

# RESIDENTIAL REAL ESTATE CLOSING CUSTOMS BY COUNTY

## WESTCHESTER COUNTY

1. Title Insurance Rate Zone \_\_\_ Zone 1 **X Zone 2**
2. Contracts drafted by Attorney or Realtor: **Attorney**
3. If Realtor, are they subject to Attorney approval/disapproval, and is "written" Attorney notification required?
4. What is the contract form used by realtors or attorneys (for example: local Bar Association approved form)? **Typically, NYSBA form**
5. Who holds deposit? **Seller's Attorney**
6. What is customary deposit amount? **10% at contract**
7. Is Survey required? **typically recommended but not required**
8. Who obtains and pays for Survey? **Purchaser**
9. Type of Deed? **Typically Bargain and sale with covenants**
10. What documents are required for recording the Deed and who prepares them (for example: RP-5217 and TP-584)? **Westchester County requires an online input for these forms (PREP system); done by title company for a fee (paid by Sellers) of 150 -200 OR by the Sellers attorney**
11. Type of Title Search (Abstract, Notes, integrated into title report) **Abstract**
12. Title Search provided by Buyer or Seller? **Buyer's attorney typically orders title report and pays for owners and loan policy.**
13. Who prepares title searches? (Title Company, Abstract Company or Attorney?) **Title Agent or underwriter prepares the searches**
14. Minimum Search Period? **40 years**
15. Other customary searches: (municipal/judgment/tax/patriot/bankruptcy/UCC) **Municipal searches (C/O, Housing & Building, Fire Dept.), tax, bankruptcy and patriot, UCC at county level**
16. Who provides, and pays for, closing bring-down search? **included in title premium**
17. Is Owner's Policy customary? **Yes**
18. Who pays for Owner's Policy? **Purchaser**
19. Who prepares title commitments? (Attorneys, third-party title agents, Title Insurance Company) **Title agents or Title company**
20. Are Clerk's records available on line? If so, are they free? (Provide a link to the Clerk's web site if possible) **Yes, they are available online, subscription is approx.. 1200 annually and there is also a per day fee of approx.. 30.00**  
**<https://wro.westchesterclerk.com/Login/Login.aspx?ReturnUrl=%2f>**

21. Are County GIS maps available on line? (If so, provide a link to them if possible)  
**<https://giswww.westchestergov.com/wcgis/Mapping.htm>**
22. Water reading or other municipal charge customs. **Some public water and some private; reading required**
23. Fund disbursement at closing: who cuts checks at closing? (Bank, Seller's or Buyer's Attorney or Title Company) **Bank; if no lender then Purchasers attorney**
24. Who pays off Mortgage? Title company or agent Is there a handling fee? **Yes, 150 - 250**
25. Are satisfactions/discharges sent directly to the County Clerk? **Sometimes, however, title typically requests the satisfaction be sent to them.**
26. When are funds released? [before or after recording] **before**
27. Are realtors paid at closing? **Yes**
28. Who records closing documents? **Title agent or underwriter**
29. Any customary additional fees charged by title agents or closers (pick-up fees, etc.) and range of the charges **customary for title closer to be given a gratuity by the purchaser; not required. Attendance by a closer at the closing is included in the title premium. Pick up fees are charged if the closer is paying off a mortgage or other lien**
30. Other local customs and practices:

Jean Partridge contributed to the completion of this form.

Jean Partridge, Chief Counsel & Managing Member

**BENCHMARK TITLE AGENCY, LLC**

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