



New York State Land Title Association, Inc.
Tradition. Excellence. Knowledge and Vision

THE Bulletin

Title Insurance: Protecting Your Piece of the Planet

FALL, 2008

THE JOURNAL OF THE NEW YORK STATE LAND TITLE ASSOCIATION, INC.

VOLUME 87, NUMBER 4

MARK YOUR CALENDAR

ALTA 2009

Business Strategies Conference
(Tech Forum 2.0)
San Antonio, Texas
April 19-21, 2009

NYSLTA 88th Annual Convention
The Saratoga Hilton
Saratoga Springs, New York
August 23-26, 2009

ALTA 2009 Annual Convention
Palm Beach, Florida
October 21-24, 2009

QUARTERLY QUOTE

"We can be the beacon, the shining star, the example of an industry based on professionalism, integrity and honesty."

—NANCY C. FARRELL
NYSLTA President
(See On My Mind, Page 2)

TABLE OF CONTENTS

On My Mind (Farrell, Sabol)	2
Adverse Possession Changes	
Make Results Less Certain.....	3
Deeds and Mortgages.....	7-10
Membership Report.....	11

www.NYSLTA.org

NYSLTA Convention 2009

Please join us for another first-class NYSLTA Annual Convention—national speakers, New York State reports, CLE seminar, Saratoga Race Track, Golf, Annual Banquet and much more. Saratoga Springs is easy to access via Amtrak or car.

**The Saratoga Hilton
Saratoga Springs, New York
August 23-26, 2009**

**Additional Convention details
to follow in coming weeks.**



NANCY C. FARRELL
President

On My Mind



SHARON SABOL
Executive Vice President

2009— Time to Look Forward Again

Now that the rush and excitement of the holiday season is over, let's take a minute or so to catch our breath. It was a long year and we deserve it.

Looking back to a year ago, the visions for 2008 did not quite turn out how most of us had planned. But 2008 is over, done and gone (good riddance). There is something better dawning. It's time to look forward again.

It's 2009! It's a brand new year. With a new year comes a reason to look to the future with hope . . . a hope for renewed prosperity, a better nation, and a better world.

This year, 2009, presents a special reason to look to the future. I'm not talking politics (your political persuasion or affiliation really doesn't matter), but of a national sense of renewal that we get to share once every four years. By simple definition there is now a change, the occupant of the White House is now different. We have a new president. Good Luck to you, President Obama.

2009 brings with it many challenges for our nation. Many of those we had looked to for leadership let us down. President Obama faces the daunting task of not only re-establishing the nation's economy, and the position of the United States on the world stage, but more importantly, renewing the faith and hope of the American people. This nation has faced adversity before, and it has always been the spirit of the American people joined together to overcome it. We need that spark, a sign of hope to motivate the nation. The nation looks to Washington with trepidation, and anticipation for a brighter tomorrow.

As the nation works to restructure its economic foundations, there will likely be many new rules and regulations coming from various levels of government. Keeping abreast of all the new changes will present challenges for businesses and industries all across the country.

(Continued on Page 4)

2009—We Need Your Membership Support Today

These are challenging times for the title insurance industry. However, your NYSLTA membership is more important *today* than ever.

2009 is going to be a pivotal year for title insurance in New York. Legislators are considering regulations of financial services, and new regulations for the title industry are very likely. NYSLTA constantly monitors upcoming legislation and regulations that affect the title industry. State legislators and officials are lobbied on your behalf regarding that legislation. Court cases concerning title issues are monitored, and numerous amicus briefs issued throughout the year.

Your membership supports retention of our lobbyist. It pays for the office staff that collects and disseminates industry information to and from our members. It pays for the amicus briefs to uphold the good decisions and strike down the decisions that could seriously affect your business.

Without your membership, NYSLTA would not be able to perform the services that you have come to rely on. Bad legislation would get passed without you even being aware it was being considered. Bad regulation would get enacted unopposed.

Your membership will insure that your voice is heard in Albany and around the state on the issues that directly affect your business.

Please plan to join us for NYSLTA's 88th Annual Convention, scheduled for August 23-26 in Saratoga Springs, New York. Exciting details about our Convention 2009 will be coming in the next several weeks.

Best wishes for a healthy and prosperous 2009.

Please e-mail:

Sharon Sabol at ssabol@NYSLTA.org

BY ADAM LEITMAN BAILEY

FOUNDING PARTNER, ADAM LEITMAN BAILEY, P.C.

AND JOHN M. DESIDERIO, CHAIR,

SUPREME COURT LITIGATION GROUP, ADAM LEITMAN BAILEY, P.C.

New York Law Journal Reprint— Real Estate Update: Adverse Possession Changes Make Results Less Certain

On July 8, 2008, Governor Paterson signed into law S.7915-C, which amended New York's adverse possession law, and two centuries of New York adverse possession doctrine came to an end. The new law is intended to prevent an absentee landowner from losing title to his or her property to persons who enter upon it and knowingly intend to divest title from the owner after 10 years of continuous possession.

This law was the Legislature's second attempt at overturning the 2006 Court of Appeals decision in *Walling v. Przybylo*.¹ The Wallings and Przybylos owned adjoining properties and the Wallings began using a portion of the Przybylos' property as their own. In 2004, the Przybylos discovered that they had title to the portion of land that the Wallings had been using. The Wallings filed suit to quiet title. The Przybylos attempted to prove that the Wallings knew they did not own the disputed parcel. The Court of Appeals held for the Wallings and declared that "actual knowledge that another person is the title owner does not, in and of itself, defeat a claim of right by an adverse possessor"

The *Walling* decision merely restated the traditional rule of adverse possession, rooted in ancient British law that New York and other American courts have continually and repeatedly applied since the early 1800s. New York courts have held that a person claiming title by adverse possession must prove, by clear and convincing evidence, that his or her possession has been: (1) hostile and under claim of right; (2) actual; (3) open and notorious; (4) exclusive; and (5) continuous.² Under this traditional application of the rule, the guiding principle of adverse possession law was always "use it or lose it."

