

Property Report

- Also known as "Ownership and Encumbrance Report", "O&E", "Tract Search"
- Widely used in equity loan origination
- These reports provide a low cost, quick turnaround alternative to traditional title
- These reports are NOT any form of Title Insurance, Title Opinion or Title Guaranty
 - they are simply a reflection of the public record as it stands on the date of search
- These reports may have a warranty for loss or damage due to incorrect information
 - any warranty will be contractually limited, if not limited by law or regulation
- These reports are usually "current owner" searches
 - no search is normally conducted for previous owners
- Items typically searched and reported include:
 - vesting deed(s) for current owner from which ownership and legal descriptions are taken
 - voluntary liens given by the current owner, e.g., mortgages or deeds of trust
 - involuntary liens against the current owner, e.g., federal tax liens
 - pending civil matters in which the current owner is a defendant, e.g., lawsuits
 - civil judgments against the current owner
 - real estate and related tax payment information
 - probate and family matters may or may not be searched, depending on searcher's judgment and local custom
- Lender is not required by the title company to "clear" any items
 - Lender determines its desired lien position from the report and clears accordingly