

PUBLICATION

New ALTA/ACSM Survey Standards To Go Into Effect February 23

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On February 23, 2011, new Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys (the Standards) will go into effect, replacing the 2005 version of the Standards. This resource is a comprehensive, rigorous, and widely-accepted set of standards used by land surveyors, particularly when title insurance is involved.

Although the 2011 changes to the Standards comprehensively reorganize and provide more detail than the 2005 version, the 2011 version does not materially expand the scope of the 2005 Standards. The changes are evolutionary, rather than revolutionary. In our review, we found that almost every section of the Standards has been revised in some way in the 2011 version.

The most interesting changes are the following:

1. New Organization. For 2011, the Standards are broken into new sections addressing each aspect of the surveying process (such as Purpose; Request for Survey; Surveying Standards and Standards of Care; Records Research; Field Work; Plat or Map; Certification; and Deliverables). A straight comparison of the 2005 Standards to the 2011 Standards is difficult to make because a topic covered in one section in the 2005 Standards can sometimes be found in two or three sections of the 2011 Standards.
2. Certain Items Omitted from Requirements in 2011 Standards. Some requirements found in the 2005 Standards, such as the requirement to provide street addresses or to determine the relationship and location of division or party walls, are now optional responsibilities found in Table A of the 2011 Standards. Other requirements, such as the requirement to note evidence of use of the property by people other than the occupants of the property, are eliminated from the 2011 Standards.
3. Accuracy Standards. The accuracy standards referenced in the Certification mandated by the 2005 Standards were provided in a stand-alone document, while the 2011 version of the Standards incorporates the required accuracy standards. Accordingly, the Certification required by the 2011 Standards omits a specific reference to accuracy standards because the reference in the Certification to the 2011 Standards implicitly includes the accuracy standards.

What does this mean for you? Generally, nothing has changed. Requiring a surveyor to deliver an ALTA/ACSM Land Title Survey should (depending on the performance of the surveyor), result in your receipt of a comprehensive, detailed survey showing substantially the same information under the 2011 Standards as you would have received under the 2005 Standards. If certain categories of information are critical to your transaction, you would be well served to consult the 2011 Standards to confirm that those categories of information are treated in a manner most useful to you. If you have any questions, please feel free to contact one of our [Real Estate attorneys](#), and we can walk you through the differences between the 2005 Standards and the 2011 Standards.