

DEFINITIONS

ABANDONMENT:	lessee leaves without consent of lessor before lease expires; does not break lease or relieve lessee of obligations
ABATEMENT:	reduction of property taxes
ABSTRACT OF TITLE:	a condensed history of legal title, summarizing all instruments in chain of ownership
ABUTTING:	land with a common boundary (adjacent/adjoining)
ACCELERATION CLAUSE:	a clause in Note; upon default, balance of debt becomes due immediately instead of maturity date; prelude to foreclosure
ACCEPTANCE:	indication by signature of offeree that s/he is willing to be bound by terms of offer from offeror
ACCRETION:	the gradual addition of land by action of water or wind
ACCRUED DEPRECIATION:	cumulative loss in value; difference between cost of replacing property <u>new</u> and present value
ACKNOWLEDGMENT:	a notary public declares signing to be free and voluntary
ACRE:	43,560 square feet
ACTUAL NOTICE:	actual, specific and direct knowledge given to someone as opposed to <u>constructive/public notice</u> (information made available for public viewing such as in registry of deeds)
ADA:	Americans with Disabilities Act of 1990 (federal law)
ADJUSTMENTS:	taxes, rents, fuel, etc., apportioned or prorated between buyer and seller at closing
ADMINISTRATOR:	appointed by court to settle estate of person leaving no will
AD VALOREM:	according to value, tax assessment based on actual value
ADVERSE POSSESSION:	occupant's right to acquire legal title to private property they hold land openly, notoriously, adversely and without permission for 20 years; also known as <u>squatter's rights</u>
AEOLIAN SOIL:	sand dunes formed by the action of the wind
AFFIDAVIT:	a sworn statement; written oath such as acknowledgment (affirmation is an oath)
AGENCY:	a contract by which one party undertakes to represent another in certain business situations
AGENT:	a person (natural), corporation, society, association or partnership (legal persons) acting by authority of a principal in a realty transaction for compensation
AGREEMENT OF SALE:	also known as Purchase and Sale Agreement (P&S)

AIR RIGHTS:	ownership and use of air space over a specific parcel of realty which can be leased or sold to others
ALIENATION:	voluntary transfer of realty
ALIENATION CLAUSE:	clause in mortgage giving lender right to accept or reject new owner of take-over mortgage (also known as due-on-sale and assumption clause)
ALJ:	Administrative Law Judge (a judge presiding over hearings for government agencies)
ALLUVION (ALLUVIUM):	sand or mud carried by water and deposited on other land
AMENITIES:	features of property making it desirable and thus adding value, such as scenic views, convenient shopping, etc.
AMORTIZATION:	paying indebtedness by equal and periodic payments; each payment is equal but ratio of principal and interest changes
ANNEXATION:	property changes from personal to real
ANTICIPATION:	a forecast of expected benefits during ownership and resale
APPARENT:	it looks as if it exists (as in authority)
APPRAISAL:	an estimate of value
APPRECIATION:	increase in value resulting from market forces
APPROACHES TO VALUE:	three methods used by appraiser to form an estimate of value: sales comparison (market data), income, and cost
APPURTENANCE:	an intangible right belonging to and passing with a property such as having a right of way through adjoining property
ARM'S LENGTH TRANSACTION:	sale without duress on either party; an open and willing sale
ASSEMBLAGE:	combining two or more lots under single ownership.
ASSESSED VALUATION:	value given to realty for property taxation purposes
ASSETS:	all real and personal property one owns
ASSOCIATE BROKER:	a broker who chooses to work as a salesperson for another broker (the employing broker)
ASSUMPTION OF MORTGAGE:	taking of title to property by grantee who assumes existing loan; mortgagee can pursue grantor or new grantee or <u>both</u>
ATTACHMENT:	court order issued during a lawsuit prohibiting sale of realty
ATTEST:	affirm under oath something is true (attestation)
ATTORNEY-AT-LAW:	a lawyer employed by a party to manage a cause
ATTORNEY-IN-FACT:	<u>anyone</u> who is authorized in writing to perform certain acts for another; valid only during lifetime of party giving this power
AUCTION:	public sale of property to highest bidder

