

**STATE OF CALIFORNIA  
DEPARTMENT OF INSURANCE  
45 Fremont Street, 21st Floor  
San Francisco, California 94105**

**Agency File No.: REG-2008-00024  
OAL File No.: Z-2008-00617-231**

**June 22, 2009**

**TEXT OF FINAL REGULATIONS**

The text below is the final proposed regulation text. It is the same as the text publicly noticed for a 15-day comment period on May 7, 2009, with three exceptions. First, the strikeout text has been deleted. Second, underlines have been removed. Third, as discussed in the Final Statement of Reasons under the subheading “Nonsubstantial Changes,” the Department has made changes subsequent to May 7, 2009 which have not been publicly noticed. These nonsubstantial changes are indicated below by single underline and single strikeout.

None of Sections 2355.1 and 2355.2 below are currently contained in the California Code of Regulations. All of Sections 2355.1 and 2355.2 shown below would constitute an addition to the California Code of Regulations.

Please also note the document titled “Sections Affected – REPEAL” which contains a list of existing regulation sections that are proposed to be repealed by this action, accompanied by photocopies of Barclays Cal. Code Regs. with lined out text.

**TITLE 10. INVESTMENTS  
CHAPTER 5. INSURANCE COMMISSIONER  
SUBCHAPTER 3. INSURERS**

**Section 2355.1            Statistical Plan and Income Statement General Provisions**

- (a) Pursuant to California Insurance Code (CIC) Section 12401.5, the Insurance Commissioner requests each Title Insurance Company licensed to transact business in California to submit a Statistical Plan and Income Statement report on the prescribed electronic forms and in accordance with these regulations. The submissions shall be reported annually. ~~This section shall apply to all entities or persons that conduct the business of title insurance within the meaning of section 12340.3 of the Insurance Code.~~
- (b) This section concerns matters relating to financial data and related information required to be collected or reported in accordance with Articles 5.5 of Chapter 1, Part 6, Division 2 of the Insurance Code and the regulations that implement, interpret or make specific those provisions.

- (c) The initial submission shall cover experience from January 1, 2011 through December 31, 2011. Following the initial submission, all submissions shall cover experience in each succeeding calendar year. For example, the second annual submission shall cover January 1, 2012 through December 31, 2012. Except for the initial submission, the filings for the *Income Statement* (CATI-R1) and *Summary of Transaction Activities* (CATI-R2) shall also include the previous year's experience.
- (d) A completed initial submission shall be made to the Department no later than May 31, 2012. Each following submission is due no later than May 31 of each successive year.
- (e) Each submission shall be completed using the spreadsheet templates provided by the Commissioner at the "Statistical Plans" link found on the California Department of Insurance website ([www.insurance.ca.gov](http://www.insurance.ca.gov)) under the "Insurers" tab; "Data & Reports."
- (f) Each submission consists of the following:
  - (1) Company Information (Signature Page / Certification) form
  - (2) General Interrogatories Page
  - (3) CATI-R1: Income Statement
  - (4) CATI-R2: Summary of Transaction Activities
  - (5) CATI-R3 [Parts 1 to 6]: Summary of Rate Distribution by Type of Policy
  - (6) CATI-R3 Total [of Parts 1 to 6]: Summary of Rate Distribution by Type of Policy
  - (7) CATI-R4.1: Escrow Fee Distribution by Amount of Transaction (by County)
  - (8) CATI-R4.2: Summary of Escrow Fees by County
- (g) Please submit the completed reports to the Rate Specialist Bureau by sending either an electronic copy of the file by e-mail to: ***rsbTitle@insurance.ca.gov***  
Subject Line: "CA Title Insurance Statistical Plan – 2011"  
OR a copy of the files on CD/DVD to the address below.

Any questions or correspondence can be directed to:

CALIFORNIA DEPARTMENT OF INSURANCE  
Attention: Rate Specialist Bureau  
300 South Spring Street, South Tower, 14th Floor  
Los Angeles, CA 90013-1230

Fax#: (213) 897-6361  
e-mail: [rsbTitle@insurance.ca.gov](mailto:rsbTitle@insurance.ca.gov)

*NOTE: Authority Cited: Sections 12397.5, 12401, 12401.1, 12401.3, 12401.5, 12401.7, and 12401.8 of the California Insurance Code; and 20<sup>th</sup> Century Ins. Co. v. Garamendi (1994) 8 Cal.4<sup>th</sup> 216.  
Reference: sections 730, et seq., 12401, 12401.1, 12401.2, 12401.3, 12401.7, 12401.5, 12401.8, and 12401.9 of the California Insurance Code.*

**Section 2355.2            Specific Instructions for the Title Insurance Statistical Plan and Income Statement Report**

(a)    Tab 1 (of the Workbook) – Company Information (Signature Page / Certification)  
The reporting company shall report the following annually with the Statistical Plan and Income Statement reports.

