

REMOVE FROM TITLE

HOW AND WHEN IT IS DONE



HOW DO I REMOVE SOMEONE FROM TITLE?

Situations can arise where the ownership interest in your property changes from the way it was originally acquired. Whether it is due to death, divorce, a parting of ways or the requirements of a new lender, it sometimes becomes necessary to remove someone's name from the title to a property. This is usually accomplished by the party exiting title executing a deed of conveyance in favor of the party or parties that will remain in title. Clearing the interest of deceased parties is an entirely different matter altogether and will not be addressed here.

IN CASE OF DIVORCE

In cases of divorce, the best way to clearly show which party was awarded the property would be for the party not awarded it to execute a quit claim deed in favor of the party that it was awarded to. Many times the terms of the decree of dissolution and/or settlement agreement in the divorce case don't properly identify real estate holdings and it can be difficult to determine "who got what".

TENANTS-IN-COMMON

If title is held by two or more parties as tenants-in-common and one of them decides to sell or otherwise relinquish their interest they would execute a deed of conveyance (typically a statutory warranty deed or in some cases a quit claim deed) to the recipient(s) of their interest.

WHEN A PARTY IN TITLE DOESN'T QUALIFY FOR A LOAN

Sometimes a party in title does not qualify for a loan and if the lender agrees to make the loan to the other title holder(s) a deed of conveyance (typically a quit claim deed) will be executed by the non-borrower to the borrowing party in title to the property.

SEEK LEGAL COUNCIL

You should always consult with an attorney before signing any legal documents. You should also consult with Excise Tax Dept. personnel at the local county recorder's office to help you determine if excise (i.e. conveyance or transfer) tax will be due when the deed is presented for recording.

REVIEW: WHAT IS TITLE?

The most accurate description of title is "a bundle of rights in real property." A title search is a means of determining from the public record that the person who is selling the property really has the right to sell it, and that the buyer is getting all the rights to the property (title) that he or she is paying for.

SEATTLE

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RENTON

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KENT

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Ph: 253.840.2560

FEDERAL WAY

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UNIVERSITY PLACE

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GIG HARBOR

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SNOHOMISH COUNTY

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TITLE OFFICE

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