

A close-up photograph of a person's hands in a white shirt, using a pen to sign a document. The document appears to be a legal form with various fields and text. The background is slightly blurred, showing more of the document and the person's hands.

Transferring Property Between Spouses Made Simple

An Interspousal Transfer Deed is a legal document used to transfer property ownership between spouses or registered domestic partners. It allows one spouse to add or remove the other from title without triggering a property tax reassessment under California's Proposition 13. Let's take a closer look at how and when this type of deed is used, and why it matters for homeowners.

COMMON REASONS FOR AN INTERSPOUSAL TRANSFER

- Adding a new spouse to the title after marriage.
- Removing a spouse's name due to divorce or separation.
- Refinancing when the lender requires one spouse to hold title.
- Changing the form of ownership (e.g., joint tenancy → community property).

THE TRANSFER PROCESS EXPLAINED

To complete an Interspousal Transfer Deed, the spouse transferring ownership (the grantor) conveys their interest in the property to the other spouse (the grantee). This type of transfer is similar to a quitclaim deed, but it's designed specifically for married couples or registered domestic partners.

Here's how the process typically works:

- **Prepare the Deed:** The Interspousal Transfer Deed form is completed with the property's legal description, parcel number, and the names of both spouses.
- **Sign and Notarize:** The transferring spouse must sign the deed in front of a notary public to make it legally valid.
- **Complete the Preliminary Change of Ownership Report (PCOR):** This form, filed with the deed, notifies the county of the ownership change and explains why it should be excluded from reassessment.
- **Record with the County Recorder:** The notarized deed and PCOR are submitted to the County Recorder's Office in the county where the property is located.
- **Confirmation and Recordation:** Once recorded, the deed becomes part of the public record, and ownership is officially updated under the new spouse's name. This process ensures that ownership is correctly transferred while maintaining the property's existing tax base and protecting title integrity.

WHY IT MATTERS

- Keeps property taxes stable by avoiding reassessment.
- Clarifies title ownership for legal and financial purposes.
- Helps ensure smooth refinancing or estate planning.
- Prevents future title complications or disputes.