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## STEWART TITLE GUARANTY COMPANY

### RATE MANUAL FOR TITLE INSURANCE ON RESIDENTIAL PROPERTY IN THE STATE OF WASHINGTON

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This manual is for the use of Stewart Title Guaranty Company's ("Stewart" or "Underwriter") Title Insurance Policy Issuing Attorneys, Agents, and Offices. Any other use or reproduction of this manual is prohibited

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## **SECTION ONE**

### **GENERAL RULES AND DEFINITIONS**

#### **1.1 Title Insurance on Residential Property**

This Manual only applies if the property to be insured is “Residential Property.” As used in this Manual, the term “Residential Property” means property that is either (1) not used for and not intended for use for commercial or industrial purposes, or (2) is used or intended for use for commercial or industrial purposes but has a value of less than \$1,000,000.

This Manual shall be applicable in issuing commitments, owner’s policies, loan policies, guarantees, endorsements, certificates and other products and services described herein. Unless otherwise noted, owner’s policies, guarantees and certificates shall be issued in an amount at least equal to the full value of the estate or interest insured, without deduction for encumbrances. Owner’s policies may be issued in an amount greater than the full value of the estate insured to cover anticipated improvements. Loan policies shall generally be issued in an amount equal to the amount of the insured loan.

#### **1.2 Title Insurance on Commercial Property**

Property that is not “Residential Property” (as defined in Section 1.1 above) shall be rated pursuant to a separate rate manual for commercial property.

#### **1.3 Standard vs. Extended Coverage**

Standard Coverage: Does not insure against matters described under extended coverage below.

Extended Coverage: Does insure against the following matters:

- Rights or claims of parties in possession not shown by the public records;
- Public or private easements, or claims of easements, not shown by the public records;
- Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises;
- Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records, or liens under the Workmen’s Compensation Act not shown by the public records.

## **SECTION TWO**

### **RATES FOR BASIC INSURANCE PRODUCTS**

All references to "Exhibit A" are to the applicable Exhibit A related to the particular County.

#### **2.1 Standard Coverage Owner's Policy**

The charge for a standard coverage owner's policy shall be computed in accordance with Column 2 of Exhibit A.

#### **2.2 ALTA Homeowner's Policy of Title Insurance**

The charge for an ALTA Homeowner's Policy of Title Insurance shall be computed in accordance with Column 3 of Exhibit A.

#### **2.3 Extended Coverage Owner's Policy**

The charge for an extended coverage owner's policy shall be computed in accordance with Column 4 of Exhibit A.

#### **2.4 Standard Coverage Purchase Money Loan Policy**

The charge for a standard coverage loan policy, for a loan used to purchase real property, whether or not an Owner's policy is issued in conjunction with the transaction, shall be computed in accordance with Column 5 of Exhibit A.

#### **2.5 Extended Coverage Purchase Money Loan Policy**

The charge for an extended coverage loan policy, for a loan used to purchase real property, whether or not an Owner's policy is issued in conjunction with the transaction, shall be computed in accordance with Column 6 of Exhibit A.

#### **2.6 Simultaneous Loan Policies**

When two or more loan policies are issued simultaneously each such policy shall be computed and charged separately in accordance with Columns 5-8 (as applicable) of Exhibit A.

#### **2.7 Refinance or Other Loan Rate**

When a Standard or Extended coverage Loan Policy is being issued on a new deed of trust and the loan does not qualify under any other rate in this section, then the charge for the loan policy shall be computed in accordance with Column 7 of Exhibit A.

#### **2.8 Home Equity Rate**

The charge for a standard coverage loan policy containing special exceptions for all covenants, conditions, or restrictions, all easements or other servitudes, and all mineral reservations which appear of record or indicated on a recorded plat, shall be computed in accordance with Column 8 of Exhibit A.

