

TITLE EXAMINATION STANDARDS COMMITTEE
of the
Real Property Law Section of the O.B.A.

***“FOR THE PURPOSES OF EDUCATING
AND GUIDING TITLE EXAMINATION ATTORNEYS”***

FEBRUARY 15, 2020 AGENDA

(As of February 6, 2020)

***[NOTE: SEE MEETING DATES & LOCATIONS AT THE END OF THIS
AGENDA]***

*[Note: if you want to download a free pdf copy of the current 2019 TES handbook, go
to www.eppersonlaw.com]*

SATURDAY, FEBRUARY 15, 2020, STROUD!!!

BUSINESS/GENERAL DISCUSSION OF CURRENT EVENTS

9:30 a.m. – 10:00 a.m.

Hot Topics: General Questions:

Kraettli Epperson & Charis Ward

Legislative Report:

Ryan Schaller

Previous Month's TES Committee Minutes:

Barbara Carson

PRESENTATIONS

Speakers (Sub-Comm.)	Standard#	Status	Description
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10:00 a.m. – 10:45 a.m.

<u>Astle,</u> Reed, Kempf	14.8	Feb. Report	<i>FOREIGN LIMITED LIABILITY COMPANIES...</i> Is a Foreign Limited Liability Company required to be registered in OK prior to receiving, holding, and transferring real property.
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<u>Carson,</u> <u>Orlowski,</u> Struckle, Schaller	17.4	Feb. Report	<i>TRANSFER ON DEATH DEEDS</i> Need to clarify whether all of the beneficiaries need to sign the post-death affidavit.
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<u>Keen,</u> <u>Reed,</u> <u>Wimbish,</u> Orlowski, McLean, Sullivan, Jones, Shields, Laughlin, Wolf, McEachin	NEW	Feb. Report	<i>INDIAN TITLE STANDARD</i> Report on status of efforts to identify changes needed throughout the Standards to reflect the impact of Indian ownership of land.
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10:45-11:00 a.m. BREAK*****

PRESENTATIONS (CONT'D)

11:00 a.m. – 12:00

<u>Wimbish,</u> Struckle, Schaller, Brown		Feb. Draft	<i>OKLAHOMA ESTATE TAXES EXPIRATION</i> The question arose as to whether the passage of 10 years from the date of the repeal of the Oklahoma Estate Tax Lien Statute (effective Jan. 1, 2010) means we need to revise some or our existing Standards to reflect that fact.
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<u>Brown, Reed</u>		Feb. Report	<i>SLTA--JURISDICTIONAL DEFECTS AND THEIR CURE</i> <i>Do the SLTA Standards (Ch. 29) need to be revised to emphasize that jurisdictional defects are only cured in specified limited instances?</i>
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<u>Astle</u>	24.14	Feb. Report	<i>INCOMPLETE MORTGAGE FORECLOSURES</i> <i>Should this Standard be revised in light of Hub Partners v. Barnett, 2019 OK 69?</i>
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<u>(Epperson, Tinney)</u>	?	Feb. Report	<i>SELF-DEALING TRUSTEE'S DEED</i> <i>Due to the prohibition on fiduciaries self-dealing, should there be a Standard requiring that a copy of the trust be examined to confirm that a specific conveyance or self-dealing in general is authorized?</i>
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(Ward)		Feb. Report	<i>GENERAL UPDATE OF ALL STANDARDS AND CITATIONS</i> <i>Should an effort be made to review all existing Standards to ensure they are correct, current and worded clearly?</i>
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***** END OF PRESENTATIONS *****

MARCH 21/OKC

<u>Wittrock Schaller, Ward</u>	Ch. 6 (New?)	Mar. Draft.	<i>REMOTE ONLINE NOTARY</i> There needs to be a review of existing standards to determine if they conform to the new statute on the use of Remote Online Notaries.
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<u>Astle, Keen, Wimbish, Kempf</u>	3.2	Mar. Report	<i>AFFIDAVITS AND RECITALS</i> The question has arisen as to whether an Affidavit of Heirship can be used for Surface interests, instead of just Mineral interests.
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MAY 16/Tulsa

<u>Epperson,</u> Boone, Brown, Orlowski	3.2	May. Report	<i>AFFIDAVITS AND RECITALS</i> The question has arisen as to whether an Affidavit of Heirship with Will attached (for oil and gas interests) can be used but following intestate law instead of the terms of the attached Will.
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===== ~~*APPROVED*~~ =====

===== ~~*UNSCHEDULED*~~ =====

===== ~~*TABLED TO 2021*~~ =====

COMMITTEE OFFICERS:

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Legislative Reporter: Ryan Schaller

Handbook Editor: Rhonda McLean

OBA Bulletin Board Highlights Reporter: Faith Orlowski

Title Update Seminars Director: Kraettli Q. Epperson

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2020 Title Examination Standards Committee

(Third Saturday: January through September)

Time: 9:30 a.m. to 12 noon

<u>Month</u>	<u>Day</u>	<u>City/Town</u>	<u>Location</u>
January	18	Tulsa	Tulsa County Bar Center
February	15	Stroud	Stroud Conference Center
March	21	OKC	Oklahoma Bar Center
April	18	Stroud	Stroud Conference Center
May	16	Tulsa	Tulsa County Bar Center
June	20	Stroud	Stroud Conference Center
July	18	OKC	Oklahoma Bar Center
August	15	Stroud	Stroud Conference Center
September	19	Tulsa	Tulsa County Bar Center

Tulsa County Bar Center
1446 South Boston
Tulsa, Oklahoma 74119-3612

Stroud Conference Center
218 W Main St.
Stroud, Oklahoma 74079

Oklahoma Bar Center
1901 N. Lincoln Blvd.
Oklahoma City, OK 73152-3036