HANDLING A PHILADELPHIA VIP
LIMITED REPRESENTATION DEED TRANSFER CASE: FAQS

1. **What are Philadelphia VIP Simple Deed Transfer Cases?**

Most of VIP's deed transfer clients need full title to their homes to prevent losing their properties at Sheriff's sales. Once the clients have full title, they are eligible for payment plans for delinquent real estate taxes or mortgage modifications, both of which stay the sale of their homes. Other clients need full title to qualify for City-run home repair programs. Volunteer attorneys limit their representation to providing deed transfers only.

2. **How can a deed transfer case be limited representation? Don't I need a title report?**

VIP staff counsels the clients extensively before the cases are referred to volunteers to make it clear clients are taking title subject to any defects in title and outstanding liens. The specific topics covered in our counseling are:

- Title Report: What it is and the risks of not obtaining one. Clients are told they have the option to purchase the report.

- Title Insurance: What it is and the risks of not obtaining it. Clients are told they have the option to purchase title insurance.

- The importance of obtaining property (homeowner's) insurance and information on a how to obtain property insurance.

- If a transfer of title is from an estate to an individual, there is extensive counseling about the "at-risk" distribution, if applicable. This includes informing the client, who is also the personal representative of the estate, about the potential personal liability for not formally distributing estate assets. In the vast majority of our cases, the real property is the only estate asset.

- After clients are counseled on the above, they are asked if they still want to proceed with their cases. (Most do.) The advice is then confirmed by letter. Our referrals to volunteer attorneys include copies of these letters.

3. **Does the client sign anything acknowledging the limited representation?**

Yes. Attorneys handling these cases are asked to execute limited-representation agreements with their clients, which VIP provides. The agreement details the risks of the transfer (again), and outlines the limited scope of the representation.

4. **Does VIP provide malpractice insurance?**

Yes. VIP is the primary malpractice insurer for all VIP volunteer attorneys.

5. **Will I have to locate missing parties needed to sign the deed?**

No. All parties with a legal interest in the property have been ascertained and are willing to give their interest in the property to the client. If you learn otherwise once you accept the case, you do not have to proceed. "Missing party" cases are not simple deed transfers; they are handled as tangled title cases. (Should you have an interest in working on a tangled title case, please let VIP know. We have plenty.)

6. **When I take a simple deed transfer case, what will VIP send me?**

The client file will be emailed to you and will include the client contact information, case summary, and the last recorded deed. VIP has deed templates and all the necessary forms on our website under "Training Materials" found here: www.phillyvip.org/content/training-materials.

7. **If I have questions, whom do I contact at VIP?**

Each VIP case is assigned to a VIP staff member. Staff members are responsible for referring their cases to volunteers and providing volunteer support for duration of the case. If you have questions, you contact the staff member who sent you the case. (Occasionally, VIP switches case assignments internally and a new staff member will be assigned to your case. This should not impact the support you receive from VIP.)

8. **How does the deed get recorded?**

Department of Records Commissioner, Joan Decker, permits VIP clients' deeds to be recorded for free. Once the deed is complete, send the deed, the transfer tax forms, and attorney affidavit to your VIP contact and the deed will be submitted for recording. Once the deed is recorded, we return the original to you so that you can send it to your client along with a case closing letter.

9. **What about transfer tax?**

Our simple deed transfer cases are either exempt from transfer tax or the clients have the funds saved to pay for the tax.

10. **My office is in the suburbs. Can I meet with my client at VIP's Office in Philadelphia?**

Absolutely. VIP has private meeting areas for volunteers and their clients. The deed can be executed at VIP and notarized by our notary free of charge. Your VIP contact can reserve the meeting space and schedule the notary services.