**2.9 Builder's and Subdivider's Rate applicable to King, Kitsap, Pierce, San Juan and Snohomish Counties**

Title insurance involving the acquisition and development of land for residential use, residential construction, and sale of newly constructed or renovated one to four family units, residential condominium units and manufactured homes will be rated in accordance with the following schedule (all references to "Exhibit A" are to the applicable Exhibit A related to the particular County):

- 2.9.1 The charge for a standard or extended lender's policy insuring the development loan, and for owner's policies issued following the sale or lease of land developed into subdivided parcels (or to be developed into four or more building sites) shall be 40% of the General Schedule Rate as shown in Column 1 of the Exhibit A. The charge for an owner's extended coverage policy shall be 50% of the General Schedule Rate as shown in Column 1 of Exhibit A.
- 2.9.2 When a lender's policy is issued insuring the lien of a mortgage for financing construction, the charge shall be 35% of the General Schedule Rate as shown in Column 1 of Exhibit A. There shall be no surcharge for extended coverage on the lender's policy.
- 2.9.3 The charge for a standard coverage owner's policy to be issued following the completion of residential construction as described above will be 27% of the General Schedule Rate as shown in Column 1 of Exhibit A.
- 2.9.4 The charge for a Homeowner's coverage policy to be issued following the completion of residential construction as described above will be 37% of the General Schedule Rate as shown in Column 1 of Exhibit A.
- 2.9.5 The charge for an extended coverage owner's policy to be issued following the completion of residential construction as described above will be 50% of the General Schedule Rate as shown in Column 1 of Exhibit A.

NOTE: The minimum charge for a policy issued under this Section shall be \$200.00.

**2.10 Subdivision and Development Rate applicable to Skagit County**

- 2.10.1 The charges for an Extended Coverage Loan Policy to insure the lien of a mortgage for the financing of the construction of single family or multiple residential units for sale or lease by an insured builder shall be thirty-five percent (35%) of the General Schedule Rate as shown in Column 1 of the Exhibit A. (\$200 minimum charge).

Note: The above charges are applicable when the Company is to issue owner's insurance to the purchasers of the completed units.

- 2.10.2 The charges for a title insurance policy when an insured owner of a specific project on land within a single subdivision or governmental section or adjoining subdivisions or governmental sections which have been divided or are to be divided into four (4) or more parcels of land.

The rate for insurance to the original purchasers from the developer or sub-divider or for mortgage insurance covering mortgages placed thereon by the developer or sub-divider shall be forty-percent (40%) of the applicable General Schedule Rate with a minimum charge of \$150.00.

2.11 Multiple Issue/Builder Rate applicable to Adams, Asotin, Benton, Chelan, Clallam, Clark, Cowlitz, Douglas, Ferry, Franklin, Grant, Island, Jefferson, Kittitas, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Skamania, Spokane, Stevens, Thurston, Wahkiakum, Walla Walla, Whatcom and Whitman Counties (all references to "Exhibit A" are to the applicable Exhibit A of the particular County).

2.11.1 Subdivision of Undeveloped Land

When undeveloped land is purchased with the intent to subdivide the land into four or more separate lots or building sites for 1-4 family residences, then the applicable rate for standard coverage owner's policy shall be 47% of the amount shown for a Standard Owner's policy in Exhibit A for all counties, except the following: for Whatcom, Clallam, Jefferson and Island -- 45%, for Kittitas and Spokane -- 40%, for Clark, Cowlitz, Skamania, Wahkiakum -- 46% and for Thurston 49%.

The applicable charge for an extended coverage owner's policy shall be 50% of the amount shown for an Extended Owner's policy on Exhibit A. A minimum \$200 charge shall be applicable to all policies rated under this Section 2.11.1.

2.11.2 Sale of Unimproved Lot

When an unimproved subdivided lot or building site is sold (or several such lots or sites are sold together in a group) by the party that subdivided such lot, then the applicable rate for a standard coverage owner's policy shall be 47% of the amount shown for a Standard Owner's policy in Exhibit A for all counties except the following: for Whatcom, Clallam, Jefferson and Island -- 45%, for Kittitas and Spokane -- 40%, for Clark, Cowlitz, Skamania, Wahkiakum -- 46% and for Thurston 49%.

The applicable charge for an extended owner's policy shall be 50% of the amount shown for an Extended Owner's policy on Exhibit A. A minimum \$200 charge shall be applicable to all policies rated under this Section.

