

# Guide to eTitle Portal

## Home Owners GOLD Policy Ordering

**First American Title Insurance  
Company of Australia Limited**  
ABN 64 075 279 908  
Level 12/309 Kent Street  
SYDNEY NSW 2000



**First Title**  
*Innovation · Information · Insurance*



## CONDITIONS OF ORDERING

A title insurance policy for purchasers of residential property is regulated as a financial product. To order, the Conveyancing Practitioner will automatically be appointed as a **First Title** distributor solely for the purpose of submitting the order online, pursuant to the Corporations Act 2001 and related regulations. **First Title** has an AFS licence for this purpose. As a distributor, **First Title** is responsible for any errors made by the Conveyancing Practitioner in completing the order.

It is a condition of appointment that each time a Conveyancing Practitioner submits an order online (either themselves or through a staff member), the Conveyancing Practitioner is taken to declare to **First Title** that:

- the Conveyancing Practitioner representing the client:
  - if a Solicitor - is in good standing, has a current practising certificate and has acted, and at all times will act, in accordance with the purchaser's instructions;
  - if a Conveyancer - is in good standing, has professional indemnity insurance and has acted, and at all times will act, in accordance with the purchaser's instructions
  - has obtained and reviewed a search of the title to the property, where the property is Torrens title;
  - has established a good root of title, where the property is Old System title;
  - has disclosed to **First Title** any actual or potential conflict of interest (eg. the Conveyancing Practitioner has a personal interest in the property, or acts for both vendor and purchaser);
  - will at all times comply with the process guide issued by **First Title** from time to time;
  - will complete the "Title Insurance Checklist - Home Owners GOLD Policy" (refer to Appendix 1) and retain a copy on file;
  - has obtained each purchaser's consent to provide their personal information to **First Title** in ordering the policy; and
  - has informed each purchaser of their duty of disclosure under the Insurance Contracts Act 1984 (which is more fully set out in the Home Owners GOLD Policy wording);
- other than any known title defect disclosed to **First Title**, there is no reason to believe that the purchaser will not obtain a good and marketable interest in the title to the property on settlement;
- **First Title** will be notified as soon as reasonably practicable if, before settlement, the Conveyancing Practitioner acting for the purchaser becomes aware of any matter or circumstance which may affect **First Title's** decision to insure the title to the property;
- **First Title** will be notified as soon as reasonably practicable if, following settlement, it becomes aware of any matter or circumstance (including but not limited to stamping and registration) which may give rise to a claim or affect policy coverage;

- the information contained in the online order is accurate, and true to the best of the Conveyancing Practitioner's belief;
- the Conveyancing Practitioner has agreed to become a distributor of **First Title**, for the sole purpose of ordering the Policy;
- **First Title** will be notified if a staff member authorised to order leaves the firm, so their login can be cancelled.

### **Step 1 – Checks prior to Ordering**

Prior to ordering, you must make or carry out the following property enquiries / searches:

- Council rates
- Water rates
- Land tax
- Outstanding Council Notices (if applicable)
- Body corporate (if applicable)
- Mine subsidence (if applicable)

Review the client file to identify any 'known risks'. These include illegal building works, title defects, boundary issues and zoning issues. A known risk may be:

- disclosed by the vendor (for example in the Contract for Sale)
- discovered by the purchaser (for example during discussions with the vendor or council)
- contained in the results of property enquiries / property due diligence or a copy of a survey report
- contained in replies to requisitions on title

If there is any doubt as to whether a matter constitutes a 'known risk', either submit your online order as a "Known Risk" order, or contact **First Title's Customer Service Team** (contact details are below) for guidance.

### **Step 2 - Order the Policy**

A policy must only be ordered **after** exchange of contracts and within 90 days of settlement. You must have a copy of a title search at the time of ordering. If settlement has already occurred and you wish to order, contact **First Title's Customer Service Team**.

If the purchase price exceeds \$1,000,000 and there is no known risk, obtain **First Title's** authorisation to order the Policy, by completing the Request for Authorisation Form (a copy is at Appendix 2), and faxing it to **First Title** together with the title search. **First Title's Underwriting Team** (contact details are below) will authorise the matter to proceed by signing and returning the form. This authorisation must be retained on your file.

Order the policy online. A "Quick Reference Guide" is attached at Appendix 3. Alternatively, refer to **First Title's** "Guide to eTitle Portal – Home Owners GOLD Policy Ordering" for detailed instructions on how to order online.