- (1) Company name, address, group name, and NAIC code
- (2) Whether a completed report is attached or, alternatively, whether the company did not write any business and has no data to report
- (3) The signature, under penalty of perjury, of an officer authorized to certify that the Statistical Plan and Income Statement reported herein is accurate, true and correct, complete, and in compliance with these regulations.
- (4) If a title insurance company ~~or underwritten title company~~ (“UTC”) is submitting reports of a controlled escrow company which is controlled by the reporting title insurance company ~~or UTC~~, but whose experience is not otherwise included in the reports of the controlling title insurance company ~~or UTC~~, a separate certification shall be submitted for the controlled escrow company reports.

(b)    Tab 2 – General Interrogatories Page

The Interrogatory Page shall be completed with the following information and submitted annually with the Statistical Plan and Income Statement report:

- (1) Does your company have a controlled escrow company?
- (2) If "yes" please provide the complete corporate name of each.
- (3) Does this report include the data for the controlled escrow company(s)?
- (4) If "no" please have your controlled escrow company(s) submit a completed report.
- (5) Is the County data reported in CATI – R4 based on the county in which the subject property is located?
- (6) If “no” please explain further in the space provided. Specifically, if the County data is based on the location of the escrow office, or where the transaction was processed, etc., please explain or justify why the data is not reported based on the location of the subject property.
- (7) The data required in CATI-R1 shall be California specific when available; otherwise, it shall be allocated based on the ALTA method. The reporting company shall indicate, by marking in the space provided on the Interrogatory Page, whether each reported line item of data in CATI-R1 is California specific

(c)    CATI-R1: Income Statement

The Income Statement page asks for the company’s California and Countrywide revenue and expense items for the current report year and the previous year. However, the initial submission, which is due May 31, 2012, does not require the previous year’s

experience. Please note that certain line items are calculated items and do not require data entry by the company.

The breakout of revenue and expense items is detailed and specific instructions for each line item are listed below. All line items are mutually exclusive of one another. Please do not enter a specific expense or revenue in more than one line. The amount for each item should be reported on an accrual basis. *Use California specific data when it is available. If California specific data is not available, use the allocated amount based on the ALTA method.*

Companies should use the following standards when reporting information on this form:

- Unless otherwise specifically indicated, any allocations between states are to be based upon the methods recommended by the American Land Title Association (ALTA) Uniform Financial Reporting Plan. Other necessary allocations are to be made on a reasonable and equitable basis.
- Financial Statement Classifications used in this report as well as other instructions for its completion shall conform to those used in the Official NAIC Annual Statement (AS) Instructions, unless otherwise indicated herein.
- All amounts shown on this report are to be in whole dollars, with no decimal points or pennies. Round amounts of \$0.50 or more up to the next highest dollar amount; round amounts of \$0.49 down to the next lowest dollar amount.

<i>Row/Line Number</i>	<i>Name of Data Line</i>	<i>Description and Instructions for Data Line</i>
R1.1A	Gross Written Title Premium	Report Countrywide amount and California specific or allocated amount. Calculated: 1A.a + 1A.b + 1A.c + 1A.d Total gross written title premium before remittances to agents/underwritten title companies during the reporting period. Report direct business, meaning before adjustments for reinsurance. CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 1A, Line 1, Column 4.
R1.1A.a	Direct Operations	Report Countrywide amount and California specific or allocated amount. Enter total title written premium from Direct Operations. Exclude from California amounts reported for unusual risk premiums charged pursuant to <del>CCR Title 10, Chapter 5, Subchapter 3, Article 7.1, §2359.5</del> <u>Insurance Code §12401.8</u> reported on Row 1A.d below. Include direct business, meaning business performed by the reporting company without the use of an underwritten title company. Report the entire gross premium and do not deduct any amounts incurred or received for work charges/premium splits. Report premium only for transaction in which the reporting company was the initial recipient of funds from the ultimate consumer.

CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 1A, Line 1, Column 1 (excluding California "Unusual Risk Premium," if any).

