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How to Complete Your Pennsylvania Real Estate Power of Attorney

Limited Power of Attorney for Real Estate • 20 Pa.C.S. Chapter 56

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT RECORD THIS PAGE.

About this form. Use this form to let someone buy, sell, refinance or manage one specific property for you, such as signing at a closing you cannot attend. It is formatted so it can be recorded with the county Recorder of Deeds.

1. **Sign the Notice page (Page 1)**
   Required on every Pennsylvania power of attorney.
2. **Fill in the recording box**
   At the top of Page 1: who prepared it, where to return it after recording, and the parcel (UPI) number.
3. **Describe the property (Part 2)**
   Copy the legal description from your deed. Title companies compare it word for word.
4. **Check the authority needed (Part 3)**
   Grant only what the transaction requires.
5. **Sign before a notary and two witnesses**
   Do not sign ahead of time. Bring a current government photo ID.
6. **Agent signs the Acknowledgment**
   Your agent must sign before acting. Many title companies want to see it before closing.

Signing requirements: Notary **and** two witnesses, age 18 or older. The agent, the notary, and anyone signing for you cannot be witnesses.

After It's Signed

- Send a copy to the title or settlement company early; many review powers of attorney days before closing.
- If the agent signs a deed, the power of attorney is usually recorded with it in the county where the property is located.

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Have questions about your Real Estate Power of Attorney? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**.

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UPI / Tax Parcel No.:

Prepared By:

Return To:

POWER OF ATTORNEY — NOTICE

(20 Pa.C.S. § 5601(c) — must appear at the beginning of the power of attorney and be signed by the principal)

THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE PERSON YOU DESIGNATE (YOUR "AGENT") BROAD POWERS TO HANDLE YOUR PROPERTY, WHICH MAY INCLUDE POWERS TO SELL OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE NOTICE TO YOU OR APPROVAL BY YOU.

THIS POWER OF ATTORNEY DOES NOT IMPOSE A DUTY ON YOUR AGENT TO EXERCISE GRANTED POWERS, BUT, WHEN POWERS ARE EXERCISED, YOUR AGENT MUST USE DUE CARE TO ACT FOR YOUR BENEFIT AND IN ACCORDANCE WITH THIS POWER OF ATTORNEY.

YOUR AGENT MAY EXERCISE THE POWERS GIVEN HERE THROUGHOUT YOUR LIFETIME, EVEN AFTER YOU BECOME INCAPACITATED, UNLESS YOU EXPRESSLY LIMIT THE DURATION OF THESE POWERS OR YOU REVOKE THESE POWERS OR A COURT ACTING ON YOUR BEHALF TERMINATES YOUR AGENT'S AUTHORITY.

YOUR AGENT MUST ACT IN ACCORDANCE WITH YOUR REASONABLE EXPECTATIONS TO THE EXTENT ACTUALLY KNOWN BY YOUR AGENT AND, OTHERWISE, IN YOUR BEST INTEREST, ACT IN GOOD FAITH AND ACT ONLY WITHIN THE SCOPE OF AUTHORITY GRANTED BY YOU IN THE POWER OF ATTORNEY.

THE LAW PERMITS YOU, IF YOU CHOOSE, TO GRANT BROAD AUTHORITY TO AN AGENT UNDER POWER OF ATTORNEY, INCLUDING THE ABILITY TO GIVE AWAY ALL OF YOUR PROPERTY WHILE YOU ARE ALIVE OR TO SUBSTANTIALLY CHANGE HOW YOUR PROPERTY IS DISTRIBUTED AT YOUR DEATH. BEFORE SIGNING THIS DOCUMENT, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY AT LAW TO MAKE SURE YOU UNDERSTAND IT.

A COURT CAN TAKE AWAY THE POWERS OF YOUR AGENT IF IT FINDS YOUR AGENT IS NOT ACTING PROPERLY.

THE POWERS AND DUTIES OF AN AGENT UNDER A POWER OF ATTORNEY ARE EXPLAINED MORE FULLY IN 20 PA.C.S. CH. 56.

IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A LAWYER OF YOUR OWN CHOOSING TO EXPLAIN IT TO YOU.

I HAVE READ OR HAD EXPLAINED TO ME THIS NOTICE AND I UNDERSTAND ITS CONTENTS.