AVULSION:	the sudden loss of land by action of water
BALLOON MORTGAGE:	principal loan amount paid off in lump sum at end of term
BENCHMARK:	mark on stone or cement (monument) permanently fixed to ground; used as measuring point by surveyors
BEQUEATH:	to give <u>personal</u> property by will; bequest
BETTERMENTS:	improvements done by town/city and paid for by owner
BILATERAL CONTRACT:	mutual and simultaneous exchange of consideration
BILL OF SALE:	a written instrument which is the evidence of transfer of one person's right in personal property to another
BINDER:	deposit given by buyer to secure property until closing; in insurance, it is memorandum of temporary coverage at closing
BLANKET MORTGAGE:	a <u>single</u> mortgage instrument securing more than one parcel of property as security for the loan
BLOCKBUSTING:	induces panic selling in a neighborhood based on a member of a protected class entering neighborhood
BONA FIDE:	in good faith and without fraud
BOND:	guarantee by third party that it will make good any loss, up to certain amount, incurred by a party dealing with a broker not acting in good faith; bonding company is Surety and obligor and State is obligee. Broker bond is made payable to State
BREACH:	default or violation of terms of contract
BROKER OF RECORD:	the broker is responsible for what happens in the agency
BUILDING CODE:	regulations setting forth minimum structural requirements
BUILDING LINE:	no building can be erected between building line and lot lines
BUNDLE OF RIGHTS:	all rights that go with ownership of realty
CAPITAL EXPENDITURES:	long term improvements to the property
CAPITALIZATION:	computing current value from expected future income
CAPITALIZATION RATE:	profit stated as a percentage on a yearly basis
CARRYING CHARGES:	expenses necessary for holding property such as vacant land pending development or zoning changes
CASH FLOW:	profit after principal and interest are deducted from net operating income (NOI)
CASH ON CASH:	the return on equity (divide cash flow by equity)

CAVEAT EMPTOR:	let the buyer beware – no longer applicable
CERTIFICATE OF REASONABLE VALUE:	instrument issued by V.A. stating property value (CRV)
CERTIFICATE OF TITLE:	opinion of attorney/title company certifying condition of title.
CHAIN OF TITLE:	history of conveyances and encumbrances affecting a title
CHANGE:	real estate values always move up or down in a predictable cycle (growth, stability, decline and renewal)
CLEAR TITLE:	title free of encumbrances
CLIENT:	principal who hires an agent; CUSTOMER is the other party
CLOSING COSTS:	costs of seller and buyer at conveyance of realty.
CLOSING STATEMENT:	accounting of funds at closing - Settlement Statement
CLOUD ON TITLE:	claim or encumbrance impairing title and marketability
CMA:	Competitive (comparable, comparative) market analysis, market value determined by a real estate agent
COLLATERAL:	a security, such as a mortgage, given to protect debt
COLLUSION:	agreement between parties to defraud another
COLOR OF TITLE:	deed appears to provide good title, but actually does not
COMMINGLING:	the mixing of funds held for the benefit of others with the broker's personal or business funds
COMMISSION:	money or other valuable consideration given to broker by principal for services rendered; amount is by <u>agreement</u>
COMPETITION:	excess profits attract competition on supply side
CONDEMNATION:	the <u>taking</u> of private property by law of eminent domain
CONDOMINIUM:	multi-unit structure made up of individually-owned units with separate deeds and shared ownership of common areas
CONFORMITY:	maximum value is created with homogenous property
CONSIDERATION:	something exchanged between parties of a contract
CONSTRUCTION LOAN:	progressive payments to builder during stipulated stages in erection of building
CONTRACT:	a written agreement between two parties to do something
CONTRIBUTION:	added investment in a site is measured by added value
CONVEY:	to transfer and grant; to convey as a transfer of legal title in land by an instrument in writing such as deed
COOPERATIVE:	one corporation owns all real estate with stockholders occupying units through leases
CORPORATION:	a legal person created by state law owned by one or more people; realty corporation must be licensed and bonded

