

Your guide to
**Real Estate Laws
and Customs**
by state



First American Title™
NATIONAL COMMERCIAL SERVICES



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Alabama

Title Insurance Rates	Filed Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust/Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. Recordation Tax
Mortgage Tax	Yes
Leasehold Tax	Yes
eClosing: RON Status	Legislation proposed not passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Negotiable
Transfer Taxes	Buyer
Escrow Fees	Negotiable
Recording/Filing Fees	Negotiable
Owner's Policy	Negotiable, usually Seller
Loan Policy	Buyer

Alaska

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in premium
Transfer Taxes	N/A
Escrow Fees	Divided Equally
Recording/Filing Fees	Divided Equally
Owner's Policy	Negotiable, usually Seller
Loan Policy	Buyer

Arizona

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust/Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed
UCC Designation	Property & Casualty

UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Included in premium
Transfer Taxes	N/A Affidavit of Real Property value must be submitted with the deed for recording Seller pays for filing
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Seller
Loan Policy	Buyer

Arkansas

Title Insurance Rates	Not Filed
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust/Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. Based on full consideration set forth in Affidavit of Value
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Negotiable, usually Seller
Transfer Taxes	Customarily split
Escrow Fees	Divided Equally
Recording/Filing Fees	Negotiable, usually Buyer
Owner's Policy	Seller
Loan Policy	Buyer

California

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Grant Deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Preliminary Report; Commitment upon request
Deed Transfer Tax	Yes. County Documentary Transfer Tax City Tax (in some cities)
Mortgage Tax	No
Leasehold Tax	Yes, Applies to all leases of 35 years or more, whether options to extend are counted for lease term varies by County

eClosing: RON Status	Legislation pending
UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in Premium
Transfer Taxes	Seller pays County Tax City Tax varies
Escrow Fees	Varies by County
Recording/Filing Fees	Seller pays recording fees on documents needed to clear title
Owner's Policy	Varies
Loan Policy	Buyer

Colorado

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed, Special Warranty Deed, Bargain and Sale Deed (rare), or Quitclaim Deed
State Encumbrance Forms	Deed of Trust/Public Trustee for each county
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. Documentary Fee City Transfer Fee (in some cities)
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Included in premium for most counties- except for multi-chains of title or special services
Transfer Taxes	Buyer
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer
Owner's Policy	Seller
Loan Policy	Buyer

Connecticut

Title Insurance Rates	Filed Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed, Quitclaim Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. City Conveyance Tax, State Conveyance Tax
Mortgage Tax	No
Leasehold Tax	No. Unless duration is tantamount to a conveyance, e.g. 99 years
eClosing: RON Status	Legislation proposed not passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Seller. All deeds must be accompanied by a Conveyance Tax return even if transfer is exempt
Escrow Fees	Negotiable
Recording/Filing Fees	Buyer pays for recording Deed & Mortgage documents Seller pays for recording of releases
Owner's Policy	Buyer
Loan Policy	Buyer

Delaware

Title Insurance Rates	Filed Rate
Attorney State	Yes
Form of Conveyance	Special Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. State Transfer Tax, Local Transfer Tax
Mortgage Tax	No
Leasehold Tax	No. Unless lease exceeds 5 years
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Divided Equally
Escrow Fees	Negotiable
Recording/Filing Fees	Negotiable
Owner's Policy	Buyer
Loan Policy	Buyer

District of Columbia

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Special Warranty Deed
State Encumbrance Forms	Deed of Trust with Private Power of Sale
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. Transfer Tax Recordation Tax
Mortgage Tax	Yes. Recordation Tax on money loaned subject to any applicable exemptions
Leasehold Tax	Yes. Excludes leases with terms of less than 30 years including options to renew

eClosing: RON Status	Law Passed
UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Negotiable
Transfer Taxes	Buyer pays Recordation Tax Seller pays Transfer Tax
Escrow Fees	Negotiable
Recording/Filing Fees	Negotiable
Owner's Policy	Negotiable
Loan Policy	Negotiable

Florida

Title Insurance Rates	Promulgated Rate by State Insurance Dept
Attorney State	No
Form of Conveyance	Special Warranty Deed or Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. Documentary Stamp Tax plus surtax (in Miami-Dade County)
Mortgage Tax	Yes. Both Documentary Stamp Tax & Non-Recurring Intangible Tax
Leasehold Tax	No. Unless there is a determinable consideration other than the future duty to pay rent (for example, assignment of leasehold)
eClosing: RON Status	Law Passed
UCC Designation	Title Insurance

UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Negotiable, usually Seller
Transfer Taxes	Negotiable, usually Seller
Escrow Fees	Negotiable, usually Divided Equally
Recording/Filing Fees	Buyer pays instruments of conveyance & financing Seller pays instruments to clear title
Owner's Policy	Buyer. There is no regulation regarding who typically pays premium however, customarily, Seller pays in Florida with the exception of Miami-Dade, Broward and Palm Beach counties. Orange County was once typically Seller, but we are now seeing that county as negotiable
Loan Policy	Buyer

Georgia

Title Insurance Rates	Published Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed to secure Debt/Mortgage (rare)
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. Real Estate Transfer Tax must be accompanied by Real Estate Transfer Tax Declaration Form
Mortgage Tax	Yes. Intangible Recording Tax
Leasehold Tax	No

eClosing: RON Status	Legislation proposed, not passed
UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Negotiable
Transfer Taxes	Seller
Escrow Fees	Negotiable
Recording/Filing Fees	Varies
Owner's Policy	Negotiable
Loan Policy	Buyer

Hawaii

Title Insurance Rates	Posted Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Preliminary Report; Commitment upon request
Deed Transfer Tax	Yes. State Conveyance Tax Certificate Form must accompany Deeds, Leases & Alignments thereof, and Agreements of Sale
Mortgage Tax	No
Leasehold Tax	Yes, Applied where unexpired term is for 5 years or more-see Deed Transfer Tax

eClosing: RON Status	Law Passed
UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in premium, unless extra chain charges or a long/historical search
Transfer Taxes	Negotiable, usually Seller
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer
Owner's Policy	Buyer - 40% Seller - 60%
Loan Policy	Buyer

Idaho

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust/Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed
UCC Designation	Property & Casualty

UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Included in premium
Transfer Taxes	N/A
Escrow Fees	Negotiable, usually Divided Equally
Recording/Filing Fees	Buyer pays for Deed of Trust or Mortgage Seller pays to record conveyance Deed and release docs
Owner's Policy	Negotiable, usually Buyer pays for extended coverage portion of premium Seller pays for standard coverage of premium
Loan Policy	Negotiable, usually Buyer

Illinois

Title Insurance Rates	Not Filed
Attorney State	Varies by location
Form of Conveyance	Warranty Deed, Special Warranty Deed, Quitclaim Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. State County and in some cases, a municipal Transfer Tax
Mortgage Tax	No
Leasehold Tax	Yes. Assignments of lessee's interest in a lease with a term of 30 years or more. Affects state, county, Chicago and other municipalities. Chicago also taxes creation of long-term ground leases
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Buyer pays loan policy charges Seller pays any abstract charges Fees vary
Transfer Taxes	Local Transfer Tax determined by municipal ordinance Seller pays State and County
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer pays for recording Deed and Mortgage Docs Seller pays for recording releases
Owner's Policy	Negotiable, usually Seller
Loan Policy	Buyer

Indiana

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	May be charged as additional fees
Transfer Taxes	N/A
Escrow Fees	Negotiable, usually Divided Equally
Recording/Filing Fees	Negotiable, usually Buyer pays for instruments of conveyance and financing Seller pays for instruments to clear title
Owner's Policy	Negotiable, usually Seller
Loan Policy	Negotiable, usually Buyer

Iowa

Title Insurance Rates	No Title Insurance Companies are licensed within the state Title Policies written outside state
Attorney State	Yes
Form of Conveyance	Warranty Deed, Special Warranty Deed, Quitclaim Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. Real Estate Transfer Tax. A Real Estate Transfer Declaration of Value and a Ground Water Hazard Statement must accompany all Deeds to be recorded
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Buyer pays post-closing charges Seller pays pre-closing and abstract charges
Transfer Taxes	Seller
Escrow Fees	Buyer pays all other recording fees Seller pays pre-closing exam and abstracting
Recording/Filing Fees	Buyer pays all other recording fees Seller pays pre-closing exam and abstracting
Owner's Policy	Negotiable
Loan Policy	Buyer

Kansas

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No. Sales Validation Questionnaire must accompany Deeds to be recorded
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Seller
Transfer Taxes	N/A
Escrow Fees	Negotiable, Divided Equally if purchase contract silent
Recording/Filing Fees	Buyer pays for recording of Deed
Owner's Policy	Negotiable
Loan Policy	Buyer