R1.1A.b	Non-Affiliated Agencies/UTCs	Enter total title written premium from Non-Affiliated Agencies/ Underwritten Title Companies. CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 1A, Line 1, Column 2 (excluding California "Unusual Risk Premium," if any).
R1.1A.c	Affiliated Agencies/UTCs	Enter total title written premium from Affiliated Agencies/ Underwritten Title Companies. CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 1A, Line 1, Column 3 (excluding California "Unusual Risk Premium," if any).
R1.1A.d	Unusual Risk Premium	Enter total title written premium for unusual risk premiums charged pursuant to <del>CCR Title 10, Chapter 5, Subchapter 3, Article 7.1, Section 2359.5</del> Insurance Code §12401.8 for California Amounts Only. Include direct operations, non-affiliated agency, and affiliated agency operations. Report the entire gross premium and do not deduct any amounts incurred or received for work charges/ premium splits. Report premium only for transaction in which the reporting company was the initial recipient of funds from the ultimate consumer. Enter the same amount for California and Countrywide.
R1.1B	Net Written Title Premium	Calculated: 1A + 1B.a - 1B.b CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 1B, Line 1.4, Column 1.
R1.1B.a	Assumed Title Premium	Enter Total Title Written Premium Assumed from Ceding Companies. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 1B, Line 1.2, Column 1.
R1.1B.b	Ceded Title Premium	Enter Total Title Written Premium Ceded to Reinsurance Companies. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 1B, Line 1.3, Column 1.
R1.1C	Net of Additions & Withdrawals to/from Statutory Premium Reserve	Calculated: 1C.a - 1C.b
R1.1C.a	Statutory Premium Reserve Additions During the Year	Enter total Statutory Premium Reserve Additions during the year. The CW amount should equal NAIC AS Form, "Operations & Investment Exhibit" -- Part 1B, Line 2.2, Column 1.
R1.1C.b	Statutory Premium Reserve Withdrawals During the Year	Enter total Statutory Premium Reserve Withdrawals during the year. The CW amount should equal NAIC AS Form, "Operations & Investment Exhibit" -- Part 1B, Line 2.3, Column 1.
R1.1D	Net Earned Title Premium	Calculated: Row 1B – Row 1C
R1.2	Escrow and Settlement Service Charges	Calculated: Rows 2a + 2b + 2c The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 1A, Line 2, Column 4.

R1.2a	Escrow	<p>Report total fees for full escrow during the reporting period. Exclude California Sub-Escrow Fees and/or California Unusual Escrow Charges as set out below.</p> <p>Report the entire escrow fee and do not deduct any amounts incurred or received for work charges. Report escrow fees only for transactions in which the reporting company was the initial recipient of <del>funds</del> <u>fees</u> from the ultimate consumer.</p> <p>Escrow fee is a charge for services normally necessary to complete settlement functions in connection with a purchase/sale, loan and/or home equity or other transaction, including all other Settlement Charges included in the fee charged pursuant to the Company's rate filing.</p>
R1.2b	Sub-Escrow	<p>Sub-escrow refers to funds transfer for lenders in those situations where an entity other than the reporting company is performing other escrow activities. Sub-escrow typically occurs in Southern California when escrow is performed by independent escrow companies. For California Amounts Only, report only those revenues associated with a separate and identifiable charge for sub-escrow activities. <u>Report sub-escrow fees only for transactions in which the reporting company was the initial recipient of fees.</u></p> <p>Sub-escrow is a limited escrow function provided in connection with the issuance of title insurance coverage which includes the receipt of loan funds from a lender, the disbursement of funds necessary to clear existing liens and the disbursement of remaining funds to the principal escrow.</p>
R1.2c	Unusual Service Revenue	<p>Report total escrow fees from Direct Operations for unusual services charged pursuant to <del>California Code of Regulations Title 10, Chapter 5, Subchapter 3, Article 7.1, Section 2359.5</del> <u>Insurance Code §12401.8</u> for California Amounts Only.</p>
R1.3	Other Title Fees & Service Charges	<p>Calculated: Rows 3a + 3b + 3c + 3d</p> <p>Report the amount of revenue from other service charges. Other services are activities for which a specific charge is made - the categories are listed below. These charges do not include normal title premium, escrow, sub-escrow or charges for unusual risks or unusual services. Other service charges specifically refer to revenue from activities included in rate filings.</p>
R1.3a	Title Examinations	<p>Enter total fees for title examinations separate and apart from title insurance premiums received. The CW amount should equal NAIC AS Form "Operations &amp; Investment Exhibit" -- Part 1C, Line 1, Column 1</p>
R1.3b	Searches & Abstracts	<p>Enter total fees for search and abstract separate and apart from title insurance premiums received. The CW amount should equal NAIC AS Form "Operations &amp; Investment Exhibit" -- Part 1C, Line 2, Column 1</p>
R1.3c	Surveys	<p>Enter total fees for surveys. The CW amount should equal NAIC AS Form "Operations &amp; Investment Exhibit" -- Part 1C, Line 3, Column 1.</p>
R1.3d	Aggregate Write-Ins for	<p>Enter aggregate Write-Ins for Service. The CW amount should</p>

