

Solutions for title insurance Europe

Bespoke title insurance is used to reduce the risk in property transactions by offering protection to owners, occupiers, developers, and lenders against known title defects identified during the property due diligence process, as well as those which cannot be identified.

Comprehensive title cover can also provide protection through surety of ownership upon acquisition, and assists with a clean exit on disposal. Common risks for which we can provide solutions include:

- **Breach of legislative requirements** — works may have been undertaken without licence or registration.
- **Breach of pre-emption rights** — the grantor undertakes that he or she will not sell the land without first offering it to the grantee. The right of a former owner to have first refusal when you sell an asset.
- **Encroachments onto third-party land** — if legal title to the property cannot be evidenced and there is a risk that a third party could claim superior title.
- **Illegal/lack of public tender process** — protecting owners and/or developers against the consequences and losses arising from a successful challenge to the award of a public contract.
- **Breach of planning/permitting** — if the relevant planning documents/permits cannot be evidenced or conditions within them have not been complied with.
- **Zoning breach** — public authorities establish zoning plans designating the permitted use of an area. Uses can be changed leaving assets or development vulnerable to enforcement action.
- **Legal challenges to planning/permitting** — third-party legal challenges to planning permissions or building/environmental permit decisions.
- **Registration gap** — unwanted transactions that could or have taken place between the date a buyer and a seller agree to complete the sale and purchase of a property, and the date the buyer is registered as owner of the property.
- **Restitution claims** — private property seized by former political regimes and/or later nationalised by the communist regime.
- **Third-party rights** — if a third party claims rights over your property which adversely affect the way you use your property.
- **Missing title documentation** — if there is a deed or document containing rights or easements burdening your property, but these are unknown.
- **Title to shares** — if limited or no title guarantee is being provided.

Through our dedicated title and transactional risk specialists and their deep industry knowledge of the real estate sector, Marsh Specialty is able to provide clients with broad indemnity solutions and full insurance services.



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