Kentucky

Title Insurance Rates	Filed Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Seller
Escrow Fees	Buyer
Recording/Filing Fees	Buyer
Owner's Policy	Negotiable
Loan Policy	Buyer

Louisiana

Title Insurance Rates	Filed Rate
Attorney State	Yes, Licensed LA attorney must examine title & render written title opinion. All commitment & policies must be signed by LA Licensed Producer
Form of Conveyance	Warranty Deed or Act of Sale must be signed by LA Licensed Producer
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No. Orleans Parish Only
Mortgage Tax	No. Documentary transfer tax in Orleans Parish Only
Leasehold Tax	No. Orleans Parish Only

eClosing: RON Status	Law Passed
UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Negotiable, usually Buyer
Transfer Taxes	Varies
Escrow Fees	Buyer
Recording/Filing Fees	Buyer pays all other recording fees Seller pays release of encumbrances
Owner's Policy	Negotiable, usually Buyer
Loan Policy	Negotiable, usually Buyer

Maine

Title Insurance Rates	Filed Rate up to \$1 million
Attorney State	Yes
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. A Declaration of Value must accompany Deeds to be recorded
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Buyer except in Worcester and some surrounding towns where the fee is customarily paid by the Seller
Transfer Taxes	Divided Equally
Escrow Fees	Buyer
Recording/Filing Fees	Buyer pays recording fees Seller pays release recording fees
Owner's Policy	Buyer
Loan Policy	Buyer

Maryland

Title Insurance Rates	Filed Rate
Attorney State	Yes. Most documents must be approved by a Maryland attorney prior to recordation
Form of Conveyance	Special Warranty Deed (preferred), general warranty deed, quitclaim deed
State Encumbrance Forms	Mortgage (rare) and Deed of Trust
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Recordation Tax, State Transfer and County Transfer Tax
Mortgage Tax	Counties vary; may have Document Stamp, Recording Tax, and County Transfer Tax
Leasehold Tax	Yes. State Transfer and State recording Tax do not apply to leases of 7 years or less with renewals of 7 years or less; County Transfer Tax varies

eClosing: RON Status	Law Passed
UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Negotiable, usually Buyer
Transfer Taxes	Negotiable, usually Divided Equally
Escrow Fees	Negotiable, usually Buyer
Recording/Filing Fees	Negotiable, usually Buyer
Owner's Policy	Negotiable, usually Buyer
Loan Policy	Negotiable, usually Buyer

Massachusetts

Title Insurance Rates	Not Filed
Attorney State	Yes
Form of Conveyance	Quitclaim Deed, Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Deed stamps based on consideration in Deed. Extra county taxes in Barnstable. Land Bank fee in Dukes & Nantucket Counties
Mortgage Tax	No
Leasehold Tax	No. Unless duration is tantamount to a conveyance e.g. 99 years

eClosing: RON Status	Law Passed
UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Seller
Escrow Fees	Negotiable
Recording/Filing Fees	Buyer pays recording fees Seller pays release recording fees
Owner's Policy	Buyer
Loan Policy	Buyer

Michigan

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Quitclaim Covenant, Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Based on full consideration set forth on face of Deed or on a Real Estate Transfer Tax Valuation Affidavit
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Negotiable, usually paid by Seller
Transfer Taxes	Seller
Escrow Fees	Negotiable, divided equally unless otherwise negotiated
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Seller
Loan Policy	Buyer

Minnesota

Title Insurance Rates	Filed Rate up to \$1 million
Attorney State	No
Form of Conveyance	Warranty Deed, Quitclaim deed, Limited Warranty deed, Personal Representative's deed, Trustee's deed, Transfer on Death deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	State Deed Tax. A certificate of Real Estate Value and Well Disclosure Certificate must accompany all Deeds to be recorded
Mortgage Tax	Mortgage Registry Tax
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Seller
Transfer Taxes	Seller
Escrow Fees	Shared by parties
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Buyer
Loan Policy	Buyer

Mississippi

Title Insurance Rates	Not Filed
Attorney State	Yes
Form of Conveyance	Warranty deed, Special Warranty deed, Quitclaim deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Legislation proposed not passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Negotiable, usually Buyer
Transfer Taxes	N/A
Escrow Fees	Negotiable
Recording/Filing Fees	Negotiable, usually Buyer for recording fees and Seller for removing encumbrances
Owner's Policy	Negotiable, usually Buyer
Loan Policy	Negotiable, usually Buyer

