



D.C. Land Title Association Presentation

Recent D.C. Legislative  Update – April 2022

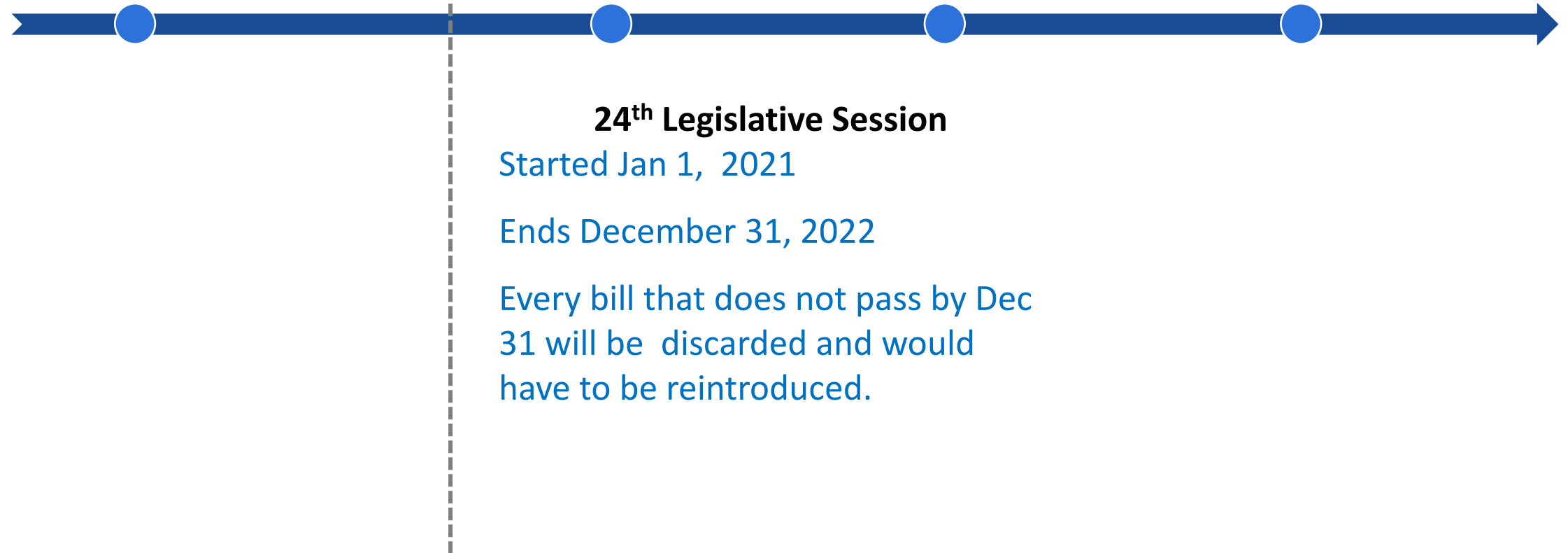
Presented By: Roy L. Kaufmann, Esq.

Agenda

- What is pending/passed
- Remote Online Notary
- Remember OFAC SDN Compliance



What Bills are Pending in DC?



Remote Online Notarization

A Priority of DCLTA and GCAAR

☐ Code of the District of Columbia

§ 1–1231.05. Personal appearance required.

If a notarial act relates to a statement made in or a signature executed on a record, the individual making the statement or executing the signature shall appear **personally** before the notarial officer.

Inconsistency: DC Law requires notarizations to be done in the physical presence of a Notary, which conflicts with a) the entire concept of RON and b) conflicts future laws that might allow out-of-state notarizations to be accepted in DC.

Remote Online Notarization A Priority of DCLTA and GCAAR

- Bill 24-457 introduced
- In Committee
- DC Secretary not opposed but says they “needs time”.



Remote Online Notarization A Priority of DCLTA and GCAAR

District of Columbia:

Because there is no law in effect authorizing RON or RIN and because of the inconsistency, many underwriters will not insure RON or RIN documents.



Lenders may prohibit RON or RIN in their loan documents
Watch contract terms to see if forms cannot be signed before day
of Closing

Eviction Record Sealing Act

Act 24-357

New Law:

Landlords now forbidden from filing a lawsuit for non-payment of residential rent without 30-day's notice to tenant.

Eviction records can be sealed (no viewing by public) upon a motion by the tenant

- After 30 days if the court proceeding did NOT result in an eviction
- 3 years after the proceeding if there WAS an eviction
- Or EARLIER if
 - Dollar amount less than \$500
 - Housing Unit was under any housing subsidy program
 - Landlord violated housing code regulations
 - Other grounds that judge may find.
- Landlords are forbidden from discriminating against a tenant/applicant based upon the existence of a sealed record.

