



Washington Land Title Association

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Washington State Office of the Insurance Commissioner

VIA Email to: rulescoordinator@oic.wa.gov

Dear Commissioner's office:

The Washington Land Title Association (WLTA) writes to comment on the July 24, 2025 Prepublication Draft of R2025-05 entitled Clarifying and Updating the Minimum Standards for Claims Handling. WLTA's members include many title insurers (underwriters) and title agents licensed to do business in the State of Washington.

Concerning to the WLTA is the proposed change to Washington Administrative Code (WAC) 284-30-340 – File and record documentation. The proposed language requires an insurer to produce all claim file documents and communications to an insured within 15 business days of an insured's request. While the insurer may withhold "legally privileged" material and documents specifically related to investigation of criminal activity, this exception is insufficient to protect third parties from potential harm.

A title insurer's claim file may include non-public information documents related to a seller's finances or other third-party communications involving, for example, realtors, brokers, or neighbors, that are related to the insured transaction. Such information is typically produced by the title insurer pursuant to a valid subpoena, a legal process which may require notice to a third party. As written, WAC 284-30-340 allows an insured to usurp the legal process established to protect the information of third parties.

Also concerning to the WLTA is the proposed change to WAC 284-30-320(15)(b) – Notification of claim. Expanding the definition of "notification of claim" to include "in writing *or other means*" is inconsistent with existing title policy language and would expand an insurers' obligation beyond the policy's terms.



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The WLTA requests that the Commissioner's office hold additional stakeholder meetings to discuss the proposed changes to WAC 284-30-300 through 284-30-400 and to further evaluate and consider the implications thereof.

Thank you for the opportunity to provide input.

A handwritten signature in blue ink that reads "Ashley Callahan". The signature is fluid and cursive, with the first name "Ashley" and last name "Callahan" clearly distinguishable.

Ashley Callahan
President
Washington Land Title Association

cc: WLTA Board