Where you have ordered a “Known Risk” policy, **First Title** will contact the Conveyancing Practitioner and ask for as much information as possible about the risk to be faxed to **First Title’s Underwriting Team**, so that **First Title** can make an informed decision as to whether to insure it. Examples of the information required are as follows:

- details of any research conducted;
- details of any approaches made to third parties;
- a copy of any relevant documents (eg. survey report, plans relating to the property, correspondence from the council or relevant authority);
- details of any proposed changes in use of the property;
- details of whether the purchaser proposes to carry out additions/alterations to the property.

### **Step 3 - Obtain a Policy Schedule and Invoice**

If there are no known risks, once the order has been submitted, a copy of the Policy Schedule and tax invoice will automatically become available on our eTitle Portal.

Where you have ordered a “known risk” policy, **First Title** will email the Policy Schedule and invoice (and if applicable, a Known Risk Endorsement) to the Conveyancing Practitioner as soon as we have all the available information and have approved the coverage. **First Title’s Underwriting Team** can be contacted at any time to obtain an update on the status of that approval.

### **Step 4 - Review the Policy Schedule**

Review the Policy Schedule for correctness, and notify **First Title’s Customer Service Team** of any changes required. Retain a copy of the Policy Schedule and tax invoice on your file.

### **Step 5 - Send Policy to Purchaser**

You will need to send a copy of the Policy wording, together with the Policy Schedule (and if applicable, the Known Risk Endorsement) to the purchaser.

### **Step 6 - Pre-Settlement Considerations**

**First Title** issues the Policy based on the information provided at the time the Policy is ordered. If prior to settlement, the Conveyancing Practitioner acting for the purchaser becomes aware of any matter or circumstance which may affect **First Title’s** decision to insure the title to the property, **First Title’s Customer Service Team** must be notified without delay, so that we can determine if the information is material and will affect coverage. For example, a new known risk might be identified from:

- discussions with the purchaser;
- the results of property inquiries / property due diligence; or
- replies to requisitions on title.

It is important to disclose all new circumstances which come to light, especially known risks, otherwise it may not be covered under the Policy.

### **Step 7 - Effect Settlement**

Review a final title search. After ensuring that **First Title** has been notified of any new title defect that has been identified since ordering the Policy and the purchaser has been requested to provide a cheque in payment of **First Title's** invoice, effect settlement.

Stamping and registration must be attended to in a timely manner, and as soon as practicable after settlement, if the purchaser does not have a mortgagee. If there are any difficulties in registration, which are unlikely to be rectified promptly, please notify **First Title's Customer Service Team**.

### **Step 8 - Pay Invoice**

Payment is due within 7 days of the date of the invoice. The cheque should be drawn in favour of "First American Title Insurance Company of Australia Pty Ltd", attached to the remittance and sent to **First Title**. It is important to remember that failure to pay the premium in a timely manner may result in cancellation of the Policy.

### **Cancellations**

The Policy can be cancelled at any time, by sending written notification to **First Title's Customer Service Team**. If settlement has already taken place and the premium has been paid, then the premium will not be refunded.

### **Checklist**

The Conveyancing Practitioner acting for the purchaser will need to complete the "Title Insurance Checklist - Home Owners GOLD Policy" at Appendix 1 and retain a copy on file.

### **Waiver of Subrogation Rights**

As the ordering Conveyancing Practitioner has agreed to become a Distributor of **First Title** for the purpose of ordering the Policy, **First Title's** rights of subrogation are waived, so that if a purchaser makes a claim under the Policy, the Conveyancing Practitioner will not be pursued by **First Title**.

Notwithstanding the above, title insurance does not replace or alter the duty or standard of care that is owed by Conveyancing Practitioner to their clients. Prudent conveyancing principles must be adhered to (except in so far as this Guide/Policy removes the necessity for review of property searches and enquiries normally undertaken for a non-title insured purchase).

If the insured's loss arises as a result of fraudulent or grossly negligent conduct on the Conveyancing Practitioner's part, or a failure to follow this Guide, the waiver will not apply.

### Claims

Following settlement, please immediately notify **First Title's** Claims Team (contact details are below) on becoming aware of any matter or circumstance which might affect the validity of the Policy or lead to a claim being made under our policy. In the event the insured becomes aware of a claim or a potential claim, they must notify **First Title's** Claims Team promptly in writing.

In the event of a claim, **First Title** reserves the right to review your file as it relates to the purchase of the property the subject of the claim.

