



SPOUSAL SIGNATURE REQUIREMENTS

Have you ever been confused about whether both spouses need to sign a deed or mortgage? Spousal signature requirements will depend upon the type of transaction and the couple's use of the property (e.g. principal marital residence, second home, investment).

DO BOTH SPOUSES NEED TO SIGN THE PURCHASE-MONEY MORTGAGE?

Are both spouses identified as Grantees on the vesting deed?

↓
YES

Both spouses **must** sign the mortgage

↓
NO

A purchase-money mortgage has priority over the right of joint possession of the mortgagor's non-titled spouse. However, a lender **may** require the non-titled spouse to sign the mortgage to satisfy the **lender's** underwriting requirements.

DO BOTH SPOUSES NEED TO SIGN THE DEED?

Are both spouses identified as Grantees on the vesting deed?

↓
YES

YES: Both spouses **must** sign the deed

↓
NO

NO: Is the property being sold their principal marital residence?

↓
YES

YES: The non-titled spouse **must** sign the deed to extinguish the non-titled spouse's right of joint possession.

↓
NO

NO: The non-titled spouse **does not** need to sign the deed.

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ON SPOUSAL SIGNATURE
REQUIREMENTS



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DO BOTH SPOUSES NEED TO SIGN THE REFINANCE MORTGAGE (NON-PURCHASE-MONEY MORTGAGE)?

Are both spouses identified as Grantees on the vesting deed?

↓
YES

YES: Both spouses **must** sign the mortgage.

↓
NO

Is the property being refinanced their
principal marital residence?

↓
YES

YES: The non-titled spouse **must** sign the mortgage. Otherwise, the nontitled spouse's right of joint possession would have priority over the new mortgage.

↓
NO

NO: The non-titled spouse **does not** need to sign the mortgage. However, a lender **may** require the non-titled spouse to sign the mortgage to satisfy the **lender's** underwriting requirements.

The above charts are only applicable to married couples. Questions about the status of the property as the principal marital residence, or factors such as divorce (pending or completed) and death may impact these requirements.

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SIGNATURE REQUIREMENTS