COST OF REPRODUCTION:	cost of exact duplication of property using similar materials
COUNTER OFFER:	voids first offer and creates new offer
COVENANT:	a promise or guarantee usually found in a deed
COVERT:	hidden or concealed defect in the title
CUBAGE OR CUBIC CONTENT:	length x width x height of interior
CUL DE SAC:	a road with one outlet, usually ending in a circle
DAMAGES:	estimated <u>monetary</u> damages for breach of contract
DEBENTURE:	an <u>unsecured</u> note as opposed to mortgage Note
DECEDENT:	deceased person
DEDICATION:	to convey private property over to public use
DEED:	instrument in writing, duly executed and delivered for the purpose of conveying title (ownership) to real property
DEED OF TRUST:	in some states used instead of a mortgage (trust deed)
DEED RESTRICTION:	provision in deed controlling use of land
DEFAULT:	non-performance of a duty under an instrument
DEFEASANCE CLAUSE:	clause in mortgage which defeats mortgagee interest if loan is repaid according to Note
DEFENDANT:	party sued; PLAINTIFF: party initiating action
DEFERRED PAYMENTS:	money payments to be made at future date
DEFICIENCY JUDGMENT:	court award to lender if sale at auction does not equal debt
DELINQUENCY:	a loan in default or overdue
DELIVERY:	<u>irrevocable</u> transfer such as with deed
DEMAND LOAN:	lender may demand payment of the loan at any time.
DEMISE:	to lease
DENSITY:	number of dwellings and commercial units per acre
DEPRECIATION:	decrease in value for various reasons
DEVISE:	a gift of realty by will; deceased is <u>devisor</u>
DIRECT REDUCTION MORTGAGE:	debt repaid by amortization
DOMICILE:	place where one has permanent residence
DUPLEX:	a home with two living units, a physical description that does not define ownership of the building
DURESS:	unlawfully forcing someone to do something against their will
DUST:	acronym for elements of value (effective demand, utility, scarcity and transferability)

EARNEST MONEY:	deposit or binder given with signing of P&S
EASEMENT:	a right which one person has in lands of another (easement in gross is a personal contract right to use another's land)
ECOA:	Equal Credit Opportunity Act, federal law prohibiting discrimination in credit/lending
ECONOMIC LIFE:	period of time in which property may be profitably used; each income property sale begins a new property economic life
EEOC:	Equal Employment Opportunity Commission, federal body that makes policy/approves employment discrimination suits
EFFECTIVE DEMAND:	the ability to act on the desire to buy
ELEMENTS OF VALUE:	that which is necessary to achieve value
EMBLEMENTS:	crops; deemed personal and belonging to tenant or reserved by seller as removable prior to or after sale of land
EMINENT DOMAIN:	right to take private property for public use for fair value
ENCROACHMENT:	physical stationary trespass of a property on that of another
ENCUMBRANCE:	anything which burdens (limits) the fee title to property
EQUITY:	value or interest an owner of realty has above any debt on property; difference between value and mortgage debt
EQUITY PARTICIPATION:	a further return on investment for lender in addition to interest; part ownership with lender
EROSION:	the gradual loss of land by action of water or wind
ESCHEAT:	power of state to take abandoned property or if no will/heirs
ESCROW:	the holding of something of value by a person (escrowee or escrow agent) for the benefit of other parties
ET AL.:	a term meaning "and others" (Et Ux. means "and wife" Et Con. means "and husband")
EVICTION:	the depriving of a person's <u>possession</u> of realty (also forcible entry and ejectment)
EXCLUSIVE AGENCY:	Principal agrees to work with one agency for a stated period of time (no commission earned if client does own deal)
EXCLUSIVE RIGHT TO:	to sell or represent, agency earns commission even if client does own deal
EXECUTOR:	person named in will to execute or probate the will
EXPRESS:	directly stated to exist (as in authority)
EXTERNAL OBSOLESCENCE:	loss in value due to <i>outside</i> forces, a/k/a economic obsolescence