This point was clearly made in such cases as, *Ramapo Manufacturing Company v. Mapes*,³ a 1915 decision, and *Hinkley v. State*,⁴ a 1922 decision. In *Ramapo*, the Court of Appeals held, when no statutory requirement exists to the contrary, the lack of good faith of the adverse possessor "will not excuse the negligence of the owner in forbearing to bring his action until after the time in the statute of limitations shall have run against him to show that the defendant knew all along that he was in the wrong." In *Hinkley*, the Court of Appeals held that a person could acquire ownership of property through adverse possession even when that person made entry upon the land by permission of the owner and that

permission "has been repudiated and renounced and the possessor thereafter has assumed the attitude of hostility to any right in the real owner."

Courts have noted two justifications for vesting title in persons holding property by adverse possession: (1) to encourage the active use of land, and (2) to serve as a statute of limitations to resolve real property title disputes.⁵

However, despite the ancient lineage and long-standing application of traditional adverse possession principles in New York statutes and case law, the *Walling* decision generated a populist backlash against the traditional rule that quickly gained widespread legislative support. As noted by the New York State Bar Association, although *Walling* "correctly articulated the law of New York, the decision was perceived by some as unfairly permitting a possessor to take property of an unsuspecting owner"⁶

In 2007, the New York Legislature enacted a Bill (S.5364-A) sponsored by Senator Elizabeth Little with the express purpose of overturning the *Walling* decision.⁷ The purpose of the bill was to amend RPAPL §§511 and 521 to require a person claiming title by adverse possession to prove that he or she did not have actual knowledge that another person is the true owner of the property. Both the state bar and the Property Rights Foundation of America opposed the bill.

S.5364-A was vetoed by then-governor Spitzer. The governor's veto message⁸ explained that the doctrine of adverse possession "is an essential mechanism for resolving disputes regarding title to property," that "in many instances, an individual who purchased property in good faith may believe that he or she is the rightful owner of the property, and may openly occupy and improve the property for many years," and, therefore, that "it is appropriate to place time limits on the ability of others to claim that they are the 'true' owner of the property." The governor further explained that:

given the frequency with which property is sold and transferred, the imposition of strict time limits on the ability of owners to seek to eject possessors of property is the only way to give homeowners throughout New York State the comfort of knowing that their homes cannot be taken away from them. At the same time, the doctrine gives the "true" owners of property a clear deadline within which to assert their claims to property. Thus the doctrine of adverse

(Continued on Page 4)

2009— Time to Look Forward Again

(Continued From Page 2)

Over the years, New York State Land Title Association, Inc. has represented the interests of our industry through many challenges. Today we must again join together. We have the will to overcome any new challenges, but it will require hard work. We can be the beacon, the shining star, the example of an industry based on professionalism, integrity and honesty. An industry gains the respect of its clients, customers and consumers based on these ideals. This is what the title insurance industry has always been.

2009. There is much to look forward to: dreams, goals and ideals—personally and professionally. Let's roll up our collective sleeves and get started. There is much to be done.

Please e-mail:
Nancy C. Farrell at Nfarrell@venturetitleagency.com

Adverse Possession Changes Make Results Less Certain

(Continued From Page 3)

possession allows for efficient resolution of property ownership disputes and, as with other statutes of limitations, safeguards against the loss of evidence over time.

The governor stated that S.5364-A would shift the focus of adverse possession law “from the owner’s notice that the property is being occupied by someone else, to the possessor’s knowledge that a third party may have an ownership interest in the property.” The governor said this “adds an element for measuring this statute of limitations that will often be unknown and unknowable to a true owner.” The governor further argued that the end result would be “extensive litigation of virtually every adverse possession claim.”

Although the governor's veto in 2007 preserved the law of adverse possession as it had existed from time immemorial, and despite the many sound reasons supporting the veto, the populist controversy over the *Walling* decision persisted. The 2008 Legislature (again under Senator Little's sponsorship) introduced and passed legislation to reverse *Walling* - S.7915-C - which makes several changes to the RPAPL provisions concerning adverse possession law.

RPAPL §501, as amended by RPAPL §501(1) and §501(2) essentially codifies common law principles enunciated in the case law. RPAPL §501(1) defines an “adverse possessor” as a person or entity who “occupies real property of another person or entity with or without knowledge of the other's superior ownership rights, in a manner that would give the owner a cause of action for ejectment,” and RPAPL §501(2) provides that an adverse possessor gains title upon expiration of the statute of limitations where the occupancy “has been adverse, under claim of right, open and notorious, continuous, exclusive, and actual.”

However, RPAPL §501(3), now defines “claim of right” as a “reasonable basis for the belief that the property

belongs to the adverse possessor or property owner, as the case may be,” (emphasis added), and a “claim of right,” as so defined, is now required to establish adverse possession both “under written instrument or judgment” (RPAPL §511) and “not under written instrument or judgment” (RPAPL §521).⁹ In both situations, “land is deemed to have been possessed and occupied,” for adverse possession purposes, by the adverse possessor, “where there have been acts sufficiently open to put a reasonably diligent owner on notice” or where the land “has been protected by a substantial enclosure.” (RPAPL §§512 and 522).¹⁰

A new RPAPL §543(1) now provides that “the existence of de minimis non-structural encroachments including, but not limited to, fences, hedges, shrubbery, plantings, shed and non-structural walls, shall be deemed to be permissive and non-adverse,” although the term “de minimis” is not defined. New RPAPL §543(2) also makes permissive and non-adverse “acts of lawn mowing or similar maintenance across the boundary line of an adjoining landowner's property.”

Senator Little attempted to distinguish S.7915-C from the vetoed S.5364-A by stating that “[t]his legislation is all about good faith,”¹¹ and that the inquiry would not focus upon “the person's belief, but instead upon the evidence introduced in court which justifies a reasonable basis for that belief. It will be an inquiry into the basis and whether it was reasonable, not into a person's mind.” In approving S.7915-C, Governor Patterson also noted that the legislators' intent is “to have courts focus on the evidentiary basis for competing title claims.”¹²

S.7915-C is now the law in New York and applies to all cases filed after July 8, 2008.¹³ It remains to be seen what impact it will have on real property law. Despite the good intentions of the Legislature and of others who supported S.7915-C, the legal disputes that may and probably will be generated by the new law will result in unintended consequences that will not be justified by the stated purpose for overturning *Walling*.

