



STATE	Marital Status Rights
ALABAMA	Alabama is a homestead state. For homestead property, both spouses must sign the security instrument on a refinance transaction. If purchase, if the home is to be used as a homestead, both spouses must sign. For non-owner occupied or second homes, if one spouse is on title for refinance, only that title owner has to sign, you do not need other spouse's signature. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).
ALASKA	Alaska is a homestead state. For homestead property, both spouses must sign the security instrument on a refinance transaction. If purchase, if the home is to be used as a homestead, both spouses must sign. For non-owner occupied or second homes, if one spouse is on title for refinance, only that title owner has to sign, you do not need other spouse's signature. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).
ARIZONA	Arizona is a community property estate. Spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.
ARKANSAS	Arkansas law allows dower and curtesy rights as well as Homestead rights. Therefore spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.
CALIFORNIA	California is a community property estate. Spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.— The non-borrowing, non-titled spouse needs to be given the option to sign the mortgage and riders. If they chose not to sign, then we will want something in writing. It is ultimately the closer's responsibility to ensure non-borrowing, non-titled spouses are made aware of their right to sign or waive. Additionally, this applies even if the vesting has one person as "married, as sole and separate property." Technically this vesting should clear the issue but, to avoid any future legal issues, we do want to ensure that the spouse was still given their right (if they chose not to sign and we have printed their name on the mortgage, then we would want something in writing from them, waiving their right to sign and they would need to cross and initial their name from the mortgage signature lines). IF THE VESTING HAS SOLE AND SEPARATE PROPERTY AND SPOUSE DOES SIGN THE DOWER DOCS THEN THAT MEANS THEY ARE REINSTATING THEIR RIGHTS SO A NEW DEED WOULD HAVE TO BE DONE TO CHANGE VESTING. BASICALLY IF SOLE AND SEPARATE PROP IS IN VESTING THEN WE DON'T WANT SPOUSE TO SIGN ANYTHING (ALTHOUGH THEY TECHNICALLY HAVE THE RIGHT TO SIGN...THAT JUST MEANS THEY HAVE TO DO QUIT CLAIM)



<p>COLORADO</p>	<p>Colorado is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property. Colorado is not a witness state (for witnessing the mortgage/riders).</p>
<p>CONNECTICUT</p>	<p>Neither spouse acquires any right, title or interest in property held by the other before or acquired after marriage, merely as a result of the marriage. Therefore, on a purchase transaction, it is not required that both spouses sign the security instrument. For refinance transactions, if both spouses on title, both spouses must sign. If one spouse is on title for a refinance transaction, only that spouse must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). Per Indy Mac, non-titled, non-borrowing spouses do not need to sign anything.</p>
<p>DELAWARE</p>	<p>Married persons can mortgage property to secure the purchase money without the consent or signature of their spouse, and the nonsigning spouse will not be liable for the debt. If both spouses are on title and it is refinance transaction, both spouses both sign the security instrument. If only one spouse is on title and it is a refinance transaction, only the title owner must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).</p>
<p>DISTRICT OF COLUMBIA</p>	<p>Spouses may transact mortgage loans without each other's signatures. If both spouses are on title and the loan is a refinance transaction, both spouses must sign the security instrument. However, if only one spouse is on title for a refinance transaction, only that spouse must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).</p>
<p>FLORIDA</p>	<p>Florida is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.—Is a homestead state. Only non-borrowing, titled spouses would sign all dower docs. Otherwise, if the spouse is not on title and not a borrower, then they would sign mortgage and riders only (on owner occupied properties). On any non-owner occ's, the non-titled, non-borrowing spouse need sign nothing.</p> <p>Florida does not require witness signatures on any mortgages or assignments of mortgages. Florida does, however, require 2 witness signatures on all deeds (i.e. quitclaim or warranty) for recording.</p>



