

# Real Estate Deed Transfer – FREQUENTLY ASKED QUESTIONS

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## When would I need to use a real estate deed transfer?

- **Adding or removing a name to the real estate deed.** When you would like to add or remove a person's name on the property's title, you would need to file a real estate deed transfer. For example, you can add or remove your spouse, or remove a deceased co-owner. At least one of the original owners needs to remain on the title.
- **Person-to-person property transfers.** Person-to-person transfers are transfers between individuals when there is a completely new owner such as transfers between parents and children, and grandparents to grandchildren.
- **Transfers into a living trust.** When you are "funding" your living trust by changing the title of the property into the name of your living trust, you will need to use a real estate deed transfer.
- **Transfers to or from a business entity.** If you are transferring the property to or from a corporation, LLC or other business entity that you own, you will need to use a real estate deed transfer.

## Can I transfer property when money is being exchanged?

**No.** Our Real Estate Deed Transfer service can only be used when money is NOT being exchanged. Special rules must be followed for property sales, and the county filing fee could vary depending on the sale price. If you are selling a property, we recommend that you contact Paul Stansen @ 888-529-6632 / [PESAPC@STANSEN.com](mailto:PESAPC@STANSEN.com) who will expertly assistance with the sale and deed hypothecation.

## What's the difference between a quitclaim deed and a warranty deed?

- A quitclaim deed transfers whatever interest you have in the property and makes no guarantees. It's often used for adding or removing someone's name on the title, transfers between family members, transfers into a living trust, and by divorcing couples.
- A grant deed provides greater protection to the new owner because the current owner makes a promise that he or she legally owns the property and has clear title to the real estate. Grant deeds are commonly used when selling real estate to another party.

## What if I have vacant land I want to transfer?

If the property is vacant land, or if no street address is assigned, then you'll need to enter as much information as possible about the location of the property (such as the mile marker, street intersection, map or lot number, assessor's identification number, etc.) in your questionnaire form.

## What we do to ensure proper title transfer

- Title research to determine the precise legal description of your property (map, block and lot number) and method of holding title
- Creation of the real estate deed for your signature
- File the deed with the County Recorder's Office - Client to pay recording / all required fees