



*First American
Title Insurance Company*

March 13, 2025

Vermont Senate Judiciary
Senate Bill 109

Dear Senator Hashim:

First American Title Insurance Company (“First American”) appreciates the opportunity to provide support for Section 16 of Vermont Senate Bill 109 (“SB 109”) which allows for the validation of deeds, mortgages, leases and other instruments of record that were executed by a power of attorney and of which the power of attorney is not otherwise recorded, so long as such recorded instrument has been of record for 15 years and has not otherwise been challenged. As a national title insurance company operating in Vermont, First American is well-positioned to provide insight on laws affecting powers of attorney that ensure compliance with legal requirements, preventing fraud and safeguarding real estate transactions.

First American supports Section 16 of Senate Bill 109, as introduced, because often in a real estate transaction executed under a power of attorney, the power of attorney is not included in the recording packet and the missing recorded power of attorney is not noticed until many years later. As time passes, it becomes increasingly difficult to locate the principal, agent, and/or attorney who represented the parties to obtain a copy of the original power of attorney to then record it. This bill would help validate and resolve the lack of a recorded power of attorney, which in turn allows for less delays in consumers’ real estate transactions.

Thank you for your consideration.

Sincerely,

Laura Bradrick Treu, Esq.
Vermont State Counsel & Manager