The requirement that a claim of right be established by proof of “a reasonable basis for the belief that the property belonged to the adverse possessor or property owner” will be subject to varying interpretations of what is “reasonable” in a myriad of circumstances. There can no longer be a truly objective rule to determine adverse possession. Each case will be sui generis.

Moreover, to establish adverse possession under a written instrument or judgment, under RPAPL §511, the occupant must prove that he or she, “or those under whom the occupant claims, entered into possession of the premises under claim of right” (Emphasis added). Therefore, any occupant claiming under a deed, and believing him or herself to be the rightful owner of the property must prove that those from whom title was derived also had a “reasonable basis” for their belief that they had a right to the property. With the passage of time and the death of parties and witnesses, such proof will generally be extremely difficult to establish. This is precisely the scenario that gave rise to Governor Spitzer's veto of the 2007 legislation.

In addition, the “reasonable basis for belief” requirement as a basis for “claim of right,” as defined by RPAPL §501(3), would appear to apply equally to the non-occupant property owner, thereby requiring a retro-

(Continued on Page 5)

Adverse Possession Changes Make Results Less Certain

(Continued From Page 4)

active (and possibly interminably futile) investigation of the chain of title of both claimants to the property. This is likely to cause adverse possession cases to be increasingly more complex and is also more likely to generate inconsistent results.

While the new provisions deeming “de minimis” non-structural encroachments to be permissive and non-adverse are well intended, the phrase “de minimis” is left undefined and ambiguous. Accordingly, here too, there is likely to be much litigation over what will constitute “de minimis” encroachments with many inconsistent results.

The stated purposes for changing the existing law were to protect landowners against “stealth” takeovers of their land by persons acting in “bad faith,” to discourage “mischief between neighbors” and “even between families.”¹⁴ While these purposes appear reasonable on their face, the Legislature acted without evidence to show that these problems actually existed to any substantial degree or, if they did, that they required a legislative remedy. No hearings were held on this legislation. It is difficult to understand the basis for the Legislature’s nearly unanimous and precipitous embracement of the reasons given for this legislation which effectively ends adverse possession in New York after July 8, 2008.

The Legislature apparently saw no need to discourage “mischief” by tenants against landlords (RPAPL §531) or between tenants in common (RPAPL §541), for whom the law remains unchanged, with no “reasonable basis for belief” requirement to acquire title by adverse possession, and for whom, plainly, there could be no such basis.

Since 1998, of the 105 New York state cases dealing with adverse possession, 29 involved allegations by the property owners that the adverse possessors were aware they did not own the property.¹⁵ Nevertheless, none of these cases, including *Walling*, involved what could truly be considered a “stealth” takeover when the law of adverse possession required, as a precondition to divesting an owner’s title, that the adverse possession be “open and notorious” and “continuous” for a 10-year period. Indeed, “open and notorious” is just another way of saying that “there have been acts sufficiently open to put a reasonably diligent owner on notice,” as newly amended RPAPL §522 now provides.

Adverse possession law in New York, as reiterated in *Walling*, had stood the test of time for over two centuries. However, Senator Little’s Memorandum in Support of S.7915-C stated that *Walling* was “at odds with contrary case law.”¹⁶ The senator’s memorandum was clearly in error on this point.¹⁷ One must ask what great harm had adverse possession law, as enunciated by *Walling*, done to the citizens of the state?

The only sure thing we can say about the new law is that it will generate many legal disputes that would otherwise not have occurred. The new law will expose unsuspecting owners to unfounded and unsupported claims to their land that may be extremely difficult, if not impossible, to defeat without costly and lengthy litigation.

If “this legislation [was] all about good faith,” as Senator Little claimed, then the “good faith” of those who claim

prior ownership of the land, and not of those in possession of the land, is what this legislation will ultimately be testing. This legislation stands adverse possession law on its head, and without any good reason for having done so.

Endnotes:

1. 851 N.E.2d 1167 (N.Y. 2006).
2. See *Ray v. Beacon Hudson Mountain Corp.*, 88 N.Y.2d 154, 159 (N.Y. 1996).
3. 110 N.E. 772 (N.Y. 1915).
4. 137 N.E. 599 (N.Y. 1922).
5. See *Belotti v. Bickhardt*, 228 N.Y. 296, 208 (N.Y.1920).
6. NYSBA Memorandum in Support of S.7915 (June 12, 2008).
7. Introducer’s Memorandum in Support of S.5364-A.
8. Veto Message No. 153 (Aug. 28, 2007).
9. A claim of right is not required if the owner of the real property throughout the statutory period cannot be ascertained in the county records office and located by reasonable means.
10. Showing that the property has been “usually cultivated or improved” is no longer required.
11. Introducer’s Memorandum in Support of S.7915-C.
12. Approval Memorandum No. 13 (July 8, 2008).
13. S.7915-C, §9. Presumably, the new law does not invalidate adverse possession rights that vested during any 10-year period ending prior to July 8, 2008. See U.S. Const. Amend. V; Cf. *Reiter v. Landon Homes Inc.*, 31 AD2d 538, 295 NYS2d 103 (2d Dept. 1968).
14. Introducer’s Memorandum in Support of S.7915-C.
15. The referenced data has been provided using numbers from Westlaw’s West Key Number Digest.
16. Introducer’s Memorandum in Support of S.7915-C.
17. See Adam Leitman Bailey & John M. Desiderio, *Adverse Possession*, NYLJ, Sept. 12, 2007, at 5.

Adam Leitman Bailey is the founding partner of *Adam Leitman Bailey, P.C.*, and **John M. Desiderio** is chair of the firm’s Supreme Court litigation group. **Jason Gines**, a 2008 summer associate, assisted in the preparation of this article.

Please e-mail:

Adam Leitman Bailey at alb@alblawfirm.com

Reprinted with permission from the 02/11/09 edition of *The New York Law Journal* © 2009 Incisive media Properties, Inc. All rights reserved. Further duplication without permission is prohibited.

