



**SOLD**

Your Guide to

What is Escrow  
Steps to a Successful Escrow  
Preparing Your Home for Sale  
Who Pays What?  
Advertising your Home  
& More!

*Selling Your Own Home*



BROUGHT TO YOU BY FIDELITY NATIONAL TITLE COMPANY



This booklet was provided for you by Fidelity National Title Company because we care that you have the most positive experience possible as you sell your home. We are here for your every step of the way to provide you with the very best information and service possible.

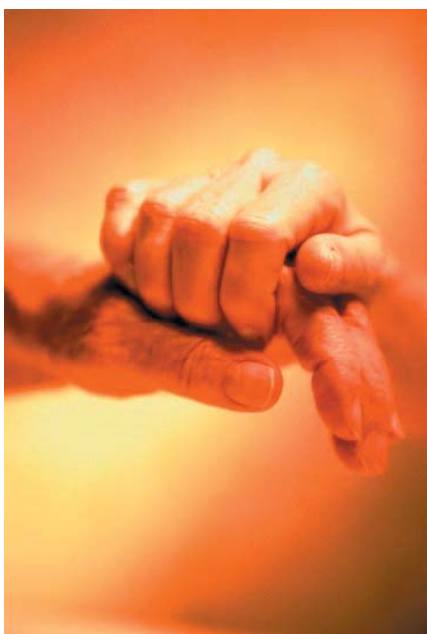
We take great pride in title and escrow services that meet customer demands for efficient and timely processing and quality products. Through our nationwide network of direct operations and agents, FNT provides title insurance, underwriting, escrow and closing services to residential, commercial and industrial clients, lenders, developers, attorneys, real estate professionals and consumers.

Please feel free to contact Fidelity National Title for more information or to open your escrow!



# FIDELITY NATIONAL TITLE COMPANY

Area Office Locations



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## HELPFUL HINTS WHEN SELLING YOUR HOME



### ☐ PREQUALIFY YOUR POTENTIAL BUYERS

You do not know the people viewing your home, in most cases, so beware of shady people when showing your home. **Make sure your valuables are safe, in a safety deposit box or another location completely.** Working with a Real Estate Agent can solve this problem because they pre-qualify the people first, know who they are and personally escort them through your home.

### ☐ MAKE A PROFESSIONAL LISTING FLYER

You may want to include an actual picture, depending upon the curb appeal of your home. The flyer should include a picture and essential characteristics of the home.

### ☐ CREATE A FINANCING OPTIONS FLYER

This will give potential buyers an idea of what income will be required by the lender, what the mortgage payments will be, including the taxes and insurance, what loan programs are available and the current interest rates.

### ☐ UNDERSTAND THE DOCUMENTS

If you do not understand completely, do not sign! Get a professional. Some Real Estate Agents will do it for you for a flat fee or you may want to work with a Real Estate Attorney. Don't forget, if you list with a Real Estate Agent, this is no longer a concern.

### ☐ GET/CREATE A GUEST DIRECTORY

Have every potential buyer sign a guest directory. Keep it handy so you can re-contact them at a later date if any of the terms change.



## ORGANIZE YOUR SUPPORT TEAM

When selling your home “By Owner”, it becomes critical that you select a qualified “Support Team” of:

**LENDER**  
**TERMITE COMPANY**  
**GEOLOGICAL INSPECTION**  
**FIDELITY NATIONAL TITLE**  
**FIDELITY HOME WARRANTY**  
**HOME INSPECTION COMPANY**

Once you have chosen your team players, get to know each one of them, at least by telephone. Let them know that you are selling your home and will be sending them the business. Once you have contacted them you will be amazed at how useful and ready they are to help you sell your home.

Trying to sell your home alone, without any assistance, could be disastrous. It’s important to be aware of “what you do not know” so you can appoint professionals who will handle each specialized part of your real estate transaction. You are not expected to know everything, so therefore pick professionals who are experts in their fields to help you with your real estate needs.



