



Settlement Agent, Escrow and Attorney Setup

Please read this document in its entirety as supporting documentation is required. Guidelines are included for Settlement Agent setup, renewal or change of address. Email this page and all supporting documentation to SettlementAgentApproval@Flagstar.com for review. This form is to be filled out, signed and submitted by the Settlement Agent.

SETTLEMENT AGENT INFORMATION

Settlement Agent ID Number: _____
Name of Company/Firm: _____ Request Date: _____
Current Address (If changed, see below): _____
City, State & Zip: _____, _____
Phone Number: _____ Fax Number: _____

Request Type: Setup Renewal Change of Address

Agent Contact: _____ Email: _____

Agent Type: Title Company Attorney Escrow Company

Federal Tax ID Number: ¹ _____ Business License Number: ² _____

Title Underwriters: _____

Email Address for Trailing Documents: ³ _____

Principal Owner: _____ Email: _____

President: _____ Email: _____

Manager: _____ Email: _____

LENDER INFORMATION

Lender ID Number: _____ Loan Number: _____ 3rd Party Warehouse: Yes No

Requested By: _____ Email: _____

Phone Number: _____ Fax Number: _____

FSB Account Executive Name: _____

NEW ADDRESS INFORMATION

New Address (if requesting a change of address): _____

City, State & Zip: _____, _____

- 1. Include a copy of your signed W9 form.
- 2. Include a copy of your business license.
- 3. Used for communication specific to final documents.

The undersigned does hereby acknowledge that the above-referenced information is true and correct. The undersigned shall also indemnify Flagstar Bank, FSB, its officers, directors, employees, agents and attorneys in connection with the representation that the above-referenced information is true and accurate. Said indemnity shall be for any damage, cost, liability or expense including reasonable legal fees, which are incurred as a result of a breach of the representation made by the undersigned herein.

THE SETTLEMENT AGENT MUST COMPLY WITH FLAGSTAR'S CLOSING INSTRUCTIONS

Settlement Agent Officer's Signature Typed Name Title



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REQUIREMENTS FOR NEW AGENT SETUP

Flagstar Bank will now require a copy of your “best practices” or CPA compliance certification in order to meet regulatory rules for vetting of all agent types listed below, closing and/or disbursing loans on behalf of Flagstar Bank.

TITLE COMPANY

- Settlement Agent, Escrow and Attorney Setup, Doc. #3676, page 1 completed and signed
- Flagstar Lender ID number for broker/correspondent or the Flagstar loan number
- Copy of business license
- Copy of signed W9 form
- Closing Protection Letter (CPL), if available in your state
- Wire Instructions on letterhead

ATTORNEY

- Settlement Agent, Escrow and Attorney Setup, Doc. #3676, page 1 completed and signed
- Flagstar Lender ID number for broker/correspondent or the Flagstar loan number
- Copy of business license
- Copy of signed W9 form
- Closing Protection Letter (CPL), if available in your state
- Wire Instructions on letterhead
- Lawyers Professional Liability Insurance documentation with endorsement of coverage for acting as title/escrow including the following criteria:
 - Declaration page with signature of insuring representative (binder is not acceptable). If using the ACORD form, the Certificate Holder Box must reflect either the specific agent name and address or Flagstar Bank’s name and address.
 - The attorney or firm name and address
 - The policy has a valid expiration date and policy number
 - Liability coverage of at least \$1,000,000.00 with a deductible of no more than \$5,000.00 per million

ESCROW AGENT

- Settlement Agent, Escrow and Attorney Setup, Doc. #3676, page 1 completed and signed
- Flagstar Lender ID number for broker/correspondent or the Flagstar loan number
- Copy of business license



Settlement Agent, Escrow and Attorney Setup

- Copy of signed W9 form
- Wire Instructions on Escrow Company letterhead
- Fidelity Bond Policy, EAFC member letter w/bond declaration page and employee dishonesty endorsements or
- Professional Liability Insurance documentation with endorsement of coverage for acting as title/escrow including the following criteria:
 - Declaration page with signature of insuring representative (binder is not acceptable). If using the ACORD form, the Certificate Holder Box must reflect either the specific agent name and address or Flagstar Bank's name and address.
 - The escrow company name and address
 - The policy has a valid expiration date and policy number
 - Liability coverage of at least \$1,000,000.00 with a deductible of no more than \$5,000.00 per million

ECLOSING

eClosing is available for all Flagstar approved settlement agents. Training must be completed in order to perform an eClosing. Detailed information on training, registration and the eClosing process can be found on the [Settlement Agent eClosing](#) page.

GENERAL INFORMATION

Loan amounts exceeding \$500,000.00 are audited for proper closing approval documentation and coverage meeting or exceeding the loan amount. Flagstar's Funding Department reserves the right to request additional information when deemed necessary. Exceptions require senior management approval.

CONFLICT OF INTEREST

In order to avoid the appearance of any conflict of interest, Flagstar does not permit an attorney, title company representative and/or escrow agent representative, who is an immediate relative of the borrower(s) or seller(s) to actively participate in the closing. In such an instance, another attorney from the firm or another representative from the title company or escrow agent must conduct the closing.

Flagstar Bank does not allow affiliated business arrangements.

AGENT RENEWAL OR CHANGE OF ADDRESS

[Flagstar Bank will now require a copy of your "best practices" or CPA compliance certification in order to meet regulatory rules for vetting of all agent types listed below, closing and/or disbursing loans on behalf of Flagstar Bank.](#)

Please provide the Flagstar lender ID number for the broker/correspondent or the Flagstar loan number. Provide the necessary documents along with the form on [page 1](#) for each type of settlement agent with the new address.

