

Quiz on Recent Real Property Cases (2025)

May 15, 2025

11:00am – 12:00pm

Provider Information

Attorneys' Title Fund Services, Inc.

6545 Corporate Centre Boulevard

Orlando, FL 32822

(407) 240-3863 EducationRegistrar@TheFund.com

Outline

1. Recent Real Property Cases

a. Easements

Diggs v. Cushman, 372 So.3d 1290

(Fla. 1st DCA 2023)

b. Restraints on Alienation

Palm Beach Polo Holdings, Inc. v. Ethrensa

Family Trust Company,

375 So.3d 914

(Fla. 4th DCA 2023)

c. Statute of Frauds

Mowder v. Smith,

390 So.3d 106

(Fla. 3d DCA 2024)

d. Contracts

Yatak & 52 SW 5th Court Warehouse, LLC v.

La Placita Grocery,

383 So.3d 497

(Fla. 4th DCA 2023)

e. Mobile Homes

Ottone v. Williamson Investments,

373 So.3d 686

(Fla. 2d DCA 2023)

f. Foreclosure

U.S. Bancorp v. Taharra Assets 5545, Inc.,

378 So. 3d 630

(Fla. 4th DCA 2024)

g. Fifth Amendment Takings

Sheetz v. County of El Dorado, California,

601 US 267 (2024)

- h. Bankruptcy
In re Carvajal,
657 B.R. 501
(Bankr. S.D. Fla. 2024)
- i. Foreclosure of Homestead Property
Desbrunes v. US Bank,
385 So.3d 158
(Fla. 4th DCA 2024)
- j. Preemption of Municipal Charter
City of Titusville v. Speak Up Titusville, Inc.,
50 Fla. L. Weekly D65
(Fla. 5th DCA 2024)
- k. Mediated Settlement Agreements
Dozier v. Scruggs, 380 So.3d 505
(Fla. 5th DCA 2024)
- l. Municipal Code Enforcement Liens
Green Terrace E33, LLC v. Joseph Abruzzo, 383 So.3d 106,
(Fla. 4th DCA 2024)
- m. Conveyances
Fuentes v. Link, 394 So.3d 684
(Fla. 3d DCA 2024)
- n. Construction Lien
Jon M. Hall Company, LLC v. Canoe Creek Investments, LLC, 385 So.3d 648
(Fla. 2d DCA 2024)
- o. Tax Deed Sale
Errol Rainess v. Jose Perez 1031 4, LLC,
49 Fla. L. Weekly D1950 (Fla. 3rd DCA 2024)
- p. Fraudulent Inducement
Buyer's Choice Auto Sales, LLC v. Palm Beach Motors, LLC, 391 So.3d 463
(Fla. 4th DCA 2024)
- q. Undue Influence
Leitner v. Leitner, 391 So.3d 1023
(Fla. 5th DCA 2024)
- r. Commercial Leasing
Patrick Fabre v. 4647 Block, LLC,
49 Fla. L. Weekly D1914
(Fla. 3rd DCA)

s. Easements

*PAJ Investment Group, LLC v. El Lago N.W. 7th
Condominium Association, Inc.*, 2024 WL 4498603
(Fla. 3rd DCA 2024)

t. Landlord-Tenant

*KAC 2012-1, LLC v. American
Homes 4 Rent Properties One, LLC*,
49 Fla. L. Weekly D2159
(Fla. 2nd DCA 2024)

Hasta La Lien Risk, Baby (2025)

May 15, 2025

3:30pm – 4:30pm

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Outline

- I. Describe sample file with different types of NOCs. Developer getting refinancing/modifying (with novation)/Construction loan mid-build. Practitioner orders a commitment to insure the loan and several NOCs are found.
5 min.
- II. How to address the NOCs:
- III. NOC 1- Sitework
5 min.
 - a. Is an NOC required?
 - b. NOC 2 - Completed over 90 days (Installation of mobile construction office – something early and minor)
10 min.
 - c. Statutory lien rights, who and how long?
- IV. NOC 3 - NOC with bond
 - a. Who does the bond cover?
5 min.
- V. NOC 4 – Total build – construction in progress
15 min.
 - a. Restoration of Priority
 - b. Lien waiver audits
 - i. Requesting information
 - ii. Pitfalls
 - c. Effective statutory termination
 - i. Pitfalls
 - d. Indemnification
- VI. NOC 5 – Cabana/pool – completed less than 90 days
5 min.
 - a. How do we mitigate the risk of a lien after construction is completed?
- VII. NOC 6 – Tenant buildout – lower floor – in progress
5 min.
 - a. When does a tenant lien attach to the fee ownership?
10 min.
 - i. Break