2.11.3 Construction Loans for New Construction and Renovations

When a standard or extended coverage loan policy is issued on a construction loan being made either (a) to develop or construct 1-4 family residential structures(s) (and/or the infrastructure for one or more such structures, such as roads, sewer, utilities, etc.), or (b) to complete a major renovation of an existing 1-4 family structure, then the applicable rate for the loan policy shall be 31% of the amount shown in the Extended Owners Schedule as shown in Column 4 of the Exhibit A for all counties except the following: for Whatcom, Clallam, Jefferson, Island, Clark, Cowlitz, Skamania, Wahkiakum --30%, for Kittitas and Spokane -- 27%, and for Thurston 33%. A minimum \$200 charge shall be applicable to all policies rated under this Section.

2.11.4 Original Sale of Newly Constructed or Renovated Structures

When a newly constructed or newly renovated 1-4 family residential structure is sold by the builder/renovator thereof then the applicable rate for a standard coverage owner's policy shall be 40% of the amount shown for a Standard Owner's policy in Exhibit A for all counties except the following: for Whatcom, Clallam, Jefferson and Island --39%, for Kittitas and Spokane -- 35%, and for Thurston 42%. The applicable rate for an extended coverage owner's policy shall be 50% of the amount shown for an Extended Owner's policy in Exhibit A. The applicable rate for a Homeowner's policy shall be 47% of the amount shown for a Homeowner's policy in Exhibit A except the following: for Whatcom, Clallam,

Jefferson and Island -- 46%, for Kittitas and Spokane -- 41%. A minimum \$200 charge shall be applicable to all policies rated under this Section.

## **2.12 Multiple Issue rate applicable to Columbia, Garfield, Gray's Harbor and Lewis Counties**

The Multiple Issue Rate is available to an insured owner of a specific project within a single subdivision or governmental section or adjoining subdivisions or governmental sections which are to be divided into three or more separate lots or building sites, or an owner-developer who builds for resale.

The charge for extended coverage title insurance for a purchase and/or development loan to the sub-divider will be 40% of the General Schedule Rate as shown in Column 1 of the Exhibit A for Lewis County, 60% for Columbia and Garfield Counties and 70% for Gray's Harbor County.

The charge for title insurance for a standard coverage owner's policy issued upon conveyance of the lot by the sub-divider will be 40% of the General Schedule Rate as shown in Column 1 of the Exhibit A for all counties.

The charge for title insurance for a mortgage policy insuring the construction loan will be 40% of the General Schedule Rate as shown in Column 1 of the Exhibit A for Lewis County and 45% for Columbia, Garfield and Gray's Harbor Counties.

The charge for an owner's policy to a purchaser from the builder who executed the construction loan, following completion of the construction will be 40% of the General Schedule Rate as shown in Column 1 of the Exhibit A for standard coverage, (all counties) and 40% of General Schedule Rate as shown in Column 1 of the Exhibit A Rate for Extended Coverage for Lewis County and 60% for Columbia, Garfield and Gray's Harbor Counties. The minimum fee for policies and plat certificates issued under this subsection will be \$200.00.

## **2.13 Multiple Use rate applicable to Mason County**

The multiple issue rate is available to an insured owner developing land into separate lots or building sites ("Developer's Rate") or to an insured owner building single family or multiple residential units ("Builder's Rate").

1. Developer's Rate: The rate for a standard coverage Owner's policy to the original purchaser from the developer or sub-divider or for mortgage insurance covering mortgages placed thereon by the developer or sub-divider shall be rated as follows:

40% of the Applicable Rate. Minimum charge is \$175.00.

The additional charge for extended coverage as set forth in this schedule, shall be rated under that section, and shall not be subject to the reductions set forth in this section.

As used in this section, the "original purchaser" shall be construed to mean both the first purchaser of a particular lot or lots, or all of the lots, from the original developer/sub-divider, and any purchaser of a lot or lots, but not all of the lots, from an insured seller who previously acquired all of the lots in a particular subdivision, but was not the original sub-divider.