FEDERAL HOME LOAN MORTGAGE CORP. (FHLMC):	known as “Freddie Mac,” it is a secondary market loan buyer
FEDERAL HOUSING ADMINISTRATION (FHA):	part of HUD; <u>insures</u> mortgage loans originated by lenders with the home buyer paying loan insurance premium
FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA):	known as “Fannie Mae,” it is a secondary market loan buyer
FEDERAL RESERVE BOARD:	establishes and regulates monetary policy
FEE SIMPLE:	also known as fee and fee simple absolute, largest possible estate or interest person can have in a parcel of realty; least limited estate, defining characteristic is inheritability
FEE SIMPLE DEFEASIBLE:	granting of title (Fee Simple Subject to a Condition Subsequent) or duration of title (Fee Simple Determinable) is dependent on a specific condition named in the title
FHEO:	Office of Fair Housing and Equal Opportunity (part of HUD)
FIDUCIARY:	a position of trust (e.g. broker to principal)
FIDUCIARY DUTIES:	duties (obedience, undivided loyalty, full disclosure, confidentiality, full account, reasonable care) owed by agents to clients
FINDER’S FEE:	fee for locating a property, client or customer - commission
FIXTURE:	article that was once personalty but is now realty because it is permanently attached
FORECLOSURE:	collateral is sold to pay debt because of default
FORFEITURE:	loss of deposit for failure to perform terms of contract
FRAUD:	<u>intentional</u> deception in which injured party has loss
FREEHOLD:	an ownership interest in realty of not less than a life estate
FRIABLE	crumbling/brittle – such as asbestos
FRONT FOOT:	number of feet or <u>frontage</u> abutting a street
FUNCTIONAL OBSOLESCENCE:	loss in value due to utility problems
GENERAL LIEN:	a lien against more than one piece of property of debtor
GOVERNMENT NATIONAL MORTGAGE ASSOC. (GNMA):	known as “Ginnie Mae,” a government secondary market government buyer focused on low-cost housing
GRADUATED LOAN:	lower payments leading to <i>negative amortization</i> (unpaid interest is added on to the principal owed)

GRANTEE:	one receiving title to real estate from grantor
GRANTOR:	one who transfers title to real estate to the grantee
GROSS LEASE:	owner receives rent and pays out expenses. NET LEASE: owner receives rent and tenant also pays out expenses
GROSS LIVING AREA:	square foot of living space, measured from outside the building, above ground, enclosed, heated, habitable space
HABENDUM CLAUSE:	"to have and to hold" clause in deed for life estate
HEREDITAMENTS:	inheritable property, real and personal
HIGHEST AND BEST USE:	use of a property that produces greatest net income
HOMESTEAD LAWS:	protects home from forced sale to satisfy unsecured debts
HUD:	Department of Housing and Urban Development
HYPOTHECATE:	to give something as security without giving up possession such as <u>to mortgage</u> a property
IMPLIED:	people act as if it exists (as in authority)
IMPOUNDS:	reserves such as tax and insurance payments made to and held by mortgagee
INFRASTRUCTURE:	network of public facilities of an area
INGRESS/EGRESS:	entering and leaving
INJUNCTION:	court order to stop a party to a contract from doing something
IRREVOCABLE:	unchangeable
INSTALLMENT SALES CONTRACT:	conditional sales contract, land contract or contract for deed/land , buyer acquires "equitable title" until final payment; after delivery of deed, buyer has "legal title"
INSTRUMENT:	a formal written document
INSURABLE VALUE:	the value of property for insurance purposes (cost)
INTERIM FINANCING:	development loan such as construction money
INTESTATE:	no will or a defective will by the deceased
INVESTMENT:	total value of property: downpayment and loan
INVESTMENT VALUE:	the value of property to a particular investor
JOINT TENANCY	two or more owners with rights of survivorship; not inheritable, must be specifically chosen
JUDGMENT:	the final determination of a court of a matter presented to it
JUNIOR MORTGAGE:	any mortgage after a previous mortgage
LACHES:	unreasonable delay in asserting one's rights
LEASE:	rental contract for possession of realty for specified period
LEASEBACK:	the purchase of property and the leasing of it back to seller
LEASEHOLD:	the interest which a lessee has in realty