### First Title Key Contacts – Home Owners GOLD Programme

Policy Issuing (new requests and amendments)		
Department	Contact Details	Responsibilities
Customer Service	1300 362 178 <a href="mailto:homeownersorders@firsttitle.com.au">homeownersorders@firsttitle.com.au</a>	Responsible for processing Home Owners GOLD orders

Policy Underwriting (known risks and policy coverage)		
Department	Contact Details	Responsibilities
Underwriting	1300 362 178 <a href="mailto:underwriting@firsttitle.com.au">underwriting@firsttitle.com.au</a>	Responsible for underwriting Home Owners GOLD policies

Invoicing (payments received)		
Department	Contact Details	Responsibilities
Finance	1300 362 178 <a href="mailto:accountsreceivable@firsttitle.com.au">accountsreceivable@firsttitle.com.au</a>	Responsible for processing payments of Home Owners GOLD policies

eTitle Portal (logon difficulties)		
Department	Contact Details	Responsibilities
Helpdesk	1300 362 178 <a href="mailto:helpdesk@firsttitle.com.au">helpdesk@firsttitle.com.au</a>	Responsible for providing technical support for customers using the eTitle Portal

Business Development Managers		
Names / Location	Contact Details	Responsibilities
Glenn Kazich - QLD	0414 184 090 <a href="mailto:gazich@firsttitle.com.au">gazich@firsttitle.com.au</a>	Manage the relationship with Home Owners GOLD ordering parties
Mark Crooks – NSW	0405 227 848 <a href="mailto:mcrooks@firsttitle.com.au">mcrooks@firsttitle.com.au</a>	
Nicola Wilson – VIC	0410 568 793 <a href="mailto:nwilson@firsttitle.com.au">nwilson@firsttitle.com.au</a>	

**Appendix 1 - Ordering Process Checklist**

Please retain a copy of this checklist on your file.

A. Torrens Title			
1.	Review title search and check title will be clear of adverse notations/affectations at settlement	<input type="checkbox"/> <b>Yes</b> Proceed to Section C	<input type="checkbox"/> <b>No</b> Review and proceed to Section C
B. Old System Title			
2.	Good root of title established	<input type="checkbox"/> <b>Yes</b> Proceed to section C	<input type="checkbox"/> <b>No</b> Contact <b>First Title</b> to clarify coverage
C. Property Searches			
3.	The following searches have been carried out: Council Rates; Outstanding Council Notices; Water Rates; Land Tax; Strata/Body Corporate (if applicable); Mine Subsidence (if applicable)	<input type="checkbox"/> <b>Yes</b> Proceed to Section D	<input type="checkbox"/> <b>No</b> Obtain searches and proceed to Section D
D. Order the Policy			
4.	Where the purchase price is > \$1 million – authorisation received from <b>First Title</b>	<input type="checkbox"/> <b>Yes</b> Proceed to next step	<input type="checkbox"/> <b>No</b> Obtain authorisation and proceed to next step
5.	Order Policy online	<input type="checkbox"/> <b>Yes</b> Proceed to next step	<input type="checkbox"/> <b>No</b> Order and proceed to next step
6.	Where a known risk policy was ordered - provided <b>First Title</b> with details of any identified known risks	<input type="checkbox"/> <b>Yes / Not Applicable</b> Proceed to next step	<input type="checkbox"/> <b>No</b> Provide details and await confirmation of coverage
7.	Policy Schedule and invoice received	<input type="checkbox"/> <b>Yes</b> Proceed to next step	<input type="checkbox"/> <b>No</b> - Reprint from eTitle Portal or obtain from <b>First Title</b> - Proceed to next step
8.	Policy Schedule reviewed for correctness and <b>First Title</b> notified of any changes required	<input type="checkbox"/> <b>Yes</b> Proceed to Section E	<input type="checkbox"/> <b>No</b> - Review Policy Schedule - Notify <b>First Title</b> of changes - Proceed to Section E
E. Settlement			
9.	<b>First Title</b> notified of any new known risks that you have become aware of since ordering the Policy	<input type="checkbox"/> <b>Yes / Not Applicable</b> Proceed to next step	<input type="checkbox"/> <b>No</b> - Obtain instructions from <b>First Title</b> - Notify purchaser if defect not covered by policy - Proceed to next step
10.	Final title search obtained and settlement effected	<input type="checkbox"/> <b>Yes</b> Proceed to Section F	<input type="checkbox"/> <b>No</b> Attend settlement and proceed to Section F
F. Post Settlement			
11.	Cheque payable to "First American Title Insurance Company of Australia Pty Ltd" received from purchaser and sent to <b>First Title</b>	<input type="checkbox"/> <b>Yes</b> Proceed to next step	<input type="checkbox"/> <b>No</b> - Obtain cheque - Send to <b>First Title</b> - Proceed to next step
12.	If purchaser does not have a mortgagee, has stamping and registration been attended to promptly with no issues?	<input type="checkbox"/> <b>Yes</b> Process is complete	<input type="checkbox"/> <b>No</b> Notify <b>First Title</b>
<p><b>Checklist completed by:</b> .....</p> <p><b>Date completed:</b> ..... / ..... / .....</p>			

