PALMETTO LAND TITLE ASSOCIATION

TITLE NOTES

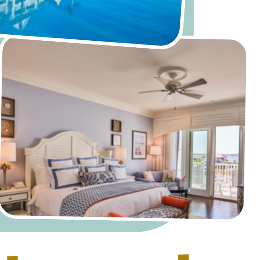
JUNE 2025

The sand, the sea and a little southern hospitality –

that's South Carolina!

We're proud to make PLTA home to professionals like you, as you play a role in making the Palmetto state home to hundreds of individuals, families and investors. Our June newsletter is jam-packed with helpful reminders, advocacy updates, regulatory insights and marketing tips to help your business grow and stay compliant.

A quick thank you to everyone who attended our 2025 Spring Convention in Charleston last month. We don't know what we enjoyed more – the views or the awesome company! Stay tuned for pictures and a short recap in our next newsletter.



Not a member yet? Click here!

GET INVOLVED

Did you know that our board meetings are open to all PLTA members? Attend our upcoming meeting on June 10th to learn more about our committees' initiatives, tell us what causes and resources you care about and how we can be a better help to your business. Make the most of your PLTA membership and make your voice heard–we're listening!

ADVOCACY UPDATE

Here's what we're working on:

PLTA was key in advancing improvements to South Carolina Senate Bill 126 for the 2025–2026 session. Building on the foundation of the 2023 SC Act 56, the bill strengthens protections for personal contact information, particularly for law enforcement officers and judges.

Thanks to PLTA's advocacy, the updated legislation now includes:

- Broader definitions of "personal contact information" for stronger protection.
- Clearer procedures for restricting personal data from public access.
- Secure sharing provisions for authorized parties, like title insurers and attorneys.
- A streamlined confidentiality request process, developed in coordination with the Office of Court Administration and the SC Criminal Justice Academy.
- A delayed effective date of January 1, 2026, to provide additional time for implementation.

Click here to read the new Act: www.scstatehouse.gov/sess126_2025-2026/bills/126.htm.

This legislative success reflects PLTA's ongoing commitment to safeguarding sensitive information while supporting transparency and efficiency in South Carolina real estate transactions.

L-R: Erica Lybrand (Blair Cato), Rep. Ralph Norman, Dawn Watkins (PLTA), Samantha Stewart (ALTA)

Our President-Elect and Legislative Chair, Dawn Watkins, attended the ALTA Advocacy Summit on May 5th-7th in Washington, DC, to represent the association. Over 225 professionals from the title insurance sector gathered on Capitol Hill to engage with their local Senators, Representatives and their staff. Discussions highlighted title insurance's crucial role in securing homeownership, safeguarding property rights and preventing fraud.

This meeting coincided with the timely reintroduction of the bipartisan Protecting America's Property Rights Act (HR 3206) by U.S. Representatives Andrew Garbarino (R-NY) and Vicente Gonzalez (D-TX). This act mandates that all federally backed mortgages must be insured b state-regulated products, such as title insurance.

The South Carolina delegation met with Rep. Ralph Norman and staff for Rep. Joe Wilson, Sen. Tim Scott and Sen. Lindsey Graham. During these meetings, we voiced concerns regarding FinCEN's anti-money laundering regulations concerning real estate transactions. Effective December 1, 2025, this rule requires real estate professionals to report and maintain records for specific non-financed residential property transfers to designated legal entities and trusts. We emphasized that the new regulation substantially burdens small businesses and raises liability issues related to data privacy and security. We encouraged legislators to engage with FinCEN to advocate for a reduction in the scope of the reporting requirements, aiming to alleviate the impact on title and settlement services companies.

WE'RE PROUD TO LEAD EFFORTS THAT PROTECT OUR COMMUNITY AND STRENGTHEN OUR INDUSTRY!

STAYING THE COURSE THROUGH UNCHARTED WATERS

by Charles C. Cain, Esq. SVP-National Agency–FNF Family of Companies

In the first 100 days of the second Trump Administration, we have seen dramatic moves that have thrown into question the role of federal enforcement, particularly by the CFPB, as to a host of laws, including RESPA. Pending the outcome of litigation, the CFPB's staff was reduced to a mere 200 people from the thousands previously employed in offices nationwide. Some thought the Bureau itself might be shut down. However, Acting Director and OMB Director Vought has stated in court documents that the Bureau is not being shut down; it is being streamlined, and their mission is to focus more on their explicit tasks in the Dodd-Frank legislation. The Bureau's 2025 priorities outline a more limited but still active role in protecting consumers based off actual injury and, while they are going to be less focused on topics such as pay-day lending and student loans, they will remain focused on mortgage debt and, presumably, the laws surrounding it including RESPA and the Consumer Financial Protection Act (CFPA).