## WHAT IS ESCROW?

*Let Fidelity National Title Pave The Way!*



**An escrow is created when money and/or documents are deposited by two or more persons with a third party which are to be delivered upon the happening of certain conditions. The third party is known as the escrow agent or escrow holder.**

The authority given to an escrow holder is strictly limited by instructions provided by the parties involved. Consequently, an escrow holder acts on mutual instructions deposited into escrow and DOES NOT represent any party. The escrow officer is authorized by instructions to allocate funds for items during the escrow period, such as real estate commissions, title insurance, liens, recording fees and other closing costs. Instructions also specify the method of collecting funds, proration issues, time limitations and all the terms of the transaction. The escrow process protects all parties involved by retaining money and documents until the mutual instructions are met.

The statutory definition of escrow is found in Section 17003 of the California Financial Code and reads as follows: “Escrow” means any transaction wherein one person, for the purpose of effecting the sale, transfer, encumbering, or leasing of real or personal property to another person, delivers any written instrument, money, evidence of title to real or personal property, or other thing of value to a third person to be held by such third person until the happening of a specified event or the performance of a prescribed condition, when it is then to be delivered by such third person to a grantee, grantor, promisee, promisor, obligee, obligor, bailee, bailor or any agent or employee of any of the latter.

*This information is presented for informational purposes only and is deemed reliable but is not guaranteed.*



# THE KEY STEPS TO A SUCCESSFUL ESCROW

## DOUBLE CHECK!

Before submitting your papers to your escrow officer, double-check for completeness and accuracy in order to avoid any potential time-draining issues. You will want to carefully verify the following:

- ☐ All docs are signed properly
- ☐ Any and all changes are initialed
- ☐ The vesting is as the client requested
- ☐ Addresses are supplied for all future correspondence
- ☐ Changes in phone numbers are noted
- ☐ All funds held by the broker are deposited into escrow
- ☐ Client has noted if they wish their closing statements/funds to be mailed or held for pick up
- ☐ Notary completed the acknowledgment, signs it and places the seals clearly thereon
- ☐ Closing funds are by certified/cashiers check or wire

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①

Phone an escrow officer at Fidelity National Title and request escrow number.

②

Read and understand the preliminary report. If an item is not understood, phone your escrow officer or title officer.

③

COMMUNICATE with you escrow officer. Remember, as an escrow agent we must be instructed when to order payoffs, releases, etc. It is important that you keep us informed as to loan approval and related issues.

④

Inform your escrow officer if any changes occur. All changes should be in writing. Remember, with rare exceptions, escrow acts only on MUTUAL instructions.

⑤

It is important to understand the fiscal tax year, debits, credit, prepaid interest, impounds and due and delinquent dates in order that this information will be easily understood by your client. Familiarize yourself with “normal” buyer’s and seller’s closing costs.

⑥

Check each signature for accuracy as to middle initials and spelling. Have your client sign exactly as shown on the document. Make sure all required documents are signed and notarized when applicable.



## Concurrent Co-Ownership Interests

The comparison below is provided for information only. It should not be used to determine how you hold title. We strongly recommend that you seek professional counsel from an attorney and/or CPA to determine the legal and tax consequences of how title is vested.

