

## Title Tips by TUTE: You Want Me to Do What???!!!

### Description

#### TUTE: *The Unknown Title Examiner*

I am sure it comes as no surprise to hear your humble correspondent is not the sharpest pencil in the drawer. When no fascinating topic develops from the work in progress, Tute is prone to generic Google searches (I am sure that is © or ® or ¢ to some entity) such as "title examination issues for 2018" to see if some humdrum topic is trending in the claims department social media channels.

Such a request recently turned up an article entitled "How to Do a Property Title Search for Free." [1] Seeing as how America is trending toward a "gig" economy (in recent years and months, Tute's sympathy for union organizers has increased significantly . . . not enough to join one, but enough to see how corrupt capitalist bosses don't always have the best interest of the "man in the street" in mind). See, e.g. Sir John Dalberg-Acton, 8th Baronet, who is perhaps best known for the remark in a letter to an Anglican bishop, "Power tends to corrupt, and absolute power corrupts absolutely. Great men are almost always bad men," [2] But I digress.

The article started off promisingly.

When you decide to purchase a house or land, you need to make sure that the title to that real estate is free from defects. The legal term "defects" refers to anything attached to the land, such as another person's rights, that could affect how you use the land or decrease its value.

No argument there. Tute is one of those strange beings who actually ran to the courthouse and did a "quick look" before even submitting an offer to purchase. (Thank goodness I never wanted to buy during one of those seller markets where multiple offers poured in within minutes of listing.) But the article was about "free" title searches. Having grown up in a "you get what you pay for" home, I'm scratching my head. Which of my competitors is foolish enough to give away the foundation, the very heart and soul, of the title insurance business model?

You should get a preliminary title search for your property when you prepare to make the purchase, but you shouldn't rely on that alone. You will need to conduct your own property search. You could, of course, hire someone, but that costs money. Here are some ways to do it for free.

Hmm. Don't rely on a preliminary title search done by a (presumed) professional; do it yourself! You won't find advice like that on web-MD . . . I can see it now . . . "Have a headache? Don't like your doctor's diagnosis? Hang a mirror on your garage ceiling, lie down on your workbench and take a drill and saw to your skull, lift off the hood and let's take a look."

Just to make sure I wasn't letting my monopolistic trade-protectionist tendencies deceive me into misreading the article, I checked a dictionary. [3] Free is a very versatile word, being an adjective, an

adverb, and a verb. There were 15-20 permutations of definition. After throwing out some contemporaneous definitions (â??having no trade restrictionsâ?? aka duty-free imports; â??overly familiar or forward in action or attitudeâ?? aka a young man who had been much too free with the ladies or inexcusably free talk before the ladies), I settled on â??not costing or charging anythingâ?? as the intended meaning.

Chains of title and deed information are available for your perusal if you visit the courthouse. You must go to the courthouse where the land is located. In some cases, you may have to go through the different papers by hand, noting the specific transfers of the title and any requirements that went along with it. This form of title search is time consuming, but it is free.

During a boring, misspent youth, Tute may have spent some time in an economics course. A phrase from that time that seems relevant here is â??opportunity cost,â?? which is defined by the same online dictionary as â??the added cost of using resources (as for production or speculative investment) that is the difference between the actual value resulting from such use and that of an alternative (such as another use of the same resources or an investment of equal risk but greater return).â?? Tuteâ??s definition is simpler â?? what you gave up when you made *that* choice.

The article went on to state:

Most states now have additional tools available for free property title searches. You can find these on your state government sites under â??county assessor.â?? You will have to select your county, and you can then search through the listed properties. Bear in mind that in many counties, this information is incomplete. If you donâ??t find your property through the title search, you will need to visit the courthouse in person.

This free alternative just got expensive: â??must go to the courthouse,â?? â??may have to go through the different papers by hand,â?? â??time consuming,â?? and â??if this doesnâ??t work, you will need to visit the courthouse in person.â?? I donâ??t know about you folks, but Tuteâ??s sleep deficit is so large it takes a whale of a benefit to outweigh the value of a nap. For John Q. Public to drive to the courthouse, learn the intricacies of deed and will (and other) indices (deputy clerks are more than generous with their time for taxpayers (present or potential) as are many title examiners), and translate the archaic legalese that permeates conveyancing instruments even to this day, is exacting a price most folks would not pay, if given the choice. For this websiteâ??s (dare I call it â??click-baitâ??) page to call it â??freeâ?? offends my tender sensibilities. And the consumers need to be so much more aware of what has become a mantra repeated over and over in this column for the professional examiners . . . letâ??s all be careful out there.



TUTE

[1] <https://www.rocketlawyer.com/article/how-to-do-a-property-title-search-for-free-ps.rl>

[2] Letter to Bishop Mandell Creighton, April 5, 1887 published in Historical Essays and Studies, edited by J. N. Figgis and R. V. Laurence (London: Macmillan, 1907) (citation shamelessly retrieved from [https://en.wikipedia.org/wiki/John\\_Dalberg-Acton,\\_1st\\_Baron\\_Acton](https://en.wikipedia.org/wiki/John_Dalberg-Acton,_1st_Baron_Acton))

[3] <https://www.merriam-webster.com/dictionary/free>

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