Missouri

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty deed, Special Warranty deed, Quitclaim deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Varies by County
Transfer Taxes	N/A
Escrow Fees	Negotiable
Recording/Filing Fees	Varies by County - Negotiable, Normally Buyer
Owner's Policy	Varies by County - Negotiable
Loan Policy	Buyer

Montana

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Customary (non-statutory) forms are Warranty Deed and Quit-claim Deed
State Encumbrance Forms	Land Sales Contract, Deed of Trust Mortgage (not to exceed 40 acres)
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in Premium
Transfer Taxes	N/A
Escrow Fees	Negotiable, usually divided equally
Recording/Filing Fees	Buyer. Realty Transfer Certificate must be completed to record a Deed
Owner's Policy	Negotiable, usually Buyer pays for extended coverage portion of premium Seller pays for standard coverage of premium
Loan Policy	Negotiable, usually Buyer

Nebraska

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty deed, Special Warranty deed, Quitclaim deed
State Encumbrance Forms	Deed of Trust/Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	\$2.25 per thousand: Documentary Stamp Act Real Estate Transfer Statement filled with Deed
Mortgage Tax	N/A
Leasehold Tax	N/A
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Negotiable
Transfer Taxes	Seller pays \$2.25 per thousand
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Divided Equally
Loan Policy	Buyer

Nevada

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Grant deed, Bargain and Sale Deed, Quitclaim Deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Real Property Transfer Tax
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed
UCC Designation	Title Insurance

UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in premium
Transfer Taxes	Seller pays but can be negotiated
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Seller pays standard coverage portion Buyer pays additional for extended
Loan Policy	Buyer

New Hampshire

Title Insurance Rates	Filed Rate up to \$1 million
Attorney State	Yes
Form of Conveyance	Warranty Deed Quitclaim Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Real Property Transfer Tax
Mortgage Tax	No
Leasehold Tax	No. Unless duration is tantamount to a conveyance e.g. 99 years
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Divided Equally
Escrow Fees	Buyer
Recording/Filing Fees	Buyer pays recording fees Seller pays release recording fees
Owner's Policy	Buyer
Loan Policy	Buyer

New Jersey

Title Insurance Rates	Filed Rate
Attorney State	Yes. Varies per location
Form of Conveyance	Bargain & Sale Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Realty Transfer Fee and Mansion Tax
Mortgage Tax	No
Leasehold Tax	Not applicable if lease is less than 99 years including renewals
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Typically Buyer pays Mansion Tax Seller pays Realty Transfer Fee
Escrow Fees	Varies
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Buyer
Loan Policy	Buyer

New Mexico

Title Insurance Rates	Promulgated Rate by State Insurance Department
Attorney State	No
Form of Conveyance	Warranty Deed, New Mexico Real Estate Contact
State Encumbrance Forms	Deed of Trust/Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes
Mortgage Tax	Yes
Leasehold Tax	Yes
eClosing: RON Status	Law Passed
UCC Designation	Property & Casualty

UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Included in Premium
Transfer Taxes	N/A
Escrow Fees	Negotiable - customarily divided equally
Recording/Filing Fees	Parties pay for their own attorneys for doc preparation fees Seller pays Deed Buyer pays mortgage
Owner's Policy	Negotiable. Typically, Seller pays standard coverage portion and Buyer pays additional for extended
Loan Policy	Buyer

New York

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed (Zone 1) Bargain & Sale Deed (zone 2)
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Certificate of Title
Deed Transfer Tax	N.Y. State Transfer Tax. Local Transfer Tax depends on location of property
Mortgage Tax	Varies by County
Leasehold Tax	N.Y. State Transfer Tax
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Fully Negotiated (Zone1), Included in Premium (Zone 2)
Transfer Taxes	Payable by Seller except for the additional Mansion tax which if applicable is payable by Buyer
Escrow Fees	N/A
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Buyer
Loan Policy	Buyer

North Carolina

Title Insurance Rates	Filed Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Excise tax on conveyances (plus additional transfer tax in some coastal counties)
Mortgage Tax	No
Leasehold Tax	Only in Currituck and Dare County
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Seller
Escrow Fees	Negotiable
Recording/Filing Fees	Buyer pays to record all other documents Seller pays to record Deed and release of any encumbrances
Owner's Policy	Buyer
Loan Policy	Buyer