Eviction and Foreclosure Moratorium

- Foreclosure Moratorium extended through June 30, 2022
 - Bank Loans
 - Condo fees
 - Tax Sales
- Additional extension through Sept 30, 2022 if
 - Homeowner applies for financial assistance with DC DHCD
- Exceptions – Law does NOT apply to:
 - Buildings with more than 5 units
 - Borrowers who are not individuals (i.e. LLC's) unless an individual is a guarantor
 - Non-resident borrowers (i.e. if property is held as a rental)

Relevant Laws Being Considered

Uniform Power of Attorney Amendment Act

Clarifies Fiduciary Duties

Helps to prevent fraud

Protects third parties who rely on the POA

Uniform Partition of Heirs Property Act

Cotenants get notice

Determination of fair market value

Cotenant gets right of first refusal

Property can't be sold for less than FMV

Pending

Joint Property Protection Amendment Act of 2021

Property held as tenants by the entirety can be conveyed to trust and
RETAIN protections of T/E.

Reminder About Rent Control - Trusts

- Exemption from Rent Control is for HUMANs who own 4 or fewer rental units.
- Does not apply to revocable trusts, LLC's, etc.

OFAC Compliance

Article in “The Title News” from ATLA – Excellent
Title companies have to remember to exercise
due diligence to make sure they are not engaging in
transactions with blocked people and companies.



US Treasury Office of Foreign Asset Control (“OFIC”) maintains the
Specially Designated Nationals and Blocked Person (SDN) list.

Make it part of your intake.

OFAC COMPLIANCE - Requirements

Requirements – Comply with Laws

- Perform due diligence to determine whether a “hit” is a valid OFAC match.
- Block transactions, including the opening of new cases that involve countries and entities on the SDN list.
- Report blocked or rejected transactions to OFAC within 10 business days.
- Provide an annual report of blocked property by September 30 of each year.

OFAC

To Search: Google OFAC SDN or
<https://sanctionssearch.ofac.treas.gov/>

“Bob Smith” – common name

OFAC



Sanctions List Search

This Sanctions List Search application ("Sanctions List Search") is designed to facilitate the use of the Specially Designated Nationals and Blocked Persons list ("SDN List") and other sanctions lists administered by OFAC, including the Foreign Sanctions Evaders List, the Sectoral Sanctions Identifications List, the List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions, the Non-SDN Palestinian Legislative Council List, the Non-SDN Menu-Based Sanctions List, and the Non-SDN Communist Chinese Military Companies List. Given the number of lists that now reside in the Sanctions List Search tool, it is strongly recommended that users pay close attention to the program codes associated with each returned record. These program codes indicate how a true hit on a returned value should be treated. The Sanctions List Search tool uses approximate string matching to identify possible matches between word or character strings as entered into Sanctions List Search, and any name or name component as it appears on the SDN List and/or the various other sanctions lists. To aid users of the tool, Sanctions List Search contains a feature entitled "Minimum Name Score" that functions on a sliding scale, allowing for a user to set a threshold (i.e., a fuzziness rating) for the closeness of any potential match returned as a result of a user's search. This feature enables Sanctions List Search to detect certain misspellings or other incorrectly entered text, and will return near, or proximate, matches based on the confidence rating set by the user via the slider-bar. OFAC does not provide recommendations with regard to the appropriateness of any specific confidence rating. Sanctions List Search is one tool offered to assist users in utilizing the SDN List and/or the various other sanctions lists; use of Sanctions List Search is not a substitute for undertaking appropriate due diligence. The use of Sanctions List Search does not limit any criminal or civil liability for any act undertaken as a result of, or in reliance on, such use.

[Download the SDN List](#)

[Sanctions List Search: Rules for use](#)

[Visit The OFAC Website](#)

[Download the Consolidated Non-SDN List](#)

[Program Code Key](#)

Lookup

Type:	<input type="text" value="All"/>	Address:	<input type="text"/>
Name:	<input type="text" value="Putin, Vladimir"/>	City:	<input type="text"/>
ID #:	<input type="text"/>	State/Province*:	<input type="text"/>
Program:	<input type="text" value="All"/> 561-Related BALKANS BALKANS-EO14033	Country:	<input type="text" value="All"/>
Minimum Name Score:	<input type="text" value="100"/>	List:	<input type="text" value="All"/>

Lookup Results: 2 Found

Name	Address	Type	Program(s)	List	Score
PUTIN, Vladimir	Kremlin	Individual	RUSSIA-EO14024	SDN	100
PUTIN, Vladimir Vladimirovich	Kremlin	Individual	RUSSIA-EO14024	SDN	100



OFAC

Office of Foreign Assets Control

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Details:

Type:	Individual	List:	SDN
Last Name:	PUTIN	Program:	RUSSIA-EO14024
First Name:	Vladimir Vladimirovich	Nationality:	Russia
Title:	President of the Russian Federation	Citizenship:	Russia
Date of Birth:	07 Oct 1952	Remarks:	
Place of Birth:	Leningrad, Russia		

Identifications:

Type	ID#	Country	Issue Date	Expire Date
Gender	Male			

Aliases:

Type	Category	Name
a.k.a.	strong	PUTIN, Vladimir

Addresses:

Address	City	State/Province	Postal Code	Country
Kremlin	Moscow			Russia
Novo-Ogaryevo		Moscow Region		Russia
Bocharov Ruchey	Sochi			Russia
Valdai		Novgorod Region		Russia

Jackson & Campbell has a web page that tracks new DC laws.
Great Blog for the industry.
Any Questions?



Roy Kaufmann