	Service Charges	equal NAIC AS Form "Operations & Investment Exhibit" – Part 1C, Line 4, Column 1
R1.4	Aggregate Write-Ins for Other Operating Revenues	Enter aggregate Write-Ins for Other Operating Revenue.
R1.5A	Total Operating Revenues [Direct Basis]	Calculated: Rows 1A – 1C + 2 +3 + 4
R1.5B	Total Operating Revenues [Net Basis]	Calculated: Rows 1D + 2 +3 + 4
R1.6	Title Premium Retained by or Remitted to Underwritten Title Companies / Title Agents	Report the amount of title premium that was retained by or remitted to underwritten title companies/title agents pursuant to underwriting agreements during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 2, Column 4. Report the California specific amount or the allocated amount for California.
R1.7	Salaries	Report the amount of salaries for employees during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 1.1, Column 4. Report the California specific amount or the allocated amount for California.
R1.8	Commissions	For California Only, report the amount of commissions for employees during the reporting period.
R1.9	Bonuses	For California Only, report the amount of bonuses for employees during the reporting period.
R1.10	Payroll Taxes	Report the amount of payroll taxes for employees during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 1.3, Column 4.
R1.11	Employee Relations & Welfare	Report the amount of employee benefits for employees during the reporting period. Benefits include pension contributions, health insurance, life insurance, workers' compensation insurance, food for employees, gatherings and entertainment for employees. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 1.2, Column 4.
R1.12	Temporary Agency Expenses	For California Only, report the amount for temporary agencies for personnel during the reporting period. Report expenses for temporary administrative support staff in this category. Do not include amounts incurred for legal or accounting services.
R1.13	Contract Workers / Consultants	For California Only, report the amount for contract workers and consultants during the reporting period. Report expenses for higher paid professionals in this category. Do not include amounts incurred for legal or accounting services.
R1.14	Aggregate Write-Ins for Personnel Expenses	Enter aggregate Write-Ins for Personnel Expenses. Include other personnel costs as reported in NAIC AS Form "Operations

		& Investment Exhibit” -- Part 3, Line 1.5, Column 4. Allocate the California amount.
R1.15	Total Personnel Expenses	Calculated: Rows 7 + 8 + 9 + 10 + 11 + 12 + 13 + 14 The CW amount should equal NAIC AS Form “Operations & Investment Exhibit” -- Part 3, Line 1.5, Column 4.
R1.16a	Loss & Loss Adjustment Expenses Paid – Direct Operations	Report the amount of title loss and loss adjustment expenses paid from Direct Operations, net of recoveries, subrogation or errors and omissions insurance policies, during the reporting period. Do not include recoveries from reinsurance. The CW amount should equal NAIC AS Form “Operations & Investment Exhibit” -- Part 2A, Line 1, Column 1. Report California specific amount in California column.
R1.16b	Loss & Loss Adjustment Expenses Paid – Non-affiliated and Affiliated Agency Operations	Report the amount paid for loss and loss adjustment expenses paid from UTC/Agency Operations, net of recoveries from underwritten title companies pursuant to underwriting agreements, subrogation or errors and omissions insurance policies, during the reporting period. Do not include recoveries from reinsurance. The CW amount should equal NAIC AS Form “Operations & Investment Exhibit” -- Part 2A, Line 1, Column 2 + Column 3. Report California specific amount in California column.
R1.17	Change in Known Claims Reserves	Report the change in loss and loss adjustment expense reserves during the reporting period. The CW amount should equal NAIC AS Form “Liabilities, Surplus and Other Funds” -- Line 1, Column 1 minus Column 2. Report California specific amount or allocated amount in California column.
R1.18	Unallocated Loss Adjustment Expenses Incurred	Report the amount paid for unallocated loss and loss adjustment expenses paid during the reporting period. The CW amount should equal NAIC AS Form “Operations & Investment Exhibit” -- Part 2A, Line 9, Column 4. Report California specific amount or allocated amount in California column.
R1.19	Total Loss & Loss Adjustment Expenses [Direct Basis]	Calculated: Rows 16a + 16b + 17 + 18
R1.19A	Losses & Allocated Loss Adjustment Expenses Paid - Reinsurance Assumed	Report the amount paid for unallocated loss and loss adjustment expenses paid during the reporting period for reinsurance assumed. The CW amount should equal NAIC AS Form “Operations & Investment Exhibit” -- Part 2A, Line 2, Column 4.
R1.19B	Recovery from Reinsurance During Year	Report amounts recovered from reinsurance during the reporting period. The CW amount should equal NAIC AS Form “Operations & Investment Exhibit” -- Part 2A, Line 4, Column 4.
R1.20	Total Loss & Loss Adjustment Expenses [Net Basis]	Calculated: Rows 19 + 19A – 19B.
R1.21	Escrow Losses Paid	Report the amount of escrow losses paid, net of recoveries from subrogation or errors and omissions insurance policies, during the reporting period.