ALTA 2009 Annual Convention

Palm Beach, Florida

October 21-24, 2009

**2009 Small Agents &
Abstracters Forum
March 21-22, 2009
Crowne Plaza,
Indianapolis Airport**

**Achieve Your Business Results
Despite Uncertain Economy Times**

Register Today

Exclusively for small and medium-size agents and abstracters, this forum is designed to bring together title professionals to discuss relevant topics affecting your business and the industry. This year's program will provide you with a step-by-step explanation of the RESPA Settlement Statement and Truth in Lending Forms including practical implications for your business and the industry. This information exchange and networking opportunity is open to both ALTA and State Land Title Association members. Join your colleagues for an interactive and informative open discussion forum on hot issues affecting your business operations. Attendees will gather Saturday evening for a cordial networking dinner, and the official business meeting will begin promptly on Sunday morning at 8:30 a.m. There is no registration fee, but registration is required to attend the meeting. Expenses are bill-backed to each participant on a pro-rata basis (excluding the Saturday Night dinner). Questions may be directed to **Miriam Hankins**, Director of Membership and Marketing at 202-261-2943 or miriam@alta.org. Click on the Small Agents and Abstracters Forum web page to learn more about the program, to register, and find out which states are approved for CE/CLE.



NYSLTA Members:

Please send us your member news for publication in an upcoming issue of *The Bulletin*. E-mail to NYSLTA Executive Vice President Sharon Sabol at ssabol@NYSLTA.org

NYSLTA Web site

Please visit

www.NYSLTA.org <<http://www.NYSLTA.org>>

for news, updates, information, and
complete Member Directory.

The Bulletin

EDITOR IN CHIEF: SHARON SABOL

The Bulletin is published quarterly by the New York State Land Title Association, Inc., Two Rector Street, Suite 901, New York, NY 10006-1819.

NYSLTA members are invited to contribute articles and reports regarding title industry issues. NYSLTA reserves the right to edit all materials submitted.

Association Staff:

Executive Vice President Sharon Sabol

Executive Assistant Regina Capone

Receptionist Ana Lord

**For advertising inquires,
contact Regina Capone.**

Phone: 212-964-3701

Fax: 212-964-7185

E-mail: Info@NYSLTA.org

Web Site: www.NYSLTA.org

The views expressed in The Bulletin
are not those of NYSLTA or
the Executive Committee.

**NYSLTA Annual Convention
The Saratoga Hilton, New York**

Saratoga Springs, New York
August 23-26, 2009

Deeds & Mortgages Recorded for May 2008 Compared with May 2007 . . .

DEEDS & MORTGAGES RECORDED FOR MAY 2008 COMPARED WITH MAY 2007..										
COUNTY	DEEDS		INC. %	MORTGAGES		INC. %	TOTALS		INC. %	
	2008	2007	OR DEC.	2008	2007	OR DEC.	2008	2007	OR DEC.	
CENTRAL SEC.										
Albany	598	712	-16.01%	1121	1372	-18.29%	1719	2084	-17.51%	
Broome	1982	530	-42.45%	2207	722	205.68%	4189	1252	234.58%	
Chemung	201	265	-24.15%	232	356	-34.83%	433	621	-30.27%	
Chenango	139	153	-9.15%	158	171	-7.60%	297	324	-8.33%	
Clinton	191	266	-28.20%	261	273	-4.40%	452	539	-16.14%	
Columbia	129	177	-27.12%	274	322	-14.91%	403	499	-19.24%	
Cortland	94	118	-20.34%	142	232	-38.79%	236	350	-32.57%	
Delaware	190	206	-7.77%	180	246	-26.83%	370	452	-18.14%	
Essex	203	178	14.04%	176	205	-14.15%	379	383	-1.04%	
