

RESIDENTIAL REAL ESTATE CLOSING CUSTOMS BY COUNTY

SUFFOLK COUNTY

1. Title Insurance Rate Zone _____ Zone 1 Zone 2
2. Contracts drafted by Attorney or Realtor: **Attorney**
3. If Realtor, are they subject to Attorney approval/disapproval, and is "written" Attorney notification required? **Not applicable**
4. What is the contract form used by realtors or attorneys (for example: local Bar Association approved form)? **Generally the form approved in conjunction with state Bar Assoc., local Bar R/P Assoc. and NYSLTA.**
5. Who holds deposit? **Seller's attorney**
6. What is customary deposit amount? **Typically it is 10% of the purchase price.**
7. Is Survey required? **On a purchase is it highly recommended, but not required.**
8. Who obtains and pays for Survey? **Usually the buyer's attorney or his/her title company/title agency obtains the survey and the purchaser pays for same. Often the seller will provide a survey and an inspection will be ordered through the title company/title agency, or the original surveyor can update the existing survey. Regardless which is used, the purchaser will pay for the service or new order.**
9. Type of Deed? **Generally a B & S with Covenants against grantor's acts., in the case of an estate with an executor/executrix, then an executor's deed stating full consideration.**
10. What documents are required for recording the Deed and who prepares them (for example: RP-5217 and TP-584)? **Both the RP-5217 and TP-584 are required, if the property is within the 5 east end towns (Riverhead, Southampton, Southold, East Hampton and Shelter Island), then the Peconic Bay Community Preservation Fund form is also needed. This is typically referred to as the CPF form. Generally all the forms are prepared by the seller along with the deed.**
11. Type of Title Search (Abstract, Notes, integrated into title report) **Abstract**
12. Title Search provided by Buyer or Seller? **Buyer's attorney typically orders title/abstract search/report.**
13. Who prepares title searches? (Title Company, Abstract Company or Attorney?) **Abstract companies typically do the searches at the county, but some companies have their own searches. From there, the title company or title agent prepares the reports and subsequent policies.**
14. Minimum Search Period? **40 years.**

15. Other customary searches: (municipal/judgment/tax/patriot/bankruptcy/UCC) **Municipal searches (C/O, Housing & Building, Fire Dept, Emergency Repair, Street, Sewer), tax, bankruptcy and patriot, UCC at county level (and often state), Certificates of Good Standing.**
16. Who provides, and pays for, closing bring-down search? **It is included in title premium which is paid by the purchaser.**
17. Is Owner's Policy customary? **Yes**
18. Who pays for Owner's Policy? **Purchaser**
19. Who prepares title commitments? (Attorneys, third-party title agents, Title Insurance Company) **Title agent or Title company**
20. Are Clerk's records available on line? If so, are they free? (Provide a link to the Clerk's web site if possible) **Records are available back to 1982, but since the county works with both a grantor/grantee and tax map designation system, not all records are available. The system is not free, although you can search by district, section, block and lot on the Suffolk County site to see a skeleton of the document, ie: liber and page, recorded date, consideration, mortgage amount along with grantor/grantee or mortgagor/mortgagee. This service is free (if you wish to print, it is at a cost). The web-site is: kiosk.suffolkcountyny.gov**
21. Are County GIS maps available on line? (If so, provide a link to them if possible) **No, nothing through the county itself. You would have to use google or another search engine.**
22. Water reading or other municipal charge customs. **There are a few sewer districts which do report as part of the tax search. The Suffolk County water authority has not in the past and you must get a final reading through them directly, although they are now starting to report on the tax search and the arrears will be added to the taxes. There are numerous private water companies and they must be contacted directly. All other municipal searches are done through a third party vendor. There are often municipal fees associated with obtaining these searches, but they are not consistent and vary from town to town. They can be anywhere from \$50.00 to \$100.00 per municipal document.**
23. Fund disbursement at closing: who cuts checks at closing? (Bank, Seller's or Buyer's Attorney or Title Company) **Bank; if no bank, then purchaser's attorney.**
24. Who pays off Mortgage? Title company or agent's representative Is there a handling fee? **Yes, \$250 – \$300. If more than one payoff, then the fees are multiple, but discounted, ie: \$500 for two and so on. These fees are paid directly to the Title closer/representative.**
25. Are satisfactions/discharges sent directly to the County Clerk? **Lenders generally forward the satisfactions to the county directly, however, title companies/title**

agents will typically requests the satisfaction be sent to them when this is not noted within the payoff letter.

26. When are funds released? [before or after recording] **before recording (typically at the closing table).**
27. Are realtors paid at closing? **Yes**
28. Who records closing documents? **Title agent or title company**
29. Any customary additional fees charged by title agents or closers (pick-up fees, etc.) and range of the charges **customarily the title closer is given a gratuity by the purchaser; but not required. Not often if there is a tremendous amount of work to be done for a seller at a closing, there may be a gratuity given by them as well. Attendance by a closer at the closing is included in the title premium. Pick up fees are charged if the closer is paying off a mortgage or other lien as noted above.**
30. Other local customs and practices: **All documents to be recorded must be presented to real property first for verification before being presented to the county clerk's office for recording. The additional fee for same is \$200.00 per tax lot and typically is built into the recording fees, therefore it does require longer time for the recording of a document.**

Nancy C. Farrell, contributed to the completion of this form.