GEORGIA	<p>Georgia has the following requirements: On purchase transactions, spouses may sign the security instrument without the other spouse's signature (unless the spouse is on title then they must sign mtg and riders). If a refinance transaction and both spouses on the property, both spouses must execute the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). Georgia is an attorney state. If an attorney is not the "closing agent" and a title co. is the closing agent then the title co. would need an atty. working for them to sign certain documents from the closing package (i.e. the HUD and closing instructions "closing agent signature line" and the closing atty. affidavit to the mortgage. Additionally, they would sign as an unofficial witness on the other DOT pages.) If an atty. does this then a notary can notarize the other documentation. Furthermore, it does not matter where (i.e. what state) a borrower signs documents in. Documents are contingent upon the state that the property is located in; therefore, even if a borrower is signing outside of the state then they will still need to follow the laws of the state for where the property is located. THIS INFORMATION COULD APPLY TO ANY STATE (IN REFERENCE TO FOLLOWING THE LAWS OF A STATE FOR SIGNING).</p>
HAWAII	<p>Hawaii has the following requirements: Spouses may transact mortgage loans without each other's signatures. If both spouses are on title and the loan is a refinance transaction, both spouses must sign the security instrument. However, if only one spouse is on title for a refinance transaction, only that spouse must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).</p>
IDAHO	<p>Idaho is a community property estate. Spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.</p>
ILLINOIS	<p>Illinois has the following requirements: <u>Either spouse is entitled to convey property owned separately to a third party without obtaining the signature of the other spouse.</u> However, on a refinance transaction, if both spouses are on title, both spouses must sign the security instrument. If it is a refinance transaction and one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). Per Nell, if there is a non-borrowing, non-titled spouse then they don't need to sign anything. Per GPM, however, the non-borrowing, non-titled spouse would need to sign the security instrument only. They state this is a homestead state. Net tangible benefit forms are required on all IL loans. Also, the loan officer</p>



	<p>must be specifically licensed in IL to close a loan. On any loan that has a prepay penalty, the APR can not be over 8%.</p>
INDIANA	<p>Indiana has the following requirements: Either spouse is entitled to convey property owned separately to a third party without obtaining the signature of the other spouse. However, on a refinance transaction, if both spouses are on title, both spouses must sign the security instrument. If it is a refinance transaction and one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).</p>
IOWA	<p>Iowa is a homestead and dower state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.</p>
KANSAS	<p>Kansas acts like a community property estate. Spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.</p>
KENTUCKY	<p>Kentucky is a homestead state and dower and curtesy interest exist in Kentucky. Therefore for both purchase and refinance transactions, both spouses must sign the security instrument. If it is a refinance transaction and one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).</p>
LOUISIANA	<p>Louisiana is a community property estate. Spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.</p>
MAINE	<p>Maine has the following requirements: A mortgage need not be signed by the nonowner spouse if the spouse has not, prior to conveyance of the property, filed a notice of divorce action with the registry of deeds. This protection is on all purchase money or other actual consideration given in good faith by the mortgagee to the owner. Although there is a homestead exemption, the mortgage lien is not under the homestead exemption thus a nonowner spouse is not required to sign the mortgage for refinance transactions. However, if both spouses are on title and it is a refinance transaction, both spouses must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).</p>



MARYLAND	<p>Maryland has the following requirements: If a property is being purchased or is owned individually by one spouse, only the spouse owning the property must sign the security instrument. If it is a refinance transaction and both spouses own the property, both spouses must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).—Maryland is not an attorney state but attorneys can perform the witness notarizations. Non-borrowing, non-titled spouses should not have to sign anything. 1st OH can only close via correspondent lending in MD.</p>
MASSACHUSETTS	<p>Massachusetts has the following requirements: Due to dower and homestead rights, married individuals must sign the mortgage or deed the property over to the other spouse when property is to be homesteaded. If both spouses are on title, both spouses must sign the security instrument for a refinance transaction. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).—Homestead State. Net tangible benefit forms are required on MA loans.</p>
MICHIGAN (homestead state)	<p>Michigan has the following requirements: Only the owner of the property must sign the <u>purchase money</u> mortgage, whether the person is married or not. However, on <u>refinance</u> transactions, both spouses should sign the mortgage due to homestead laws, if the property is a homestead. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). State of MI requires all mortgages to have the marital status of the borrower on the mortgage vesting. This does not mean, however, that a deed will have to be done to add marital status as the state requirements for recording supersede that vesting. In other words, we wouldn't have to worry about title and mortgage matching with marital status unless the borrower's marital status has changed.</p>
MINNESOTA	<p>Minnesota is a homestead state. The security instrument for purchase transactions or refinances of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. The spouse is not required to sign on purchase of non-homestead property.</p>
MISSISSIPPI	<p>Mississippi is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). A spousal signature is not required for a married person to convey or encumber real property that is not homestead property.</p>
MISSOURI	<p>Missouri is a homestead state. Even if the property is not homestead property, a mortgage on the property of married persons should be signed by both spouses, otherwise it will be considered a fraud on the marital rights of the non-signing spouse if that spouse becomes a surviving spouse.</p>



