



Doma Insurance Agency, Inc.

AZDFI License # EA-0950597

State of Arizona

**Escrow Fees and Charges of
Doma Insurance Agency, Inc.**

Effective Date: November 1, 2022

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1. Introduction, Definitions and General Guidelines

1.1 Effective Date

This Escrow Fees and Charges Manual (Manual) is intended to supersede and replace the currently filed Escrow Fees and Charges Manual of States Title Agency, Inc., now known as Doma Insurance Agency, Inc., effective September 15, 2021, and shall supersede all Scheduled Fees and Charges which have heretofore been displayed in our offices. Fees and charges set forth in an earlier applicable manual for orders accepted by the Company prior to the effective date of this Manual, shall remain in effect for such pending orders.

1.2 Introduction

The rules and procedures contained herein are in no manner, either express or implied, to be construed as establishing or changing the rules and procedures pertaining to the escrow practices followed by the Company. The rates shown are for the processing of the various types of escrows as required by Arizona Revised Statute, Article 4, Sections 20-375, and 20-377, and do not include any additional service(s) unless otherwise noted or provided for in this schedule of fees and charges. Fees are based on the experience and judgment of the applicable Agency.

1.3 Definitions

a. **Commercial Property.** Commercial Property means any property that is not Residential Property.

b. **Company.** Company means Doma Insurance Agency, Inc., and any other subsidiary, successor, or affiliate of its parent company, Doma Holdings, Inc., that may be engaged in business in the state of Arizona as a licensed title agency. Notwithstanding the foregoing, Doma Insurance Agency of Arizona, Inc., an Arizona licensed title agent has separately filed its rates for the state of Arizona.

c. **Escrow.** Escrow means any transaction wherein any property, money, written instrument or evidence of title or possession to real or personal property or other thing of value is delivered with or without transfer of legal or equitable title, or both, and irrespective of whether a debtor/creditor relationship is created, to a person not otherwise having any right, title or interest therein in connection with the sale, transfer, encumbrance or lease of real or personal property, to be delivered or redelivered by that person upon the contingent happening or nonhappening of a specified event or performance or nonperformance of a prescribed act, when it is then to be delivered by such person to a grantee, grantor, promisee, promisor, obligee, obligor, bailee or bailor, or any designated agent of employee or any of them. (A.R.S. §6-801, as amended.)

d. **Escrow Agent.** Escrow Agent means any person engaged in the business of accepting escrow. (A.R.S. 6-801).

e. **Fair Value.** Fair value shall be construed as:

- i. For a sale, fair value is the full value of the property, or the sale price including encumbrances (amount of encumbrances, assessed value, comparable sale data, etc.), whichever is higher. The fair value may also be determined from all available information, and this optional selection for

- deciding fair value is at the sole discretion of the Escrow Agent;
- ii. When a sale is not involved, fair value shall be determined from all available information, i.e., amount of funds escrowed, amount of encumbrances, assessed value, etc. It shall not be less than the sum of the unpaid principal balances of the mortgages and/or contracts to which the property is subject.
- iii. When the subject property is a lease, the fair value may be the full fair market value of the property leased or the total amount of the lease payments, whichever is less.
- iv. For a loan escrow, fair value will be the amount of the loan being closed.

In no event shall the fair market value be less than the sum of the unpaid principal balances of the mortgages, deeds of trust and/or contracts to which the property is subject.

f. **Manual.** Manual means this Schedule of Escrow Fees and Charges of the Company for the state of Arizona.

g. **Residential Property.** Residential Property is defined as improved real property intended solely for residential use, and which consists of:

- (1) one completed one-to-four family residential structure and related completed improvements;
- (2) one completed residential condominium unit;
- (3) one completed residential cooperative leasehold; or
- (4) one mobile or manufactured home, then existing and permanently affixed to real estate.

h. **Short Sale.** Short Sale means a sale transaction in which the proceeds of the sale are insufficient to satisfy the outstanding obligations secured by the subject property and one or more creditors or lenders agrees to accept less than the amount that is owed on the property in satisfaction of the outstanding loan or loan obligations.