The Escheatment Process and Other Misunderstandings

May 15, 2025

4:30pm – 5:30pm

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Outline

1. Overview and discussion of Ch. 717, F.S. – Disposition of Unclaimed Property as it relates to unclaimed funds remaining in escrow accounts.
20 min.
2. Who can sign policies and commitments
10 min.
3. Permitted entities and names for title companies and law firms
10 min.
4. Use of Zelle and other payment apps to receive and disburse escrow funds
5 min.
5. Process for opening a new escrow account to avoid problems
5 min.

May 16, 2025
12:00pm – 1:00pm

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Part 1.

Understanding Recent Freddie Mac and Fannie Mae
Multifamily Loan Guidelines (Webinar)

- I. Introduction
 - a. Multifamily Loan Programs
 - i. Fannie Mae (FNMA)
 - ii. Freddie Mac (FHLMC)
 - iii. Purpose of New Guidelines
 - b. Combat Fraud
- II. Deep Dive into the New Rules
 - a. Title Insurance Underwriter
 - i. Funding Functions
 - ii. Prepare Settlement Statement
 - iii. Disburse according to Settlement Statement
 - iv. Provide Final Ledger
 - b. Title Attorney/Agent – what you can (and cannot) still do
- III. Impact on Commercial Real Estate Transactions
 - a. Increased Costs
 - b. Delays
 - c. Attorneys lose control over closings
 - d. Impact on established relationships

Part 2.

So Long GTOs; Hello Residential Real Estate Rule: FinCEN's New Paradigm (Webinar)

Outline

- I. Introduction
 - A. FinCEN Geographic Targeting Orders in place since 2016
 - a. Intended to identify/prevent money laundering
 - b. Requires settlement agents to report information on business entities purchasing residential real property with title insurance; no bank loan
 - c. Limited in scope and duration (specific counties; purchase amounts)
 - d. Thrust is to identify individuals behind purchasing entities
 - B. Each 180-day order since 2016 replaced with another
 - a. Counties added; now 11 in FL
- II. We knew this was coming
 - A. Proposed Rule published August 2024
 - B. Replaces GTOs
 - C. Much broader in scope and complexity
- III. New Rule in effect December 2025
 - A. Covers all U.S. states and territories
 - B. No dollar threshold for reportable purchases
 - C. Trusts and non-profits expressly added
 - D. "Cascade" of responsible parties
 - a. Begins with Settlement agent
 - b. Ends with person recording Deed
 - E. Form seeks more than 100 pieces of information
- IV. What to Do
 - a. Education coming from Fund; ALTA
 - b. Input form still in flux
 - c. Expect training; work aids

May 16, 2025
2:00pm – 3:00pm

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Title Teasers 2025
Outline

1. Title Teasers
 - a. Notices of Commencement/Construction Liens
 - i. Sec. 713.10, F.S.
 - ii. Sec. 713.23, F.S.
 - iii. Sec. 713.24, F.S.
 - b. Guardianships/Foreign Conservators/FL Trusts
 - i. Sec. 744.307, F.S.
 - ii. TN 10.04.04
 - iii. Florida Trusts
 - iv. Sec. 736.0403, F.S.
 - c. Homestead
 - i. Article X, Sec. 4 Florida Constitution
 - ii. TN 2.06.01
 - iii. Sec. 732.103, F.S.
 - iv. Sec. 731.201, F.S.
 - v. Snyder v. Davis, 699 So.2d 999 (Fla. 1997);
 - vi. Public Health Tr. of Dade Cty. v. Lopez, 531 So.2d 946 (Fla. 1988)
 - vii. Sec. 733.609, F.S.
 - d. Disclaimers/Federal Tax Lien
 - i. Sec. 739.402, F.S.
 - ii. Drye v. United States, 120 S.Ct. 474 (1999)
 - e. Easements/Merger
 - i. Sec. 704.09, F.S.
 - f. Condominium/Termination of Condos
 - i. Sec. 718.117, F.S.