LEGAL DESCRIPTION:	method of describing property ascertained by survey
LEVERAGE:	maximum use of borrowed money and minimum use of cash in the purchase of realty (loan to value ratio)
LICENSE TO SELL	Court order to sell property out of probate
LIEN:	a money claim against property for payment of some debt
LIFE ESTATE:	estate or interest held during a certain person's life; non-inheritable; lowest of freehold estates
LIMITED LIABILITY COMPANY:	a legal person created by state law owned by one or more members; same licensing rules apply as with corporation
LIQUIDATION VALUE:	value of property in a forced sale such as foreclosure
LIQUIDITY:	a person's <u>cash</u> assets
LIS PENDENS:	a recorded notice by plaintiff of pending litigation affecting title to property; not a lien, but a "cloud on title"; ceases when action is dismissed or when judgment is final and recorded.
LISTING:	an agreement between principal and agent to provide services
LITIGATION:	a contest in court of law between two parties
LITTORAL:	use and ownership of shoreline of large body of water
LOT LINE:	legal line separating a lot from another lot
MARKET PRICE:	the price property actually sells for
MARKET VALUE:	price for which realty can be sold on open market if there is a willing seller and buyer and a reasonable time to make sale negotiated at arms length
MARKETABLE TITLE:	a title which buyer would accept and a lender would accept as collateral
MASTER DEED:	basic title document in creation of condominium; it defines individual fee units and common interests
MCAD:	Massachusetts Commission Against Discrimination (state commission hearing discrimination cases)
MECHANIC'S LIEN:	statutory lien for labor/material for improvement of realty
MEETING OF MINDS:	an offer and acceptance; mutual assent, an agreement/contract
METES AND BOUNDS:	boundaries of land described in directions and distances
MORATORIUM:	action by government temporarily halting construction
MORTGAGE:	a legal instrument conveying <u>conditional</u> title to lender in order to secure the repayment of the debt described in Note

MORTGAGE BROKER:	a party who, for a fee, brings together lender and borrower
MORTGAGE COMMITMENT:	a written notice from lender promising a future loan under certain conditions and terms
MORTGAGEE:	the lender
MORTGAGEE-IN-POSSESSION:	lender takes possession of property from defaulted party and collects income from lessees pending foreclosure
MORTGAGOR:	the borrower
MUNICIPAL LIEN CERTIFICATE:	document confirming status of taxes, water, sewerage, betterments etc.; a required document at closing of title
NATIONAL ASSOC. OF REALTORS (NAR):	a national private trade association with state and local chapters whose members are called <u>REALTORS</u>
NECESSARIES:	essentials of existence: food, clothing, shelter
NET LISTING:	a fixed, specified price below which owner will not sell and at which broker receives no commission; broker receives everything over fixed price; illegal
NET OPERATING INCOME:	(N.O.I.); effective gross income <u>minus</u> operating expenses
NET WORTH:	value left after liabilities are deducted from assets
NOMINAL CONSIDERATION:	something of value bearing no relation to real value
NONCONFORMING USE:	grandfathered use in existence prior to current zoning
NOTE:	promissory instrument given by borrower to lender as evidence of debt; I.O.U.
NOVATION:	substitution of old obligation with a <u>new</u> one
OBSOLESCENCE:	loss of value from any source other than wear and tear
OFFER:	statement of intent by offeror; ACCEPTANCE: statement of intent to accept offer by offeree
OPEN-END MORTGAGE:	a line of credit
OPEN LISTING:	any <u>hired</u> broker can sell property for a commission but if owner sells, no commission payable
OPEN MORTGAGE:	a mortgage that has matured or is overdue and subject to foreclosure
OPTION:	a contract between owner and potential buyer or lessee to buy or lease in future at specified terms

ORDINANCE:	law by <u>local</u> government body
OVERABUNDANCE:	too much supply given the demand
OVERT:	openly known
OWNERSHIP:	title; an estate in realty to the exclusion of others
PACKAGE MORTGAGE:	a loan secured by both <u>real</u> and <u>personal</u> property
PAROL:	oral, as distinguished from written
PARTITION:	a legal action to divide realty co-owned
PARTY WALL:	wall or fence on common boundary for benefit of both parties; both parties are responsible for maintenance
PERCENTAGE LEASE:	a lease in which rental is based on a percentage of <u>gross</u> sales
PERCOLATION TEST:	a soil test designed to measure rate of water absorption and drainage such as for septic systems
PERSONAL PROPERTY:	moveable items not fixed to a particular location; personalty, chattel
PERSONAL REPRESENTATIVE:	in Mass, the term used to replace executor/administrator
PHYSICAL DEPRECIATION:	loss in value resulting from wear and tear, deterioration
PLANNED UNIT DEVELOPMENT:	high density of dwellings with maximum open spaces
PLOTTAGE VALUE:	increase in the value of land by <u>assemblage of</u> smaller lots into one ownership; known as plottage increment.
POINTS:	one-time charge by lender to increase yield on investment; paid at passing; one point equals 1% of <u>loan</u> amount
PLAT:	a plan or map of a parcel, such as one showing the various lots of a proposed subdivision (arrows point north)
PLAT BOOK:	public record of recorded plans or <u>maps</u>
PLOT PLAN:	a diagram showing the existing or proposed use of parcel of land. This will show improvements on land.
POINT OF BEGINNING (P.O.B.):	starting and ending point in metes and bounds description
POLICE POWER:	building codes and zoning ordinances
POWER OF ATTORNEY:	written instrument authorizing another to act in his/her place; person given power is <u>attorney-in-fact</u>
PREPAYMENT PENALTY:	penalty for full pay-off of loan before maturity date

