

**TO:** Florida Agents of First National Title Insurance  
**FROM:** Mara Alyson, Florida Underwriting Counsel  
**DATE:** March 20, 2018  
**RE:** Miami-Dade County Ordinance Relating to Special Taxing Districts

On February 6, 2018, Section 18-20.2 of the Miami-Dade County Code was expanded to require all sellers in a special taxing district<sup>i</sup> of Miami-Dade County to disclose the existence of the special taxing district on the face of the instrument of conveyance (Deed). This applies to all residential and non-residential transactions within Miami-Dade County. Originally the Ordinance only required developers to disclose the special taxing district in a contract to sell property. As of May 17, 2018, the Ordinance now requires that all sellers, whether residential, non-residential, new construction or resale, to disclose the existence of a special taxing district on the body of the instrument of conveyance.

The amended Ordinance states:

(c) Acknowledgement of the special taxing district disclosure statement on the instrument of conveyance. It shall be the responsibility of the seller of property that the following statement shall appear in a prominent location on the face of any instrument conveying title to the property. The Seller shall record the notarized statement in the public records of Miami-Dade County Clerk of the Court:

I HEREBY CERTIFY THAT I UNDERSTAND THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS TRANSACTION IS LOCATED WITHIN \_\_\_\_\_ SPECIAL TAXING DISTRICT CREATED BY MIAMI-DADE COUNTY (OR PROPOSED TO THE COUNTY COMMISSIONERS) FOR THE PURPOSE OF PROVIDING LOCAL IMPROVEMENTS AND SERVICE IN THE NATURE OF \_\_\_\_\_.

\_\_\_\_\_  
Signature of Purchaser

\_\_\_\_\_  
Date

It is unclear whether the Agent is liable (and what the penalties are) for failure to adhere to the Ordinance. In light of the ambiguity in the Ordinance, FNTI requires all Deeds recorded on or after May 17, 2018, include the statement on the face of the Deed for property known to be in an existing or proposed special taxing district of Miami-Dade County. To verify whether the property is in a special taxing district, the Agent can contact the Miami-Dade County Property Appraiser or review the most recent TRIM Notice or prior Deed. As many special taxing districts were adjusted in 2016, the Agent should also verify if the property is in a special taxing district with the County directly, as the Seller may not have knowledge whether the district was categorized into a special taxing district.

Questions? Contact your Florida Underwriting Counsel at [Mara.Alyson@FNTI.com](mailto:Mara.Alyson@FNTI.com) or 754-264-3775.

<sup>i</sup> Assessment Districts (formerly known as Special Taxing Districts) can be created by property owners in a defined area who vote to levy a tax in support of public improvements to the area. Assessment Districts may be created for lighting, sewers or other infrastructure improvements.

This Underwriting Bulletin becomes a part of the principles and practices with which you are to comply under the terms of your Underwriting Agreement with First National Title Insurance Company. Should the content of this bulletin address the closing and escrow function, this information should be considered a directive and part of the principles and practices if non-compliance would result in liability to FNTI under either the insured closing service letter or policy of title insurance notwithstanding that the Underwriting Agreement does not include the closing and escrow functions of your agency.