PA 19-85—sSB 833
Judiciary Committee

AN ACT CONCERNING VALIDATION OF CONVEYANCE DEFECTS ASSOCIATED WITH AN INSTRUMENT THAT WAS EXECUTED PURSUANT TO A POWER OF ATTORNEY

SUMMARY: This act generally validates documents that convey, lease, mortgage, or affect a real estate interest recorded after January 1, 1997, that are executed pursuant to a power of attorney who is not recorded on the town’s land records. These documents include deeds, mortgages, leases, powers of attorney, releases, assignments, and other instruments.

The act does not validate a document with this defect if:

1. a legal proceeding to avoid and set aside the document has begun and a notice of lis pendens has been recorded on the town’s land records within 15 years after the challenged document is recorded or
2. the document fails to state consideration reflecting fair market value.

The act’s provisions do not apply to any conveyance where the document is executed by a fiduciary who is the grantee, mortgagee, lessee, releasee, or assignee designated in the document.

EFFECTIVE DATE: October 1, 2019