1.4 Fees are Derived from Basic Escrow Rate

a. The escrow fee charged for every real property escrow transaction shall be based on the Fair Value of the property involved and shall be as stated in this Manual or derived incrementally based upon the sales price of the subject property from the Basic Escrow Rates set forth in the Basic Rate Schedule attached hereto as Schedule 1. The fees are charged on a per-transaction basis and may be apportioned among the parties to the transaction in accordance with the contract between the parties or the instructions of the parties.

b. Special escrow rates or other rates applicable to certain types of transactions are as set forth in this Manual and shall be charged accordingly, upon request and qualification. For any type of transaction not specifically addressed or described in this Manual, the appropriate escrow fee for the requested service(s) will be negotiated between the Company and the parties to the transaction(s).

c. All fees and charges shall be rounded up to the next dollar, except as otherwise expressly provided. Whenever percentages of a rate are used herein, the charge arrived at from use of the percentage shall be rounded up to the next dollar, except as otherwise provided. Except as otherwise provided, the escrow rates shall be applied on a per unit basis in multiples of \$25,000, including any fraction thereof, in accordance with the division of such units as set forth in Schedule 1.

d. Special circumstances, certain market conditions, or projects put up for bidding may at times require escrow services to the public for which a specific rate structure has not been established. When presented with such circumstances, a fee shall be charged which the Company believes is congruent with the general rate structure provided herein. At times, due to the selling, acquisition, development, financing or refinancing of multiple properties, large or non-typical projects, real estate owned (REO) or auction properties, it may be necessary to establish agreements as to the services to be provided and the fees to be charged for such requested services. Such rates will be based upon a written agreement and will offer the consumer the best possible value while allowing the Company to realize a reasonable profit from any such transaction.

e. The fees and charges set forth in this Manual are applicable throughout the entire state of Arizona and do not vary by county or zone.

1.5 Competitor's Rates and Charges

The Company reserves the right to match any published escrow rate quote from a competitor's title or escrow company. The competitor's escrow rate must be filed and approved by the Arizona Department of Financial Institutions and currently in effect for orders in Arizona.

1.6 Minimum and Additional Fees and Special Services

Escrow fees determined in accordance with the rates set forth herein are minimum fees. Additional fees will be charged as provided in this Manual when unusual conditions are encountered in the escrow, when special obligations are assumed, or when special services are provided.

1.7 Limitations on Special Rates

Special rates shall not be applied to any fee already calculated at less than the Basic Escrow Rate specified in Schedule 1. Special rates shall be applied only to those portions of the fees the customer is customarily expected to pay. Special or discounted rates may not be combined. At no time shall the fee fall below the minimum Basic Rate (currently \$802).

1.8 Separate Fee for Each Sale or Exchange

A separate charge, based upon the Fair Value, will be applicable on each separate sale or property involved, even though there may be one common purchaser and the sales are handled concurrently, if the ownership of the properties and/or parcels are not common, i.e., owned by the same seller.

1.9 Transfer of Partial or Undivided Interests

The full applicable escrow fee shall be charged to transfers of partial or undivided interests in real property.

1.10 Third Party Service Providers

Except as specifically provided otherwise herein, the cost of services required in an escrow provided by third party vendors are additional charges, the charge for which shall be the fee imposed by the third-party service provider.

2. Basic Escrow Rates

2.1 Residential Conveyances

- a. Unless provided otherwise in this Manual, the Escrow Fee will be the Basic Escrow Rate (based on sales price) from Schedule 1 attached to this Manual.
- b. For concurrent first residential loan transactions:
 - \$100 fee (split equally between the buyer/borrower and seller)
 - \$100 fee each for any additional loans above one (payable by Borrower)

2.2 Commercial Conveyances

- a. Escrow fees for a commercial property or industrial developer customarily engaged in such business shall be charged as follows:

| Purchase Price | Escrow Charge |
|--|------------------------------|
| \$0 - \$5,000,000 | 70% of the Basic Escrow Rate |
| \$5,000,001-\$10,000,000 | 65% of the Basic Escrow Rate |
| \$10,000,001-\$25,000,000 | 60% of the Basic Escrow Rate |
| \$25,000,001-\$50,000,000 | 55% of the Basic Escrow Rate |
| \$50,000,001-and above | 50% of the Basic Escrow Rate |
| The minimum Escrow Charge for a Commercial Property is \$802 | |