2. Builder's Rate: For a Loan policy insuring a construction loan on a lot or tract:
  - A. Which is a standard coverage Loan policy, the rate shall be 40% of the General Schedule Rate as shown in Column 1 of the Exhibit A with a minimum of \$200.
  - B. Which is an extended coverage Loan policy, the rate shall be 45% of the General Schedule Rate as shown in Column 1 of the Exhibit A with a minimum of \$200.00
3. Builder's Rate: For an Owner's policy to a purchaser from an insured owner who builds for resale, following completion of construction:
  - A. Which is a standard coverage Owner's policy, 40% of the Applicable Rate with a minimum of \$200.00.
  - B. Which is an extended coverage Owner's policy, 70% of the Applicable Rate with a minimum of \$350.00.
  - C. Which is an ALTA Homeowner's policy, 44% of the Applicable Rate with a minimum of \$220.00.

#### **2.14 Sub-divider and Builder rate applicable to Yakima County**

1. The Sub-Divider's Rate is available to an insured developer or sub-divider of a specific project on land within a single subdivision or governmental section or adjoining subdivisions or governmental sections which have been divided or are to be divided into four (4) or more separate lots or building sites.

The rate for insurance to the original purchasers from the developer or sub-divider or for mortgage insurance covering mortgages placed thereon by the developer or sub-divider shall be 60% of the General Schedule Rate, with a minimum of \$150.00

Note: The charge for Extended Coverage Policies set forth in this manual, shall be 30% of the rate set forth above with a minimum of \$150.00.

#### **2. Builder's Rate applicable to Yakima County**

The Builder's Rate is available to an insured builder (or one which has purchased a lot or lots from an insured developer) of single family or multiple residential units for sale or lease.

- A. This rate contemplates:
  1. Issuance of Mortgagee's insurance covering a construction loan that is either an Extended Coverage or Standard Coverage, plus,
  2. Issuance of Standard Coverage Owner's Policy to the Purchasers of the unit.
  3. Issuance of a final Mortgagee's Policy, that is either Standard Coverage or Extended Coverage covering a take-out loan executed by the purchaser, EXCEPT that this Policy will not be necessary if the purchaser:
    - a. Pays all cash;
    - b. Assumes the construction loan;
    - c. Purchases under real estate contract.

NOTE: It is not necessary that the policies under A-2 and A-3, above be issued by the same insurer which issued the policy in A-1 in order to apply this rate.

B. For a Mortgage Policy insuring a construction loan on a lot or tract:

Which is an Extended Coverage Loan Policy, the rate shall be 40% of the General Schedule Rate, with a minimum of \$200.00.

C. For an Owner's Policy to a purchaser from the builder who executed the construction loan, following completion of construction;

Which is a Standard Coverage Owner's Policy, the rate shall be 40% of the General Schedule Rate, with a minimum of \$200.00.

## **SECTION THREE**

### **SPECIAL RISKS AND ADDITIONAL CHARGES**

Title insurance, under the following circumstances, shall be considered a special risk and shall be rated as follows:

#### **3.1 Tax Title**

The charge for insuring any title within three (3) years after the issuance of a deed resulting from an action foreclosing the lien of delinquent real property taxes or a local improvement district assessment shall be 120% of the applicable amount for the transaction calculated in accordance with Exhibit A.

#### **3.2 Additional Examination Charges**

- 3.2.1 Additional Parcels. \$100 for each additional parcel over one (i.e., more than one section, donation claim or plat, or combination thereof).
- 3.2.2 Easements. \$50 for each appurtenant easement insured as a part of the legal description.

#### **3.3 No Administration of Decedent's Estate (Lack of Probate)**

In selected cases, the Company may agree to issue insurance even though there has been no administration of a decedent's estate. Such insurance must be based on adequate proofs of heirship, indebtedness and related matters. If the policy is issued within six (6) years of the decedent's death, there shall be an additional charge of 100% of the applicable charge calculated under Exhibit A. If the policy is issued more than six (6) years but less than ten (10) years following the decedent's death, the additional charge shall be 50% of the applicable charge calculated under Exhibit A. If the policy is issued more than ten (10) years after the decedent's death, there is no additional charge. This section shall not apply in the event the property was held as community property or as joint tenants and one of the persons in title died without a probate of his or her estate.

