

Comment from Vermont Bankers Association

Mr. Chairman,

Good seeing you this morning. In light of your very full schedule, as we discussed, here are my written comments regarding H.878 instead of taking time in the witness chair.

The VBA has an interest in three items contained in the bill. First, is the language addressing abandoned oil and gas leases in VT. The Senate did not make any changes to the language in the House passed version, so we support what both bodies have included in the bill.

Second, the Senate adopted a small handful of changes to the Power of Attorney section. These changes came from the title insurance community. As constructed the Real Estate POA form does not conform with the statutory purpose of the RE POA form which is solely used to grant limited authority and is limited to one-time use. Without the changes, the form will lose its practical application in the marketplace but moreover will likely result in confusion and misuse by sellers, buyers, borrowers, lenders, and their attorneys. The result would be issues in the real estate closing process for the buyers/sellers, the real estate bar and for mortgage bankers. We support the changes made by the Senate.

Finally, the Senate included a new section on enhanced life estate deeds. Jim Knapp, Co-Chair of the VT Bar Association Real Estate Section submitted to your committee a document dated May 6, 2024, which does an excellent job of outlining the problem. We are supportive of the language as adopted by the Senate, which helps to eliminate any potential concern about a cloud on title.

Best of luck as you work your way through the remaining bills on your schedule and thank you for the opportunity to testify.

Chris

Christopher D'Elia, President
Vermont Bankers Association