



# LEGAL HOTLINE Q&A

FROM GET THE FACTS, October 27, 2020

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## QUESTION :

I wrote an offer on a home where there is a power of attorney. The daughter is trying to sell the home for her mom who is now in a nursing home. When writing up the purchase and sale documents, do you include the daughter's (POA) name as one of the sellers or just the mom's name (the legal owner)?

## ANSWER:

The only seller is the person on title to the property ... in this case, the mother. Broker should consult the title officer for assistance in determining exactly how this POA should sign on behalf of her mother. The title company will likely start by certifying the effectiveness of the power of attorney document and from there, can tell broker what the POA signature block should look like for creation of an effective POA signature.

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