MONTANA	<p>Montana is a Homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property. A Homestead Disclosure must be signed by all borrowers.</p>
NEBRASKA	<p>Nebraska is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.</p>
NEVADA	<p>Nevada is a community property estate. Spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.</p>
NEW HAMPSHIRE	<p>New Hampshire has homestead rights. If a property is to be used as a homestead and it is a purchase transactions, both spouses must sign. If the property is not to be used as a homestead, then only the persons who are taking title ownership must sign the security instrument. If it is a homestead property and a refinance transaction, both spouses must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).</p>
NEW JERSEY	<p>New Jersey has the following requirements: For a purchase transaction, both spouses must sign the security instrument unless one spouse is willing to give up his/her rights in the property. However, on refinance transactions both spouses must sign on the mortgage or one spouse must quit claim or grant/warranty deed due to the right of joint possession.</p>
NEW MEXICO	<p>New Mexico is a community property estate. Spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.</p>



NEW YORK	<p>New York has the following requirements: Spouses may transact mortgage loans without each other's signatures. If both spouses are on title and the loan is a refinance transaction, both spouses must sign the security instrument. However, if only one spouse is on title for a refinance transaction, only that spouse must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).</p>
NORTH CAROLINA	<p>North Carolina has the following requirements: Both spouses must always sign the security instruments in order to perfect our lien position even if only one spouse is holding title to the property. Spouse must sign mortgage even if not on title. Technically, only attorneys can prepare legal documents including deeds and mortgages. Usually the documents are given to the closing attorney by the lender (who may work with the title company) to review and approve. Closing practices are typically conducted by attorneys but can be handled by title companies. It is not an attorney state. It is a spousal state. Trustee has to be listed on the DOT. No witnesses necessary. There are no affidavits required to record.</p>
NORTH DAKOTA	<p>North Dakota is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate language on the security instrument to release the homestead rights. The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.</p>
OHIO	<p>Ohio has the following requirements: For purchase transactions, both spouses should sign a real estate mortgage in Ohio because dower rights are preserved by stature. Dower rights is interest in real estate of a deceased husband given by law to his widow during her life. If refinance transactions, both spouses must sign the mortgage if both spouses are on title. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).— Ohio is a dower state. It is not an attorney state. However, on non-owner occupied properties, non-borrowing, non-title spouse does not need to sign anything. They do, however, have the option to sign mortgage and riders. Ohio does not require any witness signatures on any recorded documents. Net tangible benefit forms are required on all OH loans.</p>
OKLAHOMA	<p>Oklahoma is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. Security instruments that are not signed by both spouses on a homestead property are invalid. A spouse cannot waive their rights in a homestead property. The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.</p>