	Community Property	Joint Tenancy	Tenancy In Common	Tenancy In Partnership	Title Holding Trust	Community Property Right of Survivorship
Parties	Only husband and wife	Any number of persons (can be husband and wife)	Any number of persons (can be husband and wife)	Only partners (any number)	Individuals, groups of persons, partnership or corporations, a living trust	Only husband and wife
Division	Ownership and managerial interests are equal (except control of business is solely with managing spouse)	Ownership interest must be equal	Ownership can be divided into any number of interests equal or unequal	Ownership interest is in relation to interest in partnership	Ownership is a personal property interest and can be divided into any number of interests	Ownership and managerial interests are equal
Title	Title is in the "community". Each interest is separate but management is unified	Sale or encumbrance by joint tenant servers joint tenancy	Each co-owner has a separate legal title to his/her undivided interest	Title is in the "partnership"	Legal and equitable title is held by the trustee	Title is in the "community," management is unified
Possession	Both co-owners have equal management and control	Equal right of possession	Equal right of possession	Equal right of possession but only for partnership purposes	Right of possession as specified in the trust provisions	Both co-owners have equal management and control
Conveyance	Requires written consent of other spouse-or actual conveyance by deed. Separate interest is devisable by will	Conveyance by one co-owner without the others breaks the joint tenancy	Each co-owner's interest may be conveyed separately by its owner	Purchaser acquires interest that partnership owned	Designated parties with the trust agreement authorize the trustee to convey property. Also a beneficiary's interest in the trust may be transferred	Right of survivorship may be terminated pursuant to the same procedures by which a joint tenancy may be severed
Purchaser's Status	Purchaser can only acquire whole title of community; cannot acquire a part of it	Purchaser will become a tenant in common with other co-owners in the property as to the purchaser's interest. Other owners may remain joint tenants	Purchaser will become a tenant in common with other co-owners in the property	Purchaser acquires interest that partnership owned	A purchaser may obtain a beneficial interest by assignment or may obtain legal and equitable title from the trust	Purchaser can only acquire whole title of community; cannot acquire a part of it
Death	On co-owner's death 1/2 belongs to survivor in severalty. 1/2 goes by will to descendant's devisee or by succession to survivor	On co-owner's death his/her interest ends and cannot be disposed of by will. Survivor owns the property by survivorship	On co-owner's death his/her interest passes by will to devisee or heirs. No survivorship right	On partner's death his/her partnership interest passes to the surviving partner pending liquidation of the partnership. Share of deceased partner then goes to his/her estate	Successor beneficiaries may be named in the trust agreement, eliminating the need for probate	Upon the death of a spouse, his/her interest passes to the surviving spouse, without administration, subject to the same procedures as property held in joint tenancy
Successor's Status	If passing by will, tenancy in common between devisee and surviving results	Last survivor owns property	Devisee or heirs become tenants in common	Heirs or devisee have rights in partnership interest but not specific property	Defined by the trust agreement, generally the successor becomes the beneficiary and the trust continues	Surviving spouse owns property
Creditor's Rights	Property of community is liable for debts of either spouse which are made before or after marriage. Whole property may be sold on execution sale to satisfy creditor	Co-owner's interest may be sold on execution sale to satisfy creditor. Joint tenancy is broken, creditor becomes a tenant in common	Co-owner's interest may be sold on execution sale to satisfy his/her creditor. Creditor becomes a tenant in common	Partner's interest cannot be seized or sold separately by his/her personal creditor but his/her share of profits may be obtained by a personal creditor. Whole property may be sold on execution sale to satisfy partnership creditor	Creditor may seek an order for execution sale of the beneficial interest or may seek an order that the trust estate be liquidated and the proceeds distributed	Property of community is liable for debts of either which are made before or after marriage; whole property may be sold on execution sale to satisfy creditor
Presumption	Strong presumption that property acquired by husband and wife is community	Must be expressly stated	Favored in doubtful cases except husband and wife cases	Arise only by virtue of partnership status in property placed in partnership	A trust is expressly created by an executed trust agreement	Must be expressly stated



## HOME PREPARATION CHECKLIST - EXTERIOR



### LAWNS & TREES

- ☐ Lawn green and mowed
- ☐ Shrubs and trees trimmed
- ☐ Weeds removed from all of yard area
- ☐ Edges trimmed
- ☐ Plant flowering plants to add color

### GARAGE & DRIVEWAY

- ☐ Garage tidy with “junk” removed (*from sight*)
- ☐ Workbench clean and clutter free
- ☐ Garage door opens and closes properly
- ☐ Autos and/or campers removed from driveway
- ☐ Oil and rust stains removed from driveway

### POOL & SPA

- ☐ Pool/spa clean
- ☐ Pool/spa equipment in good working condition
- ☐ Pool/spa equipment in good overall appearance

