

# TITLE ALERT

**Title Alert 2016-13  
OFAC Guidance**

**August 8, 2016  
PA - STANDARD**

**Purpose:** To notify Approved Attorneys of Penn Attorneys/Ohio Bar Title Insurance Company ("PA/OBT") of their obligations to comply with the federal laws, regulations and mandates administered by the Office of Foreign Assets Control, a division of the US Department of the Treasury ("OFAC").

**Background:** This Title Alert supersedes Title Alert 2014-10.

## I. STANDARD FOR APPROVED ATTORNEYS

**A. GENERAL INFORMATION:** Executive Presidential Order 13224 issued September 23, 2001 and Global Terrorism Sanctions Regulations 31 C.F.R § 594.201 specifically prohibit doing business with any person or entity listed on the SDN List maintained by OFAC. OFAC also enforces the sanctioned country programs and a number of other sanctions programs which prohibit sending any funds or documents or providing any support whatsoever to any individuals or countries under formal US sanctions as memorialized in the Sanctions Lists.

### B. DIRECTIONS:

- 1) **Sanctioned Countries Mandate:** Before sending any funds or documents into a foreign country, confirm that the country is not on the current OFAC Sanctioned Countries list available at <https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx>.
- 2) **Sanctions Lists Search:** Approved Attorneys may receive notification that the name of a party associated with a transaction has been searched against the Sanctions Lists and has caused a potential hit. It is the responsibility of the Approved Attorney to follow up, research and clear all party names in accordance with OFAC laws and regulations. The OFAC Sanctions Lists search is available at <https://sanctionssearch.ofac.treas.gov>.

The only party names automatically searched against the Sanctions Lists are those party names that are given to PA/OBT, exactly as they are given to PA/OBT. In the event there are additional parties associated with the transaction, they may also need to be searched against the Sanctions Lists.<sup>1</sup> In the event that a name is modified after the date such name was first provided to PA/OBT or searched by Approved Attorney, including the mere inclusion of a middle name or initial, this change may trigger a requirement to research and clear that party name. For additional guidance on this subject, see: [https://www.treasury.gov/resource-center/faqs/Sanctions/Pages/faq\\_compliance.aspx](https://www.treasury.gov/resource-center/faqs/Sanctions/Pages/faq_compliance.aspx).

If you have any questions, please feel free to contact us.

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<sup>1</sup> The search and clearance obligations may apply to all parties to the transaction including, but not limited to, any third party that receives an intangible benefit from the transaction along with any third party from whom or to whom disbursements are received or made (e.g. third party depositors, third party payees, etc.)

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**NOTE:** This Title Alert is intended solely for the employees of Penn Attorneys/Ohio Bar Title Insurance Company and its Approved Attorneys, is not to be distributed to third parties, and any reliance by any other person or entity is unauthorized. This Title Alert is intended solely for the purpose of underwriting policies of Ohio Bar Title Insurance Company.

**NOTE TO APPROVED ATTORNEYS:** Under the Approved Attorney system, the scope of our relationship is limited to the functions of underwriting and the issuance of title insurance policies on your behalf and does not include closing or escrow services. We sometimes provide information and recommendations with regard to your closing or escrow business as a courtesy to you. Moreover, some communications, depending on whether noncompliance could impact on liability under our policies or closing protection letters, should be considered directives. This Title Alert is being provided to you with those considerations in mind.

\* \* \* \* This Title Alert should become a permanent part of your records to assure compliance with its requirements. \* \* \* \*

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