



Lawyers Mutual

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COMMON REAL ESTATE MALPRACTICE ERRORS

- Erroneous description in deed of property to be conveyed
- Misstated date to which interest was to be computed
- Failure to fill in blank on form
- Improper acknowledgement
- Failure to reserve mineral rights
- Failure to advise on impending change in law
- Unauthorized delay or failure to strictly enforce closing time limits
- Failure to discover encumbrances on the property:
 - mortgage lien
 - vendor's lien
 - tax lien
 - mechanic's lien
 - contract for deed
 - right-of-way
 - mineral lease
- Failure to assure that clients received or conveyed title as represented:
 - remainder
 - dower
 - outstanding life estate
 - lease
- Errors in the description of the property
- Failure to perfect security interest:
 - failure to prepare mortgage document
 - failure to update title search at time of closing
 - failure to record or timely record a mortgage
 - filing in the wrong county
 - failure to obtain releases of other encumbrances
- Failure to collect or protect security interest
- Failure to attend commissioner's sale
- Failure to know other applicable law, e.g., probate, tax
- Failure to disburse sale proceeds properly

Lawyers Mutual Insurance Company of Kentucky

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