So, what does this mean for the enforcement of federal laws that help create a level playing field in title and settlement? Is this a "defunding" of policing, and will bad actors be able to take advantage of an absence of enforcement? Hardly.

In 2022, the CFPB laid out a game plan for state enforcement of federal consumer laws by state authorities, particularly state Attorneys General. The plan was based on the plain language of both RESPA and the CFPA. While RESPA provides certain statutory damages that can be brought by governmental and private action (more on that shortly), the CFPA provides much broader bases of damages with far greater penalties. RESPA is limited to the 3-year limitation of actions. However, the US Court of Appeals for the 4th District has ruled that the 3-year limitation does not begin to toll until "reasonable discovery" by the damaged party based on the federal Fraudulent Concealment Doctrine. Arguably, both governmental and private rights of action could be brought years from now for today's infractions. A new administration might begin a look back at past violations, and the class action bar could pursue damages now or years from now.

In the waning days of the Biden administration, the CFPB further laid out a game plan for state enforcement and a game plan for state regulators to beef up their enforcement capabilities and penalties. So, where does that leave us? As one political scientist noted, the present Republican Party is different from the party of the first 20 years of this century. That Republican Party was referred to as neo-conservative and very pro-business. The present Republican party is a populist reform party (regardless of one's opinions on the reforms). Historically, that means a party not totally aligned with business interests. One can look back at the difference between the McKinley administration and that of Theodore Roosevelt, who succeeded McKinley upon his death. Roosevelt was a populist reformer Republican, while McKinley was a very pro-business Republican. Roosevelt enforced the Sherman Anti-Trust Act against businesses at a rate of four times that of the McKinley administration. President Trump's appointment of Gail Slater as head of the Anti-Trust Division at Justice and the continued pursuit of the Google Anti-Trust litigation shows this type of populist reform.

Following through the suggestions of the CFPB we have seen significant state action as to RESPA, CFPA and state law enforcement in so-called "blue" jurisdictions such as Pennsylvania and the District of Columbia but also vigorous enforcement of same nature in Texas and, recently, Ohio, two very "red" states in action brought by their respective AGs. One should expect this same type of bipartisan enforcement at the state level in the upcoming years.

What does all this mean when running your business? Stay the course. Follow the law explicitly and discourage others from cutting legal corners in expectation of no, or very limited, enforcement. While there may not be anyone from DC stopping in your office, there may very well be someone from the state capital or a class action attorney sending you unpleasant letters and investigative demands. The penalties can mount into the millions, and the legal defense likewise.

BOOST YOUR PRACTICE'S VISIBILITY WITH HASHTAGS

Everyone knows by now that social media is an important part of any marketing strategy. However, sometimes what you say is as powerful as what you post. Using hashtags (and keywords) in your captions is a simple tool to connect with potential clients and grow your online presence. Studies show that Instagram posts with at least one hashtag get 12.6% more engagement than those without. On LinkedIn, hashtags can increase post discoverability, making it easier for your content to reach the right audience.

Here are some tips:

- **Mix Popular and Niche Hashtags:** Combine widely-used ones like #RealEstateLaw and #SCRealEstate with more specific hashtags such as #SouthCarolinaHomes or #CommercialPropertyLaw to target your audience effectively.
- **Research Trending Hashtags:** Stay updated on trending hashtags within the real estate and legal sectors and your local community using tools like Sprout Social or Social Searcher to align your content with current conversations.
- **Create a Branded Hashtag:** A unique hashtag like #[YourFirmName]PropertyLaw can boost brand recognition when applied consistently across platforms.
- **Engage Strategically:** Use hashtags not only in posts but also to find and comment on relevant content, expanding your network and credibility.

SUGGESTED HASHTAGS FOR REAL PROPERTY ATTORNEYS IN SOUTH CAROLINA:

#SCRealEstateLaw #SouthCarolinaRealty #PropertyDisputes

#TitleInsurance #CharlestonHomes

#CommercialRealEstate #LegalInsights

Start incorporating these hashtags to expand your reach in South Carolina's real estate market!

Don't Be a Stranger!

We ❤ our Palmetto Land Title community, and are proud to support your success–so let us know what that looks like for you! If there's something specific you'd like to see in our newsletters, just tell us.

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