

Summary  
2014 Changes to Title Standards

- Standard 6.5** Added Comment 8. Unless a trust instrument prohibits delegation of authority, a trustee may delegate the trustee's duties and powers to an agent as provided in 14A VSA §807.
- Standard 10.1** This standard was added.
- Standard 14.1** The standard was amended as follows:
- (a) in second sentence of the first paragraph, to change “husband and wife” to “a married couple”;
  - (b) in first sentence of second paragraph to delete the following phrase after the words ‘civil union’ (“as to a civil union made after June 30, 2000”);
  - (c) to add a third paragraph. “If a grantor took title with a spouse, a partner to a civil union or a joint tenant, a title examiner may presume the spouse, partner to a civil union or joint tenant to be deceased if: (a) the deed contains a recitation to that effect and has been recorded for not less than fifteen (15) years with the clerk of the town where the real property is located; or (b) a death or burial certificate or decree issued by a court having competent jurisdiction, or other proof of death establishing the grantor's status as widowed, has been recorded or is available for filing with the clerk of the town where the real property is located.”
- Comments were amended as follows:
- (a) Comment 2 to add the example: “A & B, a married couple as tenants by the entirety”.
  - (b) Comment 5 to: (1) delete the following parenthetical phrase after the words ‘civil union’ (“provided both the civil union and the conveyance to the partners in the civil union occur after June 30, 2000”); (2) to amend the example by adding “a married couple”.
- Standard 16.2** Corrected the citation in the last sentence of the standard from 12 VSA Chapter 5 to 27 VSA Chapter 5.

- Standard 18.1** The standard was amended to add paragraph 7 and Comment 8.  
Paragraph 7. By discharge by an authorized person or entity acting on behalf of the Holder of the mortgage  
Comment 8: Where a non-resident mortgagee dies out of state, the mortgagee's fiduciary can discharge the mortgage without the need for ancillary administration in Vermont.
- Standard 19.1** Standard revised to add the *Hogaboom* case citation to Comment 1 and to add Comment 7.
- Standard 27.1** Amended to correct a scrivener error in the statutory citation in the standard and in Comment 2 from Chapter 33 VSA to Chapter 32 VSA.