



IOWA TITLE GUARANTY  
A DIVISION OF IOWA FINANCE AUTHORITY

March 27, 2020

## COVID-19: Harrison County Courthouse Closure

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Iowa Title Guaranty continues to monitor the COVID-19 virus and its impact on our participants, industry partners and staff. ITG is committed to providing timely updates as this rapidly evolving pandemic unfolds.

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**Effective March 26, 2020, the Harrison County Courthouse will be closed for business until Monday, April 6, 2020.**

On March 25, 2020, Harrison County issued the following statement:

*'A person who was in the Courthouse during the week of March 16th has tested positive for the COVID-19 virus. For the safety and wellbeing of the Courthouse employees, the Board of Supervisors has decided it would be in the best interest of all in the employees self-isolate until Monday, April 6, 2020.'*

ITG has imposed the following guidelines and directives for those participants conducting business in Harrison County:

### 1.COMMITMENTS ISSUED PRIOR TO HARRISON COURTHOUSE CLOSURE

**CPL or GAP:** If a closing protection letter ("CPL") or GAP Coverage Endorsement has been or will be issued, closing **may not occur** unless and until the county recorder and courthouse are reopened, processing filings and permitting abstractor access to perform necessary final title searches through the date of the vesting deed and/or guaranteed mortgage filing.

**No CPL or GAP:** If no CPL and no GAP has been or will be issued, ITG will permit closing. However, the final certificate shall not be issued unless and until the abstractor has performed the proper final searches good through the date guaranteed mortgage filing and the examining attorney has confirmed proper title vesting, clear title and desired lien priority in his or her final title opinion. **While ITG may permit closing in this instance, ITG strongly cautions against closing under these circumstances, as the closer will assume any and all liability for matters revealed in the gap.**

**Commitment Requirement:** Field issuers should amend the commitments to add the following requirement, as noted in our e-bulletin dated March 23, 2020, to Section 4 of Schedule B, Part I:

*COVID-19 REQUIREMENT: Confirmation that the county recorder and courthouse are processing filings and permitting abstractor access to perform necessary final title searches through the date of the vesting deed and/or guaranteed mortgage filing. If the county recorder or courthouse are not processing filings or permitting abstractor access to public records, Iowa Title Guaranty reserves the right to raise exceptions or requirements*

*or determine that a certificate may not be issued due to any changes, disruptions or delays in recording and abstractor title search capabilities resulting from COVID-19 outbreak and global pandemic and/or the implementation of Iowa's State Disaster Emergency Plan in response thereof.*

## **2.COMMITMENTS ISSUED DURING HARRISON COUNTY COURTHOUSE CLOSURE**

ITG will allow issuance of commitments during the closure so long as the abstract certification date does not extend beyond the day immediately preceding the closure date (in this case, March 25, 2020). For example, a commitment with an abstract certification date good through March 25, 2020 (prior to closure) may be issued on April 1, 2020.

**Commitment Requirement:** The following requirement, as noted in our e-bulletin dated March 23, 2020, is hard-coded to appear in Section 4 of Schedule B, Part I of the commitment:

*COVID-19 REQUIREMENT: Confirmation that the county recorder and courthouse are processing filings and permitting abstractor access to perform necessary final title searches through the date of the vesting deed and/or guaranteed mortgage filing. If the county recorder or courthouse are not processing filings or permitting abstractor access to public records, Iowa Title Guaranty reserves the right to raise exceptions or requirements or determine that a certificate may not be issued due to any changes, disruptions or delays in recording and abstractor title search capabilities resulting from COVID-19 outbreak and global pandemic and/or the implementation of Iowa's State Disaster Emergency Plan in response thereof.*

**CPL or GAP:** If a closing protection letter ("CPL") or GAP Coverage Endorsement has been or will be issued, **closing may not occur** unless and until the county recorder and courthouse are reopened, processing filings and permitting abstractor access to perform necessary final title searches through the date of the vesting deed and/or guaranteed mortgage filing.

**No CPL or GAP:** If no CPL and no GAP has been or will be issued, ITG will permit closing. However, the final certificate shall not be issued unless and until the abstractor has performed the proper final searches good through the date guaranteed mortgage filing and the examining attorney has confirmed proper title vesting, clear title and desired lien priority in his or her final title opinion. **While ITG may permit closing in this instance, ITG strongly cautions against closing under these circumstances, as the closer will assume any and all liability for matters revealed in the gap.**

## **3.CERTIFICATES ISSUED DURING THE HARRISON COUNTY COURTHOUSE CLOSURE**

ITG will allow issuance of certificates during the closure so long as the filing date of the vesting deed and/or guaranteed mortgage and abstract certification date do not extend beyond the day immediately preceding the closure date (in this case, March 25, 2020). For example, a commitment with an abstract certification date good through March 25, 2020 (prior to closure) may be issued on April 1, 2020.

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The wellbeing of our participants, industry partners and staff remains our priority. Please continue to implement the best practices recommended by local, state and federal authorities.

Should you have any questions or concerns, please contact the [Iowa Title Guaranty team](#).