



NEW TITLE/ESCROW RELATED LAWS FOR 2016

California

PROBATE AVOIDANCE – *Transfer on Death Deed with Named Beneficiary. AB 139.*

This law creates the revocable transfer on death deed (RTDD) which automatically transfers ownership of the property – defined to include 1-4 residential units, a condominium, or agricultural land of 40 acres or less – upon the death of the owner. A RTDD may only be revoked by a recorded document.

TAX – *Fire Prevention Fee. AB 301.* This law allows a seller of real property and a buyer to negotiate and apportion of the payment of the fire prevention fee as a term of sale.

TAX – *Exemption from Additional Recording Fee. AB 661.* This law clarifies an exemption from a \$10 additional recording fee that counties may impose. The fee is used to help investigate and prosecute real estate fraud crimes.

TAX – *Private Transfer Fees. AB 870.* Expands the current Private Transfer Fee (PFT) recordation requirement to include PFT's whose payment does not occur upon a change of ownership or that are not based on sales price. C.A.R. sponsored legislation.

CONSUMER PROTECTION – *Information Security Breach Notification. SB 570.*

This law requires that notification for a computer security breach be titled "Notice of Data Breach." It prescribes a model form for a business to disclose a breach of computer security where unencrypted personal information was compromised.



Lawyers Title