



ESCROW FEES and RATES

State of Arizona

Escrow Rates Effective

July 1, 2019

The Schedule of fees and charges shall supersede all Schedule Fees and Charges previously filed with the Arizona Department of Financial Institution pursuant to A.R.S. §6-846 et Seq. on behalf of Empire West Title Agency, LLC.

TABLE OF CONTENTS

Basic Escrow Rate ZONE 1	1
Maricopa, Pinal, Pima, Graham, Greenlee, LaPaz, Mohave, Yuma, Santa Cruz	
Basic Escrow Rate ZONE 2	2
Coconino, Yavapai, Apache, Gila, and Navajo	
1 - General Rules	
A-Definition of Escrow	3
B-Basic Escrow Rate	3
C-Computation from Basic Escrow Rate	3
D-Fair Value	3
E-Minimum Charges and Special Risks	3
F-Rates and Charges In Effect	4
G-Separate Sales or Exchanges (Different Owners)	4
H-Transfer of Undivided Interest	4
I-Unique Escrow Requirements	4
J-Intentionally Deleted	4
2 - Explanation of Charges & Fees	
A-Sale Escrow Transaction	5
B-All Inclusive Servicing Fee	5
C-Loan Escrow Transaction	6
D-Leasehold Escrow Rate	6
E-Subdivider and Builder Rate	6
F-Escrow Services	6
G-Short Sale Facilitation Fee	7
H-Short Sale Escrow Transaction Fee	7
I-Trustee's Sale Fees	7
J-Subdivision Trust Charges	8
3 - Miscellaneous Fees and Charges	
A-Reconveyance Tracking	9
B-Express Mail and Courier	9
C-Interest Bearing Account Set Up	9
D-Recording Fee	9
E-Electronic Loan Package Delivery	9
F-1031 Exchange	9
G- Courtesy Escrow Signing Service	10
H-File Maintenance / Dormant Funds	10
I-Hourly Work Fee	10
J-Wire Fee	10
K-Payment of Unsecured Debts	10
L-FIRPTA Filing Fee	10
M-Direct Escrow Documentation Preparation	11

N-Account Servicing Set Up	11
O-Holdback of Escrow Funds	11
P-Septic Transfers	11
Q-Lender Network Platform	11
R-Inspection Fee	11
4 – Special Rates and Charges	
A-Senior Citizens	12
B-Government Entities	12
C-Corporate Relocation	12
D-Public Safety Rate / Teachers	12
E-Church or Charitable Organizations	12
F-Employee Rate	12
G-Volume Users / Investors	12
H-Rate Match	12

EMPIRE WEST TITLE AGENCY
BASIC ESCROW RATE – ZONE 2
Counties of Coconino, Yavapai & Mohave

TRANSACTION AMOUNT Up to and Including	RATE \$	TRANSACTION AMOUNT Up to and Including	RATE \$
0 – 80,000	650	540,001 – 560,000	1308
80,001 – 100,000	670	560,001 – 580,000	1334
100,001 – 120,000	690	580,001 – 600,000	1360
120,001 – 140,000	720	600,001 – 620,000	1386
140,001 – 160,000	750	620,001 – 640,000	1412
160,001 – 180,000	780	640,001 – 660,000	1438
180,001 – 200,000	810	660,001 – 680,000	1464
200,001 – 220,000	840	680,001 – 700,000	1490
220,001 – 240,000	870	700,001 – 720,000	1514
240,001 – 260,000	900	720,001 – 740,000	1540
260,001 – 280,000	928	740,001 – 760,000	1564
280,001 – 300,000	956	760,001 – 780,000	1588
300,001 – 320,000	984	780,001 – 800,000	1612
320,001 – 340,000	1012	800,001 – 820,000	1638
340,001 – 360,000	1040	820,001 – 840,000	1662
360,001 – 380,000	1068	840,001 – 860,000	1686
380,001 – 400,000	1096	860,001 – 880,000	1710
400,001 – 420,000	1124	880,001 – 900,000	1734
420,001 – 440,000	1150	900,001 – 920,000	1758
440,001 – 460,000	1176	920,001 – 940,000	1782
460,001 – 480,000	1202	940,001 – 960,000	1806
480,001 – 500,000	1228	960,001 – 980,000	1830
500,001 – 520,000	1256	980,001 – 1,000,000	1854
520,001 – 540,000	1282		
For Transactions over \$1,000,000 and up to \$5,000,000 add \$20.00 per \$20,000 or fractions thereof, for any amount in excess of \$5,000,000 add \$14.00 per \$20,000 or fraction thereof.			

