

FAQ'S

Recording Process:

1. What are your office hours?
 - a. Excluding national holidays, our office is open Monday thru Friday, 8:30 a.m. to 4:30 p.m. We do not close during lunch. Our internet site is available 24 hours a day, seven days a week.
2. What is the Department of Real Estate website?
 - a. There are two web-sites for the convenience of our users. The first is our general information site: at <http://allegHENYcounty.us/re/index.aspx>. The second site is our document search site: at http://pa_allegHENY.uslandrecords.com/pair. Index information dating back to 1986 is accessible free of charge. Document images currently dating back to 1993 are accessible for a small fee.
3. What is the Department of Real Estate's accepted method of payment for recording fees, transfer tax, and document copies?
 - a. The method of payment for services provided by our office include: cash, business check including address and phone number, bank certified check or money order. All checks and money orders must be made payable to: Department of Real Estate. Our office does NOT accept personal checks.
4. What happens to the original documents that are recorded in the Department of Real Estate?
 - a. Any original document, either submitted in person or by mail, must include a "Return to" mailing address to be accepted for recording. Typically, deeds indicate the address of the new buyer or the title company/law firm that handled the closing. Mortgages are mailed to the lender (mortgagee) and the majority of mortgage satisfactions are also returned to the lender.
5. Am I permitted to view the recorded documents in your office?
 - a. Yes. All recorded land documents are a matter of public record. However, Military Discharges, (DD-214's) are confidential records. They are accessible only to the specific veteran or his immediate family. This office provides the recording and copy service of these documents free of charge.

Property Ownership & Transfer Tax:

6. How do I determine the exact size of my property?
 - a. Every deed recorded in our office includes an exact legal description of a property. The description will either make reference to a specific lot (s) in a recorded subdivision plan and/or it will include a description that includes exact footage and degree bearings.

7. How can I purchase a vacant lot abutting my property that I have been maintaining for years?
 - a. Many vacant lots are likely tax delinquent and assessed to either a deceased individual (s) or an owner who simply abandoned the property. Ask your municipality for assistance in contacting the owner/executor of the estate for a possible transfer of the lot. If no responsible person exists, inquire if your municipality is a subscriber to the Vacant Lot program administered by the Redevelopment Authority of Allegheny County. If the lot is situated in the City of Pittsburgh, contact the Pittsburgh City Treasurer for information regarding City Treasurer sales.
8. What is the general rule regarding the execution date versus the notary acknowledgment date on a document submitted for recording?
 - a. Any land document submitted for recording must include an execution date (date when the document was formalized), and a notary acknowledgment date, (date when the document was signed by an individual (s) and acknowledged by the notary public). The notary acknowledgment date **MUST** be the same date as the execution date **OR** any day thereafter. The notary acknowledgment date can **NEVER** be prior to the execution date. It is impossible for a notary public to acknowledge a signature on a document that does not yet exist. Any document submitted for recording that has a notary acknowledgment date that predates the execution date **WILL NOT BE ACCEPTED FOR RECORDING**.
9. Do I own the mineral rights (gas/oil) to my property?
 - a. Determination of mineral rights can be a very complicated and tedious process. A title search of said property would have to be conducted by an experienced title examiner. These searches involve researching land and estate records dating back to 1788 to determine if a prior owner of the property actually leased or sold the gas rights. If you are approached by a company interested in your property, they would hire a qualified title examiner to conduct a search before offering you a lease agreement.
10. Why should I record my deed?
 - a. Under Pennsylvania law, for the transfer of property to be binding on third parties, the deed must be recorded in this office. The purchaser named on the last recorded deed is the current legal owner.
11. Where is my deed?
 - a. When a deed is recorded, a permanent record (scanned image) is made and a specific deed book volume and page number is assigned to the deed. The very next working day, the original deed is mailed back to the address placed on the deed by the recording party. This is normally the name of the new purchaser or the attorney or title company who prepared the deed. If you do not have your deed, check with your attorney or title company, or you may obtain a copy from this office. A mail request for a certified copy of a deed is \$10.00. If you prefer to come into the office to obtain a certified copy, the charge is \$5.00.
12. May the Manager of Real Estate change a name on my deed?

