



State Of Ohio
Department of Insurance
2100 Stella Court Columbus, Ohio 43266-0566

George V. Voinovich
Governor
Harold T. Duryee
Director

BULLETIN 95-4

AUGUST 1, 1995

TO: All Title Insurance Agents, Title Insurance Agencies,
and Title Insurance Companies

FROM: Harold T. Duryee

RE: Survey Exception on Mortgage Title Insurance Policies

It has come to the Department's attention that certain Ohio underwriters and/or agents are insuring over the standard survey exception in mortgage policies without requiring any evidence of a survey. The Department has concluded that this practice violates Chapter 3953 of the Revised Code. Insuring over the exception without benefit of survey is a casualty approach which, regardless of the amount of risk involved, is a violation for title insurance underwriters which, as monoline companies, are authorized to write only title insurance.

In any circumstance, when the title insurer waives, with evidence of survey, the survey exception for the mortgagee policy, the exception shall also be waived for the owner's policy of title insurance.



Harold T. Duryee
Superintendent