



Title Insurance for Lending Professionals

Stewart Title offers Residential and Commercial Loan Policies to insure that, as of the closing date, the mortgagee has a valid and enforceable interest in the insured property and that the mortgage has the expected priority.

Our Loan Policies protect against losses arising from defects in title, unmarketability of the title, and title to the property not being vested in the borrower. Depending on the nature and amount of the policy (and, where applicable, the due diligence performed), losses due to certain off-title matters such as zoning, work orders, and taxes are also covered.

In many circumstances, the protection afforded under a title insurance policy surpasses that of a standard legal opinion on title. Our custom underwriting can insure over unusual property specific title or off-title problems, reducing the possibility of facing a delayed closing.

Overview of Policy and Coverage

Priority

By obtaining title insurance, a lender is indemnified against losses if the priority of the insured mortgage is not as expected.

Fraud Coverage

Lenders are protected against losses on both residential and commercial transactions in the event that the validity or enforceability of the insured mortgage is challenged due to borrower fraud. Residential loan policies also protect lenders in the event that the insured mortgage is fraudulently discharged, assigned, released, transferred, or modified after closing.

Unsurpassed Survey Coverage

Provided for all residential properties of up to six units. Full commercial survey coverage is also available, regardless of the policy amount.

Gap Coverage

When registration cannot be completed on the date of closing due to delays in provincial land registration systems or because of unexpected events, gap coverage can protect both lenders and purchasers against intervening registrations between the date of closing and the date of registration. This allows the transaction to close on time, with funds being released to the respective parties.

Unsurpassed Septic Coverage

For residential properties of up to six units, Stewart Title

provides comprehensive coverage with respect to the legal status of the septic system without the need to conduct a written septic inquiry with the local governing authority.

Securitization of Mortgage Portfolios

For lenders looking to trade or securitize their residential and commercial mortgage portfolios on the world market, title insurance can provide standardized protection and is recognized worldwide.

Transfers/Switches

Save time and cost in a transfer/switch situation as a result of the minimal due diligence required by Stewart Title to issue such policies.

Defence of Title

Our post-closing obligations include paying the costs, legal fees, and expenses incurred in defending the lender's interest in title to the extent that a title challenge is based on a covered risk in the policy. This duty continues until such time as the claim is resolved.

No-Fault

In the event of a claim, it is not necessary to pursue the lawyer/notary acting on the transaction and establish negligence. Claims are handled without having to commence proceedings against third parties in order to recover losses.



Lawyer's/Notary's Opinion on Title

Lawyers/notaries play an important role in each transaction as their legal opinions are greatly relied upon when issuing our policies. Working as the conduit between borrower, lender and title insurer, legal professionals continue to provide valuable independent legal advice. They are also responsible for preparing and registering the deed/transfer and mortgage, while coordinating other elements of the transaction such as title searches, document preparation and advising on legal issues.

Lenders can better protect themselves against matters such as title fraud or other suspicious circumstances in a transaction by keeping a lawyer/notary involved in every real estate transaction – including refinances.

Stewart Title is partnered with an expansive network of well-qualified lawyers/notaries across Canada.

Making a Claim

Stewart Title is experienced in handling claims, focusing on each claim within a professional, resolution-oriented framework, while ensuring a timely, simplified and proactive approach to title related problems.

An Experienced, Reliable Leader

A leading global title insurer, Stewart Title has over a century of experience in protecting lenders and property owners against inherent title risks. With a history of working with lenders, legal professionals and property owners/buyers, Stewart Title has the expertise and know-how needed to handle both your residential and commercial real estate transactions.

Contact us or visit www.stewart.ca for more information.

Canadian Head Office (Toronto)
(888) 667-5151

Atlantic Canada
(888) 757-0078

Québec
(866) 235-9152

Western Canada
(866) 515-8401

www.stewart.ca



This material is intended to provide information of a general nature. Please refer to the policy and endorsement for full details, including the specific terms and conditions. Sample policies are available upon request. The confidentiality and protection of personal information is important to Stewart Title. To view our privacy policy, visit www.stewart.ca/privacy.html.

© COPYRIGHT (06/2010) STEWART TITLE GUARANTY COMPANY. ALL RIGHTS RESERVED.

401E-06/10 - NTL