PRESCRIPTION:	a method of obtaining an easement by adverse use for a period of years (20), hostile to owner's wishes
PRIMA FACIE:	on first view; on the face of it; an obvious fact
PRIMARY MORTGAGE MARKET:	market where loans are made directly to borrowers
PRIME RATE:	lowest interest rate charged by commercial banks to most credit-worthy customers; the DISCOUNT RATE is a rate charged to these banks by Federal Reserve
PRIVATE RESTRICTION:	restriction placed on realty in deed by <i>grantor</i>
PROBATE:	processing assets after death
PROCURING CAUSE:	the one who brought about the sale of the property
PROMULGATE:	to publish or make known such as license law
PRORATE:	term used to describe proportional adjustment of monies between seller/buyer at closing such as taxes, fuel, rents
PROSPECTUS:	an advertisement and invitation to buy securities (reviewed by the Securities and Exchange Commission (SEC))
PUBLIC RESTRICTION:	<i>government</i> law or regulation restricting the use of realty
PURCHASE AND SALE AGREEMENT:	binding written agreement whereby buyer promises to buy and seller promises to sell; Agreement of Purchase, P&S
PURCHASE MONEY MORTGAGE (PMM):	as part of purchase price, buyer gives note and mortgage to seller
QUIET ENJOYMENT:	right of owner or tenant to possession without interference
QUIETING TITLE:	court action to establish <u>true</u> owner and title
QUITCLAIM DEED:	instrument releasing interest of grantor without liability
REAL PROPERTY:	land and everything that is directly or indirectly permanently attached or affixed to the land; real estate, realty
REALITY OF CONSENT:	agreement to a contract must be free from misrepresentation, fraud, undue influence, and duress.
RECIPROCITY:	<u>mutual</u> exchange of privileges
RECONCILIATION:	final step in appraising
REDLINING:	presenting different terms or conditions to prospective borrower based on people residing where collateral is located
RELICTION:	gradual withdrawal of water exposing land
RESCISSION OF CONTRACT:	annulling or abrogation of contract by mutual consent

RESPA:	Real Estate Settlement Procedures Act. A law requiring full disclosure of closing costs to buyer and seller.
REVOCAATION:	a recall or cancellation
RIGHT OF WAY:	right of one person to pass over estate of another; easement
RIPARIAN:	rights belonging to or relating to banks of a waterway
SALES COMPARISON APPROACH:	approach to value by which valuation of a property is based on comparison with previously <u>sold</u> properties with <u>similar</u> characteristics; also known as Market Data
SATISFACTION PIECE:	also known as discharge , recorded instrument which satisfies debt of mortgagor; it releases, discharges and pays in full
SCARCITY:	insufficient supply to meet demand
SECONDARY FINANCING:	junior mortgages, not to be confused with secondary mortgage market.
SECONDARY MORTGAGE MARKET:	marketplace for the sale and purchase of existing mortgages which originated in primary market
SECURITY DEPOSIT:	money of tenant deposited with landlord to offset damages beyond reasonable wear and tear done by tenant
SEISIN:	possession of realty with ability to convey, in warranty deeds
SEPARATE PROPERTY:	property owned by married person in own right
SETBACK:	distance from curb/street to where building may be erected
SEVERALTY:	sole ownership; owned by <u>one</u> person only
SEVERANCE:	property changes from real to personal.
SHARED EQUITY LOAN:	in addition to making a loan, lender pays a portion of the downpayment and gets a split of the equity on resale
SHERIFF'S DEED:	conveys title to property sold to satisfy a judgment
SINKING FUND:	money set aside to pay for replacement of improvements
SPECIAL AGENT:	broker working directly for the client
SPECIFIC LIEN:	a lien on a particular piece of property
SPECIFIC PERFORMANCE:	court decision ordering one party to comply with terms of contract
SQUARE FOOT:	the front foot measurement multiplied by the depth.
STATUTE:	act of legislature
STATUTE OF FRAUDS:	law requiring all realty purchase agreements to be in writing in order to be enforceable in a court of law

