

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 357

6
7 H.P. 298

House of Representatives, February 1, 1983

8 On Motion of Representative Brannigan of Portland referred to the Com-
9 mittee on Business Legislation. Sent up for concurrence and order printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Higgins of Scarborough.

Cosponsor: Representative Brannigan of Portland.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to Attorneys Searching
18 Titles to Real Estate under the Banking Code.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 9-B MRSA §439, as enacted by PL 1979, c. 531, is
23 amended to read:

24 §439. Attorneys

25 Every financial institution which accepts an
26 application for a residential mortgage loan for one
27 to 4 residential units and which requires that an
28 attorney search the title of the subject real estate
29 shall first permit the prospective mortgagor to
30 select a qualified attorney of his own choice to
31 search the title of the subject real estate and cer-
32 tify that title to the institution either personally
33 or with land title insurance, as defined in Title

1 24-A, section 709, provided the financial institution
2 may require the prospective mortgagor to provide it
3 with adequate liability insurance or such other writ-
4 ten policy requirements as the bank may deem neces-
5 sary to protect its interests.

6 STATEMENT OF FACT

7 The purpose of this bill is to amend the law
8 relating to attorneys doing title searches on prop-
9 erty for financial institutions which are going to
10 hold the mortgage. The bill would provide that if
11 the purchaser's attorney does the search, he can cer-
12 tify title to the institution either personally or
13 with title insurance.

14 1245011983