

Title Stat Plan Changes Questions & Answers

Q: Where can I find a copy of the new Title Statistical Plan the Commissioner adopted effective April 1, 2020?

A: Title insurers and agents can find a copy of the new statistical plan on TDI's website.

Title Statistical Plan

<https://www.tdi.texas.gov/rules/2019/documents/statplan.pdf>

Q: The changes to TDI's statistical plans for Rules R-5 and R-8 became effective April 1, 2020, but the changes to Rules R-5 and R-8 became effective September 1, 2019. How should title insurance companies report data for the 2019 Calendar Year Title Underwriter Data Call?

A: Companies are **not required** to report data using the new title transaction codes during the period from September 1, 2019, through December 31, 2019. Additionally, TDI recommends that title insurers report all 2019 data under the **old** Title Statistical Plan in effect before April 1, 2020.

However, for the 2019 Calendar Year Title Underwriter Data Call, TDI will provide title insurers the **option** of reporting data using the new transaction codes 4008 (Refinance of a Loan within Eight Years) and 3211 (Simultaneous Issue with Owner's Policy Up to 90 Days) for title closings effective from September 1, 2019, through December 31, 2019, should they choose to do so. TDI will compile the 2019 data in a manner that is consistent with the Title Statistical Plan in effect during calendar year 2019.

Q: The changes to TDI's statistical plans for Rules R-5 and R-8 became effective April 1, 2020, but the changes to Rules R-5 and R-8 became effective September 1, 2019. How should title insurance companies report data for the 2020 Calendar Year Title Underwriter Data Call?

A: Please note that as of July 2021, TDI has not issued the 2020 Calendar Title Underwriter Data Call. TDI anticipates that it will issue this data call soon this year.

Companies are **not required** to report data using the new title transaction codes for title closings that occur from January 1, 2020, through March 31, 2020. However, if possible, TDI recommends that title insurers report data under the **new** Title Statistical Plan in effect on April 1, 2020. This is a recommendation and **not a requirement**.

For title closings that occur on or after April 1, 2020, title insurers **must** report data under the **new** Title Statistical Plan effective on April 1, 2020, including new transaction codes 4008 (Refinance of a Loan within Eight Years) and 3211 (Simultaneous Issue with Owner's Policy Up to 90 Days). This is a **requirement**.

Q: How are the changes to Rule R-5 reflected in the new Title Statistical Plan (effective April 1, 2020)?

A: The changes to provisions A through E of Rule R-5 are to improve clarity only and are not substantive, while provision F is new. As a result, the only change to the Title Statistical Plan for Rule R-5 is the addition of transaction code 3211, which covers loan policies that are issued within 90 days of the owner's policy, as described in Rule R-5.F.

Q: How are the changes to Rule R-8 reflected in the new Title Statistical Plan (effective April 1, 2020)?

A: While the changes to Rule R-8 are extensive, the only change to the Title Statistical Plan for this rule is to add transaction code 4008, which covers loan policies for mortgagors who refinance within eight years.

Q: Some of the rate rule references for transaction codes 4001 through 4008 in Table 2 of the new Title Statistical Plan (effective April 1, 2020) are wrong. The references for some of those transaction codes are to nonexistent provisions of Rule R-8. How does that affect my reporting under the new statistical plan?

A: While most of the rate rule references for transaction codes 4001 through 4008 are wrong, the descriptions are correct. For transaction codes 4001 through 4004, please refer to Rule R-8.A. For transaction codes 4005 through 4008, please refer to Rule R-8.B.

Q: Some of the rate rule references for transaction codes 4001 through 4008 in Table 2 of the new Title Statistical Plan (effective April 1, 2020) are wrong. Can you fix them to make this part of the plan clearer?

A: While we realize that having incorrect rate rule references for those transaction codes is confusing, the only way to make changes to the statistical plan is through a formal rule making process.