1 - GENERAL RULES

A. DEFINITION OF ESCROW

Escrow means any transaction wherein any property, money, written instrument, or evidence of title or possession to real or personal property or other thing of value is delivered to a grantee, grantor, promise, promissory, obligee, obligor, bailee, bailor, or a designated agent or employee of any of them, delivery may be with or without transfer of legal or equitable title, or both, and irrespective of whether a debtor/creditor relationship is created. The transfer to a person not otherwise having any right, title or interest therein in connection with the sale, transfer, encumbrance or lease of real or personal property shall occur upon the delivery or re-delivery to that person upon the contingent happening or non-happening of a specified event or performance or non-performance of a prescribed act, pursuant to mutually agreeable instructions to a neutral third party. Escrow includes subdivision trust (A.R.S. 6-801, as Amended).

B. BASIC ESCROW RATE

For the purposes of rate application, the counties shall be in Zones as follows:

Zone	Counties
1	Maricopa, Pinal, Pima, Graham, Greenlee, and Santa Cruz
2	Coconino, Yavapai, Gila, Navajo, LaPaz, Mohave, Yuma and Apache

If a particular escrow rate does not specify a specific zone or county in which it applies, then said rate shall apply to all zones and counties.

C. COMPUTATION FROM BASIC ESCROW RATE

C1. The rate shall always be applied on fair value as defined in E below, in multiples of \$20,000.00, including any fraction thereof.

C2. Whenever percentages of the Basic Escrow Rate are used herein, the charge arrived at from use of the percentage shall be rounded up to the nearest dollar.

C3. Unless otherwise instructed in writing by the parties, the escrow charges shall be paid one-half by the buyer and one half by the Seller.

C4. Unless otherwise instructed in writing by the parties, any charges incurred for miscellaneous or additional services provided or requested by the parties shall be charged to the person who requested such services or who will benefit by such services.

D. FAIR VALUE

The fair value shall be construed as the full value of the property, including the encumbrances. When a sale is not involved, the fair value shall be determined from all available information, i.e. amount of encumbrances assessed value, etc. In no event shall it be less than the sum of the unpaid principal balances of the mortgages and or contracts to which the property is subject.

E. MINIMUM CHARGES

The charges set forth herein are minimum charges. Additional charges will be incurred when special services are requested. In the event such charges are made, the deposit of final funds and the signing of final documents or the acceptance of the work performed will constitute approval of the charges.

F. RATES AND CHARGES IN EFFECT

All rates contained herein become effective when approved by the State of Arizona Department of Financial Institutions or by operation of law.

G. SEPARATE SALES OR EXCHANGES (DIFFERENT OWNERS)

Basic charge is applicable on each separate sale, seller or exchanger involved, plus an additional \$100 per \$500,000.00 of value for the parcels combined. The applicable charge applies on the amount of each individual sale or exchange, even though there may be one common purchaser and the sale or exchanges are handled concurrently, and one or more separate escrows are involved.

H. TRANSFER OF UNDIVIDED INTEREST (OR WHEN SOLD SEPARATELY FROM REMAINING INTEREST)

Basic charge applicable, based upon the interest covered, the purchase price or the fair market value thereof.

I. UNIQUE ESCROW REQUIREMENTS / NEGOTIATED RATE

In some cases, due to unusual requirements the company may find it necessary to enter into contracts or agreements for various services to be rendered and the charge to be made thereon. All such requests must be submitted in full detail for consideration by the Chief Executive Officer, President or Escrow Operations Manager so authorized by the Company (authorized officer) and signed by all parties. This will allow the Company to maintain uniformity on projects of a similar nature and to offer prices, which are consistent with established escrow rates. Copy of signed agreement is to be placed in the escrow file for which it applies. Minimum rates shall not apply.