- b. For transactions involving a commercial property or industrial developer the total escrow fee shall not be less than the lowest escrow fee set forth in the Basic Escrow Rate Schedule. The minimum escrow rate for a transaction which is charged according to Schedule 1 is \$802. No otherwise applicable discount shall be applied if it would otherwise produce a rate less than \$802 for such transaction.
- c. If such escrow includes a loan transaction, the escrow fee shall be increased by \$150 for each loan closed as part of the same transaction, payable by the Borrower.
- d. For all commercial loan transactions not concurrent with a sale the escrow fee shall be charged as follows:

| Loan Amount | Escrow Charge |
|---------------------------|----------------------|
| Up to \$1,000,000 | \$750 |
| \$1,000,001 - \$3,000,000 | \$1,000 |
| \$3,000,001 - \$5,000,000 | \$1,250 |
| \$5,000,001- and above | \$1,500 |

2.3 Services Included within Basic Escrow Rate

Unless otherwise provided herein in connection with a specific rate or service, the following services are included within the Basic Escrow Rate, and no additional or separate charge shall be made for any of the following:

- receipt of incoming funds (check or wire);
- issuance of disbursements (check or wire);
- document preparation of documents required for the current transaction;
- processing of a subordination;
- file coordination and management

3. Special Escrow Rates and Special Services

3.1 Employee Rates

- a. No basic escrow fee charged to an employee of the Company, its parent, subsidiaries, or any affiliated company in connection with a qualified purchase, sale, financing, or refinance of the employee's bona fide primary residential property.
- b. Other settlement costs will be charged as applicable.
- c. Waiver of such charge will apply to only those costs which the employee would be obligated to pay by established local custom as part of the transaction and is limited to one qualified transaction within any twelve-month period.

3.2 Governmental Bodies and Agencies

- a. Federal, state and local governments and their respective agencies or municipal corporations dealing with the sale or acquisition of real properties shall be charged an escrow rate which is negotiated between the parties or which is submitted in the form of a bid in the event bids for escrow services are required by virtue of the nature of the transaction. In no event shall the escrow fee for governmental bodies and agencies be less than 50% or greater than 150% of the Basic Escrow Rate, provided that the minimum escrow rate for such a transaction charged according to Schedule 1 shall not be less than \$802.

3.3 Leasehold Transactions

a. For leasehold escrow transactions other than oil, gas, mineral or geothermal leases the escrow fee shall be 150% of the applicable Basic Escrow Rate.

b. For leasehold escrow transactions which involve oil, gas, mineral or geothermal leases the escrow fee shall be negotiated and agreed by the parties to the escrow, but in no event less than 150% of the Basic Escrow Rate.

3.4 Manufactured Housing Services

a. For transactions involving unaffixed manufactured homes there will be a charge of \$300 in addition to Basic Escrow Rate for the conveyance or manufactured housing services required in connection with the real property upon which the manufactured dwelling may rest.

b. Manufactured housing services are limited to:

- the purchase, sale, transfer, or encumbrance of a single-family manufactured dwelling itself (including all modules comprising a single dwelling) in connection with obtaining and recording a fully executed Affidavit of Affixture.

c. These services may include but are not limited to:

- procuring original title document(s) from the title holder;
- obtaining payoff statements and lien releases for all secured lien holders;
- Payment in Full of personal property taxes, if any.

3.5 Mortgage Bankers and Mortgage Brokers, Licensed

An Arizona-licensed mortgage banker or mortgage broker shall be charged 70% of the Basic Escrow Rate for services performed in connection with an escrow transaction in which they are a principal. This special rate shall not be available in combination with other special rates. The minimum escrow rate for a transaction is \$802. This discount shall not be applied if it would otherwise produce a rate less than \$802 for such transaction.