OREGON	Oregon has the following requirements: Spouses may transact mortgage loans without each other’s signatures. If both spouses are on title and the loan is a refinance transaction, both spouses must sign the security instrument. However, if only one spouse is on title for a refinance transaction, only that spouse must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).
PENNSYLVANIA	Pennsylvania has the following requirements: A married person may obtain a loan on real property without having the spouse sign the mortgage if the spouse is not on title. However, some title companies may require the spouse to sign the mortgage due to divorce law in the state. If both spouses are on the title, then both spouses must sign the mortgage. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).
RHODE ISLAND	Rhode Island has the following requirements: For purchase transactions, spouses may transact mortgage loans without each other’s signatures. If it is a refinance transaction and both spouses are on title, then both spouses must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).
SOUTH CAROLINA	South Carolina has the following requirements: <u>A married person may obtain a loan on real property without having the spouse sign the mortgage if the spouse is not on title.</u> If both spouses are on the title, then both spouses must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).— Is an attorney state—This is a non-dower state so any non-titled, non-borrowing spouse would not have to sign any documents (including not needing to sign the mortgage and riders). A titled, non-borrowing spouse, however, would have to sign the mortgage, TIL and rescission. South Carolina requires 2 witness signatures on ALL recorded documents. Net tangible benefit forms are required on all SC loans. No HELOC’s allowed by 1st OH in the state of SC and all APR’s must be under 12%. 1st OH can ONLY close via correspondent lending in the state of SC.
SOUTH DAKOTA	South Dakota is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate document to release the homestead rights. The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.



TENNESSEE	Tennessee has the following requirements: A married person may obtain a loan on real property without having the spouse sign the mortgage if the spouse is not on title. If both spouses are on the title, then both spouses must sign the security instrument. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.).
TEXAS	Texas is a community property state and a homestead state. The security instrument for purchase and refinance transactions must be signed by both spouses. Due to being both a community property and homestead state, security instruments that are not signed by both spouses on a homestead property are invalid. A spouse cannot waive their rights in a homestead property.
UTAH	Utah is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.
VERMONT	Vermont has the following requirements: The signatures of both spouses are necessary on a refinance of mortgage on an owner-occupied property. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). For purchase transactions, both spouses do not have to sign the mortgage unless both spouses are signing the grant/warranty deed.
VIRGINIA	Virginia has the following requirements: Nonowner spouses are not required by law to execute security instruments. Owner spouses must execute the security instrument or quit claim.— Not dower or homestead state. Only titled, non-borrowing spouses should sign mtg., riders, TIL and rescission. Non-titled spouses need not sign anything. Also, VA is not an attorney state but attorneys can perform the witness notarizations.
WASHINGTON	Washington is a community property estate. Spouses are required to either sign the security instrument, or sign an appropriate release of rights instrument. Even if the spouse is not currently on title, the spouse should be given the option of signing the security instrument or waiving his/her rights to the title.-- The non-borrowing, non-titled spouse needs to be given the option to sign the mortgage and riders. If they chose not to sign, then we will want something in writing. It is ultimately the closer's responsibility to ensure non-borrowing, non-titled spouses are made aware of their right to sign or waive. Additionally, this applies even if the vesting has one person as "married, as sole and separate property." <u>Technically this vesting should clear the issue (and we shouldn't need the spouse's signature) but, to avoid any future legal issues, we do want to ensure that the spouse was still given their right (if they chose not to sign and we have printed their name on the mortgage, then we would want something in writing from the spouse and they would need to cross and initial their name from the mortgage signature lines).</u>



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WEST VIRIGINA	<p>West Virginia is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.</p>
WISCONSIN	<p>Wisconsin is a homestead state. The security instrument for purchase transactions of owner-occupied property, only the purchasing spouse must sign. Both spouses must sign the security instrument for refinance transactions. Even if only one spouse is on title. Since Wisconsin is a quasi-community property state, a spouse cannot waive its rights in a property if the spouse is on title. The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property.</p>
WYOMING	<p>Wyoming is a homestead state. The security instrument for purchase transactions of owner-occupied property must be signed by both spouses. Both spouses must sign the security instrument for refinance transactions. If it is a refinance transaction and if one spouse requests to be removed from title, we must obtain the appropriate release of rights instrument (warranty deed, grant deed, etc.). The spouse is not required to sign on purchase of non-homestead property. If both spouses are on title for a refinance of a non-homestead property, both spouses must sign the security instrument unless one spouse wishes to release his/her rights in the property. Homestead rights can be waived by adding this language to the Security Instrument: "Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of this state. The waiver of homestead language is not required on a conveyance of property directly from husband to wife.</p>