J. Deleted and reserved for future use.

2 - EXPLANATION OF CHARGES AND FEES

A. SALE ESCROW TRANSACTION

The minimum charge of 100% of the Basic Escrow Rate shall be based upon insurance issued, sales price, or fair value of the property in the escrow. If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate.

*Discounts may be applied to this rate however the total may not go below the **Minimum of \$450.00**

B. ALL INCLUSIVE SERVICING TRANSACTION FEE

These fees will be charged equally ½ to the Buyer and ½ to the Seller, unless otherwise instructed in writing.

B1. Cash Transactions no lien payoff (free and clear) \$100.00

The following services are included in this fee:

Courier Delivery, Wire Transfer Fee
Overnight/Express Mail, Recording Service Fee

B2. Cash Transactions with one or more payoffs \$200.00

The following services are included in this fee:

Courier Delivery, Wire Transfer Fee
Overnight/Express Mail, Reconveyance Fees
Recording Service Fee

B3. Sale Transactions with a Loan no lien payoff (free and clear) \$300.00

The following services are included in this fee:

Courier Delivery, Wire Transfer Fee
Overnight/Express Mail, Loan Tie-In Fee
Recording Service Fee, Electronic Document Deliver

B3. Sale Transactions with a Loan & lien Payoffs \$400.00

The following services are included in this fee:

Courier Delivery, Wire Transfer Fee
Overnight/Express Mail, Loan Tie-In Fee
Recording Service Fee, Electronic Document Deliver
Reconveyance Fee

*Other charges may apply for additional transaction requirements.

*Recording Fee will be charged at actual cost from the County Recorder.

*This rate does not apply to Commercial, Short Sale or Refinance Transactions.

B4. Commercial Sale Transaction Bundle \$150.00 or Actual Cost

These fees will be charged equally ½ to the Buyer and ½ to the Seller, unless otherwise instructed in writing.

This rate is all inclusive and includes the following:

Courier and Overnight Delivery Wire Transfer Fees
Recording Service Fee Reconveyance Fees

*When charged, these fees will be considered earned income and non-refundable.

C. LOAN ESCROW TRANSACTION

This is a bundled rate for escrow production and transaction fees combined.

C1. Refinance or new financing whether a lien is recorded or not. **\$350.00**

This is an all inclusive rate which includes the following: reconveyance fee; two overnight delivery services, internal courier services; two (2) electronic funds transfer; one electronic transmission of loan documents, recording service fee and payment of 3 unsecured obligations. Additional services may be provided pursuant to charges contained herein.

C2. Additional loans processed with a new first loan. **\$150.00**

Will have an additional fee per loan added to the applicable sale transaction fee. The additional charge will be allocated equally between the Seller and Buyer unless otherwise mutually instructed. This is in addition to applicable escrow rate.

C3. The following charges are applicable on construction loans when the lender requests additional services, such as obtaining lien waivers and/or architectural approval amount. Work Charge of \$100.00 per hour. Rate shall be charged in 15 minute increments with a one hour minimum.

C4. Commercial property refinance or new financing. **\$500.00**

Whether a lien is recorded or not involving commercial property will have the above bundled rate.

This is an all inclusive rate which includes the following: reconveyance fee; two overnight delivery services, internal courier services; two (2) electronic funds transfer; one electronic transmission of loan documents and payment of 3 unsecured obligations, recording service fee.

Additional services may be provided pursuant to charges contained herein.

D. LEASEHOLD

The Leasehold Escrow Rate shall be charged at 100% of the Basic Escrow Rate applicable for the county in which the escrow is handled based upon the fair value of the property leased or the total amount of the lease payments, whichever is less.

E. SUBDIVIDER AND BUILDER RATE

This rate is available to a builder, contractor, developer or sub divider customarily engaged in such business for units being developed in a common promotional plan of contiguous properties.

6 – 20 Units	50% of Base Rate
21 – 50 Units	40% of Base Rate
51 or More Units	See County Manager

F. ESCROW SERVICES **200% of Basic Escrow**

This rate is applicable for escrow services which do not involve the issuance of Title Insurance.