3.6 Real Estate Brokers and Salespersons, Licensed

An Arizona-licensed real estate broker or salesperson shall be charged 70% of the Basic Escrow Rate for escrow services performed in transactions in which they are a principal and not acting in an agency capacity. This special rate shall not be available in combination with other special rates. The minimum escrow rate for a transaction is \$802. This discount shall not be applied if it would otherwise produce a rate less than \$802 for such transaction

3.7 Residential: Subdivider, Builder and Developer Transactions

a. A residential subdivider, builder or developer customarily engaged in such business shall be charged, for purchase and sale transactions and in combination with related loan transactions, a rate dependent upon the total number of units or lots developed or being

developed in recorded subdivisions and/or proposed to be developed. The fee shall be calculated as follows:

| Number of Units | Escrow Charge |
|-----------------|--------------------------|
| 1-500 | 60% of Basic Escrow Rate |
| 501 – 1,000 | 55% of Basic Escrow Rate |
| 1,001 or more | 50% of Basic Escrow Rate |

b. A residential subdivider, builder or developer customarily engaged in such business shall be charged 70% of the Basic Escrow Rate in all transactions other than those set forth in 3.7.a. above. The minimum escrow rate for the entire transaction is \$802. This discount shall not be applied if it would otherwise produce a rate less than \$802 for such transaction.

c. These special rates shall not be available in combination with other special rates or discounts.

3.8 Streamlined Residential Conveyances

a. The Streamlined Residential Conveyances may be used for centralized escrow processing for residential (1-4 family) conveyances opened electronically through the Company’s centralized order processing and tracking system. Customers are not obligated to accept the applicable Streamlined Residential Conveyances if they prefer additional services or products not provided herein. The fee for Streamlined Residential Conveyances shall be charged at \$1,150. This fee will also include the 3.22 Processing Service Fee and up to \$300 in notary/signing fees. Any notary/signing fees in excess of \$300 will be passed through at the invoiced amount.

b. These special rates shall not be available in combination with other special rates or discounts.

3.9 Residential Relocations

A residential customer who has entered a written contract with an approved relocation company shall be charged 50% of the Basic Escrow Rate for those fees they would customarily be expected to pay. This special rate shall not be available in combination with other special rates. The minimum escrow rate for the entire transaction is \$802. This discount shall not be applied if it would otherwise produce a rate less than \$802 for such transaction.

3.10 Sub-Escrow Services - Residential Property

a. A \$250 fee for Sub-escrow services may be provided in support of a primary holder of an escrow transaction or an institutional lender, and includes:

- receipt of funds and written instructions from the primary holder of the escrow or from a lender whose loan is to be insured, and;
 - the disbursement of such funds for the elimination of matters affecting title.
- b. The payment is nonrefundable once paid;
- c. Any additional or different services shall be charged as Additional Work at rates set forth in Section 3.14.

3.11 Sub-Escrow Services – Commercial Property

A sub-escrow fee will be charged for any of the services listed below at the rates indicated. If multiple services are performed, the sum of the fees will be the total fee charged. These rates may not be charged in conjunction with or in addition to the Commercial Escrow Rate as set forth in this Manual except when such services are provided after closing or when such services exceed the normal scope of work included in the Commercial Escrow Rate.

| Escrow Duties | Charge |
|---------------------------------------|---------------|
| Receipt and disbursement of all funds | \$500 |
| Ordering payoff statements | \$150 each |
| Document recordation | \$250 |
| Wire transfers | \$50 each |

3.12 Short Sale Escrow Transaction Fee

When called upon to act as an escrow agent in a Short Sale there shall be a bundled escrow fee in lieu of other miscellaneous charges that would normally be incurred by the Buyer and Seller to close the transaction. The Escrow Fee shall be charged at 200% of the Basic Escrow Rate and includes Basic Escrow, electronic document transfer, express delivery, courier, wire transfer and reconveyance tracking and servicing. This fee shall be split equally between the buyer and seller. Should the lender or lenders decline to allow a portion of said fee, the disallowed portion shall not apply.