### HOUSE

- ☐ Exterior of home looks freshly painted/clean
- ☐ Doors painted and/or stained or cleaned
- ☐ Hardware in good working condition
- ☐ Stucco walls free of cracks
- ☐ Bricks secured and undamaged
- ☐ Doorbell works
- ☐ New front doormat
- ☐ Gates and fences are painted and working
- ☐ Gutters clear, clean, and fastened
- ☐ Roof in good condition
- ☐ Walkways are clean, crack free, and clutter free
- ☐ Exterior lights working and bulbs replaced



## HOME PREPARATION CHECKLIST - INTERIOR

### BEDROOMS

- ☐ Paint and/or wallpaper is clean and fresh
- ☐ Floors/carpets clean and in good condition
- ☐ Curtains, drapes, and windowsills clean
- ☐ Doors are in good working condition
- ☐ Room is free of clutter
- ☐ Excess furniture removed
- ☐ Dressers tidy
- ☐ Closets neat
- ☐ Light fixtures work and are polished

### BATHROOMS

- ☐ Paint and/or wallpaper is clean and fresh
- ☐ Floors/carpets clean and in good condition
- ☐ Curtains, drapes, and windowsills clean
- ☐ Doors are in good working condition
- ☐ Room is free of clutter
- ☐ Sinks are clean and working without leaks or drips
- ☐ Counters are wiped
- ☐ Light fixtures work and are polished

### ENTRYWAY

- ☐ Floors/carpets clean and in good condition
- ☐ Clean and uncluttered
- ☐ Light fixtures work and are polished
- ☐ Excess furniture removed

### HEATING & COOLING SYSTEM

- ☐ Furnace is clean and inspected
- ☐ Hot water heater is clean and working
- ☐ Hot water heater inspected
- ☐ Heating and air system filters replaced
- ☐ Air return covers are clean and dust-free

### KITCHEN

- ☐ Clean & Tidy overall appearance
- ☐ Ceilings and walls clean
- ☐ Paint and/or wallpaper is in good condition
- ☐ Floors clean and in good condition
- ☐ Sinks are clean and working without leaks or drips
- ☐ Pantry and cupboards are clean and uncluttered
- ☐ Drawers neat and clean
- ☐ Fresh flowers and plants
- ☐ Baked goods in the oven for aroma
- ☐ Refrigerator clean inside and out
- ☐ Oven is clean
- ☐ All appliances are in proper working order

### LIVING ROOM

- ☐ Clean & tidy overall appearance
- ☐ Paint and/or wallpaper looks fresh and new
- ☐ Wood floors or carpets are clean
- ☐ Floors are in good condition
- ☐ Curtains, drapes, and windowsills are clean
- ☐ Doors are in good working condition and polished
- ☐ Room is free of clutter
- ☐ Excess furniture is removed
- ☐ Fireplace is clean

### DINING ROOM

- ☐ Clean & tidy overall appearance
- ☐ Paint and/or wallpaper looks fresh and new
- ☐ Wood floors or carpets are clean
- ☐ Floors are in good condition
- ☐ Curtains, drapes, and windowsills are clean
- ☐ Doors are in good working condition and polished
- ☐ Room is free of clutter
- ☐ Excess furniture is removed
- ☐ Light fixtures work and are polished





What is a “*FSBO*”? According to the Real Estate industry, that means “For Sale By Owner”.

When placing your advertisement, you want to let people know you are a FSBO. Put it in your ad. You may want to advertise in several places in order to get the most exposure for your home. Consider advertising in the following ways:



Local Newspaper, Penny Saver, and Home Magazines  
 Stage open house signs around the neighborhood  
 Cable Television Channels  
 Place a ‘For Sale By Owner’ sign in your front yard  
 Financing Options Flyer  
 Create a listing flyer to distribute to neighbors

***Make sure to include the following in your advertising:***

FOR SALE BY OWNER  
 Number of bedrooms and bathrooms in your home  
 Type of structure style  
 Special Features (Pool, Spa, R.V. Parking, Additions.)  
 The best time to call  
 Sales Price

The following advertisement is typical and includes the necessary ingredients:

FOR SALE BY OWNER: Beautiful 4 bedroom, 3 bath home with sparkling pool and spa. Nice neighborhood, close to schools, shopping and park. Just remodeled kitchen and bath. Owner anxious to sell. Offered at \$550,000. Call Suzie Homeowner-days (555) 555-5555, eve. (555) 555-5555.