R1.22	Change in Escrow Loss Reserves	Report the change in escrow loss reserves during the reporting period.
R1.23	Escrow Loss Adjustment Expenses Incurred	Report the amount incurred for escrow loss adjustment expenses, net of recoveries from subrogation or errors and omissions insurance policies, during the reporting period.
R1.24	Total Escrow Loss & Loss Settlement Expenses	Calculated: Rows 21 + 22 + 23
R1.25	Title Plant Maintenance for Owned Title Plants and Subscriptions Fees, Rent & Charges for Jointly-Owned and Non-Owned Title Plants	Report the amount for maintaining owned title plants and for subscription fees, rent and other charges for jointly-owned and non-owned title plants during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 6, Column 4.
R1.26	Title Search / Examination & Abstracts Purchased Outside	Report expenses associated with title search, examination and abstracts purchased outside, including amounts for third-party title search and examination reports. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 3.1, Column 4.
R1.27	Other Production Services Purchased Outside	Report any other production services purchased outside. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Column 4, Line 3.2 plus Line 3.3.
R1.28	Subtotal: Title Order Processing – Production Services Purchased Outside	Calculated: Rows 26 + 27.
R1.29	Advertising Expenses	Report the amount of advertising expenses during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 4, Column 4.
R1.30	Promotion and Marketing Expenses	Report the amount of expenses for business promotion and marketing during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 9, Column 4.
R1.31	Subtotal: Marketing Cost	Calculate: Rows 29 + 30.
R1.32	Travel and Travel Items	Report the amount of expenses for travel and travel items during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 12, Column 4. Report California specific or allocated amount in California column.
R1.33	Rent and Rent Item	Report the amount of expenses for building rent for facilities used for the business of title insurance during the reporting period, net of any rental income received for those facilities. Report rent incurred for equipment in Row 34. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 13, Column 4
R1.34	Equipment	Report the amount of expenses for renting or leasing equipment.

		The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 14, Column 4.
R1.35	Data Processing Services & Software	Report the amount of expenses for data processing services and software. Do not include any expenses for software related to title plant access or subscription, which is reported in Row 25. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 15, Column 4. Report California specific amount.
R1.36	Printing / Stationery / Supplies	Report the amount of expenses for printing, stationery and supplies during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 16, Column 4.
R1.37	Postage, Telephone, Messenger and Express	Report the amount of expense for postage, telephone, messenger and express during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 17, Column 4.
R1.38	Legal and Auditing Fees	Report the amount for outside legal and auditing services, other than claim-related legal services during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 18, Column 4.
R1.39	Directors' Fees	Report the amount for fees to members of the company's Board of Directors during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 11, Column 4.
R1.40	Licenses, Fees, and Taxes Other than Federal Income & State Premium Taxes	Report the amount for licenses, regulatory fees and taxes during the reporting period. Do not include federal income taxes, which are reported on Row 57. Do not include state premium taxes which are reported on Row 41. Include property taxes only for real estate and buildings employed for the business of title insurance. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Column 4, Line 20.5 minus Line 20.1.
R1.41	State Premium Taxes	Report the amount of premium taxes during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 20.1, Column 4.
R1.42	Real Estate and Real Estate Tax	Report the amount of expenses for real estate and real estate tax. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Lines 21 + 22, Column 4.
R1.43	Amounts Charged Off, Net of Recoveries	Report the amount of expenses for collecting overdue debt or for writing off bad debt, net of recoveries, during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 8, Column 4.
R1.44	Insurance	Report the amount for all types of insurance during the reporting period, other than insurance provided on behalf of employees, which is reported in Row 11. The CW amount should equal

NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 10, Column 4.

R1.45	Lobbying	Report the amount for lobbying activities during the reporting period, including amounts paid to trade associations for lobbying activities for CALIFORNIA ONLY. Report amounts to trade associations for activities other than lobbying in Row 47.
R1.46	Donations	Report the amount of donations during the reporting period for CALIFORNIA ONLY.
R1.47	Boards, Bureaus, Associations & Advisory Organizations	Report the amount for boards, bureaus, associations and advisory organizations fees during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit" -- Part 3, Line 5, Column 4.
R1.48	Fines or Penalties	Report the amount for fines, penalties and restitution to regulatory agencies, courts or to consumers pursuant to regulatory or judicial decisions or settlements during the reporting period for CALIFORNIA ONLY.
R1.49	Aggregate Write-Ins for Miscellaneous Expenses	Report the amount of Aggregate Write-Ins for Miscellaneous Expenses during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit -- Part 3, Line 23, Column 4.
R1.50	Subtotal: General Expenses	Calculated: Sum of Rows 32 to 49.
R1.51A	Total Operating Expenses [Direct Basis]	Calculated: Rows 6 + 15 + 19 + 24 + 25 + 28+ 31 + 50
R1.51B	Total Operating Expenses [Net Basis]	Calculated: Rows 6 + 15 + 20 + 24 + 25 + 28 + 31 + 50
R1.52A	Net Operating Income (Loss) [Direct Basis]	Calculated: Row 5A - Row 51A
R1.52B	Net Operating Income (Loss) [Net Basis]	Calculated: Row 5B – Row 51B
R1.53	Net Investment Income	Report the net investment income for the reporting period. The CW amount is from NAIC AS Form "Operations & Investment Exhibit - Statement of Income" -- Line 9.
R1.54	Net Realized Capital Gains (Losses)	Report realized capital gains during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit - Statement of Income" -- Line 10.
R1.55	Aggregate Write-Ins for Miscellaneous Income (Loss)	Report aggregate write-ins for miscellaneous income (loss) during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit - Statement of Income" – Line 12.
R1.56A	Net Income (Loss) Before Income Taxes [Direct Basis]	Calculated: Row 52A + (Rows 53 + 54 + 55)

