70+ WAYS TO LOSE YOUR PROPERTY

A typo or an error by a county recorder's office clerk, liens placed on your property due to unpaid debts or obligations, unresolved claims from missing heirs or unknown owners, disagreements over property boundaries or survey discrepancies, liens that are not properly released after debts are paid off, are all examples of "title defects" that could cause you to lose your property. And even if you don't lose your property, these title issues could cost you a lot of money or could make it very difficult for you to sell.

An Owner's Title Policy is a form of insurance that provides protection to property owners against potential defects or issues related to the title of the property, even those that are hidden despite the search of public records. It is typically purchased during the process of buying a property and ensures that the owner's rights and interests are safeguarded. A Loan Policy of title insurance also exists to protect the interest of a mortgage lender.

By obtaining an Owner's Title Policy and a Loan Policy, for a one-time premium, you can have peace of mind knowing that you are protected from unforeseen issues that existed before the issue date of your policy, that may threaten your ownership rights. Your Ticor Title insurance policies also provide legal defense costs unless the matter is excluded or excepted.

Your title insurance policy protects you against potential defects such as:

1	Forged deeds, mortgages, satisfactions, or releases	17	Deed signed by mistake (grantor did not know what was signed)
2	Deed by person who is insane or mentally incompetent	18	Deed executed under falsified power of attorney
3	Deed by minor (may be disavowed)	19	Deed executed under expired power of attorney (death, disability, or insanity of principal)
4	Deed from corporation, unauthorized under corporate by-laws or given under falsified corporate resolution	20	Deed apparently valid, but actually delivered after death of grantor or grantee, or without consent of grantor
5	Deed from partnership, unauthorized under partnership agreement	21	Deed affecting property purported to be separate property of grantor, which is in fact community or jointly owned property
6	Deed from purported trustee, unauthorized under trust agreement	22	Undisclosed divorce of one who conveys as sole heir of a deceased former spouse
7	Deed to or from a "corporation" before incorporation, or after loss of corporate charter	23	Deed affecting property of deceased person, not joining all heirs
8	Deed from a legal nonentity (styled, for example, as a church, charity, or club)	24	Deed following administration of estate of missing person who later reappears
9	Deed by person in a foreign country, vulnerable to challenge as incompetent, unauthorized, or defective under foreign laws	25	Conveyance by heir or survivor of a joint estate who murdered the decedent
10	Claims resulting from use of "alias" or fictitious name style by a predecessor in title	26	Conveyances and proceedings affecting the rights of service member protected by the Service-Members Civil Relief Act
11	Deed challenged as being given under fraud, undue influence, or duress	27	Conveyance void as in violation of public policy (payment of gambling debt, payment for contract to commit crime, or conveyance made in restraint of trade)
12	Deed following nonjudicial foreclosure, where required procedure was not followed	28	Deed to land including "wetlands" subject to public trust (vesting title in government to protect public interest in navigation, commerce, fishing, and recreation)
13	Deed affecting land in judicial proceedings (bankruptcy, receivership, probate, conservatorship, dissolution of marriage) unauthorized by court	29	Deed from government entity, vulnerable to challenge as unauthorized or unlawful
14	Deed following judicial proceedings subject to appeal or further court order	30	Ineffective release of prior satisfied mortgage due to acquisition of note by bona-fide purchaser (without notice of satisfaction)
15	Deed following judicial proceedings where all necessary parties were not joined	31	Ineffective release of prior satisfied mortgage due to bankruptcy of creditor prior to recording of release (avoiding powers in bankruptcy)
16	Lack of jurisdiction over persons or property in judicial proceedings	32	Ineffective release of prior mortgage or lien, as fraudulently obtained by predecessor in title

Continued...

© 2024 Ticor Title (04/24)

© BNB STUDIO

70+ WAYS TO LOSE YOUR PROPERTY

33	Disputed release of prior mortgage or lien, as given under mistake or misunderstanding
34	Ineffective subordination agreement causing junior interest to be reinstated to priority
35	Deed recorded but not properly indexed so as to be locatable in the land records
36	Undisclosed but recorded federal or state tax lien
37	Undisclosed but recorded judgment or spousal/child support lien
38	Undisclosed but recorded prior mortgage
39	Undisclosed but recorded notice of pending lawsuit affecting land
40	Undisclosed but recorded environmental lien
41	Undisclosed but recorded option, or right of first refusal, to purchase property
42	Undisclosed but recorded covenants or restrictions, with (or without) rights of reverter
43	Undisclosed but recorded easements (for access, utilities, drainage, airspace, views) benefiting neighboring land
44	Undisclosed but recorded boundary, party wall, or setback agreements
45	Errors in tax record (mailing tax bill to wrong party resulting in tax sale, or crediting payment to wrong property)
46	Erroneous release of tax or assessment liens, which are later reinstated to the tax rolls
47	Erroneous reports furnished by tax officials (not binding local government
48	Special assessments which become liens upon passage of a law or ordinance, but before recorded notice or commencement of improvements of which assessment is made
49	Adverse claim of vendor's lien
50	Adverse claim of equitable lien
51	Ambiguous covenants or restrictions in ancient documents
52	Misinterpretation of wills, deeds, and other instruments
53	Discovery of will of supposed intestate individual, after probate
54	Discovery of later will after probate of first will
55	Erroneous or inadequate legal description
56	Deed to land without a right of access to a public street or road
57	Deed to land with legal access subject to undisclosed but recorded conditions or restrictions
58	Right of access wiped out by foreclosure on neighboring land
59	Patent defects in recorded instruments (for example, failure to attach notarial acknowledgment or a legal description)
60	Defective acknowledgment due to lack of authority of notary (acknowledgment taken before commission or after expiration of commission)
61	Forged notarization or witness acknowledgment
62	Deed not properly recorded (wrong county, missing pages or other contents, or without required payment)
63	Deed from grantor who is claimed to have acquired title through fraud upon creditors of a prior owner

And extended coverage may be requested to protect against such additional defects as:

64	Deed to a purchaser from one who has previously sold or leased the same land to a third party under an unrecorded contract, where the third party is in possession of the premises
65	Claimed prescriptive rights, not of record and not disclosed by survey
66	Physical location of easement (underground pipe or sewer line) which does not conform with easement of record
67	Deed to land with improvements encroaching upon land of another
68	Incorrect survey (misstating location, dimensions, area easements, or improvements upon land)
69	"Mechanics' lien" claims (securing payment of contractors and material suppliers for improvements) which may attach without recorded notice
70	Federal estate or state inheritance tax liens (may attach without recorded notice)
71	Preexisting violation of subdivision mapping laws*
72	Preexisting violation of zoning ordinances*
73	Preexisting violation of conditions, covenants, and restrictions affecting the land*

...And many more



Jennifer Rulli Luna
Vice President of Sales

(805) 551-5108
Jen.Luna@FNF.com
https://ticorla.com/jennifer-rulli-luna

TICOR TITLE®

© 2024 Ticor Title (04/24)

© FNG STUDIO