



TITLE MINUTE

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Congratulations! You've Closed-What Post Closing Documents Come From Title?

After closing on a transaction, the title company will send out real estate agent, buyer, seller and lender title packages. These documents can vary slightly from title company to title company, but these are the general documents included.

The documents in the agent's package typically includes:

- Settlement Statements
- Closing Instructions-either agent or title company
- Seller and Buyer Affidavit and Indemnities-protects title company and gives assurances that buyer and seller have not created any liens
- Water/Sewer/HOA agreement-can be combined or separate-Water and sewer bill, status letter
- Tax Agreement (regarding final settlement/amount tabulated for property taxes)
- Tax Certificate
- Privacy Policy-what information is disclosed
- Interest Escrow Agreement
- Bill of Sale
- Deed (Warranty Deed, Special Warranty Deed, Personal Reps Deed)
- TD-1000
- Miscellaneous docs relevant to the transaction (statement of authority, power of attorney, etc)
- Disbursement ledger
- Copies of compensation checks (if requested)
- Copy of CDA if requested

For the seller's post closing package it typically includes:

- Seller Settlement Statement
- Seller CD
- Title Docs package signed by both parties (above)
- Payoff information (if there is a mortgage payoff)
- Seller Tax Documents including the 1099, FIRPTA, and 2% withholding form

For the buyer's post closing package, it typically includes:

- Buyer settlement statement
- Buyer CD
- Title docs package signed by both parties (above)
- Loan Documents



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- 1st payment letter/temporary payment coupons

For the Lender's package, it typically includes:

- Signed loan documents
- Copy of the Warranty Deed
- Copy of the seller's CD
- Buyers CD
- Sometimes settlement statements if requested
- Sometimes disbursement register if requested

After the transaction has closed and funded, the escrow checklists have been completed, then escrow will typically send the completed title to the Title Policy department so they will issue the Lender's Title Policy and the Owner's Title Policies. All requirements have to be complete before the title policy is issued.

There is a common misconception that title companies release mortgages. Title companies pay off the mortgage, however the lender sends the paid off note/deed of trust to the public trustee to release. Title companies do not have these documents. After the county Public Trustee processes the release, it is recorded at the county in which the Deed of Trust/lien was recorded. Title companies do often assist with private party payoffs and releases if the private money lender is unaware of the process.

Most title companies use secure portals to send documents as they contain private consumer information. By sending over unsecured email, those documents could be compromised.

If a buyer or seller is missing documentation, the title company keeps the documents for a number of years. You may request copies again by reaching out to the escrow officer or other title professional within the company that closed the transaction. There are some documents that are proprietary to just the buyer, seller, lender or agents that are not shared with other parties they don't apply to.