R1.56B	Net Income (Loss) Before Income Taxes [Net Basis]	Calculated: Row 52B + (Rows 53 + 54 + 55)
R1.57	Federal Income Taxes Incurred	Report the amount of the provision for federal income taxes during the reporting period. Allocate federal taxes to California by multiplying the federal effective tax rate by the California net income (loss) before income taxes. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit - Statement of Income" – Line 14.
R1.58A	Net Income (Loss) After Taxes [Direct Basis]	Calculated: Row 56A – Row 57
R1.58B	Net Income (Loss) After Taxes [Net Basis]	Calculated: Row 56B – Row 57
R1.59	Beginning Year Surplus as Regards Policyholders	Report the amount of the surplus as regards policyholders at the beginning of the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit - Statement of Income" -- Line 16, Column 1. [Countrywide Only]
R1.60	Change in Surplus as Regards Policyholders for the Year	Report the change in surplus as regards policyholders during the reporting period. The CW amount should equal NAIC AS Form "Operations & Investment Exhibit - Statement of Income" – Line 31, Column 1. [Countrywide Only]
R1.61	Ending Year Surplus As Regards Policyholders	Calculated: Sum of Rows 59 + 60 [Countrywide Only]
<i>Field/Column Number</i>	<i>Name of Data Field</i>	<i>Description and Instructions for Data Field</i>
R1.A	California – Current Year	Report California specific or California allocated data for the current reporting year.
R1.B	Countrywide – Current Year	Report Countrywide data for the current reporting year.
R1.C	California – Prior Year	Report California specific or California allocated data for the prior year.
R1.D	Countrywide – Prior Year	Report Countrywide data for the prior year.

(d) CATI-R2: Summary of Transaction Activities

The Summary of Transaction Activities page asks for the company's California title and escrow activities for the current report year and the previous year. However, the initial submission, which is due May 31, 2012, does not require the prior year's experience. Orders reported herein should include those written by the reporting company's direct operations and affiliated UTCs.

**Open(ed) Orders:** the electronic or manual entry of an order into that system used by the company to actively track or otherwise process such order.

**Close(ed) Orders:** the electronic or manual removal of an order from active tracking or processing in that system used by the company to actively track or otherwise process such order.

**Cancelled Orders:** Cancelled Orders should include all orders cancelled in the company's order tracking system. Use of estimates should be noted by the reporting company.

<i>Row/Line Number</i>	<i>Name of Data Line</i>	<i>Description and Instructions for Data Line</i>
R2.1	Title Orders Only	[Blank]
R2.1a	Orders Open at Beginning of Year	# of Title Orders open at the beginning of the year
R2.1b	Orders Opened During Year	# of Title Orders opened during the year.
R2.1c	Orders Closed During Year	# of Title Orders closed during the year.
R2.1d	Orders Cancelled During Year	# of Title Orders cancelled during the year.
R2.1e	Orders Open at End of Year	# of Title Orders open at the end of the year
R2.2	Combined Title & Escrow Orders	[Blank]
R2.2a	Orders Open at Beginning of Year	# of Combined Title & Escrow Orders open at the beginning of the year
R2.2b	Orders Opened During Year	# of Combined Title & Escrow Orders opened during the year.
R2.2c	Orders Closed During Year	# of Combined Title & Escrow Orders closed during the year.
R2.2d	Orders Cancelled During Year	# of Combined Title & Escrow Orders cancelled during the year.
R2.2e	Orders Open at End of Year	# of Combined Title & Escrow Orders open at the end of the year
R2.3	Escrow Orders Only	[Blank]
R2.3a	Orders Open at Beginning of Year	# of Escrow Orders open at the beginning of the year
R2.3b	Orders Opened During Year	# of Escrow Orders opened during the year.
R2.3c	Orders Closed During Year	# of Escrow Orders closed during the year.
R2.3d	Orders Cancelled During Year	# of Escrow Orders cancelled during the year.
R2.3e	Orders Open at End of Year	# of Escrow Orders open at the end of the year
<i>Field/Column Number</i>	<i>Name of Data Field</i>	<i>Description and Instructions for Data Field</i>
R2.A	California – Current Year	Report California data for the current reporting year.

R2.B California – Prior Year Report California data for the prior year.

(e) CATI-R3 [Parts 1 to 6]: Summary of Rate Distribution by Type of Policy

The Summary of Rate Distribution is broken down by the 6 Types of Policies for the company’s California activities for the current report year. Policies reported herein should include those written by the reporting company’s direct operations and affiliated UTCs.

- CATI-R3.1 Personal – Owner’s Policy
- CATI-R3.2 Personal – Lender’s Policy
- CATI-R3.3 Personal – Lender’s Policy Concurrent with Owner’s Policy
- CATI-R3.4 Commercial – Owner’s Policy
- CATI-R3.5 Commercial – Lender’s Policy
- CATI-R3.6 Commercial – Lender’s Policy Concurrent with Owner’s Policy

**Definitions**

**Personal:** A Personal Policy is defined as any policy for a one-to-four family residential property.

**Commercial:** A Commercial Policy is defined as any policy not for a one-to-four family residential property.

**Owner’s Policy:** A policy for an owner sale, purchase or lessee of a property.

**Lender’s Policy:** A policy insuring a mortgagee or beneficiary under a deed of trust, not issued concurrent with owner’s policy as part of a single order. Also include Home Equity Line of Credit (HELOC), refinance, reverse mortgage and revamp/modification loans.

