



## ISSUING GUIDELINES

### ALTA Endorsement: 9.9-06 (Private Rights)

---

#### **Explanation:**

ALTA Endorsement 9.9-06 is designed for owner's policies and insures as of Date of Policy against loss or damage by reason of enforcement of a Private Right in a Covenant affecting the Title at Date of Policy by reason of a transfer of Title on or before Date of Policy resulting in a loss of the Insured's Title.

A Private Right is: (a) an option to purchase; (b) a right of first refusal; or, (c) a right of prior approval of a future purchaser or occupant.

A Covenant is a covenant, condition, limitation or restriction in a document or instrument recorded in the Public Records at Date of Policy.

#### **Underwriting Requirements:**

- (1) Verify if there is an existing option to purchase. If there is an existing option to purchase:
  - a. Obtain a release; and/or
  - b. Determine that the right has terminated or has been waived; and,
  - c. Contact a Dakota Homestead Underwriter.
- (2) Verify if there is an existing right of first refusal. If there is an existing right of first refusal:
  - a. Obtain a release; and/or
  - b. Determine that the right has been terminated or has been waived; and,
  - c. Contact a Dakota Homestead Underwriter.
- (3) Verify if there is an existing right of prior approval of a purchaser or occupant. If there is an existing right of prior approval of a purchaser or occupant:
  - a. Obtain a release; and/or
  - b. Determine that the right has terminated or has been waived; and,
  - c. Contact a Dakota Homestead Underwriter.

---

**Issuing guideline applies to the following Endorsement(s):**

ALTA 9.9-06 Private Rights - 2006 ALTA Owner's Policy