



*A Division of Ohio Bar Title Insurance Company
A First American Company*

TITLE ALERT

Title Alert 2013-08

July 15, 2013

Act 24 of 2013 Cures Defective Acknowledgements Through 2012

Purpose: To advise of the recent update to Pennsylvania law curing defective acknowledgments.

Background: Confusion occasionally arises as to the validity of acknowledgements. Missing or conflicting dates, capacity of parties, various typographic or orthographic errors are examples of the issues that can call into question the validity of acknowledgments, even on documents that are already recorded. In an effort to alleviate such problems, at least regarding recorded documents, the legislature occasionally passes statutes curing these defective acknowledgements.¹

Advisory: On June 24, Governor Corbett signed into law Act 24 of 2013 (Senate Bill 419-2013) which, as to documents already recorded, validates defective acknowledgements dated "prior to 2013" (that is, through December 31, 2012). The Act will go into effect on January 1, 2014, but will not apply to lawsuits currently pending and undetermined.

Please note that this legislation has no effect on documents that are missing acknowledgments or on which the acknowledgments are blank.

Although the Act is to take effect on January 1, 2014, you may apply its provisions immediately, unless there is pending litigation involving an actual or alleged defective acknowledgment.

If you have any questions, please feel free to contact us at 814-454-8278 or toll-free at 800-352-2216.

¹ The last such "curative amendment" was enacted in 2005, which cured defective acknowledgments through 2004. See Title Alert 2005-16.

Note: Under the Approved Attorney system, the scope of our relationship is limited to the functions of underwriting and the issuance of title insurance policies on your behalf and does not include closing or escrow services. We sometimes provide information and recommendations with regard to your closing or escrow business as a courtesy to you. Moreover, some communications, depending on whether noncompliance could impact on liability under our policies or closing protection letters, should be considered directives. This Advisory is being provided to you with those considerations in mind.

WARNING: This Underwriting Communication is intended solely for the employees of Penn Attorneys/Ohio Bar Title Insurance Company and its Approved Attorneys, and is not to be distributed to third parties, and any reliance by any other person or entity is unauthorized. This Underwriting Communication is intended solely for the purpose of underwriting policies of Ohio Bar Title Insurance Company.

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