



Resolving Tangled Titles in Philadelphia

What to do if your name isn't on the deed to your home

What is a tangled title?

If you live in a house that you think you own, that you treat and pay for as your own, or that you may have inherited, but your name is not on the deed, you may have a tangled title.



This often happens if:

- one of your relatives owned the house in which you live and had their name on the deed, but that relative has passed away;
- you are the only person who has any interest in living in the house, but your name is not on the deed to your house, and the owner has moved or passed away;
- your name is not on the deed to your house; or
- you entered into a rent-to-own agreement (also called lease/purchase agreements or installment land contracts) to buy the house and have paid all or some of the purchase price for the house, but your name is not on the deed to the house.

Why is a tangled title a problem?

You might run into issues if:

- you try to take out a mortgage or a loan;
- you try to negotiate with the city or a utility company about past taxes or bills that have not been paid;
- you try to get a grant from the city to make repairs to your house;
- you try to obtain homeowners insurance on the property;
- you want to give your property to your family or friends if something happens to you;
- the person whose name is still on the deed, or one of their relatives, tries to take the house from you; or
- you try to sell your house.

How do I untangle my title?

- If the homeowner is deceased, you may need to *raise the estate*. Family members are usually the ones who raise the estates of their loved ones.
- You may need to record a new deed to reflect the transfer of ownership.
- In obtaining ownership, you may need to consider liens currently attached to the house or to the estate.



What is an estate and how do I raise it?

- An estate is all the money and property owned by a particular person, especially at death.
- Probate is the procedure by which a will is proved to be valid or invalid according to the laws of the Commonwealth of Pennsylvania.
- If the decedent did not have a will, but still had assets, their estate may still need to be raised.
- You can do it yourself, but it may be easier to get an attorney to make sure you're doing it right.

How can I avoid a tangled title?

- Write a will, plan your estate. A will is always the clearest way to plan your estate. A will sets out the following:
 - Says who will get your house and other property when you pass away
 - Lets you choose who will be responsible for:
 - dealing with any debts you have when you die, and
 - giving your property to the people you want it to go to
- Discuss with your family what your intentions and wishes are and where you are going to put your will.
- It's good to tell your family ahead of time so there are no surprises for them later, which can often lead to family drama and disagreements.



How can legal aid programs help?

- There can be many complicated steps to solving a tangled title issue.
- There are several steps involved in probating an estate, and the process can get overwhelming for many people the more time has passed since the homeowner died and the more heirs that are involved.
- Make it easier on yourself – Have an attorney evaluate the case to see if it's possible, and what steps are involved, in updating the title to your family home.
- Legal Aid agencies may be able to help you avoid costs associated with the whole process.

What can I do if I can't afford a lawyer to help with my tangled title?

If you can't afford a lawyer, you may qualify for free legal services.

- Community Legal Services, Inc.: 215-981-3700
- Philadelphia Legal Assistance: 215-981-3800
- Christian Legal Services: 215-399-0064 or clcphila.org
- SeniorLAW Center (for those of ages 60+): 215-988-1242



Where can I get free estate planning help?

- Philadelphia Legal Assistance: 215-981-3800
- AIDS Law Project (for those living with HIV and AIDS and/or affected by the epidemic): 215-587-9377
- Christian Legal Clinics (by appointment only): 215-399-0064 or clcphila.org
- Drexel Kline School of Law Estate Planning Clinic (by appointment only, Sept.-April): 215-571-4797
- Legal Clinic for the Disabled (for those with disabilities, the deaf, & the hard of hearing): 215-587-3350
- SeniorLAW Center (for those of ages 60+): 215-988-1242

Where can I find a lawyer to hire?

- You can contact the Philadelphia Bar Association Lawyer Referral and Information Service (LRIS): 215-238-6333. They will connect you to an attorney who practices in your issue area.
 - You may speak with an attorney for 30 minutes for \$35. After that, you and the attorney may work out fee arrangements if you wish.

Now is a great time to plan!

- Now is a great time to make sure your documents are up to date and reflect your current wishes.
- These can be difficult topics to think and talk about with your loved ones, but all adults should consider having estate planning documents done. At the end of the day, it's the best way to prepare for your and your loved ones' futures!