

Annual Report of Title Insurers and Title Insurance Producers
Calendar Year 2022

Regulatory requirements:

- A producer must use the interest rate on his or her MAHT account when determining into which account, a MAHT or a non-MAHT account, a transaction will be deposited. *Refer to Attached Chart for Guidance.*
- A bank cannot deduct the following service charges from interest earned on the MAHT account; 1) Deposits of dishonored items, 2) Presentations against insufficient funds, 3) Overdrafts, 4) Certified checks, 5) Account reconciliations, and 6) Wire transfers. (COMAR 31.16.03.04)
- If the aggregate service charges assessed against a title insurer or title insurance producer on all of its MAHT accounts held in a single financial institution exceed the aggregate interest earned on those MAHT accounts, the title insurer or title insurance producer is liable for payment of those service charges to the extent they exceed the earned interest.
- The annual report for 2022 is due on or before March 31, 2023.

Missing the deadline will mean that your company will be reported to the Maryland Insurance Administration for failing to comply with the MAHT law and your company will be at risk of penalty, sanction, or other form of legal enforcement which the Insurance Commissioner has the authority to impose under the MAHT regulations (Code of Maryland Regulations (COMAR) 31.16.03.08).

INSTRUCTIONS: (please read these revised instructions thoroughly)

The information reported on the Annual Report should reflect total activity in the account for the entire calendar year for which the form relates.

If you have more than one MAHT account or other (non-MAHT) client account, submit a separate form for each account.

You are not required to report on accounts holding escrowed funds for transactions on properties NOT located in Maryland.

A transaction is the collective deposit of funds from all sources into escrow for that particular closing-regardless of the number of sources of funds. The total number of settlements refers to the number of transactions, escrows, etc., deposited into an account.

You must report information concerning all MAHT accounts that were active at any time during calendar year 2022. This includes accounts at banks which may have been acquired by other banks during the period. For example, if you had a MAHT account at Bank "X" and Bank "X" was acquired by Bank "Y", you need to submit the required information for your MAHT accounts at both Bank "X" and Bank "Y".

Incomplete reports received prior to the due date will be returned via E-Mail to the address listed on the report.

The following is a partial list of the reasons MAHT will return reports as incomplete:

- Failure to provide a response to one or more requests for information on the report form,
- Failure to sign or failure to include all of the pages for the report form,
- Failure to list the types and amounts of services charges on the account.

If a report is rejected and returned, please correct it and return to MAHT within 5 business days via email at MAHT.DHCD@maryland.gov.

Helpful Hints from MAHT for Calculating the Amount of Interest that a Transaction is Expected to Generate

- Title insurers or title insurance producers must place into an interest bearing MAHT account all trust monies held in connection with real estate settlements, closings, escrows, and title indemnifications that would earn \$50 or less in interest.
- You must return the Annual Report of Title Insurance Companies and Title Insurance Producers by March 31st of each year for both MAHT and non-MAHT accounts.
- The threshold figure that determines whether or not the monies from a transaction should be deposited into a MAHT account should be revisited on a regular basis, as interest rates and "float times" on transactions may fluctuate. The chart below may be used as a guideline in determining a threshold amount.
- When calculating the amount of interest that a transaction may accrue, title insurers and title insurance producers should treat the escrowed funds as if the funds were being placed in their own separate MAHT escrow account and the interest was accruing on that transaction's escrowed funds only. The interest amount should not be calculated as if the funds were earning interest in a regular escrow account where several transactional escrowed monies are commingled and interest is accruing on the total aggregate amount.
- To determine "float time," a title insurer or title insurance producer should review a sample of transactions to determine how long funds remain in the escrow account. A title insurer or title insurance producer may want to ask its bank for assistance in making this determination.
- A transaction is the collective deposit of funds from all sources into escrow for a particular closing - regardless of the number of sources of funds.

**Principal Balances Which Earn \$50 in Interest
When Held for Various Numbers of Days and at Various Interest Rates**

Annual Interest Rate	Number of Days Funds Are Typically Held					
	1 Day	2 Days	3 Days	4 Days	5 Days	6 Days
0.00%	<i>not allowed</i>	<i>not allowed</i>	<i>not allowed</i>	<i>not allowed</i>	<i>not allowed</i>	<i>not allowed</i>
0.10%	18,000,000	9,000,000	6,000,000	4,500,000	3,600,000	3,000,000
0.15%	12,000,000	6,000,000	4,000,000	3,000,000	2,400,000	2,000,000
0.25%	7,200,000	3,600,000	2,400,000	1,800,000	1,440,000	1,200,000
0.35%	5,150,000	2,570,000	1,715,000	1,285,000	1,028,000	857,000
0.50%	3,600,000	1,800,000	1,200,000	900,000	720,000	600,000
0.60%	3,000,000	1,500,000	1,000,000	750,000	600,000	500,000
0.75%	2,400,000	1,200,000	800,000	600,000	480,000	400,000
0.90%	2,000,000	1,000,000	666,750	500,000	400,000	333,250
1.0%	1,800,000	900,000	600,000	450,000	360,000	300,000
1.5%	1,200,000	600,000	400,000	300,000	240,000	200,000
2.0%	900,000	450,000	300,000	225,000	180,000	150,000
2.5%	720,000	360,000	240,000	180,000	144,000	120,000
3.0%	600,000	300,000	200,000	150,000	120,000	100,000
3.5%	514,000	257,000	171,000	129,000	103,000	86,000
4.0%	450,000	225,000	150,000	113,000	90,000	75,000
4.5%	400,000	200,000	133,000	100,000	80,000	67,000
5.0%	360,000	180,000	120,000	90,000	72,000	60,000

Submit completed Annual Reports via email to MAHT.DHCD@maryland.gov.

Recordkeeping: We strongly encourage title companies to file a copy of the submitted Annual Report and email confirmation for future reference/verification of compliance.

Due to the on-going COVID -19 pandemic and the U.S. Postal Service delays, please consider converting check payments to ACH or Wire Transfer. E-mail MAHT.DHCD@maryland.gov to request the instructions.

Any checks to MAHT should be made payable to: Maryland Affordable Housing Trust and mailed to:

Dept. of Housing & Community Development
Attn: Central Cashier
P.O. Box 2521
Landover Hills, Maryland 20784

Applicable Laws and Regulations:

The law and regulations governing MAHT are found in:

Housing & Community Development Article, Sections 10-101 to 10-301 of the Annotated Code of Maryland,

Insurance Article Section 22-103 of the Annotated Code of Maryland, and

Code of Maryland Regulations (COMAR) 31.16.03.01-.08.

Maryland Affordable Housing Trust (MAHT) program information (including materials for title companies and financial institutions) can be found on the MAHT web site at:

<https://dhcd.maryland.gov/housingdevelopment/pages/maht/default.aspx>

Program inquiries should be sent via email to MAHT.DHCD@maryland.gov and/or contact:

Kecia Campbell, MAHT Program Administrator
Maryland Department of Housing and Community Development
Phone: 301/429-7504
Email: Kecia.Campbell@maryland.gov