STEERING:	choosing property to show prospective buyers/renters based on protected classes
STIGMATIZED PROPERTY:	psychologically impacted property due to death-related event, murder, suicide, haunted house
SUBAGENT:	agent working indirectly for client (salesperson/co-broker)
SUBDIVISION:	act of land legally divided into two or more separate lots
SUBORDINATION:	willingness of lien holder such as a junior mortgage, to accept a position behind another later lien holder
SUBPRIME:	riskier loan due to borrower's poor credit
SUBSTITUTION:	when two or more <i>like</i> properties are for sale, the one with the lowest price attracts the greatest demand
SURETY:	one who guarantees performance of another
SURVEY:	act of establishing legal description of property
SWING LOAN:	short term loan so buyer can purchase new property based on equity in property buyer is selling; a/k/a bridge loan .
SYNDICATION:	joining of mutually interested parties to accomplish a joint venture by pooling their money
TAKING:	a tax lien recorded when property taxes are delinquent
TAX RATE:	rate multiplied by assessment to produce annual taxes
TAX SALE:	sale of property by public auction for overdue property taxes
TAX TITLE:	title or ownership acquired at tax sale
TENANCY AT SUFFERANCE:	tenant remains in possession <u>after lease</u> expires and without owner's permission
TENANCY AT WILL:	rental subject to termination at will of either landlord or tenant
TENANCY BY THE ENTIRETY:	form of joint tenancy reserved for married couples – a choice
TENANCY IN COMMON:	holding of title by two or more people, the least restrictive, most flexible form of co-ownership, automatic
TESTATOR:	one who makes will of last testament
TIME IS OF ESSENCE:	exact and punctual performance of contract
TIME SHARE:	vacation property made more affordable by limiting possessory rights
TITLE INSURANCE:	insurance against loss resulting from defect in title
TITLE REFERENCE:	book/page number, method of cataloging at registry of deeds

TITLE SEARCH:	examination of registry records to determine chain of title
TOPOGRAPHY:	nature or contour of land surface
TORRENS SYSTEM:	procedure of registering titles in land court
TRADE FIXTURES:	personal property used in business and affixed to realty; necessary for trade and are removed by tenant
TRANSFERABILITY:	a seller has to be able to transfer title
UCC	Uniform Commercial Code – laws governing commercial transactions and establishing claims for collateral.
UNEARNED INCREMENT:	Increase in value, not anticipated by owner, due primarily to outside forces. Example: population growth and inflation
UNILATERAL CONTRACT	one party promises to act upon the completed act of the other
UNIMPROVED PROPERTY:	land <u>without</u> buildings or other improvements, raw land
URAR	<u>Uniform Residential Appraisal Report</u> . method of reporting a residential appraisal; required by Fannie Mae
USPAP	<u>Uniform Standards of Professional Appraisal Practice</u> - a code of conduct in performing appraisals
UTILITY:	the ability to satisfy desires and expectations
USURY:	charging higher rate of interest than law allows
VARIABLE INTEREST:	loan originates at one rate but fluctuates according to an agreed index; known as adjustable rate mortgage (ARM)
VARIANCE:	permission from local government to develop land in a manner contrary to existing zoning laws due to hardship
WARRANTY DEED:	Grantor has liability for third-party claims
WEIGHTED AVERAGING:	math technique where one or more numbers has greater impact than others on final number
WRAPAROUND MORTGAGE:	a mortgage that includes a first and second mortgage instead of having two different ones
ZONING:	local government regulations relating to the use of land