- a. No. The Department of Real Estate is not permitted to change the name on any deed. If you want a name changed, added, or removed, a new deed must be prepared and recorded in this office. Consult with an attorney about preparing a new deed.
13. I have a deed for my land. Do I need another deed for my house?
- a. No. Many people purchase a vacant lot prior to constructing a new home or another type of dwelling. We are frequently asked, “When do I get the deed for our house”? A deed indicates ownership of property, (land). Whatever is constructed thereafter is automatically yours.
14. If my spouse dies, do I need a new deed?
- a. No. If your deed reads “John Jones and Mary Jones, his wife” and either spouse dies, the surviving spouse does not need a new deed. By operation of law, the surviving spouse automatically assumes full title to the property.
15. I live in a mobile home. Am I supposed to get a deed?
- a. If you own the property the mobile home sits on, then yes, you should have a deed. If you lease the property, then no, you will not receive a deed. A mobile home is actually classified the same as a motor vehicle. You should possess a mobile home title issued by the Pennsylvania Department of Motor Vehicles. You will, however, be assessed as a home owner by the Office of Property Assessment. That means you will receive a county, municipal and school district tax bill every year.
16. What is the difference between Deed Transfer Tax and Property Tax?
- a. Deed Transfer Tax is the tax owed at the exact time a deed is recorded transferring real property to a new owner (buyer). This tax is normally 2%, but as high as 4%, (depending upon the municipality where the property is located) of the consideration (purchase price) of the property, or if no consideration is declared, on the adjusted fair market value assessment (current fair market value x common level ratio) of the property.
 - b. Property Tax is quite simply a tax on real property (real estate). Three separate tax bills are generated on a yearly basis. All property owners receive a County, Municipal, and School District Tax bill. All three tax bills are calculated based on the current fair market value multiplied by the current millage rate of that particular governing body. All governing bodies review and/or adjust their millage rates on an annual basis according to budgetary needs.
17. If I give my property to my child, do I have to pay Deed Transfer Tax?
- a. No. Certain transactions are exempt from Pennsylvania and local Realty Transfer Tax. The most common example is between parent and child. Examples of other exempt familiar transfers are between brothers and sisters and grandparents to grandchildren.
18. When must a Realty Transfer Tax Statement of Value accompany a deed?
- a. All deeds claiming exemption from Deed Transfer Tax, (with the exception of familiar transfers), must be accompanied by a fully executed Statement of Value in duplicate. “Section E. Exemption Data” must specify the exemption claim. Typically, estate deeds, deeds conveying property to a living trust, and all deeds in lieu of foreclosure, (including

Sheriff Deeds), must always be accompanied by a Statement of Value. Refer to “Section E” for additional property transfer exemptions.

- b. Taxable transactions that do not declare a consideration must also be accompanied by a Statement of Value. Transfer tax must be paid on “Section D, Valuation Data.” The Valuation data is calculated on the Current Assessed Value of the property times (x) the Common Level Ratio Factor which then becomes the Adjusted Fair Market Value. “Section D, Box #6”.
19. What is a Common Level Ratio Factor?
- a. A Common Level Ratio is a figure calculated and/or adjusted every July 1st by the Pennsylvania Department of Revenue for all 67 Pennsylvania counties. The figure is designed to elevate and/or adjust individual county fair market values to a more realistic and current figure, based on recent sales of properties in various geographical areas of the state. The Common Level Ratio and the adjusted fair market value must be declared on all deeds that are accompanied by a Statement of Value, regardless of the taxable or exempt status of the transaction.
20. Can the deed in your office tell me the age of my house?
- a. No. Prior deeds on existing property may or may not indicate the existence of a structure (home) going backwards following the chain of titled ownership. Pennsylvania law does not require the party preparing the deed to state on the document the existence of a structure, but only a complete legal description of the property.

Mortgage:

21. I paid off my mortgage. When do I get my deed?
- a. When a deed is recorded in the office of the Department of Real Estate immediately after the closing, a permanent record (scanned image) is made and a specific deed book volume and page number is assigned to the deed. The very next working day, the original deed is mailed back to the return address placed on the deed by the recording party. This is normally the name of the new purchaser or the attorney or title company who prepared the deed. If you do not have a deed, check with your attorney or title company, or you may obtain a copy from this office. Your mortgage holder will not send you the deed. The deed should be in your possession a few days after your closing.
22. Will the mortgage lender send me my deed after I submit my final mortgage payment?
- a. No. The lender never had possession of the original deed. It was either mailed from our office to you the owner, or the title company/law firm the day after it was recorded in our office.
23. When I pay off my mortgage, should I do anything else?
- a. Yes. Contact the County Treasurer at (412) 350- 4100 and the local tax collector (municipal and school district) that all current and future tax bills are to be sent directly to your address. According to Pennsylvania law, the lender or record has up to 60 days to record a “mortgage satisfaction piece” in our office. This recorded document

officially removes the lien of record. Check our free search website at:
http://pa_allegheny.uslandrecords.com/palr/ to verify the recording of this document.

24. My original mortgage lender did not record a mortgage satisfaction upon my final payment obligation, and the company has subsequently gone out of business. I am now told there is an open lien against my property. How can I find out the successor lender responsible for executing a mortgage satisfaction to remove this lien from record?
- a. Finding a successor lender of a company that suddenly closed with little or no public notice can prove to be very difficult. We suggest one or all of the following steps:
 - b. Contact the Pennsylvania Banking Commission at 1-800-600-0007 for possible successor lender contact information.
<http://www.portal.state.pa.us/portal/server/pt/community/consumerinformation/14322/faq's/592745>
 - c. Contact the Pennsylvania Department of Treasury at (717) 783-3632 (this is the unclaimed property division) to see if your mortgage company reported the funds to their office prior to closing.
 - d. Visit our office, (Department of Real Estate) to ask for assistance in trying to determine a successor to your lending company by checking for mortgage satisfactions on record, possibly executed by an unknown successor lender or a federally appointed trust corporation.
25. Are there any liens on my property?
- a. All mortgages are recorded in the Department of Real Estate. Back property taxes, judgments, and mechanic's liens are filed in the Office of Court Records/Civil Division. For more information, call (412) 350-4200 or
<https://www.alleghenycounty.us/Civil/index.aspx>

