



*First American
Title Insurance Company*

**Written Testimony of Michael Dulin, Senior Operations Counsel,
First American Title Insurance Company before the House Committee
on Commerce and Economic Development, on H.211, Data Broker Bill.**

Mr Chairman and members of the Committee, my name is Michael Dulin, and I am Senior Operations Counsel for First American Title Insurance Company (First American). We appreciate the opportunity to offer written testimony to the Vermont House Committee on Commerce and Economic Development, on H.211, Data Broker Bill.

By way of introduction, First American is a national title insurance company that insures residential and commercial real estate transactions. Residential real estate transactions typically involve individuals purchasing homes and mortgage lenders that provide financing for home purchases. In order to insure real estate transactions, title companies like First American require access to public record information, including County Recorder/Clerk information and County Assessor information. To obtain this information, title companies rely on abstractors and data companies that collect public record information. Further, in transactions secured by a mortgage, this public record information is provided to lenders to generate loan documents, mortgages, deeds, and other related documents.

We applaud the Vermont legislature for addressing the overall need for improved consumer data privacy. Importantly, we note that the specific language in H.211, Data Broker Bill exempts *“publicly available information”* that is made available through: *“federal, state, or local government records, to the general public from widely distributed media, or a data broker has a reasonable basis to believe that the consumer has lawfully made available to the general public”*.

This provision ensures that title companies, title agencies, and attorneys can continue to search public records in the State of Vermont. Conversely, if this provision was struck it would make it difficult, if not impossible, to properly search the chain of title of Vermont properties. This would severely impact the ability of Vermont consumers to purchase, sell, or refinance homes. Accordingly, First American would respectfully request the Committee maintain this provision in H.211.

Thank you for the opportunity to submit these comments.

Sincerely,

Michael Dulin
Senior Operations Counsel
First American Title Insurance Company