X _____ Principal signature

Date

Principal printed name

LIMITED POWER OF ATTORNEY FOR REAL ESTATE

Commonwealth of Pennsylvania • 20 Pa.C.S. Chapter 56 • Recordable under § 5602(c)

1. APPOINTMENT OF AGENT

I, the principal named below,

Principal full legal name

Principal address (street, city, county, state, ZIP)

appoint the following person as my agent (attorney-in-fact):

Agent name | Relationship | Phone

Agent address

If my agent dies, resigns, becomes incapacitated, is not qualified to serve, declines to serve, or (if my spouse) an action in divorce is filed, I appoint the following successor agent(s), to serve one at a time in the order named (20 Pa.C.S. § 5602(b)(2)) (optional):

Successor agent 1 name | Phone

Successor agent 1 address

2. PROPERTY

Property street address

Municipality (township/borough/city) | County | UPI / tax parcel no.

Legal description (or write “See Exhibit A attached”)

3. AUTHORITY (check each that applies)

With respect to the property above only, my agent may:

- ☐ Sell, convey and sign the deed for the property, at a price and on terms the agent considers reasonable.
- ☐ Purchase the property and take title in my name.
- ☐ Mortgage, refinance or otherwise encumber the property, and sign notes, mortgages and loan documents.
- ☐ Lease, manage, repair, insure and maintain the property, and collect rents.
- ☐ Sign agreements of sale, settlement statements, affidavits, transfer tax forms and all other closing documents; receive and receipt for proceeds; and pay liens, taxes and closing costs.
- ☐ Other (describe):

4. DURATION AND EFFECT OF INCAPACITY

This power of attorney ends on (date), unless revoked earlier

- ☐ It remains in effect if I become disabled or incapacitated (durable).
- ☐ It ends if I become disabled or incapacitated.

5. RECORDING AND RELIANCE

This power of attorney may be recorded in the office for the recording of deeds of the county where the property is located and of my county of residence (20 Pa.C.S. § 5602(c)). A title insurer, settlement agent or other person may rely on it as provided in 20 Pa.C.S. § 5608.

SIGNATURE OF PRINCIPAL

I sign this power of attorney on the date written below. I understand that it is effective as stated above and that it is durable unless I have indicated otherwise.

X _____ Date

Principal signature (or mark)

Principal printed name

County of residence

If the principal is unable to sign and directs another person to sign on the principal's behalf, that person signs here (this person may not serve as a witness):

X _____ Date

Signature of person signing at principal's direction

Printed name of person signing for principal

Witnesses

Witnesses. We, the undersigned, are each 18 years of age or older. The principal signed (or acknowledged signing) this power of attorney in our presence. Neither of us is the agent named in this power of attorney, the notary public taking the acknowledgment, or a person who signed on behalf of the principal (20 Pa.C.S. § 5601(b)(3)(ii)).

X _____ Date

Witness 1 signature

Witness 1 printed name

Witness 1 address

X _____ Date

Witness 2 signature

Witness 2 printed name

Witness 2 address

ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

This record was acknowledged before me on _____ (date) by _____ (name(s) of individual(s)).

X _____

Signature of notarial officer

Title of office (e.g., Notary Public)

My commission expires

Commission number

(Notary seal)

AGENT ACKNOWLEDGMENTS

ACKNOWLEDGMENT EXECUTED BY AGENT

(20 Pa.C.S. § 5601(d) — the agent has no authority to act until this acknowledgment is signed and attached)

Agent printed name

I, the person named above, have read the attached power of attorney and am the person identified as the agent for the principal. I hereby acknowledge that when I act as agent:

I shall act in accordance with the principal's reasonable expectations to the extent actually known by me and, otherwise, in the principal's best interest, act in good faith and act only within the scope of authority granted to me by the principal in the power of attorney.

X _____ Date

Agent signature

ACKNOWLEDGMENT EXECUTED BY SUCCESSOR AGENT

(20 Pa.C.S. § 5601(d) — the agent has no authority to act until this acknowledgment is signed and attached)

Successor Agent printed name

I, the person named above, have read the attached power of attorney and am the person identified as the agent for the principal. I hereby acknowledge that when I act as agent:

I shall act in accordance with the principal's reasonable expectations to the extent actually known by me and, otherwise, in the principal's best interest, act in good faith and act only within the scope of authority granted to me by the principal in the power of attorney.

X _____ Date

Successor Agent signature