

## **What is a Quit-Claim Deed?**

*This is only a brief explanation, and is not to be construed as legal advice.*

A quit-claim deed is a document which indicates that the person who owns an interest in a property transfers that interest to someone else. The original interest owner, or grantor, can offer no guarantees about the property title to the recipient or grantee. The quit-claim deed is often used as a simple way to give up all interest in a property.

Despite its unusual sounding name, the quit-claim deed is a very important legal document. When you sell your property, a quit-claim deed needs to be filed with the county in your state. This transfers the interest of the property from the seller to the buyer. Anyone who owns real estate will need a quit-claim deed eventually.

The quit-claim deed is particularly useful in divorce cases. If the family home is not to be sold to another party with the proceeds shared, then this type of deed is a real estate necessity. When one of the people involved in the divorce is keeping the home, the other person needs to request a quit claim in order to grant sole interest in the house.

There are other uses to the quit-claim deed. If siblings inherit a family home and share ownership with other brothers and sisters, a quit claim can be used if selling the home. One of the siblings can sell their share in the home to another and use a quit claim to turn over all their rights and interests of the property with the sale.

If a property is sold to a new owner and the quit-claim deed hasn't been implemented, it can still be changed in the future. This has happened when research on a property has turned up evidence of a previous owner still having rights to the property, even if it was sold outright. Requesting that the previous owner sign a quit-claim deed can rectify the mistake and transfer all rights to the new owner.

There are some limitations to the quit-claim deed. It can transfer only the rights of the person signing the deed. This does not guarantee that other people do not have an interest in the property. If others with an interest in the property have not signed the deed, then their rights are not affected by this document. In most cases, the signed quit-claim deed is a simple solution that may save problems and money in the future.

*For further information, please consult an attorney or Title Company.*

*Please feel free to contact our office for a list of local Charlotte County attorneys,  
and Title Companies, that may be able to assist you.*