

Like homeowner's or flood insurance, title insurance protects the home you love. However, unlike casualty insurance that covers items that may happen in the future, title insurance protects from events that happened in the past. Hidden "title defects" could cause you to lose ownership of your home or impair your right to sell it. A 50-year-old forgery, a stolen identity, an error by a clerk in the county recorder's office, a tax payment applied to the wrong account – these are examples of defects a title search may not uncover, but that an Owner's Title Policy will protect you against. The policy will stand behind you for covered losses and even defend your property rights in court.

While your mortgage lender requires you to purchase a Loan Policy, your interests as the owner are not fully protected by that policy alone. Check out our list of potential title defects that the Owner's Policy issued by Lennar Title will cover – for as long as you or your heirs own your home. Ask us about an Owner's Policy today.



COUNT THE WAYS THAT TITLE INSURANCE CAN SAVE YOUR HOME



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TITLE

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Potential Title Defects Typically Covered by a Title Insurance Policy

1. Forged deeds, mortgages, satisfactions or releases
2. Deed by minor that may be disclaimed
3. Deed by person who is insane or mentally incompetent
4. Deed signed by mistake, where the grantor did not know what was signed
5. Deed executed under falsified or expired power of attorney covering disability or insanity of principal
6. Deed said to be given under fraud, undue influence or duress
7. Deed purportedly valid, but actually delivered after the death of grantor/grantee or without consent of grantor
8. Deed from corporation or partnership that is unauthorized under corporate bylaws or partnership agreement, or given under a false corporate resolution
9. Deed from a purported corporation that has lost its corporate charter
10. Deed from trustee that is not authorized under trust agreement
11. Deed from a church, charity or club that is a legal nonentity
12. Deed from a government entity that may be challenged as unauthorized or unlawful
13. Deed by person in a foreign country, where the person can be challenged according to that country's laws as incompetent, unauthorized or lacking required authority
14. Claims regarding a person in the chain of title that used an alias or fictitious name
15. Deed following nonjudicial foreclosure, where required procedure was not followed
16. Deed affecting land in judicial proceedings (bankruptcy, receivership, probate, conservatorship, dissolution of marriage) that are unauthorized by court
17. Deed affecting property purported to be separate property of grantor, which is in fact community or jointly owned property
18. Undisclosed divorce of someone who transfers title as the sole heir of a deceased former spouse
19. Deed issued after judicial proceedings that are subject to appeal, further court order or where all necessary parties were not joined
20. Deed affecting property of deceased person, not joining all heirs
21. Deed following administration of estate of missing person who later reappears
22. Discovery of later will after probate of first will or discovery of unknown will after probate
23. Misinterpretation of will, deed or other instruments
24. Transfer of property by an heir or survivor of a joint estate who murdered the decedent
25. Transfer of property that is void because it is in violation of public policy, for example, as payment of gambling debt or for contract to commit crime
26. Errors in tax record, including mailing tax bill to wrong party resulting in tax sale or crediting payment to wrong property
27. Erroneous release of tax or assessment liens, which are later reinstated to the tax rolls
28. Deed recorded but not properly indexed so it can be located in the land records
29. A prior satisfied mortgage that is released without notice of satisfaction due to a bona fide purchase of the note
30. A prior satisfied mortgage is improperly released due to bankruptcy of creditor prior to the recording of the release or because it was obtained fraudulently by someone earlier in the chain of title
31. Items that are recorded but undisclosed, including federal or state tax lien; spousal/child support lien; an environmental lien; a prior mortgage; a notice of pending lawsuit affecting the land; an option or right of first refusal to purchase property; covenants or restrictions; or easements for access, utilities, drainage, airspace or views that benefit neighboring land
32. Undisclosed but recorded boundary, party wall or setback agreements
33. Special assessments that become liens upon passage of a law or ordinance, but before recorded notice or commencement of improvements of which assessment is made
34. Adverse claim of vendor's lien or equitable lien
35. Erroneous or inadequate legal descriptions
36. Deed to land without a right of access to a public street or road
37. Deed to land with legal access subject to undisclosed but recorded conditions or restrictions
38. Defects in recorded instruments such as failure to attach notarial acknowledgment or a legal description
39. Defective notary acknowledgment due to expiration of commission
40. Forged notarization or witness acknowledgment
41. Deed not properly recorded, for example, recorded in wrong county, missing pages or other contents, or lacking required payment
42. 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
43. A right or title established by a long unchallenged tenure that is not in the public record and not disclosed by survey
44. Physical location of easement (underground pipe or sewer line) that does not conform with easement in the public record
45. Deed to land with improvements encroaching upon land of another
46. Incorrect survey that misstates location, dimensions, area easements or improvements upon land
47. Mechanics' lien claims (securing payment of contractors and material suppliers for improvements) that may attach to the property without recorded notice
48. Federal estate or state inheritance tax liens that may attach without recorded notice
49. Preexisting violation of subdivision mapping laws or zoning ordinances
50. Preexisting violation of conditions, covenants and restrictions affecting the land

IN SOME STATES, extended coverage or an endorsement may be requested to protect against additional defects such as: