

# PITTSBURGH TANGLED TITLE



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Tangled Title Coordinator  
Duquesne University School  
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# WHO AM I?

- **TIFFANY HALL, ESQ.**
  - **DUQUESNE UNIVERSITY SCHOOL OF LAW**
    - Part-time Evening Division L'2019
- **Concentrations:**
  - Estate Planning and Tax
  - Corporate Governance and Transactions
  - Moral and Mission Life
- **11 years experience in:**
  - Mergers and Acquisitions for large scale drillers in the Marcellus and Utica Shale
  - Contract negotiations
  - Residential and commercial acquisitions
  - Residential and commercial lending
  - Oil and gas title, drilling and production
  - Coal Vein reservations and coal acquisition
  - Acquiring rights of way and procuring new rights of way

## Oil & Gas Industry



What my friends think I do.



What my parents think I do.



What the land owners think I do.



What my boss thinks I do.



what society thinks I do

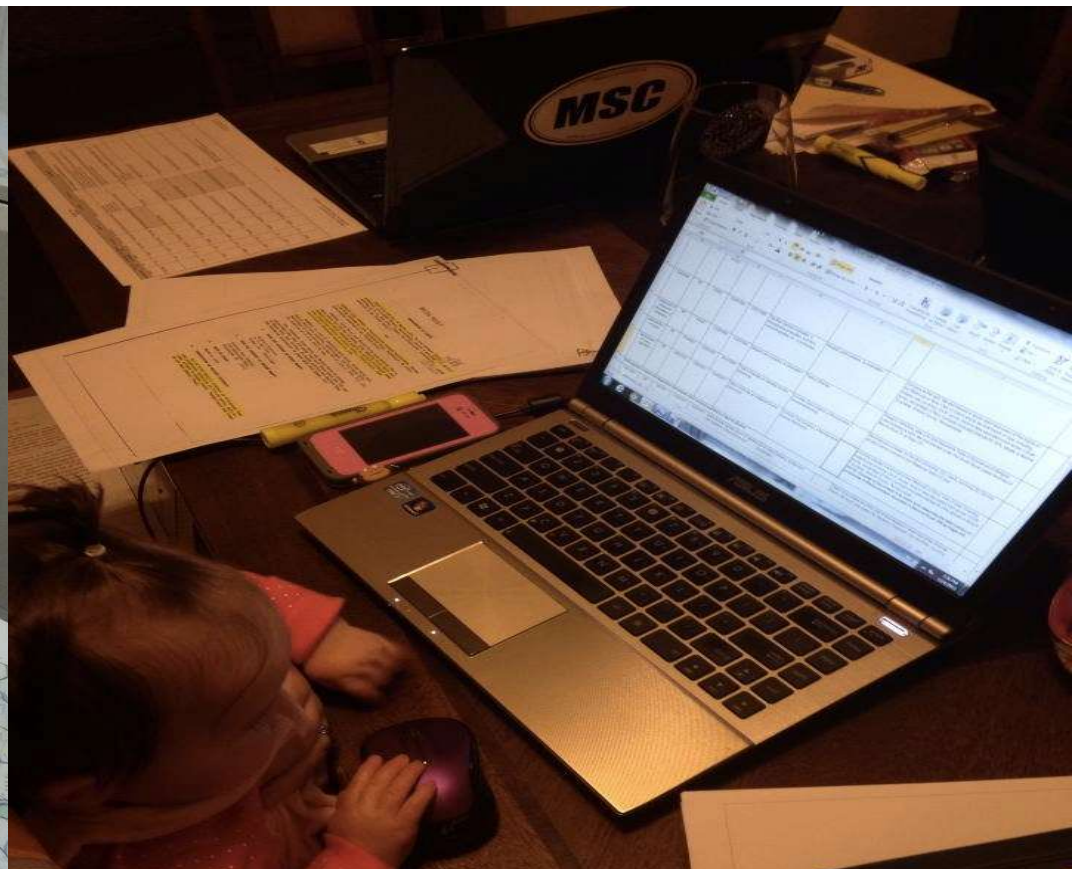


What I actually do.





Landman #1  
Lilyan Dufalla-Hall



Landman #2  
Adalay Hall



# WHAT IS THE BIG DEAL?



- *"The wise young man or wage earner of today invests his money in real estate."* -**Andrew Carnegie**
- *"The best investment on earth is earth."* -**Louis Glickman**
- *"Ninety percent of all millionaires become so through owning real estate."* -**Andrew Carnegie**

## A FEW JOB AREAS IN REAL ESTATE: (YOUR OPTIONS ARE UNLIMITED WHEN WORKING WITH REAL ESTATE!)

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- Residential Lending & Commercial Lending
  - Title Underwriting
  - Title Commitments
  - Title Closings
- Generating Legal Documents Pertaining to Real Estate Transactions
  - Deeds
  - Leases
- Estates and Trusts
- Oil and Gas Transactions
  - Mergers and Acquisitions



WHAT IS TANGLED TITLE?

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- Let's start with the BASICS!



# WHAT DOES IT MEAN TO HAVE TITLE TO A HOME?

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- Title is the legal concept of property ownership.
- A deed is a legal document that confirms a person's ownership of property, or that the person has title to the property.

# A DEED

133-1-19 A-401-131-0  
Fee Simple/Trustees' Deed

D 1886 379

**This Indenture** Made this 4th day of April 19 91  
**Between**

Anna P. Donnelly and Raymond J. Euler, Executor of the Will  
of Viola P. Applin

(hereinafter called the Grantor ),

Connie Sheeran

(hereinafter called the Grantee ).

**Witnesseth** That the said Grantor s for and in consideration of the sum of -----  
Eight Thousand----- (\$8,000.00)-----Dollars--  
lawful money of the United States of America, unto them well and truly paid by the said Grantee, at or  
before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and  
sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm  
unto the said Grantee, her heirs and assigns,

ALL THAT CERTAIN lot or piece of ground with the messuage  
or tenement thereon erected,

SITUATE on the West side of Camac Street at the distance  
of Two Hundred and Eighty seven feet Southward from the  
south side of Courtland Street in the Forty Second Ward of  
the City of Philadelphia aforesaid.

CONTAINING in front or breadth on the said Camac Street  
fifteen feet and extending of that width in length or  
depth Westward between parallel lines at right angles to  
the said Camac Street Eighty One feet One and One Quarter  
inches to a certain three feet wide alley leading  
Northward and Southward into and from the said Courtland  
Street.

BRING NO. 4522 N. CAMAC STREET

BEING the same premises which N. Lynell Bright, singleman  
in deed dated 12/06/1917 and recorded 12/06/1917 in the  
County of Philadelphia in Deed Book JMH 277 Page 323,  
conveyed unto Kate S. Pierson, Widow, in fee.

TOGETHER with the free and common use, right, liberty and  
privilege of the above mentioned three feet wide alley as  
and for a passage way and watercourse at all times  
hereafter forever.

AND the said Kate S. Pierson Widow, departed this life on  
10/27/1948 Leaving Will dated 8/5/1946 being Will Book 506  
page 520 duly probated at Philadelphia County wherein the said  
Testatrix did provide:

PSHO  
CARE



## WORDS OF A WISE MAN:

HIS LAST WILL AND TESTAMENT FROM THE 1930'S. HIS ESTATE HAS NEVER BEEN DIVIDED, AND IS CURRENTLY STILL HELD BY HIS HEIRS.

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Clause XI. The object of this my last Will and Testament is not so much to enrich my wife and my children in this world's goods, as to provide for their happiness and well being. We are a family who have kept and are close together, and after I am gone I want those who are left to continue in harmonious association as a family. I believe, that, considering the size and the nature of the estate I have to leave to them, it will be to the best interests of all to keep the estate undivided, at least so long as my wife shall live, and even after that, if possible. I feel confident that my estate will not suffer in their hands and that by their co-operation and application it will enhance in value and be of greater benefit to all of them. Therefore, I have endeavored to do what I, consider is best for them. I love my wife and children and want them to be happy.

# WHY IS IT IMPORTANT TO HAVE TITLE?

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- Ability to enter payment plans for back real estate taxes and water bills.
- Access to home repair programs for low-income homeowners.
- Ability to take out a mortgage or negotiate modifications of existing mortgages.
- Ability to sell the property.
- Ability to leave the property to someone in your Will.

## “TANGLED TITLE”

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- Tangled Title is a phrase used to describe problems related to legal ownership of real estate.
- If you live in a home and consider yourself the homeowner, but your name is not on the deed, you may have a tangled title.



# TYPES OF TANGLED TITLE

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- Family Owned Properties (Title is in the name of a deceased relative)
- Lease/Purchase or Rent-to-Own Agreements
- Fraudulent Conveyances

# FAMILY OWNED PROPERTIES

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- Problems occur when the homeowner passes away and family members continue to live in the home without transferring title.
- Living in a property, paying real estate taxes and maintaining the property does not make the heir the owner.

# EXAMPLE: MARITAL BLISS

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Wild Wifey



Honorable Husband



Gold-digger (Goldie)





## EXAMPLE: MARITAL BLISS

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- Honorable Husband and Wild Wifey decided to buy a house together. Both names were put on the deed as Joint Tenants with the Right of Survivorship.
- Wild Wifey could not take the married life anymore, and decided to live out the rest of her days in the Wild West.
- Honorable Husband could not find Wild Wifey to have her sign over her rights/interest in the house. They were never divorced.
- Honorable Husband moved his girlfriend Gold-digger (Goldie) in to the house.
- Wild Wifey dies 09/10/2020 with no will. Honorable dies 09/11/2020 with no will. Goldie continued to live in the house.
- 10 years after Honorable Husband died, Goldie received court papers. The city was foreclosing on the house because of unpaid real estate taxes. Goldie called the city and was told that only the owner can prevent the sale by entering into a payment plan for the back taxes.

# WHO OWNS THE HOUSE?

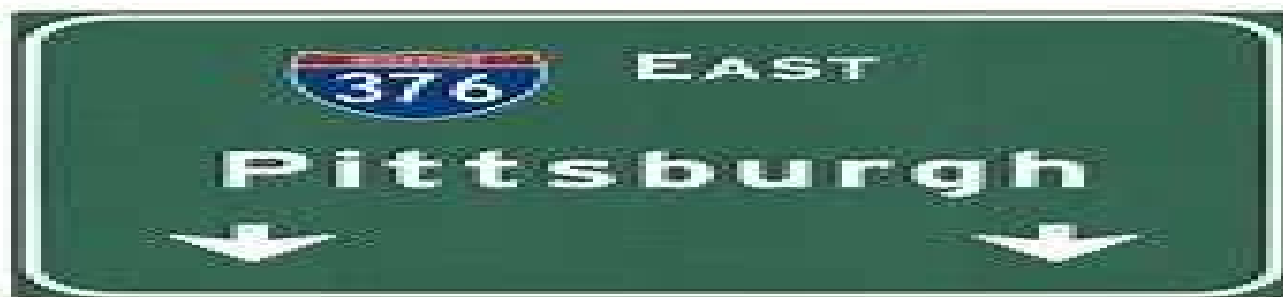
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- Goldie went to an attorney to have her name put on the deed to the house. The attorney explained that because Honorable Husband did not have a Will, the state law controls how Honorable's property passes after death. Honorable's two children with Wild Wifey and his five children from a prior marriage all have ownership interests in the property.
- The only way for Goldie to be the sole owner is to have all of the heirs transfer their interests in the property to her. Goldie has never met some of Honorable's children and has no way to locate them.





SAVE  
OUR  
CITY





# THE PITTSBURGH TANGLED TITLE PANDEMIC

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- Homelessness
- Housing insecurities & Commercial builders
  - DESTROYING historical areas!
  - Rising Rent Prices
- Property Blight

# HOMELESSNESS

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- Homelessness can become a problem anywhere.
- In Pittsburgh, about 11,000 people each year encounter some aspect of homelessness in Allegheny County.
- Homelessness can be a direct or indirect result of the following situations:
  - Eviction
  - Foreclosure
  - Not going through any court proceedings or probating necessary estates when the current owner passes away.

# HOUSING INSECURITIES & COMMERCIAL BUILDERS

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- **Economy housing costs outpacing income.**
  - **Allegheny County-the income that you need to afford a moderately priced two-bedroom apartments is \$15.90 per hour. Minimum wage is \$7.25 an hour.**
- **Rising rents and sale prices have led to displacement of lower-income individuals and families.**
  - **2 formerly working-class neighborhoods that lower-income people now struggle to afford:**
    - **Ex. Penn Plaza apartments in East Liberty were demolished to make way for a new commercial development.**
    - **Lawrenceville**





# EVICTION

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- Over the last 6 years, an average of 13,700 evictions were filed by landlords annually. These filings are a key indicator of housing instability.

# STUCK BETWEEN A ROCK AND A HARD PLACE

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- Our clients:
  - Do not understand the severity of a tangled title issue.
  - Cannot afford to have housing repairs done on their houses.
  - Do not have the necessary means to probate estates.
  - Can not pay for the inheritance tax.
  - **ISSUE:**
    - **Tax Sales**
    - **Foreclosures**
    - **Non-profit organizations not funding any housing projects without legal ownership of the house.**
  - **RESULT:**
    - **Homelessness**
    - **Property Blight**



WELL.....\*\*\*\*\*

LET'S UNTANGLE THIS DISASTER!



# THE TANGLED TITLE BRANCH OF THE URBAN DEVELOPMENT PRACTICUM

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- **OUR MISSION: TO END AND PREVENT HOMELESSNESS IN ALLEGHENY COUNTY**

- I. Find legal avenues for residents of property to have their name legally put on the title.
  - a) Probate Estate of record owner.
  - b) Generate and record Affidavits of Heirship.
  - c) Run title searches and heirship searches to find all legal owners of the subject property.
  - d) Find all heirs to put title in name of heir(s) who actually want to own the property.
  - e) If some heirs of the record owner do not want to keep their interest in the property, we will generate deeds and have the heirs sign off on their interest.





## SOLUTION

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1. Long-term strategies for developing affordable housing in many ways and remain an inclusive community.
  - a) Reaching out to the Pennsylvania Housing and Finance Agency.
  - b) Working with the Homeless Advisory Board.
  - c) Collaborating with other non-profits and foundations to end the Pittsburgh housing dilemma.
2. Advocating for funding and resources from the government.
3. Examine the Philadelphia Tangled Title Fund to gain insight into how a similar but improved fund can be established in Pittsburgh.

## MORE SOLUTIONS

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- The Urban Development Practicum is in collaboration with non-profit organizations who are willing to donate money to pay for the fees associated with curing tangled title defects.
- We provide all legal services PRO BONO!
- Research the current Probate Code of Pennsylvania to find ways of decreasing fees associated with probating estates.
- Generate solutions for implementing a fast-track approach for clearing tangled title in the Pittsburgh area.

# THE PHILADELPHIA TANGLED TITLE FUND

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- The Fund is a grant program to help preserve affordable housing, preventing homelessness, and strengthen communities.
- TFF grants are awarded to low-income persons seeking to clear legal title to their homes.
- Grants help to cover administrative, legal and other costs that may arise in resolving a homeownership.
- The primary funder of the TFF is the City of Philadelphia through its Division of Housing and Community Development (DHCD).

salus populi suprema lex  
**"The Welfare of the People is the Highest Law."**

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**DO NOT FEAR! UDP STUDENTS ARE HERE TO CLEAR!**