

LEGISLATIVE POSITION REQUEST FORM

GOVERNMENTAL AFFAIRS OFFICE

Date Form Received _____

GENERAL INFORMATION

Submitted By Real Property, Probate and Trust Law Section, Title Insurance Committee
Address Alan B. Fields, First American Title Insurance Company, 7360 Bryan Dairy Road, Suite 200, Largo, FL 33777, 727-549-3243, abfields@firstam.com
Position Type The Florida Bar, RPPTL Section and Committee

CONTACTS

Ed Burt Bruton, Jr., Greenburg Traurig, 1221 Brickell Ave, Miami, FL 33131-3224 (305) 579-0593
Michael J. Gelfand, Michael J. Gelfand, Gelfand & Arpe, P.A, Regions Financial Tower, Suite 1220, 1555 Palm Beach Lakes Blvd., West Palm Beach, FL 33401; (561) 655-6224
Peter Dunbar, Pennington, Moore, et al, P.O. Box 10095 Tallahassee, Florida, 32302-2095 (850) 222-3533
Martha J. Edenfield, Pennington, Moore, et al, P.O. Box 10095 Tallahassee, Florida, 32302-2095 (850) 222-3533
Board & Legislation Committee Appearance Contacts Above
(List name, address and phone number)
Appearances before Legislators Contacts Above
(List name and phone # of those appearing before House/Senate Committees)
Meetings with Legislators/staff Contacts Above
(List name and phone # of those having face to face contact with Legislators)

PROPOSED ADVOCACY

All types of partisan advocacy or nonpartisan technical assistance should be presented to the Board of Governors via this request form. All proposed legislation that has *not* been filed as a bill or a proposed committee bill (PCB) should be attached to this request in legislative format - Standing Board Policy 9.20(c). Contact the Governmental Affairs office with questions.

If Applicable,

List The Following _____

	(Bill or PCB #)	(Bill or PCB Sponsor)
Indicate Position	_____ Support	_____ Oppose
		_____ Technical
		_____ Other
		_____ Assistance

Proposed Wording of Position for Official Publication: The Section supports Legislation and/or Regulatory action which establishes certainty as to the documentary stamp taxes due with regard to any debt forgiveness in connection with a short sale and which provides accurate sale price information for use by tax assessors and private property appraisers.

Reasons For Proposed Advocacy: There is uncertainty as to whether documentary stamps are payable on the amount of forgiven indebtedness on a short sale is part of the consideration subject to documentary stamps. Paying stamps on this amount, without clarification of the "actual" selling price will result in the illusion of a higher value. As doc stamps are one of the primary sources of information relied on by County and private property appraisers this runs the risk of unjustifiably increasing ad valorem taxes, and private appraised valuations, increasing the potential for mortgage fraud and delaying the ultimate resolution of the current mortgage crisis.

PRIOR POSITIONS TAKEN ON THIS ISSUE

Please indicate any prior Bar or section positions on this issue to include opposing positions. Contact the Governmental Affairs office if assistance is needed in completing this portion of the request form.

Most Recent Position Last year the Section and the Bar approved the committee's recommendation.

Others

(May attach list if
more than one)

(Indicate Bar or Name Section)	(Support or Oppose)	(Date)
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REFERRALS TO OTHER SECTIONS, COMMITTEES OR LEGAL ORGANIZATIONS

The Legislation Committee and Board of Governors do not typically consider requests for action on a legislative position in the absence of responses from all potentially affected Bar groups or legal organizations - Standing Board Policy 9.50(c). Please include all responses with this request form.

Referrals

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| 1. | Florida Bankers Association | Unknown at this time, expected support |
| | (Name of Group or Organization) | (Support, Oppose or No Position) |
| 2. | Florida Land Title Association | Expect Support |
| | (Name of Group or Organization) | (Support, Oppose or No Position) |
| 3. | Florida Association of Realtors | Expect Support |
| | (Name of Group or Organization) | (Support, Oppose or No Position) |
| 4. | League of Cities/Fla. Assoc of Counties/FL School Bd Assoc | Expect Opposition |
| | (Name of Group or Organization) | (Support, Oppose or No Position) |

Please submit completed Legislative Position Request Form, along with attachments, to the Governmental Affairs Office of The Florida Bar. Upon receipt, staff will further coordinate the scheduling for final Bar action of your request which usually involves separate appearances before the Legislation Committee and the Board of Governors unless otherwise advised. For information or assistance, please telephone (904) 561-5662 or 800-342-8060, extension 5662.