*Approval of the County Manager or Escrow Administrator must be obtained prior to acceptance of such a transaction.

G. SHORT SALE FACILITATION FEE: \$1000.00

In addition to the basic escrow fee, when Empire West Short sale Processing Division assists with facilitating the sale wherein the lender or lenders accept less than full payment for the balance due (short sale) an additional processing charge to be paid by the Seller. Said fee shall be added to the Sellers portion of the escrow fee. However, should the lender or lenders decline to allow all or a portion of said fee, the disallowed portion shall not apply.

H. SHORT SALE ESCROW TRANSACTION FEE

When the transaction results in one or more existing lenders accepting less than the actual amount owed under its encumbrance (“short payoff” or “short sale”) there shall be a bundled escrow fee in lieu of other miscellaneous charges that would normally be incurred by the Buyer and Seller to close the transaction. Said fee shall be charged 50% to the Seller and 50% to the Buyer or per contract.

Up to \$150, 0000	\$1200.00
\$150,001 to \$300,000	\$1400.00
\$300.001 to \$500,000	\$1600.00
\$500,001 to \$750,000	\$1900.00
\$750,001 to \$1,000,000	\$2100.00
Over \$1,000,000	Per Negotiated agreement

When charged, this fee will be considered earned income and non-refundable. However, should the lender or lenders decline to allow all or a portion of said fee, the disallowed portion shall not apply.

I. TRUSTEE’S SALE FEES:

All Trustee and Forfeiture Fees are based on the Principal Balance:

Less than	\$100,000.01	\$500.00
\$100,000.01 -	\$199,999.99	\$600.00
\$200,000.00 -	\$299,999.99	\$700.00
\$300,000.00 -	\$399,999.99	\$800.00
\$400,000.00 -	\$499,999.99	\$900.00
\$500,000.00 -	\$999,999.88	\$1,000.00
\$1,000,000.00 -	\$1,999,999.99	\$1,500.00

***Additional \$100.00 per \$100,000.00**

***Additional \$1,000.00 per \$1,000,000.00**

Document Prep Fee	\$60.00
Demand Letter Fee	\$60.00
Excess Proceeds Fee	\$250.00
Strict Performance Fee	\$100.00

Cancellation Fee –

Within the first month of the recording of the Notice of Sale \$300.00 plus costs

During the Demand Letter period \$100.00 plus costs

*The above charges DO NOT include cost for the following; mailing, recording, posting, or publishing as required by Arizona Statute or costs for an outside vendor.

*Investor Discount may be applied with a minimum charge of \$400.00.

*Does not include the County Recording Costs

J. SUBDIVISION TRUST CHARGES:

The following charges are the rates applicable for accounting and other services rendered in connection with a subdivision trust.

Beneficiary as referred to herein shall mean; one married couple, one partnership (limited, general or joint venture), and a corporation or limited liability company.

II. SET UP FEES:

1.	Single Beneficiary Trust	\$150.00
2.	Double Beneficiary Trust	\$400.00
3.	Junior Trust (property in Senior Trust)	\$250.00
4.	Amendments to Trust Agreement	\$ 50.00
5.	Broker commission set-up fee	\$100.00

I2. ANNUAL FEES:

1.	Single Beneficiary Trust	\$150.00
2.	Double Beneficiary Trust	\$175.00
3.	Junior Beneficiary Trust	\$250.00
4.	Broker commission	96.00

Annual fees are payable in advance upon trust acceptance.

I3. ADMINISTRATIVE SERVICES:

1.	Deed and Affidavit Processing	
	a. Deed prepared by Empire West Title Agency	\$25.00
2.	Processing of Lease, Easement or other instrument	\$50.00
3.	Acceptance of assignment of beneficial interest (each)	\$50.00
4.	Federal or State Lease and/or State Certificate of deposit	
	a. Acceptance fee	\$50.00
	b. Annual fee	\$50.00
5.	Additional parcels (per parcel) into trust	\$50.00
6.	Option Fee	
	a. Acceptance fee (if not in original trust)	\$50.00
	b. When exercised	\$50.00
7.	Acceptance of Collateral Assignment (each)	\$50.00
8.	Broker commission –annual fee	\$50.00
9.	Check service fee –per check	\$10.00
10.	NSF Check Charge	\$25.00
	Special Handling not covered billed at \$75.00 per hour.	