- g. Probate
 - i. Sec. 732.103, F.S. Share of other heirs
 - ii. Sec. 731.201, F.S. Definition of protected homestead
- i. Condominiums/Construction
 - i. Sec. 713.13, F.S. Notice of Commencement
- j. Mortgage Satisfactions/Corporate Authority
 - i. TN 22.05.03
 - ii. Corporate Authority
 - iii. Sec. 607.0832, F.S.
 - i. Acknowledgments/Recording Statute
 - ii. Sec. 695.03, F.S. Acknowledgment and proof
 - iii. TN 1.05.03
 - iv. Sec. 117.05, F.S.
 - v. Sec. 117.07, F.S.

May 16, 2025
3:00pm – 4:00pm

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**Fraud Forgery and Impersonation:
Keeping the Transaction Safe (Webinar)**
Outline

1. Party verification – minimum standard
 - a. Confirm
 - b. WARNINGS
 - c. Mitigation
2. Payoffs & Wire Transfers – minimum standard
 - a. Independently
 - b. WARNINGS
 - c. Mitigation
3. Protect your office
 - a. Be in control of the closing – minimum standard
 - b. Security – strongly recommended
 - c. Plan – minimum standard
 - d. Train – minimum standard
 - e. Common Sense – trust yourself and instincts – minimum standards
 - f. Learn – keep updated on latest trends and anti-fraud protections in real estate closing fraud – minimum standard
 - g. Tools – strongly recommended
 - h. Insurance – strongly recommended

The Claims Game

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4:20pm – 5:10pm

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Outline

I.	Intro/Forgery	3 Min.
II.	Adverse Possession	3 Min.
III.	Easements	3 Min.
IV.	Priority of Liens (Part 1)	3 Min.
V.	Priority of Liens (Part 2)	3 Min.
VI.	Fraud in the Inducement	3 Min.
VII.	Witness Requirement	3 Min.
VIII.	Standing	3 Min.
IX.	Title Defects	3 Min.
X.	Joint Tenancies	3 Min.
XI.	Reformation	3 Min.
XII.	Def. of Public Records	3 Min.
XIII.	After-Acquired Title	3 Min.
XIV.	Statute of Limitations	3 Min.
XV.	Fund History	3 Min.
XVI.	Conclusion	5 Min.



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Offering Application

Offering ID	1219448
Course Name	QUIZ ON RECENT REAL PROPERTY CASES (2025)
Course ID Number	132837
Program Type	Public
Provider ID	367289
Provider Name	ATTORNEYS' TITLE FUND SERVICES, LLC
Selected Instructors	COLLEEN COFFIELD SACHS

Date(s)	05/15/2025 to 05/15/2025
Day of Week	<input type="checkbox"/> Sun <input type="checkbox"/> Mon <input type="checkbox"/> Tue <input type="checkbox"/> Wed <input checked="" type="checkbox"/> Thu <input type="checkbox"/> Fri <input type="checkbox"/> Sat
Time	11:00 AM to 12:00 PM
Lunch Break	<input type="text"/> to <input type="text"/>
Location	ASSEMBLY - BONNET CREEK Building HILTON ORLANDO BONNET CREEK 14100 BONNET CREEK RESORT LANE ORLANDO, FLORIDA 32821 County: Orange Region: III
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Offering ID	1215068
Course Name	HASTA LA LIEN RISK, BABY
Course ID Number	132838
Program Type	Public
Provider ID	367289
Provider Name	ATTORNEYS' TITLE FUND SERVICES, LLC
Selected Instructors	CHRISTOPHER BRACKEN JENNIFER BARROW

