Chair), Judy Hilgenberg, Sarah Pesek, and Sam Erickson. (Pesek and Erickson participated remotely.)

Action Items

Review and Approval of August 29, 2023 Board Meeting Minutes

MOTION: On a motion by Mr. Froehlich and a second by Ms. Hilgenberg, the Board unanimously approved the August 29, 2023 Board Meeting Minutes.

New Business

ITG 23-05 – Transfer of Funds

Ms. Bodie presented the proposed transfer of ITG funds outlined in Resolution ITG 23-05. The resolution proposed transferring \$615,000.00 to the Iowa Finance Authority's (IFA) housing assistance fund. Ms. Bodie requested board action on Resolution ITG 23-05.

MOTION: On a motion by Ms. Hilgenberg and a second by Ms. Pesek the Board unanimously approved ITG Resolution 23-05.

Title Plant Waiver Application W23-1 for Vanessa M.Y. Willman: Written Ruling

Director Malone summarized the facts regarding Vanessa Willman's ("Applicant") Application for Title Plant Waiver submitted July 13, 2023 (#W23-1) (the "Application"). Applicant is a practicing attorney with Foss, Kuiken, Cochran, Helling & Willman, P.C. in Fairfield. The Applicant sought a waiver of the title plant requirement in Jefferson, Van Buren, and Washington Counties. Director Malone summarized the Applicant's justification of a waiver and the basis for recommendation that the ITG Board deny the Application for Title Plant Waiver W22-4.

In response to a request for comments or questions by the Chair, Applicant spoke on her behalf, providing additional information in support of the Application for Title Plant Waiver W23-4. Mr. Kuiken spoke on Applicant's behalf as well.

MOTION: On a motion by Ms. Hilgenberg and a second by Mr. Froehlich, the Board unanimously approved Director Malone's proposed written ruling denying the Application for Title Plant Waiver W23-1.

Financial Report

Ms. Bodie presented an overview of the financials for September 2023 FYTD:

- ITG operated favorably compared to budget for the 1st quarter of Fiscal Year 2024 ended September 30, 2023.

- Operating revenue was 1.9% below budget and 31.7% behind last year.
- Operating expense was 7.7% favorable to budget and 11.4% favorable to last year. Professional Services generated \$212K of the favorable budget variance.
- The first transfer to the Housing Assistance Fund occurred this month for \$190K.
- Net Operating Income After Grants (NOIAG) was \$156K favorable to budget and \$350K favorable to last year.
- Per Iowa Code, interest earned on ITG funds held with the State Treasurer must be deposited to the State Housing Trust Fund. In September, \$73K of interest income was deposited to the Fund bringing the fiscal year-to-date total to \$199K.
- Commitments were down 2% compared to August (\$1.48 M vs \$1.51 M).

Claims Update

Ms. Moccero reported that ITG claims reserves as of November 17, 2023 are now \$352,410.43. Ms. Moccero reported ITG has paid \$224,365.73 in claims in FY23. As of the date of the report ITG had 45 pending claims, with 5 in recoupment only status and 40 active claims.

Ms. Moccero reported ITG received 20 claims since July 1, 2023. Ms. Furger reported 26 claims were resolved since that date.

The nature of the claims continue to involve issues with deed and mortgage drafting (9 claims), prior judgments or liens (11 claims) and boundary disputes (8 claims). ITG has 5 mechanic's lien claims and 5 regarding breaks in the chain of title.

Mortgage Release Update

Mr. Blackman reported ITG received 177 mortgage release requests through October 2023. He stated 108 of the requests were in conjunction with the Rapid Certificate program (61%); 69 of the remaining requests included the \$200 fee (39%); and 119 releases were filed. Mr. Blackman reported that since inception, 8,726 mortgages have been released through this program.

Commercial Update

Mr. Veldey reported that ITG Commercial numbers for first quarter FY24 were 43% favorable to budget and 44% favorable to FY23. Commitment requests and closings have been steady for September, October, and November.

ITG Director Update

Director Malone opened his comments with an update on S. 2687, which is proposed federal legislation that would require the enterprises to utilize a title insurance policy issued by a title insurance company. A companion bill, H.R. 5837 has been filed titled "Protecting America's Property Rights" Act.

ITG has held Regional Workshops in Sioux City and Des Moines. Additional workshops will be held in Council Bluffs, Davenport, and Osceola.

IEDA|IFA has a signed Statement of Work to begin the discovery and architecture process for an Enterprise Management System in which a Title Guaranty platform will be built. The system will facilitate data sharing between the two agencies.

Public Comment

Sally Hertel, Iowa Land Title Association (ILTA) President, addressed the Waiver Application and thanked the Board for their support in protecting the abstract-title plant system in Iowa.

Adjournment

MOTION: On a motion by Mr. Froehlich and a second by Ms. Hilgenberg, the December 5, 2023 Meeting of the ITG Board of Directors adjourned at 11:41 a.m.

Dated this 5th day of March, 2024.

Respectfully submitted:

Approved as to form:



Dillon D. Malone
Director, Iowa Title Guaranty



Daniel L. Seufferlein
Board Chair, Iowa Title Guaranty