

# Title

## FREQUENTLY ASKED ^ QUESTIONS

June 2016

**Q Title is vested in "John Jones trading as Real Property Company". "Real Property Company" is a trade name for a sole proprietorship. Are there any special considerations here?**

A Certainly.

First and foremost, a trade name is not an entity capable of holding title to real estate. Title must be treated as being vested in the sole proprietor (in the present case, John Jones).

This means, of course, that judgments must be run against the sole proprietor's name individually. In addition, judgments should be run against the trade name. Judgments which are turned up against either should be addressed.

Please be reminded that it is not proper to vest title in a trade name. If the title under examination is so vested, assistance from a member of our underwriting staff should be sought.

As always, feel free to address any questions to a member of our underwriting staff.