8

**If you have a property that is held in an entity such as a corporation, LLC or Trust, then the buyer or seller needs to have a title behind their name. For example:**

***Trust***

• The Smith Family Trust dated 1999

• John and Michelle Smith

They must sign: John Smith, Trustee Michelle Smith, Trustee

***LLC’s***

If it is a LLC then the signer should sign as their title allows such as Managing Partner, Partner. The LLC will have to provide the LLC paperwork to the Escrow to prove who the actual signer is.

***Corporations***

Corporation needs to sign as President, Secretary etc…Again the Corporation will have to provide the paperwork to the escrow to prove who the signer is. Two signatures are generally required presumptively for a corporation to be bound by a contract or a corporate resolution from the Board would be required.

***Probate***

Of you have a Probate then the seller will sign as Administrator or Executor.

The key is that if it is an entity selling the property and not an individual then the individual signing on behalf of the entity must sign with a title.

Wendy Smith, Administrator of Sunlight Company

Remember that the entity will be required to provide some kind of documentation to escrow in order to prove the person is actually allowed to sign on behalf of the Entity.

***Power of Attorney***

The most important item to remember is when someone is signing with Power of Attorney, the POA individual must sign the Individual’s name then their name as Attorney in Fact

Jennifer Henry by Susan Betsy, her attorney in fact

The POA cannot just sign his or her own name or just the name of the other individual.