**Appendix 2 – Request for Authorisation**

To: *First Title*  
 Attention: Underwriting Team  
 Attachments:  title search  
 By:  fax to (02) 9299 3388  email to [underwriting@firsttitle.com.au](mailto:underwriting@firsttitle.com.au)

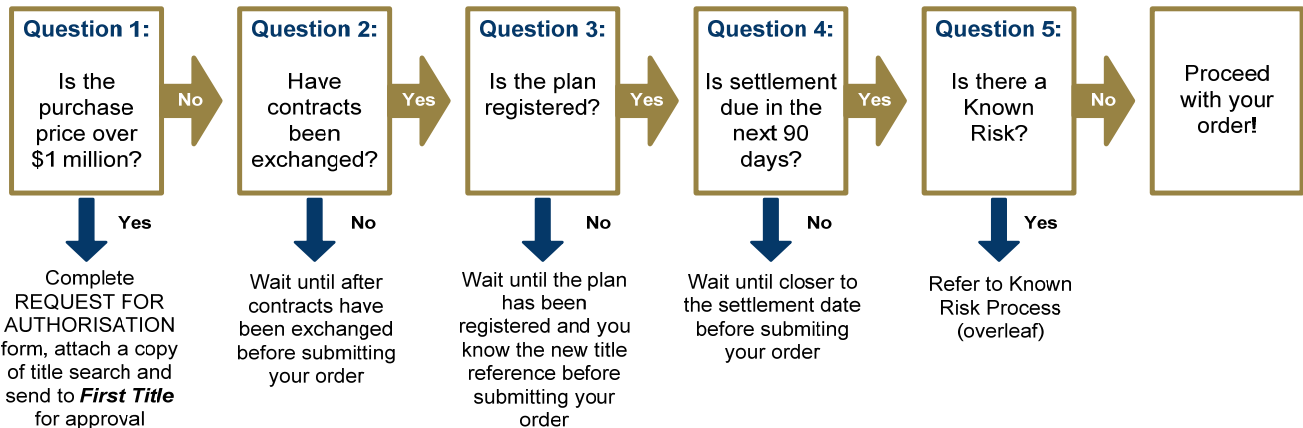
REQUESTING PARTY CONTACT DETAILS	
Firm/Company Name:	
Contact Name:	
Email Address:	
Phone No:	Fax No:

PROPERTY DETAILS	
Purchaser Name:	
Title Reference(s): (eg. Folio Identifier, Volume & Folio)	
Property Type	<input type="checkbox"/> Residential <input type="checkbox"/> Rural            If rural: area of property <input type="checkbox"/> ≤ 50 acres <input type="checkbox"/> > 50 acres
Purchase Price:	\$

AUTHORISATION <i>(to be completed by First Title's Underwriting Team)</i>	
I authorise the issuing of the above policy, subject to the conditions of approval listed below:	
Signature of <i>First Title Underwriter:</i>	
Name:	
Date:	

FIRST TITLE'S CONDITIONS OF APPROVAL
<input type="checkbox"/> Satisfactory completion of <i>First Title's</i> 'Title Insurance Checklist'
<input type="checkbox"/>

