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How to Complete an Assignment of Deed of Trust

Transferring a Private Loan Secured by California Real Estate to a New Lender

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR ASSIGNMENT OF DEED OF TRUST.

About this form. When a private lender sells, gifts, or transfers a loan secured by real estate, the **assignment** transfers the lender's rights under the deed of trust — and the note it secures — to the new lender. Recording it puts the public on notice of who now holds the loan, so payoffs and reconveyances go to the right person.

1. **Get the recorded Deed of Trust**
   Copy the trustor (borrower), trustee, date, recording information, and legal description exactly as they appear. The County Recorder can provide a copy.
2. **Fill in the assignor and assignee**
   The assignor is the current lender (beneficiary); the assignee is the new lender. Use full legal names and the assignee's address.
3. **Endorse and deliver the note**
   The original promissory note should also be endorsed (signed over) to the assignee and delivered with this assignment.
4. **The assignor signs in front of a notary**
   Every current beneficiary signs. A company or trust signs through an authorized person who states the entity and title. Do **not** sign ahead of time. Bring a current government-issued photo ID. We come to you.
5. **Record the assignment**
   Record the notarized assignment in the county where the property is located. Mark the $75 fee box that fits your situation.
6. **Notify the borrower**
   Tell the borrower in writing who the new lender is and where to send payments. California law (Civil Code § 2937) generally requires written notice when the right to receive payments on a home loan changes.

Good to Know

- Selling or brokering loans as a business may require a California license. Ask an attorney before assigning loans regularly.
- If the loan is being paid off rather than transferred, use a Substitution of Trustee and Full Reconveyance instead.
- Keep copies of the assignment, the endorsed note, and the borrower notice with your loan records.

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California-Commissioned Notaries

SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in California, Nevada, and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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YOUR FORM BEGINS ON THE NEXT PAGE

Recording Requested By:

_____

When Recorded Mail This Document To:

Name: _____

Address: _____

City, State, ZIP: _____

Space Above This Line For Recorder's Use

ASSIGNMENT OF DEED OF TRUST

_____ _____

Assessor's Parcel Number (APN) Loan / Reference No. (if any)

DECLARATION OF EXEMPTION FROM GOV. CODE § 27388.1 FEE (Building Homes and Jobs Act)

☐ Exempt per GC § 27388.1(a)(2): recorded "in connection with" a transfer of a residential dwelling to an owner-occupier

☐ Exempt per GC § 27388.1(a)(1): fee cap of $225 reached

☐ Not exempt — fee to be paid at recording

FOR VALUE RECEIVED, the undersigned

_____

(name(s) of current Beneficiary — the ASSIGNOR)

hereby **grants, assigns, and transfers** to

_____ _____

(name(s) of new Beneficiary — the ASSIGNEE) (assignee's address)

all beneficial interest under that certain Deed of Trust executed by

_____

(name(s) of Trustor(s) — the borrower(s))

as Trustor, to

_____

(name of Trustee)

as Trustee, which Deed of Trust is dated and recorded as follows, in the Official Records of the County Recorder:

_____ _____ _____

(date of Deed of Trust) (recording date) Instrument / Document No.

_____ _____ _____

Book / Reel (if any) Page / Image (if any) (county where recorded)

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describing the real property located at:

(street address of the dwelling)	(city, or “unincorporated area”)	(county)

LEGAL DESCRIPTION

Copy exactly from the deed. If it does not fit, write “See Exhibit A attached” and attach it.

TOGETHER WITH the note or notes described in or secured by said Deed of Trust, the money due and to become due on them with interest, and all rights accrued or to accrue under said Deed of Trust.

Dated: _____

(signature of Assignor)	(signature of second Assignor, if any)
(printed name)	(printed name)

If signing for a company or trust: name of entity and signer’s title

Sign in front of the notary public, who will complete the acknowledgment on the next page.

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CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____

(here insert name and title of the officer)

personally appeared _____

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature _____

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