#### **3.4 Rewritten Policy**

The charge for rewriting or retyping a policy as of the date of its original issuance to replace a lost or destroyed policy shall be \$50.

## **SECTION FOUR**

### ADDITIONAL PRODUCTS

#### 4.1 Introduction

The insurance products described in Sections 4.2 through 4.8 shall be available at the charges described below. None of the rate reductions described in Section Five shall apply to these products unless specifically noted below. References to the "General Schedule Rate" shall mean the applicable rate set forth in Column 1 of Exhibit A.

#### 4.2 Trustee's Sale Guarantee/Litigation Guarantee/Contract Forfeiture

4.2.1. Trustee's Sale Guarantee. The charge for a trustee's sale guarantee shall be 100% of the General Schedule Rate based upon the outstanding balance of the deed of trust in default. The charge shall include two (2) continuation endorsements within twelve (12) months from the date of guarantee at the request of the applicant. The charge for additional continuation endorsements will be one hundred dollars each. Where multiple deeds of trust executed by the same grantor cover land in the same plat or subdivision and the beneficiary is the same, the charge shall be based on the aggregate balance of the deeds of trust, *plus* \$75 for each deed of trust over one.

4.2.2 Litigation Guarantee. The charge for a litigation guarantee shall be 100% of the General Schedule Rate based upon the outstanding balance of the deed of trust, mortgage, lien or contract which is the subject of the action, or in those instances where the action does not involve foreclosures or forfeiture, the charge shall be 100% of the General Schedule Rate, based upon the value of the estate or interest involved. The charge shall include two (2) continuation endorsements within twelve months from the date of the Guarantee, at the request of the applicant. The charge for additional continuation endorsements within the twelve months from the date of the Guarantee will be \$100 each.

4.2.3 Contract Forfeiture Guarantee. The charge for a contract forfeiture guarantee shall be 100% of the General Schedule Rate, based upon the outstanding balance of the contract being forfeited and shall include one (1) continuation endorsement at the time of filing the notice of intent to forfeit. The charge for additional date-down endorsements will be \$100.

#### 4.2.4 Insuring Owner Following Foreclosure, Trustee's Sale or Deed in Lieu.

In the event the Company has issued a Trustee's Sale Guaranty on the property, and the defaulted encumbrance was previously insured by the Company or another title insurance company, then the charge for owner's insurance to the beneficiary following foreclosure, trustee's sale or deed in lieu shall be computed as follows:

In the event the owner's policy liability amount is equal to or less than the liability amount of the guarantee, then the charge for the owner's policy shall be zero. In the event the owner's policy liability amount exceeds the liability amount of the guarantee, the charge for the owner's policy shall be calculated by taking the difference in liability amounts and applying either Column 2, 3 or 4 (as applicable) of Exhibit A.

#### **4.3 Binder Rates**

A title commitment in the form of a binder may be issued for the purpose of providing title insurance to the current owner and committing to insure a sale of the subject property to an ultimate purchaser. The binder will be issued to the current owner of the property in lieu of a policy of title insurance. The binder commits the Company to issue an owner's policy to the ultimate purchaser, provided the sale to the ultimate purchaser is recorded within ninety (90) days from the date of the binder. Items affecting the title which intervene between the binder date and the policy date must be cleared or shown as exceptions in the policy to the ultimate purchaser. If the sale is not recorded within ninety (90) days of the date of the binder, the policy of title insurance will automatically be issued (as of the date of the binder) insuring the assured named in the binder in the amount of the binder.

The charge for a binder to issue an owner's policy based on the full value of the initial sale shall be 110% of the amounts set forth in Columns 2-4 (as applicable) of Exhibit A. The minimum charge shall be \$350.

If the resale amount is in excess of the binder amount, the charge for the additional amount of insurance shall be the difference between the rate applicable to the amount of the outstanding binder and the rate applicable to the amount of the policy to be issued. When a beneficiary of a deed of trust requests a binder after receiving a trustee's sale guarantee from the Company, the charge for the binder shall be 10% of the rate calculated pursuant to Columns 2-4 (as applicable) of Exhibit A. (minimum \$100).