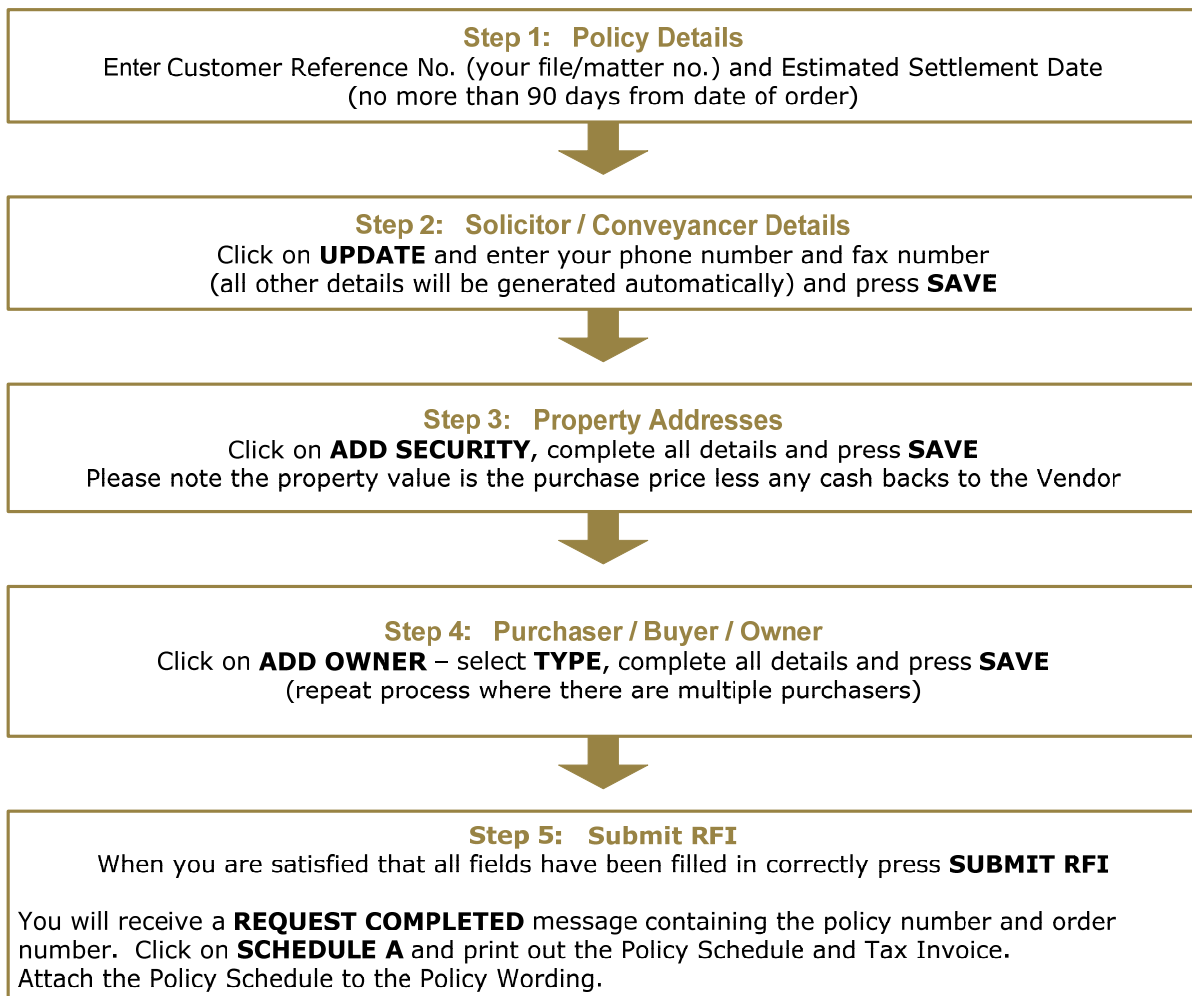
**Appendix 3 – Quick Reference Guide to Ordering Online**



**1) SUBMITTING YOUR ORDER – CLEAN TITLE**

**LOG ONTO:** <https://portal.etable.com.au/main> (save this address in your favourites!)  
**OR:** [www.firsttitle.com.au](http://www.firsttitle.com.au) and click on the eTitle link.

1. Enter your **USER ID** and **PASSWORD** and press **LOGIN**  
 (if you have forgotten these please contact our Helpdesk on 1300 362 178, or [helpdesk@firsttitle.com.au](mailto:helpdesk@firsttitle.com.au))
2. Select **TITLE INSURANCE** and **NEW REQUEST**
3. Select **HOME OWNERS GOLD POLICY** and press **CONTINUE**



## 2) SUBMITTING YOUR ORDER – KNOWN RISK

**LOG ONTO:** <https://portal.etable.com.au/main> (save this address in your favourites!)  
**OR:** [www.firsttitle.com.au](http://www.firsttitle.com.au) and click on the eTitle link.

1. Enter your **USER ID** and **PASSWORD** and press **LOGIN**  
(if you have forgotten these please contact our Helpdesk on 1300 362 178, or [helpdesk@firsttitle.com.au](mailto:helpdesk@firsttitle.com.au))
2. Select **TITLE INSURANCE** and **NEW REQUEST**
3. Select **HOME OWNERS GOLD POLICY KNOWN RISK** and press **CONTINUE**