Franklin	109	161	-32.30%	115	132	-12.88%	224	293	-23.55%	
Fulton	179	191	-6.28%	205	195	5.13%	384	386	-0.52%	
Greene	144	196	-26.53%	223	241	-7.47%	367	437	-16.02%	
Hamilton	26	42	-38.10%	29	40	-27.50%	55	82	-32.93%	
Herkimer	169	198	-14.65%	204	228	-10.53%	373	426	-12.44%	
Jefferson	294	328	-10.37%	387	493	-21.50%	681	821	-17.05%	
Lewis	101	118	-14.41%	103	122	-15.57%	204	240	-15.00%	
Madison	213	199	7.04%	257	342	-24.85%	470	541	-13.12%	
Montgomery	126	171	-26.32%	117	177	-33.90%	243	348	-30.17%	
Oneida	487	520	-6.35%	686	821	-16.44%	1173	1341	-12.53%	
Onondaga	1037	1382	-24.96%	1559	1977	-21.14%	2596	3359	-22.72%	
Oswego	321	325	-1.23%	361	427	-15.46%	682	752	-9.31%	
Otsego	174	207	-15.94%	213	276	-22.83%	387	483	-19.88%	
Rensselaer	350	384	-8.85%	695	797	-12.80%	1045	1181	-11.52%	
St. Lawrence	277	426	-34.98%	339	393	-13.74%	616	819	-24.79%	
Saratoga	519	562	-7.65%	1026	1209	-15.14%	1545	1771	-12.76%	
Schenectady	339	363	-6.61%	565	715	-20.98%	904	1078	-16.14%	
Schoharie	96	115	-16.52%	126	129	-2.33%	222	244	-9.02%	
Schuyler	103	133	-22.56%	71	94	-24.47%	174	227	-23.35%	
Tioga	192	458	-58.08%	198	214	-7.48%	390	672	-41.96%	
Tompkins	246	401	-38.65%	321	420	-23.57%	567	821	-30.94%	
Ulster	402	495	-18.79%	708	909	-22.11%	1110	1404	-20.94%	
Warren	160	215	-25.58%	278	367	-24.25%	438	582	-24.74%	
Washington	156	191	-18.32%	248	290	-14.48%	404	481	-16.01%	
TOTAL	9947	10386	-4.23%	13785	14907	-7.53%	23732	25293	-6.17%	
SOUTHERN SEC.										
Bronx	511	729	-29.90%	928	1443	-35.69%	1439	2172	-33.75%	
Dutchess	515	622	-17.20%	1303	1545	-15.66%	1818	2167	-16.11%	
Kings	1793	2325	-22.88%	2856	4697	-39.20%	4649	7022	-33.79%	
Nassau	1967	2501	-21.35%	9878	15056	-34.39%	11845	17557	-32.53%	
New York	1114	1340	-16.87%	1377	1728	-20.31%	2491	3068	-18.81%	
Orange	682	950	-28.21%	1316	2138	-38.45%	1998	3088	-35.30%	
Putnam	144	194	-25.77%	461	537	-14.15%	605	731	-17.24%	
Queens	1936	2204	-12.16%	3175	4885	-35.01%	5111	7089	-27.90%	
Richmond	685	843	-18.74%	1398	2057	-32.04%	2083	2900	-28.17%	
Rockland	456	681	-33.04%	1302	1923	-32.29%	1758	2604	-32.49%	
Suffolk	3548	4402	-19.40%	12350	17605	-29.85%	15898	22007	-27.76%	
Sullivan	284	368	-22.83%	321	409	-21.52%	605	777	-22.14%	
Westchester	281	1663	-83.10%	1314	4365	-69.90%	1595	6028	-73.54%	
TOTAL	13916	18822	-26.07%	37979	58388	-34.95%	51895	77210	-32.79%	
WESTERN SEC.										
Allegany	127	154	-17.53%	140	128	9.38%	267	282	-5.32%	
Cattaraugus	257	212	21.23%	228	237	-3.80%	485	449	8.02%	
Cayuga	187	206	-9.22%	287	302	-4.97%	474	508	-6.69%	
Chautauqua	333	425	-21.65%	416	466	-10.73%	749	891	-15.94%	
Erie	1798	2053	-12.42%	2756	3519	-21.68%	4554	5572	-18.27%	
Genesee	118	122	-3.28%	178	238	-25.21%	296	360	-17.78%	
Livingston	149	160	-6.88%	231	241	-4.15%	380	401	-5.24%	
Monroe	1634	1848	-11.58%	2567	3220	-20.28%	4201	5068	-17.11%	
Niagara	443	562	-21.17%	610	827	-26.24%	1053	1389	-24.19%	
Ontario	298	252	18.25%	483	479	0.84%	781	731	6.84%	
Orleans	85	136	-37.50%	127	149	-14.77%	212	285	-25.61%	
Seneca	104	94	10.64%	77	115	-33.04%	181	209	-13.40%	
Steuben	250	264	-5.30%	287	326	-11.96%	537	590	-8.98%	
Wayne	210	239	-12.13%	327	402	-18.66%	537	641	-16.22%	
Wyoming	88	84	4.76%	133	142	-6.34%	221	226	-2.21%	
Yates	83	103	-19.42%	87	98	-11.22%	170	201	-15.42%	
TOTAL	6164	6914	-10.85%	8934	10889	-17.95%	15098	17803	-15.19%	
GRAND TOTAL	30027	36122	-16.87%	60698	84184	-27.90%	90725	120306	-24.59%	

