



City of Philadelphia

TANGLED TITLE INFORMATION SHEET

You are being given this sheet in accordance with Bill No. 210671-A, introduced by Councilmember Gilmore Richardson and passed by Philadelphia City Council on September 17, 2021. The law went into effect August 1, 2022. Under this law, funeral service providers must provide the survivor of the deceased with a copy of this information sheet, and a certified death certificate within (5) five days of receiving the certified copy of the death certificate from the Commonwealth of Pennsylvania.

This information sheet provides you with information about probating estates in Philadelphia. Many Philadelphians are unaware of the need to probate, which has led to a tangled title crisis in Philadelphia.

Important Definitions

Estate

An estate is all property owned by a person when they die.

Probate

Probate is a legal process that determines that a will is valid and should be carried out. This process allows for the heir(s) to take legal ownership of the deceased individual's property. This includes, for example, homes, vehicles, bank accounts, etc.

Tangled Title

Tangled title describes problems related to the legal ownership of real estate. If you live in a home and consider yourself the homeowner but your name is not on the deed, you may have a tangled title. This often occurs when a relative passes and an estate is not probated.

Will

A will is a document that allows you to decide who should get your property, including your home, possessions, and accounts, when you die. If you do not have a will, Pennsylvania law determines who will own your property.

Why Your Title/Deed is Important

If your name is not on the deed, you will be unable to obtain loans or grants, get homeowner's insurance, or access utility or tax assistance programs. Homes with tangled titles are also at a higher risk of deed theft and foreclosure. Addressing tangled titles before there is an emergency like a foreclosure, utility shutoff or structural damage is an important part of protecting homes for generations to come.

What Do I Do First? Start the Probate Process

Any property that is in *a deceased individual's name only*, must go through the probate process. You cannot transfer ownership of the home or any other property before probate is complete. Contact the Register of Wills as soon as possible to begin. The Register of Wills will help you complete your paperwork but cannot provide legal advice. It may be helpful to hire a lawyer to assist you.

Register of Wills
City Hall, Room 180
Philadelphia, PA 19107

Hours: Monday through Friday, 8 a.m. to 4 p.m.
Phone (215) 686-6255
Email: ProbateAppt@phila.gov
Website: www.phila.gov/wills

What Next After Probate is Complete? Record a New Deed

After probate is complete, you must record the deed. To add, remove, or change a name on a deed, have a lawyer, title company, or other real estate professional prepare the deed. Then, record the new deed with the Department of Records.

Department of Records
City Hall, Room 111
Philadelphia, PA 19107

Hours: Monday through Friday. 8 a.m. to 4 p.m.
Phone: (215) 686-1483
Email: recording.info@phila.gov

Website: <https://www.phila.gov/services/property-lots-housing/get-a-copy-of-a-deed-or-other-recorded-document/>

Additional Resources

Community Legal Services

Call 215-981-3700

clsphila.org

CLS's housing and homeownership unit can assist with tangled titles, neighbor disputes, mortgage issues, rent-to-own, and more.

Philadelphia Legal Assistance Save Your Home Philly Hotline

Call Monday-Friday 9:00a.m. to 5p.m.

215-334-HOME (4663)

philalegal.org/services/save-your-home-philly-hotline

To request assistance online, fill out the intake form: philalegal.org/apply

Philadelphia Legal Assistance's Housing Unit assists with addressing tangled titles, mortgage foreclosure, and real estate taxes.

Register of Wills Probate Deferment Initiative (PDI)

Email ROW.PDI@Phila.gov or call (215) 686-6250

phila.gov/programs/probate-deferment-initiative-pdi/

The Probate Deferment Initiative (PDI) connects low- and middle-income residents with resources to untangle titles, including referral to legal assistance, deferment of probate fees, and waiver of deed recording fees.

Questions About This Law

For questions about this information sheet and/or compliance with this law, please contact the City of Philadelphia Department of Records:

Phone: 215-686-2262

Email: records.info@phila.gov



Katherine Gilmore Richardson
Councilmember At-Large



Tracey L. Gordon
Register of Wills