North Dakota

Title Insurance Rates	Filed Rate
Attorney State	Yes. Abstracts and Attorneys' Opinions are required to issue any title insurance policy
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Seller pays for abstract only
Transfer Taxes	No tax required but Deed must be recorded with a statement of Full Consideration
Escrow Fees	Buyer. Negotiable
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Buyer. Negotiable
Loan Policy	Borrower

Ohio

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed, Quitclaim deed, Limited Warranty deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Amount varies by County from \$1- \$4/\$1000. \$0.50 per parcel transfer tax
Mortgage Tax	No
Leasehold Tax	None except for leaseholds which are renewable forever
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Seller
Transfer Taxes	Seller
Escrow Fees	Negotiable, usually Divided Equally
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Negotiable
Loan Policy	Buyer

Oklahoma

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Documentary Stamp tax
Mortgage Tax	Yes. Buyer Usually Pays
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Seller. Attorneys' opinions vary by local practice; abstract fees are various rates filed by each abstract company
Transfer Taxes	Negotiable
Escrow Fees	Negotiable
Recording/Filing Fees	Buyer pays to record Mortgage Seller pays recording for any docs to convey or disencumber property
Owner's Policy	Negotiable
Loan Policy	Negotiable

Oregon

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Statutory: Warranty Deed, Special Warranty Deed, Bargain and Sale Deed and Quitclaim Deed (rare)
State Encumbrance Forms	Deed of Trust Mortgage (rare)
Preliminary Report or Commitment	Preliminary Report, Commitment upon request
Deed Transfer Tax	Real property Transfer Tax assessed in Washington county only
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Included in premium
Transfer Taxes	Only in Washington county. Negotiable but customarily divided equally
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer
Owner's Policy	Buyer pays for extended coverage portion of premium Seller pays for standard coverage premium
Loan Policy	Buyer

Pennsylvania

Title Insurance Rates	Filed Rated through the Title Insurance Rating Bureau of Pennsylvania (TIRBOP)
Attorney State	No
Form of Conveyance	Special Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment upon request
Deed Transfer Tax	Realty Transfer Tax
Mortgage Tax	No
Leasehold Tax	Possible Tax - Consult with local office
eClosing: RON Status	Law Passed
UCC Designation	Property & Casualty

UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Buyer. Included in premium
Transfer Taxes	Divided Equally
Escrow Fees	Included in Premium
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Buyer to pay for both their owners policy and the lender's loan policy
Loan Policy	Buyer to pay for both their owners policy and the lender's loan policy

Rhode Island

Title Insurance Rates	Negotiable
Attorney State	Yes
Form of Conveyance	Warranty Deed, Quitclaim Deed, Special Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Real Estate Conveyance Tax
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Seller
Escrow Fees	Buyer
Recording/Filing Fees	Buyer pays to record Deed, Mortgage & Assignment Seller pays for recording docs to remove encumbrances
Owner's Policy	Buyer
Loan Policy	Buyer

South Carolina

Title Insurance Rates	Filed Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Documentary Stamp Tax
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Legislation proposed not passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Search etc are NOT included in premium, fees established by attorney-agent
Transfer Taxes	Seller. \$3. 70/\$1000
Escrow Fees	Negotiable
Recording/Filing Fees	Value may be required; Buyer pays to record Deed & Mortgage Seller pays to record release documents
Owner's Policy	Buyer. Negotiable
Loan Policy	Buyer

South Dakota

Title Insurance Rates	Filed Rate
Attorney State	No. Policy must be signed by a licensed abstractor for a fee in a county where property is located
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Buyer. Certificate of Real Estate Value must be filed with deed. Transfer tax is \$.50/\$500.00 or fraction thereof
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Varies by County
Transfer Taxes	Seller
Escrow Fees	Varies by County
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Split is required only when licensed abstractor must sign
Loan Policy	Split is required only when licensed abstractor must sign

Tennessee

Title Insurance Rates	Filed Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed, Quitclaim Deed, Special Warranty Deed
State Encumbrance Forms	Deed of Trust, Mortgage (rare)
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Buyer. Warranty Deed: tax on greater of consideration paid or property value Quitclaim Deed
Mortgage Tax	Yes
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Property & Casualty
UCC Status	See UCC Division
Search, Exam, Attorney, Abstract Fees	Negotiable except in those counties where search and exam fees are included in the premium
Transfer Taxes	Buyer
Escrow Fees	Negotiable
Recording/Filing Fees	Buyer pays to record Deed & Deed of Trust Seller pays for recording releases
Owner's Policy	Negotiable
Loan Policy	Buyer