**Lender’s Policy Concurrent with Owner’s Policy:** A policy insuring a mortgagee or beneficiary under a deed of trust, issued concurrent with owner’s policy as part of a single order.

<i>Field/Column Number</i>	<i>Name of Data Field</i>	<i>Description and Instructions for Data Field</i>
R3.A	Number of Policies	Number of polices written for that amount of insurance during the report year.
R3.B	Premium	Total premium charged for those policies in (A), exclusive of endorsements.
R3.C	Average Premium	Calculated: (B) / (A)

<i>Row/Line Number</i>	<i>Name of Data Line (Amount of Insurance)</i>	<i>Description and Instructions for Data Line</i>
1.	Up to \$50,000	Policies issued for an amount up to and including \$50,000
2.	\$50,001 – 75,000	Policies issued for amounts from \$50,001 to \$75,000
3.	\$75,001 - 100,000	Policies issued for amounts from \$75,001 to \$100,000
4. to 18.	Increase by \$25,000 increments	
19.	\$475,001 – 500,000	Policies issued for amounts from \$475,001 to \$500,000
20.	\$500,001 – 550,000	Policies issued for amounts from \$500,001 to \$550,000
21. to 28	Increase by \$50,000 increments	
29.	\$950,001 – 1,000,000	Policies issued for amounts from \$950,001 to \$1,000,000
30.	\$1,000,001 – 1,100,000	Policies issued for amounts from \$1,000,001 to \$1,100,000
31. to 43.	Increase by \$100,000 increments	
44.	\$2,400,001 – 2,500,000	Policies issued for amounts from \$2,400,001 to \$2,500,000
45.	\$2,500,001 or More	All policies issued for amounts greater than \$2,500,000.

(f) CATI-R3\_TOTAL (of Parts 1 to 6): Summary of Rate Distribution by Type of Policy

These values pick up the totals from the previous R3.1 to R3.6 exhibits. No manual entry of data is necessary.

<i>Field/Column Number</i>	<i>Name of Data Field</i>	<i>Description and Instructions for Data Field</i>
R3_T.A	Number of Policies	Number of polices written during the report year.
R3_T.B	Premium	Total premium charged for the report year.
R3_T.C	Average Premium per Policy	Calculated: (B) / (A)

<i>Row/Line Number</i>	<i>Name of Data Line (Type of Policy)</i>	<i>Description and Instructions for Data Line</i>
P1.	Owner's Policy	See Definition Above.
P2.	Lender's Policy	See Definition Above.
P3.	Lender's Policy Concurrent with Owner's Policy	See Definition Above.
Total	Personal	Calculated: Sum of P1 to P3
C1.	Owner's Policy	See Definition Above.

C2.	Lender's Policy	See Definition Above.
C3.	Lender's Policy Concurrent with Owner's Policy	See Definition Above.
Total	Commercial	Calculated: Sum of C1 to C3
Grand Total	All Types	Calculated: Personal + Commercial

(g) CATI-R4.1: Escrow Fee Distribution by Amount of Transaction (by County)

The Escrow Distribution page asks for the company's California escrow activities for the current report year. Complete a form for each County in which business was written. The County data should be based on the location of the property, and not the location of the escrow office or processing center. If the data provided is not based on property location, please explain further in the Interrogatory section.

Escrow fees/transactions reported herein should include those written by the reporting company's direct operations and affiliated UTCs. There are forms for 10 counties on the worksheet. Please copy and save the form/worksheet (CATI-R4) for as many Counties as you have data for.

For the Name of County – please click on the tan box and the down arrow next to it. A list of County Names will appear. Scroll down for the County you want and click again.

### Definitions

**Sales Escrow** - Escrow services used for the Purchase, Sale or Lease of real property.

**Loan Escrow** - Escrow services used for personal and commercial loans, refinances, Home Equity Line of Credit (HELOCs), reverse mortgages and revamp/modification loans.

<i>Field/Column Number</i>	<i>Name of Data Field</i>	<i>Description and Instructions for Data Field</i>
R4.1A	Sales Escrow: Escrow Fee	Enter the Escrow Fee charged for the amount of transaction listed for a Sales Escrow.
R4.1B	Sales Escrow: # of Transactions	Enter the number of transactions for the amounts listed for Sales Escrow.
R4.1C	Sales Escrow: Total Fees	Enter the Total Fees charged for the # of transactions for the specific amount listed for Sales Escrow.
R4.1D	Loan Escrow: Escrow Fee	Enter the Escrow Fee charged for the Amount of Transaction listed for a Loan Escrow.
R4.1E	Loan Escrow: # of Transactions	Enter the number of transactions for the # of transactions for the specific amount listed for Loan Escrow.