3.13 Escrow-Only Bundle Fee

When called upon to act as an escrow agent only and not at the same time acting as the issuing title agent or performing any function in connection with the ordering or issuance of any title insurance, the escrow-only fee shall be \$1,700. This fee is inclusive of escrow service, one express delivery, one overnight shipment, reconveyance tracking, electronic document charges, and Notary Service fee up to \$200. In the event the Company is requested to record documents in conjunction with an escrow-only transaction, an additional recording service fee will be charged pursuant to Paragraph 3.17 of this Manual.

3.14 Residential Refinance Package Rate

- a) The Refinance Package Rate is available for Residential Property refinance loan transactions which do not qualify for the Streamlined Refinance Settlement

Services Rate as set forth in Section 3.15 below and applicable for all available loan policy forms.

- b) Refinance Package Rate.....\$525
- c) This rate includes all overnight delivery fees, all notary/signing fees to an aggregate total of \$200, all subordination processing fees, all wire transfer fees, all cashier's check fees, all express delivery / courier fees, recording service fees, and electronic document transfer fees.
- d) This rate excludes all third-party service fees, notary/signing fees in excess of \$200, attorneys' fees for document preparation, and all applicable city, county and state mortgage transfer taxes, fees and recording charges. All excluded charges are as invoiced or assessed by third party vendors or providers, or state or county governmental entities.

3.15 Streamlined Refinance Package Rate

- a) The Streamlined Refinance Package Rate applies only to transactions involving the refinance of a loan on Residential Property not to exceed a liability of \$5,000,000 and requires that all the following requirements are met:
 - a. The order was opened electronically with Company through its centralized electronic order processing and tracking system.
 - b. All of the escrow and closing functions associated with the transaction which culminates in the issuance of the Doma policy are performed by Company.
 - c. The policy to be issued shall be the ALTA Residential Short Form Loan Policy.
- b) Streamlined Refinance Package Rate.....\$375
- c) If the order is placed by a mortgage broker, third-party originator, or by a Proposed Insured which is NOT directly integrated with both communications and document transfer, ADD\$125
- d) This rate includes all overnight delivery fees, all notary/signing fees to an aggregate total of \$135, all subordination processing fees, all wire transfer fees, all cashier's check fees, all express delivery / courier fees, recording service fees, and electronic document transfer fees.
- e) This rate excludes all third-party service fees, notary/signing fees in excess of \$135, attorneys' fees for document preparation, and all applicable city, county and state mortgage transfer taxes, fees and recording charges. All excluded charges are as invoiced or assessed by third party vendors or providers, or state or county governmental entities.

3.16 Home Equity Line of Credit Package Rate

- a) The Home Equity Line of Credit Package Rate applies only to transactions involving the issuance of a line of credit on Residential Property.
- b) Home Equity Line of Credit Package Rate.....\$360
- c) This rate includes all overnight delivery fees, all subordination processing fees, all wire transfer fees, all cashier's check fees, all express delivery / courier fees, recording service fees, and electronic document transfer fees.
- d) This rate excludes all third-party service fees, all notary/signing fees, attorneys' fees for document preparation, and all applicable city, county and state mortgage transfer taxes, fees and recording charges. All excluded charges are as invoiced or assessed by third party vendors or providers, or state or county governmental entities.

3.17 Additional Work

- a. For work and services not otherwise included in this Manual:
 - \$125 per hour (one-hour minimum) and
 - \$75 for each additional one-half hour (minimum half-hour increments)
 - ii. An estimate of this Additional Work Fee will be provided upon request and will be based on the escrow agent's evaluation of the work involved.
 - iii. The customer's signature on the settlement statement represents approval of any Additional Work Fees charged.
- b. Stale Dated Checks:
 - Still outstanding 90 days from issuance;
 - Unclaimed escrow funds are dormant 180 days from day of availability;
 - \$25 Maintenance Fee per month for stale dated checks and dormant funds.

3.18 Holdback of Funds, Post-Closing

An additional fee shall be charged when the escrow agent is employed, or is otherwise required, to hold funds after an escrow transaction has closed, in order to secure the completion of work by a third-party or the satisfaction of other conditions. The fee shall be \$500 for the first holdback, and \$200 for each additional holdback, regardless of the amount of the holdback. Such fees are collected at close of escrow and are nonrefundable.