Deeds & Mortgages Recorded for June 2008 Compared with June 2007 . . .

DEEDS & MORTGAGES RECORDED FOR JUNE 2008 COMPARED WITH JUNE 2007...										
COUNTY	DEEDS		INC. %	MORTGAGES		INC. %	TOTALS		INC. %	
	2008	2007	OR DEC.	2008	2007	OR DEC.	2008	2007	OR DEC.	
CENTRAL SEC.										
Albany	629	735	-14.42%	1030	1360	-24.26%	1659	2095	-20.81%	
Broome	439	583	-24.70%	551	680	-18.97%	990	1263	-21.62%	
Chemung	178	215	-17.21%	265	334	-20.66%	443	549	-19.31%	
Chenango	152	155	-1.94%	156	279	-44.09%	308	434	-29.03%	
Clinton	265	262	1.15%	272	310	-12.26%	537	572	-6.12%	
Columbia	153	181	-15.47%	241	344	-29.94%	394	525	-24.95%	
Cortland	91	119	-23.53%	149	186	-19.89%	332	305	8.85%	
Delaware	153	191	-19.90%	171	268	-36.19%	324	459	-29.41%	
Essex	134	206	-34.95%	133	184	-27.72%	267	390	-31.54%	
Franklin	151	186	-18.82%	142	170	-16.47%	293	356	-17.70%	
Fulton	173	232	-25.43%	184	278	-33.81%	357	510	-30.00%	
Greene	154	164	-6.10%	218	259	-15.83%	372	423	-12.06%	
Hamilton	29	58	-50.00%	26	29	-10.34%	55	87	-36.78%	
Herkimer	219	238	-7.98%	204	259	-21.24%	423	497	-14.89%	
Jefferson	299	356	-16.01%	417	475	-12.21%	716	831	-13.84%	
Lewis	84	126	-33.33%	111	115	-3.48%	195	241	-19.09%	
Madison	183	233	-21.46%	233	303	-23.10%	416	536	-22.39%	
Montgomery	160	193	-17.10%	180	215	-16.28%	340	408	-16.67%	
Oneida	538	611	-11.95%	696	881	-21.00%	1234	1492	-17.29%	
Onondaga	1254	1419	-11.63%	1734	1945	-10.85%	2988	3364	-11.18%	
Oswego	333	389	-14.40%	391	457	-14.44%	724	846	-14.42%	
Otsego	189	190	-0.53%	190	278	-31.65%	379	468	-19.02%	
Rensselaer	347	404	-14.11%	639	791	-19.22%	986	1195	-17.49%	
St. Lawrence	374	383	-2.35%	348	373	-6.70%	722	756	-4.50%	
Saratoga	455	577	-21.14%	916	1150	-20.35%	1371	1727	-20.61%	
Schenectady	323	397	-18.64%	546	755	-27.68%	869	1152	-24.57%	
Schoharie	158	125	26.40%	134	163	-17.79%	292	288	1.39%	
Schuyler	55	82	-32.93%	72	78	-7.69%	127	160	-20.63%	
Tioga	231	246	-6.10%	154	204	-24.51%	385	450	-14.44%	
Tompkins	311	448	-30.58%	379	421	-9.98%	690	869	-20.60%	
Ulster	433	517	-16.25%	604	860	-29.77%	1037	1377	-24.69%	
Warren	1189	298	298.99%	330	383	-13.84%	1519	681	123.05%	
Washington	224	1200	-81.33%	232	1646	-85.91%	456	2846	-83.98%	
TOTAL	10060	11719	-14.16%	12048	16433	-26.68%	22200	28152	-21.14%	
SOUTHERN SEC.										
Bronx	473	670	-29.40%	729	1327	-45.06%	1202	1997	-39.81%	
Dutchess	537	618	-13.11%	1098	1604	-31.55%	1635	2222	-26.42%	
Kings	1715	2159	-20.57%	2467	4196	-41.21%	4182	6355	-34.19%	
Nassau	1880	2393	-21.44%	10223	13383	-23.61%	12103	15776	-23.28%	
New York	1172	1371	-14.51%	1310	1670	-21.56%	2482	3041	-18.38%	
Orange	645	863	-25.26%	1155	1859	-37.87%	1800	2722	-33.87%	
Putnam	182	194	-6.19%	300	693	-56.71%	482	887	-45.66%	
Queens	1777	2310	-23.07%	2585	5392	-52.06%	4362	7702	-43.37%	
Richmond		774	-100.00%		2009	-100.00%	0	2783	-100.00%	
Rockland	513	627	-18.18%	1363	1676	-18.68%	1876	2303	-18.54%	
Suffolk	3397	4092	-16.98%	11871	16905	-29.78%	15268	20997	-27.28%	
Sullivan	265	317	-16.40%	272	378	-28.04%	537	695	-22.73%	
Westchester	319	1249	-74.46%	1315	2945	-55.35%	1634	4194	-61.04%	
TOTAL	12875	17637	-27.00%	34688	54037	-35.81%	47563	71674	-33.64%	
WESTERN SEC.										
Allegany	226	222	1.80%	106	151	-29.80%	332	373	-10.99%	
Cattaraugus	283	307	-7.82%	206	269	-23.42%	489	576	-15.10%	
Cayuga	171	221	-22.62%	283	280	1.07%	454	501	-9.38%	
Chautauqua	371	363	2.20%	408	518	-21.24%	779	881	-11.58%	
Erie	2013	2248	-10.45%	2815	3638	-22.62%	4828	5886	-17.97%	
Genesee	127	142	-10.56%	186	220	-15.45%	313	362	-13.54%	
Livingston	145	168	-13.69%	223	263	-15.21%	368	431	-14.62%	
Monroe	1653	2011	-17.80%	2560	3390	-24.48%	4213	5401	-22.00%	
Niagara	473	591	-19.97%	620	783	-20.82%	1093	1374	-20.45%	
Ontario	303	347	-12.68%	438	489	-10.43%	741	836	-11.36%	
Orleans	105	132	-20.45%	120	165	-27.27%	225	297	-24.24%	
Seneca	86	88	-2.27%	95	110	-13.64%	181	198	-8.59%	
Steuben	251	286	-12.24%	311	349	-10.89%	562	635	-11.50%	
Wayne	212	250	-15.20%	279	373	-25.20%	491	623	-21.19%	
Wyoming	96	96	0.00%	114	160	-28.75%	210	256	-17.97%	
Yates	75	74	1.35%	94	96	-2.08%	169	170	-0.59%	
TOTAL	6590	7546	-12.67%	8858	11254	-21.29%	15448	18800	-17.83%	
GRAND TOTAL	29525	36902	-19.99%	55594	81724	-31.97%	85211	118626	-28.17%	

Deeds & Mortgages Recorded for July 2008 Compared with July 2007 . . .