R4.1F	Loan Escrow: Total Fees	Enter the Total Fees charged for the transactions for Loan Escrow.
<i>Row/Line Number</i>	<i>Name of Data Line (Amount of Transaction )</i>	<i>Description and Instructions for Data Line</i>
1.	Up to \$100,000	Amounts of Transactions up to and including \$100,000
2.	\$100,001	Transactions from \$100,001 to \$200,000
3.	\$200,001	Transactions from \$200,001 to \$300,000
4. to 24.	Increase by \$100,000 increments	
25.	\$2,400,001 – 2,500,000	Transactions from \$2,400,001 to \$2,500,000
26.	\$2,500,001 or More	All Transactions greater than \$2.5 Million.
27.	TOTAL	Calculated: Sum of Column for Number of Transactions and Sum of Column for Total Fees.

The Totals for Each County must be copied over to the Summary of Escrow Fee by County worksheet.

(h) CATI-R4.2: Summary of Escrow Fees By County

The Number of Transactions & Total: Fees values are from CATI-R4.1. Please copy and paste the data from CATI-R4.1 for each County you have data for.

<i>Field/Column Number</i>	<i>Name of Data Field</i>	<i>Description and Instructions for Data Field</i>
R4.2A	County Names – California	Name of County
R4.2B	Sales Escrow: # of Transactions	Enter the TOTAL number of transactions for Sales Escrow from CATI-R4.1 for the appropriate County.
R4.2C	Sales Escrow: Total Fees	Enter the TOTAL Fees for Sales Escrow from CATI-R4.1 for the appropriate County.
R4.2D	Sales Escrow: Average Fee	Calculated: Col. 2C / Col. 2B
R4.2E	Loan Escrow: # of Transactions	Enter the TOTAL number of transactions for Loan Escrow from CATI-R4.1 for the appropriate County.
R4.2F	Loan Escrow: Total Fees	Enter the TOTAL Fees for Loan Escrow from CATI-R4.1 for the appropriate County.
R4.2G	Loan Escrow: Average Fee	Calculated: Col. 2F / Col. 2E
<i>Row/Line Number</i>	<i>Name of Data Line</i>	<i>Description and Instructions for Data Line</i>

(Name of County)

For each applicable county, enter the data from CATI-R4.1

1. Alameda
2. Alpine
3. Amador
4. Butte
5. Calaveras
6. Colusa
7. Contra Costa
8. Del Norte
9. El Dorado
10. Fresno
11. Glenn
12. Humboldt
13. Imperial
14. Inyo
15. Kern
16. Kings
17. Lake
18. Lassen
19. Los Angeles
20. Madera
21. Marin
22. Mariposa
23. Mendocino
24. Merced
25. Modoc
26. Mono
27. Monterey
28. Napa
29. Nevada
30. Orange
31. Placer
32. Plumas
33. Riverside
34. Sacramento
35. San Benito
36. San Bernardino
37. San Diego
38. San Francisco
39. San Joaquin
40. San Luis Obispo
41. San Mateo
42. Santa Barbara
43. Santa Clara
44. Santa Cruz
45. Shasta
46. Sierra
47. Siskiyou
48. Solano
49. Sonoma
50. Stanislaus
51. Sutter
52. Tehama
53. Trinity
54. Tulare

55.	Tuolumne	
56.	Ventura	
57.	Yolo	
58.	Yuba	
59.	Total: All Counties	Calculated: Sum of Columns

*NOTE: Authority Cited: Sections 12397.5, 12401, 12401.1, 12401.3, 12401.5, 12401.7, and 12401.8 of the California Insurance Code; and 20<sup>th</sup> Century Ins. Co. v. Garamendi (1994) 8 Cal.4<sup>th</sup> 216. Reference: sections 730, et seq., 12401, 12401.1, 12401.2, 12401.3, 12401.7, 12401.5, 12401.8, and 12401.9 of the California Insurance Code.*

**Section 2355.3 Disclosure to Consumer of Available Discounts.**

At the time a title insurer, underwritten title company, or controlled escrow company delivers escrow instructions or issues a preliminary report or commitment, a form enumerating each discount available under such company’s rate filing shall be provided. A copy of the form shall be retained by the company for a period of three years. Neither provision nor acceptance of the form shall constitute waiver of the consumer’s right to be charged the filed rate. This section shall apply only to transactions involving property improved with a one to four family residential dwelling. No disclosure is required if the insurer’s rate filing does not include discounts.

*NOTE: Authority Cited: Sections 12389, 12397.5, 12401.3, 12401.5 and 12414.21, Insurance Code; and 20<sup>th</sup> Century Ins. Co. v. Garamendi (1994) 8 Cal.4<sup>th</sup> 216. Reference: sections 12401.1 and 12401.2 of the Insurance Code.*