

The Role of the Real Estate Attorney

Duties of the Seller's Attorney

- Prepare the Purchase and Sale Agreement.
- Negotiate the Purchase and Sale Agreement.
- Advise the seller of any problems or issues that arise between the signing of the Purchase and Sale Agreement and the closing date.
- Attend the closing and review, interpret, and explain documentation.
- Draft and execute the property deed.

Duties of the Buyer's Attorney

- Review the Purchase and Sale Agreement.
- Negotiate the Purchase and Sale Agreement.
- Review the Attorney Certification of Title of Deed.
- Advise the buyer of any problems or issues that arise between the signing of the Purchase and Sale Agreement and the closing date.
- Attend the closing to review, interpret, and explain documentation.

Duties of the Lender's Attorney

- Perform the title search and certify clear title.
 - 35-year title search at the Registry of Deeds
 - Review all documents.
 - Write opinion letter on status of title.
 - Inform seller of what needs to be done to clear title problems, if any
- Order and review the property's plot plan.
- Order and review the Municipal Lien Certificate.
- Give the buyer a sellers their checklists for documents required at closing.

- Coordinate the closing.
 - Call seller and buyer with closing date, time, and location.
 - Call seller's and buyer's real estate agents with closing date, time, and location.

- Request payoff information for the seller's mortgage(s).
- Prepare the loan documents (note, mortgage, settlement statement, etc.)
- Call the buyer and seller with itemizations of their respective closing costs.
- Attend the closing, interpret closing documents, review signed documents, and review the deed.
- Finalize the transfer of property ownership by recording the deed with the Registry of Deeds in the county where the property is located.