3.19 Interest Bearing Account Deposits

A fee of \$50 shall be charged to deposit escrow funds into an interest-bearing account pending close of escrow. There shall be no fee when the funds are deposited in connection with Commercial Property.

3.20 Recording Fee-All Transactions

a. The fees charged for recording and/or filing with the County Recorder, Secretary of State or other applicable government office shall be the invoiced charges from the title provider.

3.21 Processing Service Fee

- a. For typical purchase transactions (split between buyer and seller), this \$600 fee includes:
- electronic document transfers;
 - express delivery / courier fees;
 - wire transfer fees;
 - reconveyance tracking; and
 - notary fees up to \$300.
- b. For atypical transactions, Escrow Agent may charge individual line charges as set forth in this Manual for the same costs.
- c. Notary fees above \$300 are not included and shall be charged as invoiced by third party provider.

3.22 Inspection Fee

- \$100 each when required
- \$25 additional for rush requests (completion within 48 hours).

3.23 Remote Online Notarization

When the Company arranges for the execution/notarization of any escrow documents by means of a third party remote online notary service provider, there shall be an additional charge made in the amount invoiced by the third-party provider, which shall be paid by the party for whom the remote online notarization is provided.

| SCHEDULE 1 | |
|---|---|
| BASIC ESCROW RATES | |
| TRANSACTION AMOUNT (up to and including) | RATE |
| \$0 - \$125,000 | \$802* |
| \$125,001 - \$150,000 | \$868 |
| \$150,001 - \$175,000 | \$902 |
| \$175,001 - \$200,000 | \$934 |
| \$200,001 - \$225,000 | \$966 |
| \$225,001 - \$250,000 | \$1,000 |
| \$250,001 - \$275,000 | \$1,034 |
| \$275,001 - \$300,000 | \$1,066 |
| \$300,001 - \$325,000 | \$1,098 |
| \$325,001 - \$350,000 | \$1,132 |
| \$350,001 - \$375,000 | \$1,166 |
| \$375,001 - \$400,000 | \$1,198 |
| \$400,001 - \$425,000 | \$1,232 |
| \$425,001 - \$450,000 | \$1,264 |
| \$450,001 - \$475,000 | \$1,298 |
| \$475,001 - \$500,000 | \$1,330 |
| \$500,001 - \$525,000 | \$1,362 |
| \$525,001 - \$550,000 | \$1,396 |
| \$550,001 - \$575,000 | \$1,428 |
| \$575,001 - \$600,000 | \$1,462 |
| \$600,001 - \$625,000 | \$1,496 |
| \$625,001 - \$650,000 | \$1,528 |
| \$650,001 - \$675,000 | \$1,562 |
| \$675,001 - \$700,000 | \$1,594 |
| \$700,001 - \$725,000 | \$1,628 |
| \$725,001 - \$750,000 | \$1,660 |
| \$750,001 - \$775,000 | \$1,692 |
| \$775,001 - \$800,000 | \$1,726 |
| \$800,001 - \$825,000 | \$1,758 |
| \$825,001 - \$850,000 | \$1,792 |
| \$850,001 - \$875,000 | \$1,826 |
| \$875,001 - \$900,000 | \$1,858 |
| \$900,001 - \$925,000 | \$1,890 |
| \$925,001 - \$950,000 | \$1,924 |
| \$950,001 - \$975,000 | \$1,958 |
| \$975,001 - \$1,000,000 | \$1,990 |
| \$1,000,001 - \$5,000,000 <i>add</i> | <i>Add \$33.00 per \$25,000 or fraction thereof</i> |
| \$5,000,001 and above <i>add</i> | <i>Add \$23.10 per \$25,000 or fraction thereof</i> |

* The minimum escrow rate for a transaction which is charged according to this Schedule 1 is \$802. No otherwise applicable discount shall be applied if it would otherwise produce a rate less than \$802 for such transaction.