DEEDS & MORTGAGES RECORDED FOR JULY 2008 COMPARED WITH JULY 2007...										
COUNTY	DEEDS		INC. %	MORTGAGES		INC. %	TOTALS		INC. %	
	2008	2007	OR DEC.	2008	2007	OR DEC.	2008	2007	OR DEC.	
CENTRAL SEC.										
Albany	698	759	-8.04%	1024	1338	-23.47%	1722	2097	-17.88%	
Broome	506	579	-12.61%	543	732	-25.82%	1049	1311	-19.98%	
Chemung	193	224	-13.84%	273	293	-6.83%	466	517	-9.86%	
Chenango	151	156	-3.21%	163	220	-25.91%	314	376	-16.49%	
Clinton	227	297	-23.57%	242	342	-29.24%	469	639	-26.60%	
Columbia	169	171	-1.17%	237	292	-18.84%	406	463	-12.31%	
Cortland		113	-100.00%		190	-100.00%	0	303	-100.00%	
Delaware	201	233	-13.73%	152	226	-32.74%	353	459	-23.09%	
Essex	206	191	7.85%	134	188	-28.72%	340	379	-10.29%	
Franklin	177	182	-2.75%	141	174	-18.97%	318	356	-10.67%	
Fulton	172	218	-21.10%	190	207	-8.21%	362	425	-14.82%	
Greene	159	218	-27.06%	205	294	-30.27%	364	512	-28.91%	
Hamilton	41	57	-28.07%	33	45	-26.67%	74	102	-27.45%	
Herkimer	186	195	-4.62%	207	229	-9.61%	393	424	-7.31%	
Jefferson	377	414	-8.94%	409	497	-17.71%	786	911	-13.72%	
Lewis	116	116	0.00%	113	101	11.88%	229	217	5.53%	
Madison	207	333	-37.84%	255	356	-28.37%	462	689	-32.95%	
Montgomery	139	140	-0.71%	164	187	-12.30%	303	327	-7.34%	
Oneida	513	670	-23.43%	626	767	-18.38%	1139	1437	-20.74%	
Onondaga	1264	1467	-13.84%	1617	1993	-18.87%	2881	3460	-16.73%	
Oswego	374	347	7.78%	430	471	-8.70%	804	818	-1.71%	
Otsego	168	186	-9.68%	171	253	-32.41%	339	439	-22.78%	
Rensselaer	394	390	1.03%	645	734	-12.13%	1039	1124	-7.56%	
St. Lawrence	422	474	-10.97%	384	360	6.67%	806	834	-3.36%	
Saratoga	539	649	-16.95%	934	1250	-25.28%	1473	1899	-22.43%	
Schenectady	368	406	-9.36%	579	728	-20.47%	947	1134	-16.49%	
Schoharie	130	142	-8.45%	139	168	-17.26%	269	310	-13.23%	
Schuyler	72	126	-42.86%	53	87	-39.08%	125	213	-41.31%	
Tioga	278	218	27.52%	161	183	-12.02%	439	401	9.48%	
Tompkins	327	362	-9.67%	382	375	1.87%	709	737	-3.80%	
Ulster	472	534	-11.61%	621	946	-34.36%	1093	1480	-26.15%	
Warren	225	232	-3.02%	288	358	-19.55%	513	590	-13.05%	
Washington	142	200	-29.00%	231	278	-16.91%	373	478	-21.97%	
TOTAL	9613	10999	-12.60%	11746	14862	-20.97%	21359	25861	-17.41%	
SOUTHERN SEC.										
Bronx	539	632	-14.72%	707	1397	-49.39%	1246	2029	-38.59%	
Dutchess	609	598	1.84%	1102	1407	-21.68%	1711	2005	-14.66%	
Kings	1853	2151	-13.85%	2378	4272	-44.34%	4231	6423	-34.13%	
Nassau	2218	2475	-10.38%	7644	12485	-38.77%	9862	14960	-34.08%	
New York	1490	1490	0.00%	1457	2020	-27.87%	2947	3510	-16.04%	
Orange	693	793	-12.61%	1076	1578	-31.81%	1769	2371	-25.39%	
Putnam	193	265	-27.17%	340	659	-48.41%	533	924	-42.32%	
Queens	1939	2332	-16.85%	2672	5146	-48.08%	4611	7478	-38.34%	
Richmond		747	-100.00%		1785	-100.00%	0	2532	-100.00%	
Rockland	602	765	-21.31%	1085	1688	-35.72%	1687	2453	-31.23%	
Suffolk	3819	4379	-12.79%	9923	15484	-35.91%	13742	19863	-30.82%	
Sullivan	333	447	-25.50%	242	380	-36.32%	575	827	-30.47%	
Westchester	273	1215	-77.53%	1185	3082	-61.55%	1458	4297	-66.07%	
TOTAL	14561	18289	-20.38%	29811	51383	-41.98%	44372	69672	-36.31%	
WESTERN SEC.										
Allegany	143	190	-24.74%	116	145	-20.00%	259	335	-22.69%	
Cattaraugus	232	245	-5.31%	225	266	-15.41%	457	511	-10.57%	
Cayuga	178	215	-17.21%	267	317	-15.77%	445	532	-16.35%	
Chautauqua	333	415	-19.76%	369	431	-14.39%	702	846	-17.02%	
Erie	2051	2198	-6.69%	2618	3168	-17.36%	4669	5366	-12.99%	
Genesee	141	124	13.71%	150	208	-27.88%	291	332	-12.35%	
Livingston	150	165	-9.09%	212	218	-2.75%	362	383	-5.48%	
Monroe	1865	2041	-8.62%	2491	2958	-15.79%	4356	4999	-12.86%	
Niagara	527	573	-8.03%	577	722	-20.08%	1104	1295	-14.75%	
Ontario	282	340	-17.06%	410	493	-16.84%	692	833	-16.93%	
Orleans	119	121	-1.65%	110	165	-33.33%	229	286	-19.93%	
Seneca	84	95	-11.58%	100	124	-19.35%	184	219	-15.98%	
Steuben		276	-100.00%		354	-100.00%	0	630	-100.00%	
Wayne	262	253	3.56%	312	420	-25.71%	574	673	-14.71%	
Wyoming	106	128	-17.19%	140	170	-17.65%	246	298	-17.45%	
Yates	93	90	3.33%	98	96	2.08%	191	186	2.69%	
TOTAL	6566	7469	-12.09%	8195	10255	-20.09%	14761	17724	-16.72%	
GRAND TOTAL	30740	36757	-16.37%	49752	76500	-34.96%	80492	113257	-28.93%	

Deeds & Mortgages Recorded for August 2008 Compared with August 2007 . . .

