



CHILD SUPPORT

HOW DO CHILD SUPPORT LIENS AFFECT TITLE?

Child support liens can have a significant impact on a real estate transaction and the issuance of title insurance. When a parent falls behind on court-ordered child support, a lien may be recorded against any real property they own. This lien attaches to the parent's name and becomes a matter of public record, meaning it will typically be discovered during the title search process. Because title insurance is designed to protect against recorded encumbrances, an outstanding child support lien must be addressed before a policy can be issued without exception.

From a title perspective, a child support lien is treated similarly to other involuntary liens, such as tax liens or judgment liens. It creates a legal claim against the property and can affect the seller's ability to convey clear title. If not resolved, the lien may need to be listed as an exception on the title policy, which can create risk and concern for buyers and lenders. Most institutional lenders will require that child support liens be cleared prior to closing to ensure their lien position is not impaired.

Clearing a child support lien typically requires obtaining a payoff demand or zero demand from the enforcing agency or court-authorized department handling the support order. The payoff amount includes unpaid support,

interest, and sometimes administrative costs. This demand is ordered during the escrow or settlement process, and the amount is paid from the seller's proceeds at closing. Once payment is made, the agency issues a release or satisfaction of lien, which is then recorded in the county land records. If a matured installment agreement is in place, title will require proof that payments are paid and current.

In some cases, the lien holder may agree to a partial release if only a specific property is being sold and arrangements are made for payment. Less commonly, a lien may be released due to error, successful dispute, or proof it does not attach to the property in question. Title and escrow professionals coordinate closely with the enforcing agency to verify requirements and ensure proper documentation is recorded.

Because child support liens are statutory and enforced aggressively, early discovery is important. A thorough title search and prompt payoff request help prevent closing delays. With the correct payoff and recorded release, the lien can be cleared, allowing the transaction to proceed and title insurance to be issued without exception for the child support obligation.

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