Date(s)	05/15/2025 to 05/15/2025
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Time	03:30 PM to 04:30 PM
Lunch Break	<input type="text"/> to <input type="text"/>
Location	ASSEMBLY - BONNET CREEK Building HILTON ORLANDO BONNET CREEK 14100 BONNET CREEK RESORT LANE ORLANDO, FLORIDA 32821 County: Orange Region: III
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Offering ID	1215070
Course Name	THE ESCHEATMENT PROCESS AND OTHER MISUNDERSTANDINGS
Course ID Number	132840
Program Type	Public
Provider ID	367289
Provider Name	ATTORNEYS' TITLE FUND SERVICES, LLC
Selected Instructors	MARGARET WILLIAMS

Date(s)	05/15/2025 to 05/15/2025
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Time	04:30 PM to 05:30 PM
Lunch Break	<input type="text"/> to <input type="text"/>
Location	ASSEMBLY - BONNET CREEK Building HILTON ORLANDO BONNET CREEK 14100 BONNET CREEK RESORT LANE ORLANDO, FLORIDA 32821 County: Orange Region: III
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Offering ID	1214385
Course Name	PT1 UNDERSTANDING RECENT FREDDIE MAC MULTIFAMILY LOAN GUIDELINES PT2 SO LONG GTOS HELLO RESIDENTIAL REAL ESTATE RULE-WEBINAR
Course ID Number	132841
Program Type	Public
Provider ID	367289
Provider Name	ATTORNEYS' TITLE FUND SERVICES, LLC
Selected Instructors	JOHN B ST. LAWRENCE KARA J SCOTT

Date(s)	05/16/2025 to 05/16/2025
Day of Week	<input type="checkbox"/> Sun <input type="checkbox"/> Mon <input type="checkbox"/> Tue <input type="checkbox"/> Wed <input type="checkbox"/> Thu <input checked="" type="checkbox"/> Fri <input type="checkbox"/> Sat
Time	12:00 PM to 01:00 PM
Lunch Break	<input type="text"/> to <input type="text"/>
Location	ASSEMBLY - BONNET CREEK Building HILTON ORLANDO BONNET CREEK 14100 BONNET CREEK RESORT LANE ORLANDO, FLORIDA 32821 County: Orange Region: III
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Offering ID	1214486
Course Name	TITLE TEASERS 2025
Course ID Number	132842
Program Type	Public
Provider ID	367289
Provider Name	ATTORNEYS' TITLE FUND SERVICES, LLC
Selected Instructors	BRIAN DOUGLAS STRINGER CALEB GRANGER HINTON SCOTT JACKSON

Date(s)	05/16/2025 to 05/16/2025
Day of Week	<input type="checkbox"/> Sun <input type="checkbox"/> Mon <input type="checkbox"/> Tue <input type="checkbox"/> Wed <input type="checkbox"/> Thu <input checked="" type="checkbox"/> Fri <input type="checkbox"/> Sat
Time	02:00 PM to 03:00 PM
Lunch Break	<input type="text"/> to <input type="text"/>
Location	ASSEMBLY - BONNET CREEK Building HILTON ORLANDO BONNET CREEK 14100 BONNET CREEK RESORT LANE ORLANDO, FLORIDA 32821 County: Orange Region: III
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Offering ID	1214382
Course Name	FRAUD FORGERY AND IMPERSONATION: KEEPING THE TRANSACTION SAFE (WEBINAR)
Course ID Number	132843
Program Type	Public
Provider ID	367289
Provider Name	ATTORNEYS' TITLE FUND SERVICES, LLC
Selected Instructors	LINDA NEALE MONACO THOMAS W CRONKRIGHT

Date(s)	05/16/2025 to 05/16/2025
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Time	03:00 PM to 04:00 PM
Lunch Break	<input type="text"/> to <input type="text"/>
Location	ASSEMBLY - BONNET CREEK Building HILTON ORLANDO BONNET CREEK 14100 BONNET CREEK RESORT LANE ORLANDO, FLORIDA 32821 County: Orange Region: III
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Offering ID	1215071
Course Name	THE CLAIMS GAME
Course ID Number	132835
Program Type	Public
Provider ID	367289
Provider Name	ATTORNEYS' TITLE FUND SERVICES, LLC
Selected Instructors	CHEZARE PALACIOS ELSA CAMACHO GEORGE PEREZ

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Time	04:20 PM to 05:10 PM
Lunch Break	<input type="text"/> to <input type="text"/>
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