



**Illinois Department of Financial and Professional Regulation**  
**Division of Financial Institutions**

## **DISCLOSURE OF FINANCIAL INTEREST**

[By a Producer of Title Business or Associate – 215 ILCS 155/18(b)]

Property Address: \_\_\_\_\_ Date: \_\_\_\_\_

Seller(s): \_\_\_\_\_ Buyer(s): \_\_\_\_\_

### **BE A KNOWLEDGEABLE CONSUMER PLEASE READ**

- **A PRODUCER OR ASSOCIATE OF TITLE BUSINESS**, (attorney, broker or lender), must disclose its financial interest (ownership) in a Title Agent, Insurer, Independent Escrowee. [215 ILCS 155/18(b)]
- **YOUR ATTORNEY, BROKER OR LENDER CANNOT** force you to use an agent, insurer or escrowee of their choosing. **YOU HAVE THE RIGHT** to choose the title agent, insurer or escrowee. [215 ILCS 155/18.1]
- **YOUR TITLE AGENT AND THE INSURER HAVE A CONTRACT** that details what the agent will be paid. The insurer's agent(s) must also be duly registered with the Department [215 ILCS 155/16(a)].
- **A SIGNIFICANT PORTION** of title charges you pay go to the title agent.
- **WHEN THE PRODUCER/ASSOCIATE** is also your title agent (attorney, broker or lender), you will be paying for the legal fee, commission or loan charges AND the title agent's fee. (See Estimated Charges below).
- **YOU ARE PAYING THESE FEES** so consider shopping around before signing this form.
- **THIS FORM MUST BE PROVIDED** to you before the title commitment is issued, not at the end of the transaction. [215 ILCS 155/18(b)]
- **DIRECT ANY QUESTIONS** to your attorney, broker or lender.

## **DISCLOSURE OF ASSOCIATED BUSINESS**

A Producer of Title Business/Associate must disclose its financial interest. This almost always involves the title agent, e.g. your attorney/law firm as title agent, your real estate broker referring to a title agency owned by the brokerage, your lender referring to a title agency owned by the lender, etc.

**The financial interest of the Producer/Associate is with the following:**

Title Agent/Service Agent/Agency/Escrowee: \_\_\_\_\_

**The Producer/Associate certifies that this disclosure was timely provided to: 1) Seller(s) and Buyer(s) or their representatives, and 2) the title insurer (for purposes of authorizing policy issuance/services, affirming the agent(s) are duly registered and for retaining this disclosure for its records).**

Signature of Producer/Associate Representative: \_\_\_\_\_ Date: \_\_\_\_\_

Title Insurance Company (Insurer) ~~issuing the policy will be insuring the transaction will be:~~

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## **ESTIMATED CHARGES**

Fees charged at your closing include: 1) title insurance policy, service charges or administration fee; 2) abstracting, searching and examining title; 3) preparing or issuing preliminary reports, property profiles, commitments, binders or like product; 4) closing fees, escrow fees, settlement fees and like charges. [215 ILCS 155/19]

	<u>ESTIMATED SELLER CHARGES</u>	<u>ESTIMATED BUYER CHARGES</u>
1. Title policy, servicing, or admin.	\$ _____	\$ _____
2. Abstracting, searching, examining	\$ _____	\$ _____
3. Preliminary report, commitment, etc.	\$ _____	\$ _____
4. Closing, escrow, settlement, etc.	\$ _____	\$ _____
<b>Total estimated title charges</b>	<b>\$ _____</b>	<b>\$ _____</b>

**Estimated title agent retained premium**

**fee\*** \$ \_\_\_\_\_ \$ \_\_\_\_\_

**Estimated non title related fee(s) of the referring producer of title business (choose only the one applicable fee)\*\***

<u>Attorney's fee,</u>	\$ _____	\$ _____
Broker's commission/other fees	\$ _____	\$ _____
Lender's charge(s)	\$ _____	\$ _____

\*Under the agreement between the title agent and the insurer, the agent will receive a certain amount of money for statutorily authorized services that must actually be performed and, other than such compensation, the exchange of a thing of value as inducement or compensation to obtain title business is prohibited under state and federal law. [12 USC §2607; 215 ILCS 155/24; and 8100.2402(a)].

\*\*It is a violation of state and federal law to offer or accept free or discounted attorney fees, real estate broker commissions, lender charges, etc., for the referral of title business to a title agent, insurer or escrowee and may result in criminal prosecution and/or fine for each offense. [215 ILCS 155/24 and 23; 12 USC §2607(d)]

## **ACKNOWLEDGEMENT**

I/We have read this disclosure and understand that the Producer/Associate (see Disclosure of Associated Business section above): 1) is referring me/us to purchase title services from the above title insurer/service provider(s); and 2) will receive money or other benefit for the work provided, which is a direct result of this referral.

Seller: \_\_\_\_\_

Buyer: \_\_\_\_\_

Seller: \_\_\_\_\_

Buyer: \_\_\_\_\_