#### **4.4 Chain of Title Report**

This report shows the recorded instruments purporting to transfer title to a particular parcel of land as filed with the county auditor. The charge for the report shall be \$150.

#### **4.5 Subdivision Guarantee**

This guarantee reports documents recorded against a particular parcel of land required for the application of plat, short plat or boundary line adjustment. The charge for this guarantee shall be \$300.00

#### **4.6 Ownership and Encumbrance and Judgment Report**

This report reports the last recorded instrument purporting to transfer title, any recorded monetary encumbrances and filed judgments. The charge for the report shall be \$250.

#### **4.7 Secondary Market Short Form Residential Loan Policy**

<b>Range of Liability</b>	<b>Fee:</b>
Up to \$ 100,000.00 of liability written: .....	\$350.00
Over \$ 100,000.00 and up to \$ 250,000.00 .....	\$450.00
Over \$ 250,000.00 and up to \$ 500,000.00 .....	\$600.00
Over \$ 500,000.00 and up to \$ 750,000.00 .....	\$850.00
Over \$ 750,000.00 and up to \$1,000,000.00 .....	\$1,100.00
Over \$1,000,000.00 and up to \$1,250,000.00 .....	\$1,500.00
Over \$1,250,000.00 and up to \$1,500,000.00 .....	\$1,700.00

4.8 ALTA Expanded Coverage Residential Loan Policy, ALTA Expanded Coverage Residential Loan Policy-Current Assessments, ALTA Short Form Expanded Coverage Residential Loan Policy, ALTA Short Form Expanded Coverage Residential Loan Policy-Current Assessments

The ALTA Expanded Coverage Residential Loan Policy - Current Assessments provides additional coverage to lenders for certain assessments imposed at Date of Policy.

The ALTA Short Form Expanded Coverage Residential Loan Policy - Current Assessments is the Short Form version of the ALTA Expanded Coverage Residential Loan Policy. It incorporates the insuring provisions, exclusions and conditions of that ALTA policy. It provides additional coverage to lenders for certain assessments imposed at Date of Policy.

The charge for these policies is 110% of the amount computed in accordance with Column 5 of Exhibit A, plus any additional charges for endorsements, if any, issued separately or included in the ALTA Expanded Coverage Residential Loan Policy coverages.

## **SECTION FIVE**

### **RATE REDUCTION**

5.1 Prior Title Policy applicable to Adams, Asotin, Benton, Chelan, Clallam, Clark, Cowlitz, Douglas, Ferry, Franklin, Grant, Island, Jefferson, King, Kitsap, Kittitas, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Pierce, San Juan, Skamania, Snohomish, Spokane, Stevens, Thurston, Wahkiakum, Whatcom, Walla Walla and Whitman Counties

If a prior owner's or loan policy of title insurance is provided to the Company at the time a new title order is placed, and the prior policy covers all of the same property being insured in the new policy, then the charge for the new policy shall be discounted by 10% from the amount computed in accordance with Exhibit A. This discount shall only apply if the prior policy is a "long form" policy and includes specific exceptions for matters of record, including Auditor's file numbers and related information. If the new order involves both an owner's and a loan policy, the 10% discount shall only apply to the owner's policy. If the order involves two or more loan policies, the 10% discount shall apply only to the highest priced loan policy.

5.2 Short Term rate applicable to Columbia, Garfield, Gray's Harbor, Lewis, Mason, Skagit and Yakima Counties

If a title insurance policy or guarantee has been issued by any title insurer and within three years for all counties except Mason and Skagit Counties, application is made for a new policy or guarantee, the charge shall be 80% of the Residential Rate. In Mason County, the application shall have been made within five years if the prior policy or guarantee was issued by a different company and ten years if issued by the same company. In Skagit, the application for a new policy shall be within five years. In no case shall the charge be reduced to less than \$200 for Lewis, Columbia, Garfield, Gray's Harbor counties, \$260 for Yakima County, \$270 for Skagit County and \$300 for Mason County. The reduction in rate provided for herein shall not be applied to the charge for any applicable special risks.

**SECTION SIX**  
**ENDORSEMENTS**

Endorsement charges shall be based on a separate rate filing for endorsements.