I4. CLOSING OR DISTRIBUTION FEES:

1.	Single Beneficiary Trust	\$100.00
2.	Double Beneficiary Trust	\$150.00
3.	Mutual Cancellation fee	\$100.00

I5. FOREFEITURE FEES:

1.	Notice of Default	\$125.00
2.	Notice of Forfeiture	\$100.00
3.	Completion of Forfeiture Fee	\$125.00

3. ADDITIONAL FEES AND CHARGES

There are a variety of services and/or products that may be necessary or required to service escrows. The rates included in this section shall be charged if and as those services and/or products are provided if they are not already included in the transaction bundle. When charged, these fees will be considered earned income and non-refundable.

*Rates will be charged to the benefiting party unless otherwise instructed in writing.

A. RELEASE AND RECONVEYANCE TRACKING FEE \$100.00

A fee of \$100.00 per lien will be charged when handling the payoff of a loan if the release is not provided for recording through escrow, prior to closing escrow. This charge covers the additional record keeping expense of monitoring the follow through with the paid lender and record keeping and possible recording cost for a delayed reconveyance. The reconveyance processing fee is non-refundable once the real estate transaction to which it is attached is closed and recorded, and is earned concurrent with issuing the payoff check at close.

When charged this fee will be considered earned income and non-refundable. However, should a lender or lenders (on a refinance, REO or a short sale transaction) decline to allow all or a portion of said fee, the disallowed portion shall not apply.

B. EXPRESS MAIL AND COURIER SERVICES

B1. Express Mail – \$30.00
 Fee will be charged when overnight delivery service is required or requested on any document or package.

B2. Courier Service – \$30.00
 Fee will be charged when courier services are necessary to retrieve or send documents from parties involved in the escrow transaction.

C. INTEREST BEARING ACCOUNT SET-UP \$50.00

Fee will be charged to the depositor of funds when escrow agent is requested to establish an interest bearing account for funds deposited into escrow.

D. RECORDING FEE ACTUAL COUNTY COST

Transfer Documents	Cost for recording the Deed /APV shall be charged 50/50 . One half to the Buyer and one half to the Seller.
All Other Documents	To be charged to the party that requires it or benefits from it.

E. ELECTRONIC LOAN PACKAGE DELIVERY \$50.00

A per package fee will be charged when escrow agent processes a loan package sent by email from the lender or other party.

F. 1031 EXCHANGE \$100.00

When a 1031 exchange is part of a sale transaction this fee will be a charged in addition to the other transaction costs. This fee will be charged to the party who is doing the exchange.

G. COURTESY ESCROW SIGNING SERVICE \$150.00

Escrow signing services (document signatures/notarization) offsite or onsite may be available after normal business hours, close of business days, holidays or due to other time constraints. When signed by an authorized company employee per transaction package.

H. FILE MAINTENANCE AND DORMANT FUNDS \$120.00

There shall be a maintenance fee collected in the amount of \$120.00 for accounting follow up, tracking of funds and if necessary escheatment to the state of Arizona. This fee will be paid to Empire West Title Agency for funds remaining in an escrow account due to the payee's failure to negotiate funds. This fee will be implemented after the required time frames have lapsed. A written notice will be sent to the last known address of the payee and charge collected before escheatment of the funds to the State. In the event the fee incurred meets or exceeds the amount of the non-negotiated funds, the amount of the unclaimed funds shall be deemed payment in full.

I. HOURLY WORK FEE \$100.00/hour

This fee will be charged in 15 minute intervals when special services are requested and/or required. Minimum charge is one hour.

J. OUTGOING WIRE FEE

This fee will be charged per disbursement for issuance of funds via wire transfer. Fee shall be charged to the benefiting party (Buyer/Borrower or Seller) requesting said service.