## SELLING CAN BE CONFUSING

**W**ithout the professional guidance and expertise of a Realtor<sup>®</sup>, buying or selling a home can often entail many unnecessary complications regarding real estate transactions. The following information as prepared by the National Association of Realtors best describes the many benefits of contacting a Realtor to handle all your real estate needs. The term realtor is a registered, collective membership mark that identified real estate professionals who are members of the National Association of Realtors and subscribe to its strict code of ethics.

### *Here are some ways a REALTOR can help you sell your home.*

- A REALTOR<sup>®</sup> is knowledgeable about the market and gives you the quickest exposure to the maximum number of buyers.
- A REALTOR<sup>®</sup> “qualifies” prospects as to their affordable price range and housing needed.
- A REALTOR<sup>®</sup> knows the current real estate values and can help you set realistic, competitive price. This skilled professional knows how to merchandise your home effectively.
- A REALTOR<sup>®</sup> is familiar with the local-home loan market and can help you determine whether seller-assisted financing may expedite your sale.
- A REALTOR<sup>®</sup> can figure the net proceeds from your sale taking into account your outstanding loan balance, closing costs and possible owner financing.
- A REALTOR<sup>®</sup> can tap an even larger market through referrals and marketing techniques.
- A REALTOR<sup>®</sup> frees you from the problems associated with showings and negotiations of the contract. Your home is shown only to serious, qualified buyers.
- A REALTOR<sup>®</sup> maintains objectivity in presenting offers and counter-offers.
- A REALTOR<sup>®</sup> can familiarize you with the closing procedures by explaining them in advance.

*The information provided about what a Realtor<sup>®</sup> can do for you was not designed to scare you into listing your home. It is simply pointing out that when you use an agent, a good agent, you DO get something valuable for the money you pay then in the form of a sales commission.*



**THIS DOES NOT MEAN THAT YOU CANNOT SELL YOUR HOME ON YOUR OWN! IN MOST CASES, YOU PROBABLY CAN. HOWEVER, YOUR TIME AND STRESS ARE IMPORTANT TO CONSIDER. Only you can decide whether the stress of selling your own home is worth the savings to you. If you want to do it... Just Do It.**

**A COMPROMISE MAY BE THE ANSWER!**

Set a time limit on selling your home. Try it for a month and if you are not getting the response you want, reconsider listing your home. Maybe you set the limit for a couple of months. Whatever you decide, at least you will know that you gave it every opportunity and will know if you were able to do it. Be realistic on the time limit. If you are in a hurry, make the limit shorter.

If you sell your own home, great! If you do not, it is not a problem. You can always hire a Realtor at any time. Have fun with the project and remember you are in charge of what will eventually happen.

**Either way, Good Luck!**





## THE RIGHT REAL ESTATE AGENT



Should you list your home with a qualified professional, make sure you interview several. If, however, they are not an expert in selling homes in your neighborhood, or lack the **experience** to do the job, consider someone who does **specialize** in what you need. Get **referrals** from friends and associates or visit local real estate offices and open houses. Look for the SOLD signs and find out who is best suited for the job. Once you have your list of qualified Real Estate professionals, interview them and select the best qualified for the project.

*The following are some items you may want to consider during your interview:*

- Realtor's Name and Real Estate Company \_\_\_\_\_
- Experience level and full-time or part-time \_\_\_\_\_
- How long in the local area? \_\_\_\_\_
- Number of sales locally in the last year \_\_\_\_\_
- How does the suggested listing price compare? \_\_\_\_\_
- Does the agent have a good marketing plan? \_\_\_\_\_
- How do you relate to this agent? \_\_\_\_\_
- Does the Agent have any referrals to offer? \_\_\_\_\_