TITLE COMPANY

Flagstar retains the right to request updated documents for review purposes at our discretion.

ATTORNEY

- Settlement Agent, Escrow and Attorney Setup, Doc. #3676, page 1* completed and signed



Settlement Agent, Escrow and Attorney Setup

- Copy of business license or Bar Card
- Copy of signed W9 form
- Closing Protection Letter (CPL), if available in your state
- Wire Instructions
- Lawyers Professional Liability Insurance documentation with endorsement of coverage for acting as title/escrow including the following criteria:
 - Declaration page with signature of insuring representative (binder is not acceptable). If using the **ACORD** form, the Certificate Holder Box must reflect either the specific agent name and address or Flagstar Bank's name and address.
 - The attorney or firm name and new address
 - The policy has a valid expiration date and policy number
 - Liability coverage of at least \$1,000,000.00 with a deductible of no more than \$5,000.00 per million
 - **NY Attorneys are required to submit their full policy.**

ESCROW AGENT

- Settlement Agent, Escrow and Attorney Setup, Doc. #3676, page 1* completed and signed
- Copy of business license or Escrow license.
- Copy of signed W9 form
- Wire Instructions
- Fidelity Bond Policy, EAFC member letter w/bond declaration page and employee dishonesty endorsements **or**
- Lawyers Professional Liability Insurance documentation with endorsement of coverage for acting as title/escrow including the following criteria:
 - Declaration page with signature of insuring representative (binder is not acceptable). If using the ACORD form, the Certificate Holder Box must reflect either the specific agent name and address or Flagstar Bank's name and address.
 - The attorney or firm name and address
 - The policy has a valid expiration date and policy number
 - Liability coverage of at least \$1,000,000.00 with a deductible of no more than \$5,000.00 per million

DOCUMENT DELIVERY

Email the completed and signed setup form on [page 1](#), along with the appropriate documents to SettlementAgentApproval@Flagstar.com (requests are processed within 24 hours).

CLOSING PROTECTION LETTER (CPL)

TITLE COMPANY

Transaction Specific CPLs are required for each loan prior to funding except in the states where they are not available.



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A transaction specific Closing Protection Letter (CPL) in the ALTA format from the title underwriter issuing the Title Commitment and Title Policy. The CPL must meet the following criteria:

- Letter must be system generated on underwriting company letterhead. (No manual alterations)
- A current date
- Flagstar loan number
- Borrower name
- Property address
- Addressed to Flagstar Bank, FSB, 5151 Corporate Drive, Troy, MI 48098
- Title Company's/Attorney's name and physical address
- Signed by the Underwriting Title company representative
- Agent location and property location must conform to the CPL specifications

STATE SPECIFIC REQUIREMENTS

TITLE COMPANY

Closing Protection Letter (CPL)

ATTORNEY

Lawyers Professional Liability Insurance and a Closing Protection Letter

Alabama	Illinois	Massachusetts	New Mexico	Utah
Alaska	Indiana	Michigan	North Dakota	Vermont
Arizona	Kansas	Minnesota	Oklahoma	Virginia
Arkansas	Kentucky	Mississippi	Oregon	West Virginia
California	Florida	Missouri	Rhode island	Wisconsin
Colorado	Georgia	Montana	South Carolina ⁴	Wyoming
Connecticut	Hawaii	Nebraska	South Dakota	
Delaware	Maine	Nevada	Tennessee	
Idaho	Maryland	New Hampshire	Texas	

4. All settlement agents outside the state of SC closing SC properties and all non-attorney settlement agents in the state of SC closing SC properties must have a copy of *South Carolina Closing Agent Agreement, Doc. #3932* signed and on file with Settlement Agent Approval area in Funding prior to funding a loan.

If a closing attorney is acting as an agent of a title underwriter on a specific transaction, a transaction-specific Closing Protection Letter (CPL) should be provided prior to the loan funds being disbursed.

LOAN SPECIFIC STATE LAW REQUIREMENTS

A loan specific Closing Protection Letter is required for each loan prior to funding. Attorneys must provide current Lawyers Professional Liability Insurance.

Louisiana	North Carolina	Pennsylvania
New Jersey ⁵	Ohio	

5. Not required to have Professional Liability, per state insuring.

INSURED CLOSING LETTERS NOT AVAILABLE – REQUIREMENTS

Current Errors & Omissions policies are required. Coverage must meet Flagstar requirements.

Iowa	Puerto Rico	Washington ⁶
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New York	Virgin islands	
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6. Escrow company requirements: Errors and Omissions, Title Company requirements: Closing Protection letter

ESCROW STATES

Current Errors & Omissions policy and/or Fidelity Bond are required.

Alaska	Hawaii	Nevada	Utah
Arizona	Idaho	New Mexico	Washington
California	Montana	Oregon	Wyoming
Colorado			

If a CPL is not available for your state, the attorney and/or escrow company will be approved providing they meet the liability insurance requirement.

ATTORNEY STATES

Connecticut	Iowa	Puerto Rico	Virgin islands
Georgia	New York	South Carolina	Washington DC

If a CPL is not available for your state, the attorney and/or escrow company will be approved providing they meet the liability insurance requirement.

DOCUMENT DELIVERY

E-mail the completed and signed setup form on [page 1](#) along with the appropriate documents to SettlementAgentApproval@Flagstar.com.

Requests are processed within 24 hours.

COOPERATIVE PROPERTIES

For loans closing under the *Fannie Mae Cooperative Property Program*, [Doc. #5917](#), one of the designated law firms listed on the newly added document, *NY Approved Settlement Agents for Cooperatives*, [Doc. #4641](#) must still be utilized for the closing and the preparation of closing documentation.