Types of Documents:

26. What is an e-recorded document?
- a. Since 2006, an increasing number of land documents recorded in Allegheny County are e-recorded, simply put, documents are submitted by email. An e-recording vendor submits documents from companies all throughout the Country for recording in Allegheny County. The two main advantages of e-recording versus a mailed submission are almost instantaneous recording and no return mailing costs, (postage, envelopes, paper and labor).
27. What is a subdivision plan?
- a. If an individual/developer wishes to sell a portion of an existing parcel, combine contiguous lots into one parcel, or create two or more buildable lots from a single large parcel, a subdivision plan must be executed by a Pennsylvania Registered Surveyor and

be formally approved by the governing body of the municipality. After a review by the Planning Department of Allegheny County Economic Development, the plan must be recorded in the Department of Real Estate within ninety (90) days of the local governing body approval date. Always contact the proper local municipal official BEFORE beginning the subdivision process.

28. What happens after the recording of a subdivision plan?

- a. If new lots are created from an existing parcel to sell to prospective buyers, or a portion of a lot is subdivided to convey to an abutting property owner, a deed must be executed and recorded from the sub divider/owner to the purchaser. A subdivision in and of itself does not transfer property.

29. What is a "Paper Street"?

- a. A paper street is a proposed public right-of-way that was accepted by the municipality but never developed likely due to lack of development in a specific area. If the paper street is formally vacated by municipal ordinance, the abutting property owners automatically assume legal title extending between their property lines and extending to the centerline of the vacated street/alley. Contact the municipality regarding the status of a paper street.

30. What is the difference of a Power of Attorney versus an Executor/Executrix?

- a. An individual who is named as attorney-in-fact can perform specific acts and duties designated by a living person who may be unable to conduct their own affairs. Upon the death of the said individual, the Power of Attorney is immediately invalid. An executor/executrix is an individual appointed in a Will who is responsible in matters involving the decedent's estate.

31. Should a Power of Attorney document be recorded in your office?

- a. Yes. Recording a Power of Attorney guarantees the document will be available if the original document is lost. A certified copy of the document from this office is acceptable by law to any organization or company. Additionally, any real estate transaction executed by an attorney-in-fact should first be recorded to establish the authority of the individual to sign on behalf of the grantor of the power.

32. Why should veteran's (DD -214) discharge papers be recorded in your office?

- a. Honorable separation papers from the military should be recorded for two reasons. 1. A certified copy is often needed when applying for employment. 2. The discharge needs to be presented for any veteran sick or death benefits. The military discharge is recorded free of charge by this office. A certified copy of the recorded discharge is also supplied at no fee. These records are considered extremely confidential and are accessible only to the veteran or an immediate family member upon proof of relationship. Military discharge papers can be recorded in any Pennsylvania County, regardless of the former or current residence of the veteran.

Where Do I Find:

33. Where do I find the building plans for my house?
 - a. Building plans of residential structures are not a matter of public record.

34. Does the County issue building permits?
 - a. Building permits for new construction and home additions and improvements are issued by the municipality wherein the property is located.

35. How can I obtain a birth or death record?
 - a. Birth and death records are accessible by contacting the Pennsylvania Department of Vital Records.

36. Does your office supply blank legal forms?
 - a. No. Blank legal forms that meet all of Allegheny County recording requirements can be purchased from "Inkwell Stationers" www.inkwellstationers.com or any other legal stationary store.

37. Does your office post a list of properties in foreclosure?
 - a. The availability of properties in foreclosure is published monthly in both Pittsburgh major newspapers. For additional information on properties in foreclosure, contact the Allegheny County Sheriff, Real Estate Division at (412) 350-4739.

38. Does your office provide genealogical research services?
 - a. One must understand that land records in Allegheny County date back to its year of Incorporation, 1788, so conducting genealogical research utilizing various land records, (deeds, mortgages, historic maps), likely will be very time consuming. That being said, we do not provide such a service. Our information people will, however; assist any historian in the techniques used to search old land records. Be aware that genealogical research also involves other public records: examples being estate records, birth and death records and census records.

39. Where can I get a copy of my survey?
 - a. Individual surveys of property are not a matter of public record. If you need a survey (plot plan), contact a Pennsylvania Registered Surveyor. Most surveyors are listed in the yellow pages of your phone book or check the internet for contact information.

40. How big is One (1) Acre of ground?
 - a. One acre is equal to 43,560 square feet. Visualize a football field. An acre of ground in nearly but not quite that large of an area.