Texas

Title Insurance Rates	Promulgated Rate by State Insurance Department
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed
UCC Designation	Title Insurance

UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in premium
Transfer Taxes	No
Escrow Fees	Negotiable
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Buyer pays for endorsements Seller pays base premium
Loan Policy	Buyer

Utah

Title Insurance Rates	Filed Rate
Attorney State	Yes
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust, Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	No
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in premium; may be additional "Special Project" charge
Transfer Taxes	N/A
Escrow Fees	Divided Equally; escrow fees are a minimum filed rate
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays to record docs to remove encumbrances
Owner's Policy	Negotiable, usually Seller
Loan Policy	Buyer

Vermont

Title Insurance Rates	Filed Rate up to \$1 million
Attorney State	Yes
Form of Conveyance	Warranty Deed, Quitclaim Deed, Fiduciary Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes
Mortgage Tax	No
Leasehold Tax	No. Unless lease is 50 years or more
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Buyer
Transfer Taxes	Buyer
Escrow Fees	Negotiable — Closing normally handled by attorney performing the title examination
Recording/Filing Fees	Buyer
Owner's Policy	Buyer
Loan Policy	Buyer

Virginia

Title Insurance Rates	Not Filed
Attorney State	Yes. Deeds must be prepared by a non-title company attorney
Form of Conveyance	Warranty Deed Special Warranty Deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes
Mortgage Tax	Yes, State, City, and County may apply
Leasehold Tax	Yes. State, City, and County may apply
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Negotiable
Transfer Taxes	Buyer normally pays State & Local Taxes Seller pays Grantor's Tax
Escrow Fees	Negotiable
Recording/Filing Fees	Negotiable
Owner's Policy	Negotiable
Loan Policy	Negotiable

Washington

Title Insurance Rates	Filed Rate (Subject to State sales tax)
Attorney State	No
Form of Conveyance	Statutory: Warranty Deed, Bargain and Sale Deed, and Quitclaim Deed
State Encumbrance Forms	Deed of Trust/Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in premium
Transfer Taxes	Excise tax up to 2.78 percent of the sales price plus a \$5.00 State Technology fee
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer
Owner's Policy	Negotiable, usually Buyer pays for extended coverage portion of premium Seller pays for standard coverage of premium
Loan Policy	Buyer

West Virginia

Title Insurance Rates	Filed Rate
Attorney State	Yes. Attorney must certify title, prepare Deeds and Deeds of Trust and conduct settlement
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Deed of Trust
Preliminary Report or Commitment	Preliminary Report or Title Commitment
Deed Transfer Tax	Yes
Mortgage Tax	No
Leasehold Tax	No
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Buyer; Exam fees not included in premium; fees established by examining attorney
Transfer Taxes	Seller
Escrow Fees	Buyer
Recording/Filing Fees	Buyer
Owner's Policy	Negotiable, usually Buyer
Loan Policy	Negotiable, usually Buyer

Wisconsin

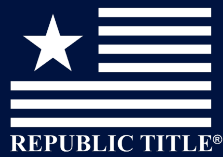
Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Warranty Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes
Mortgage Tax	No
Leasehold Tax	No, unless lease is 99 years or more
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Negotiable
Transfer Taxes	Seller
Escrow Fees	Divided Equally
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Seller
Loan Policy	Buyer

Wyoming

Title Insurance Rates	Filed Rate
Attorney State	No
Form of Conveyance	Statutory: Warranty Deed, Quitclaim Deed
State Encumbrance Forms	Mortgage
Preliminary Report or Commitment	Commitment Only
Deed Transfer Tax	Yes. Statement of Consideration must be completed to record a Deed
Mortgage Tax	N/A
Leasehold Tax	N/A
eClosing: RON Status	Law Passed

UCC Designation	Title Insurance
UCC Status	Authorized
Search, Exam, Attorney, Abstract Fees	Included in premium
Transfer Taxes	N/A
Escrow Fees	Negotiable, usually divided equally
Recording/Filing Fees	Buyer pays to record Deed & Mortgage Seller pays for recording docs to remove encumbrances
Owner's Policy	Negotiable, usually Seller
Loan Policy	Negotiable, usually Buyer



Uptown Dallas Office
2626 Howell Street, 10th Floor
Dallas, TX 75204
214-855-8888

Downtown Fort Worth Office
201 Main Street, Suite 1400
Fort Worth, TX 76102
817-877-1481

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