



Chicago Title

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Chicago Title



產權和代書 Title and Escrow

1

什麼是代書？

- 代書是一種安排，是由叫作代書持有人的公正第三方代替買方和賣方保管法律文件和資金，然後根據買方和賣方的指示進行分配。這就是 **Chicago Title** 所參與的方面，他們代理買方、賣方和出借人，執行有關各方的指示。

什麼是產權保險？

- 產權保險是一種保單，可保護所有人和出借人免受因對地產所有權的要求而產生的可能損失。在大多數情況下，該保單主要保護在過去（代書結束之前）發生的、對該產權的狀況可能造成影響的事情。

2

買家

- 提交書面購買出價（或接受賣家的還價），並給予信用保證金。
- 申請新貸款，填寫好所要求的表格，通常還要預付某些費用，如信用報告和估價費用。
- 批准並簽署完成交易所需的代書文件和其他有關文書。
- 批准初步報告和購銷協議要求的任何財產、披露或檢查報告（存款收據）。
- 批准並簽署新的貸款文件，滿足包含在合同、出借人指示和/或代書指示中的任何剩餘條件。
- 提交結算代書所需的資金。通過簽署代書指示的修改而批准改變。
- 決定使用哪種危險（火災）保險代理，以滿足出借人的要求。

1

What is Escrow?

- An escrow is an arrangement in which a disinterested third party, called an escrow holder, holds legal documents and funds on behalf of a buyer and seller, and distributes them according to the buyer's and seller's instructions. This is where Chicago Title becomes involved acting for the buyer, seller, and lender carrying out the instructions of all parties involved.

What is Title Insurance?

- It's an insurance policy that protects owners and lenders against possible losses from claims against real property ownership. For the most part, the policy covers things that happened in the past (prior to close of escrow) that could affect the status of the property's title.

2

The Buyer(s)

- Tender a written offer to purchase (or accepts the Seller's counter-offer) accompanied by a good faith deposit amount.
- Applies for a new loan, completing all required forms and often prepaying certain fees such as credit report and appraisal costs.
- Approves and signs the escrow instructions and other related instruments required to complete the transaction.
- Approves the preliminary report and any property, disclosure or inspection reports called for by the purchase and sale agreement (Deposit Receipt).
- Approves and signs new loan documents and fulfills any remaining conditions contained in the contract, lender's instructions and/or the escrow instructions.
- Deposits funds necessary to close the escrow. Approves any changes by signing amendments in the escrow instructions.
- Determines which hazard (fire) insurance agent to use to satisfy requirements of the lender.

3

出借人（如適用）

- 接受買家的新的貸款申請和其他有關文件，開始資格審查程序。
- 預定和審查財產評估、信用報告、雇用確認、押金確認，初步報告以及其他有關信息。
- 向貸款委員會和/或保險商提交整套文件報批。批准后，貸款條件和產權保險要求得到確立。
- 通知買家貸款批准的期限，承諾的有效期并提供結算費用的信用估價。
- 將新貸款文件和指示交由代書持有人保管，然後報買方批准和簽字。
- 審查并批准已執行的貸款文件，与代書官員協調貸款撥款。

4

代書官員

- 接收代書和產權服務訂單。為有關財產預定初步報告。
- 以受托人身份，擔任公正的資金保管人或信托人。
- 根據銷售條款準備代書指示和所需的文件。
- 在當事人或地產代理的授權下，對現存的信托契約、留置權或法院判決，如果有的話，提出要求。
- 將文件、報告、貸款文件、估計的結束文件和其他有關文件提交給當事人批准和簽字。
- 接收出借人的貸款收益。
- 向縣記錄官登記契約、信托契約和完成交易所需的其他文件，預定產權保險單。
- 準備最終結算報告、向賣方支付收益，付清現存的負擔和其他債務，最後結束代書。

5

賣家

- 接受買家的購買出價和起始的信用保證金，開立代書。
- 向代書持有人提交文件和信息，諸如：留置權所有人的地址、交稅的收據、設備保修、住宅擔保合，任何租賃和/或出租協議。
- 批准并簽署代書指示、轉讓契據以及其他完成交易所需的有關文件。
- 要求檢驗，收到無問題證明，批准最終報告和/或根據購買和銷售協議的條款（保證金收據）對財產的維修。
- 滿足合同和/或代書指示規定的剩餘條件；批准清算需求和/或受益人聲明。
- 簽署代書指示或合同的修訂，批准最後的改變。

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Chicago Title 公司

- 收到產權服務訂單。
- 檢查影響該不動產的公共記錄，發佈初步報告或產權承諾。
- 決定完成交易所需的要求和文件，并告知代書官員和/或代理。
- 在結算日期之前，審查并批准簽署的文件、讓渡證書和產權保險訂單。
- 經代書官員授權後，將簽署文件向縣記錄辦公室備案，然後簽發產權保險單。

3

The Lender (When Applicable)

- Accepts the new loan application and other related documents from the Buyer(s) and begins the qualification process.
- Orders and reviews the property appraisal, credit report, verification of employment, verification of deposit(s), preliminary report and other related information.
- Submits the entire package to the loan committee and/or underwriters for approval. When approved, loan conditions and title insurance requirements are established.
- Informs Buyer(s) of loan approval terms, commitment expiration date and provides a good faith estimate of the closing costs.
- Deposits the new loan documents and instructions with the escrow holder for Buyer's approval and signature.
- Reviews and approves the executed loan package and coordinates the loan funding with the escrow officer.

4

The Escrow Officer

- Receives an order for escrow and title services. Orders the preliminary report on the subject property.
- Acts as the impartial “stakeholder” or depository, in a fiduciary capacity.
- Prepares the escrow instructions and required documents in accordance with terms of the sale.
- With authorization from the real estate agent or principal, orders demands on existing deeds of trust and liens or judgements, if any.
- Presents the documents, statements, loan package(s), estimated closing statements and other related documents to the principal(s) for approval and signature.
- Receives the proceeds of the loan(s) from the lender(s).
- Records the deed, deed of trust and other documents required to complete the transaction with the County Recorder and orders the title insurance policies.
- Closes the escrow by preparing the final settlement statements, disbursing the proceeds to the Seller, paying off the existing encumbrances and other obligations.

5

The Seller(s)

- Accepts Buyer's Offer to Purchase and initial good faith deposit to open escrow.
- Submits documents and information to escrow holder, such as: addresses of lien holders, tax receipts, equipment warranties, home warranty contracts, any leases and/or rental agreements.
- Approves and signs the escrow instructions, grant deed and other related documents required to complete the transaction.
- Orders inspections, receives clearances and approves final reports and/or repairs to the property as required by the terms of the purchase and sale agreement (Deposit Receipt).
- Fulfills any remaining conditions specified in the contract and/or escrow instructions; approves the pay off demands and/or beneficiary's statements.
- Approves any final changes by signing amendments to the escrow instructions or contract.

6

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- Receives an order for title service.
- Examines the public records affecting the real property and issues a preliminary report.
- Determines the requirements and documents needed to complete the transaction and advises the escrow officer and/or agents.
- Reviews and approves the signed documents, releases and the order for title insurance, prior to the closing date.
- When authorized by the escrow officer, records the signed documents with the County Recorder's office and issues the title insurance policies.