DEEDS & MORTGAGES RECORDED FOR AUGUST 2008 COMPARED WITH AUGUST 2007...										
COUNTY	DEEDS		INC. %	MORTGAGES		INC. %	TOTALS		INC. %	
	2008	2007	OR DEC.	2008	2007	OR DEC.	2008	2007	OR DEC.	
CENTRAL SEC.										
Albany	659	813	-18.94%	935	1483	-36.95%	1594	2296	-30.57%	
Broome	489	548	-10.77%	546	661	-17.40%	1035	1209	-14.39%	
Chemung	235	228	3.07%	267	365	-26.85%	502	593	-15.35%	
Chenango	181	219	-17.35%	151	204	-25.98%	332	423	-21.51%	
Clinton	206	267	-22.85%	204	306	-33.33%	410	573	-28.45%	
Columbia	178	227	-21.59%	221	329	-32.83%	399	556	-28.24%	
Cortland	117	155	-24.52%	138	210	-34.29%	255	365	-30.14%	
Delaware	264	229	15.28%	156	202	-22.77%	420	431	-2.55%	
Essex	178	192	-7.29%	123	196	-37.24%	301	388	-22.42%	
Franklin	173	268	-35.45%	125	138	-9.42%	298	406	-26.60%	
Fulton		275	-100.00%		203	-100.00%	0	478	-100.00%	
Greene	153	218	-29.82%	158	309	-48.87%	311	527	-40.99%	
Hamilton	48	58	-17.24%	28	37	-24.32%	76	95	-20.00%	
Herkimer	189	256	-26.17%	196	273	-28.21%	385	529	-27.22%	
Jefferson	298	457	-34.79%	344	614	-43.97%	642	1071	-40.06%	
Lewis	94	115	-18.26%	88	149	-40.94%	182	264	-31.06%	
Madison	257	284	-9.51%	250	324	-22.84%	507	608	-16.61%	
Montgomery	101	133	-24.06%	138	204	-32.35%	239	337	-29.08%	
Oneida	543	704	-22.87%	587	894	-34.34%	1130	1598	-29.29%	
Onondaga	1211	1594	-24.03%	1360	2145	-36.60%	2571	3739	-31.24%	
Oswego	325	483	-32.71%	324	591	-45.18%	649	1074	-39.57%	
Otsego	151	246	-38.62%	212	264	-19.70%	363	510	-28.82%	
Rensselaer	334	429	-22.14%	549	752	-26.99%	883	1181	-25.23%	
St. Lawrence	360	434	-17.05%	325	401	-18.95%	685	835	-17.96%	
Saratoga	496	682	-27.27%		1253	-100.00%	496	1935	-74.37%	
Schenectady	387	443	-12.64%	503	777	-35.26%	890	1220	-27.05%	
Schoharie	115	153	-24.84%	96	176	-45.45%	211	329	-35.87%	
Schuyler	69	130	-46.92%	73	99	-26.26%	142	229	-37.99%	
Tioga	235	310	-24.19%	150	234	-35.90%	385	544	-29.23%	
Tompkins	305	532	-42.67%	338	447	-24.38%	643	979	-34.32%	
Ulster	520	517	0.58%	564	860	-34.42%	1084	1377	-21.28%	
Warren	223	282	-20.92%	290	393	-26.21%	513	675	-24.00%	
Washington	192	203	-5.42%	177	308	-42.53%	369	511	-27.79%	
TOTAL	9286	12084	-23.15%	9616	15801	-39.14%	18902	27885	-32.21%	
SOUTHERN SEC.										
Bronx	505	749	-32.58%	638	1430	-55.38%	1143	2179	-47.54%	
Dutchess	539	707	-23.76%	983	1731	-43.21%	1522	2438	-37.57%	
Kings	1905	2259	-15.67%	2287	4513	-49.32%	4192	6772	-38.10%	
Nassau	2085	2949	-29.30%	7176	14405	-50.18%	9261	17354	-46.63%	
New York	1371	1445	-5.12%	1256	1961	-35.95%	2627	3406	-22.87%	
Orange	697	937	-25.61%	930	1895	-50.92%	1627	2832	-42.55%	
Putnam	170	201	-15.42%	284	450	-36.89%	454	651	-30.26%	
Queens	1966	2506	-21.55%	2197	5470	-59.84%	4163	7976	-47.81%	
Richmond	600	863	-30.48%	960	1958	-50.97%	1560	2821	-44.70%	
Rockland	560	698	-19.77%	989	1659	-40.39%	1549	2357	-34.28%	
Suffolk	3285	4545	-27.72%	10008	19884	-49.67%	13293	24429	-45.59%	
Sullivan	326	358	-8.94%	234	386	-39.38%	560	744	-24.73%	
Westchester	1242	1679	-26.03%	2019	3584	-43.67%	3261	5263	-38.04%	
TOTAL	15251	19896	-23.35%	29961	59326	-49.50%	45212	79222	-42.93%	
WESTERN SEC.										
Allegany	151	180	-16.11%	96	160	-40.00%	247	340	-27.35%	
Cattaraugus	231	286	-19.23%	182	280	-35.00%	413	566	-27.03%	
Cayuga	184	273	-32.60%	214	394	-45.69%	398	667	-40.33%	
Chautauqua	373	496	-24.80%	342	557	-38.60%	715	1053	-32.10%	
Erie	1954	2499	-21.81%	2387	3449	-30.79%	4341	5948	-27.02%	
Genesee	145	139	4.32%	157	220	-28.64%	302	359	-15.88%	
Livingston	143	185	-22.70%	162	258	-37.21%	305	443	-31.15%	
Monroe	1698	2137	-20.54%	2073	3267	-36.55%	3771	5404	-30.22%	
Niagara	518	625	-17.12%	496	743	-33.24%	1014	1368	-25.88%	
Ontario	370	401	-7.73%	409	572	-28.50%	779	973	-19.94%	
Orleans	117	127	-7.87%	84	142	-40.85%	201	269	-25.28%	
Seneca	75	110	-31.82%	77	152	-49.34%	152	262	-41.98%	
Steuben		368	-100.00%		373	-100.00%	0	741	-100.00%	
Wayne	276	347	-20.46%	263	428	-38.55%	539	775	-30.45%	
Wyoming	122	140	-12.86%	109	154	-29.22%	231	294	-21.43%	
Yates	84	101	-16.83%	77	108	-28.70%	161	209	-22.97%	
TOTAL	6441	8414	-23.45%	7128	11257	-36.68%	13569	19671	-31.02%	
GRAND TOTAL	30978	40394	-23.31%	46705	86384	-45.93%	77683	126778	-38.73%	

BY ANA LORD, NYSLTA RECEPTIONIST

New York State Land Title Association Proudly Welcomes New Members

We welcome our
newest NYSLTA members:

**NEW YORK COUNTY
CULLEN & TROIA, P.C.**
(Associate Member)
Andrew F. Troia, Esq.
2 Rector Street, Suite 903
New York, NY 10006
212-233-9772
E-mail: aft@cullenandtroia.com

**QUEENS COUNTY
CORNERSTONE LAND
ABSTRACT, LLC**
(Regular Member)
Peter M. Carozzo
42-40 Bell Blvd., Suite 305
Bayside, NY 11361
718-819-2188
E-mail: Peter@clabstractllc.com

Please forward members news or updates to New York State Land Title Association via e-mail to info@NYSLTA.org or fax to 212-964-7185. Visit our Web site www.NYSLTA.org for updated member listings, New York State Land Title Association news, services and information.

YOUR

ADVERTISEMENT COULD BE HERE

Advertise in The Bulletin, the official publication of the
New York State Land Title Association, Inc.

For additional information, rates and schedule, please contact
NYSLTA Executive Assistant Regina Capone.

Phone: 212-964-3701 E-mail: rcapone@NYSLTA.org