

Power of Attorney for Trustee

Q Title is vested in the trustee of a trust. He can't make it to the closing and wants to use a Power of Attorney to authorize his sister to sign everything. Will that be acceptable?

A No.

It is generally unacceptable for a fiduciary to delegate his or her powers or authority; they are personal to him or her.

If the trust agreement states that the trustee may delegate his/her authority by power of attorney, assistance from a member of our underwriting staff should be sought prior to accepting it.

If there are multiple (2 or more) trustees appointed for the trust in the trust agreement and they wish to have one sign at closing by power of attorney from the other(s), assistance from a member of our underwriting staff should be sought.

OR October 2016