Domestic Wire	\$20.00
International Wire	\$50.00

K. PAYMENT OF UNSECURED DEBTS: 1st three checks N/C \$15.00 /check after

There shall be a charge for the payment of unsecured obligations wherein checks are issued to pay unsecured obligations such as, but not limited to, credit cards, personal property loans, and other merchandise or service related accounts.

L. FIRPTA FILING FEE \$50.00

This charge shall apply when the transaction involves withholding of proceeds and payment of same to the Internal Revenue Service in connection with the Foreign Investment Real Property Tax Act.

M. DIRECT ESCROW DOCUMENTS

When escrow is required to prepare escrow instructions in lieu of a contract or lender instructions, there will be an additional charge for each instruction drawn to the applicable escrow rate.

Lender Escrow Instructions and Documentation	\$100.00
Contract Escrow Instructions	\$100.00

N. ACCOUNT SERVICING SET UP FEE \$20.00

Fees applies when setting up an account to service a note and deed of trust; Agreement for sale or lease for servicing by an account servicing company.

O. HOLDBACK OF ESCROW FUNDS \$100.00

When funds remain in escrow after closing at the request of the parties, this fee will be charged in addition to any other fees and collected at close of escrow.

P. SEPTIC TRANSFER \$20.00

This fee will charged when a transaction requires us to complete the on-line septic transfer documents according to the septic inspection results and transmit the information to the state.

Q. LENDER REQUIRED NETWORK PLATFORM \$20.00

This will be charged when the lender requires us to pay for the use of their e-platform secured portals.

R. INSPECTION FEE

This fee will be charged when an inspection of the property is required for the issuance of a title insurance policy. This fee is per inspection.

Same County as the place of settlement	\$100.00
County outside of the place of settlement	\$150.00

*This is a minimum fee. Should the inspection invoice be higher, actual cost will be charged.

4. SPECIAL RATES AND CHARGES

** No additional discounts can be applied to these rates.

** Minimum Rate applies.

- A. SENIOR CITIZENS RATE: 70% Rate**
This rate shall apply to Senior Citizens (65 and older) on residential transactions. It will be the responsibility of the party entitled to a discount to request it.
- B. GOVERNMENTAL ENTITIES**
Separate escrow service contracts may be entered into with Federal, State, County or Local government agencies for charges as agreed upon by and between the Company and governmental agency. Charges shall be not less than 50% of the applicable rate nor exceed 200 % of the applicable rate. The above rates are based upon difficulty of the escrow(s) and the volume of transactions. A fixed price may also be bid for government contracts. The minimum fixed price shall be not less than \$100.00 nor exceed \$500.00 per transaction.
- C. CORPORATE RELOCATION RATE: 70% Rate**
This rate shall apply to any person involved in an employer sponsored relocation program. This rate is applicable to either a buyer or seller.
- D. PUBLIC SAFETY RATE/TEACHERS /VETERANS 70% Rate**
This rate is available to employees of local or state law enforcement agencies, employees of federal law enforcement agencies employed in Arizona, and state and local fire department employees and teachers. It shall be the responsibility of the party entitled to a discount to request it.
- E. CHURCH OR CHARITABLE NON-PROFIT ORGANIZATIONS 70% Rate**
This rate is available to any church, charitable or like eleemosynary non-profit organization provided however, said church or charitable organization is duly recognized as such by the United States Department of Treasury, Internal Revenue Service and satisfactory evidence of such recognition is submitted to and accept by this company. The rate is 70% of the applicable rate.
- F. EMPLOYEE RATES N/C**
No base escrow fee will be charged to employees of the Company, its subsidiary or affiliated companies for policies issued in connection with the financing, refinancing, sale, or purchase of the employee's bona fide primary home property. Other costs will be charged as applicable. Waiver of such charges is authorized only in connection with those costs which the employee would be obliged to pay, by established custom, as a part to the transaction.
- G. INVESTOR RATE 65% Rate**
This rate is available to a volume user and investor, anyone who regularly deals in the buying and/or selling of Real Estate. This rate shall apply to all or any portion of the escrow fee paid by the developer, volume user or investor.
- H. RATE MATCH**
Company may match any rate appropriately filed with the Arizona Department of Finance. This must be approved by the County Manager and any other party involved. Written agreement must be signed and kept in the file.