



**REDEMPTION
OF MORTGAGES
AND TITLE
DOCUMENTS**

Bearing the foregoing in mind it is imperative that where a solicitor who has given an undertaking regarding the title documents redeems a mortgage on behalf of his client he includes with the cheque or draft redeeming the mortgage an authority from his client authorising the mortgagee to release the documents to him. *

Unless such an authority is furnished and notwithstanding that the redemption came from the solicitor, there is no onus upon the mortgagee to deliver the documents to the solicitor or to make any comment regarding same.

Accordingly for a solicitor's own protection, the foregoing should be strictly adhered to.

Please further note that where a second mortgage is outstanding the documents would usually go to the second mortgagee and it is therefore vital that a solicitor should do a search before giving any such undertaking regarding the title documents.

The purpose of Section 18 of the Housing Act, 1988 was to extend the procedure already available to Building Societies of endorsing Receipts on Mortgages in lieu of