

The 2024 Florida Statutes (including 2025 Special Session C)

[Title V](#)

JUDICIAL BRANCH

[Chapter 28](#)

CLERKS OF THE CIRCUIT COURTS

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28.2225 Title fraud prevention through identity verification; pilot program.—There is created in Lee County the Title Fraud Prevention Through Identity Verification Pilot Program.

(1) As used in this section, the term “clerk” means the clerk of the circuit court for Lee County.

(2) Notwithstanding any other provision to the contrary in this chapter, when a deed or other instrument purporting to convey real property or an interest therein is presented to the clerk for recording, the clerk may require the person presenting the deed or other instrument to produce a government-issued photographic identification card as follows:

(a) If a person presents a deed or other instrument purporting to convey real property or an interest therein to the clerk for recording in person, the clerk may require the person to produce a government-issued photographic identification card for inspection by the clerk before recording the deed or other instrument. The clerk must record the name and address of such person, as the information appears on the identification card, in a record to be kept by the clerk, along with the official records book and page number or instrument number of the deed or other instrument recorded in connection to the production of the identification card. Such a record may not be made available for viewing on the clerk’s official public website but shall be made available for public inspection and copying as required by the public records laws of this state.

(b) If a person presents a deed or other instrument purporting to convey real property or an interest therein to the clerk for recording through an electronic recording service, the clerk may require the person to submit a photocopy of a government-issued photographic identification card before recording the deed or other instrument. The clerk must note on the photocopy of the identification card the official records book and page number or instrument number assigned to the deed or other instrument recorded in connection to the submission of the photocopy of the identification card and retain the photocopy of such identification card in a record to be kept by the clerk. Such a record may not be made available for viewing on the clerk’s official public website but shall be made available for public inspection and copying as required by the public records laws of this state. However, a person who submits a photocopy of his or her identification card under this paragraph may redact from the photocopy of such identification card before submission all of the information he or she does not wish to be made public, except for his or her name, address, and photograph.

The clerk may refuse to record a deed or other instrument purporting to convey real property or an interest therein when the clerk requires the production of a government-issued photographic identification card as specified in this subsection and the person presenting the deed or other instrument for recording does not produce the requested identification card in compliance with this subsection.

(3) A clerk who participates in the pilot program must:

(a) Provide notice of the government-issued photographic identification card requirement on the clerk’s official public website.

(b) Require the production of a government-issued photographic identification card from all persons presenting a deed or other qualifying instrument for recording, whether in person or through an electronic recording service, until the clerk no longer participates in the pilot program and provides notice that the production of such an identification card is no longer required on the clerk’s official public website.

(c) By December 31, 2025, submit a report containing the following information to the Governor, the President of the Senate, and the Speaker of the House of Representatives:

1. The number of persons who presented a deed or other qualifying instrument for recording:
 - a. In person.
 - b. Through an electronic recording service.
 2. The types of identification cards produced in connection with the presentation of deeds or other qualifying instruments for recording, and the number of each type.
 3. Feedback received from the community, if any, in response to the clerk's participation in the pilot program.
 4. Whether the pilot program led to the identification of any persons suspected or accused of fraudulently conveying, or attempting to fraudulently convey, real property, and the outcome of any criminal charges or civil actions brought against such persons.
 5. The clerk's recommendation as to whether the production of a government-issued photographic identification card in connection with the presentation of a deed or other instrument for recording is appropriate to require throughout this state.
 6. Any other information the clerk deems necessary.
- (4) This section does not require the clerk to provide or allow access to a record or other information that is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution or to otherwise violate the public records laws of this state.
- (5) This section is repealed on July 1, 2025.

History.—s. 1, ch. 2023-238.

The 2024 Florida Statutes (including 2025 Special Session C)

[Title XL](#)

[Chapter 695](#)

[View Entire Chapter](#)

REAL AND PERSONAL PROPERTY RECORD OF CONVEYANCES OF REAL ESTATE

695.26 Requirements for recording instruments affecting real property.—

(1) No instrument by which the title to real property or any interest therein is conveyed, assigned, encumbered, or otherwise disposed of shall be recorded by the clerk of the circuit court unless:

(a) The name of each person who executed such instrument is legibly printed, typewritten, or stamped upon such instrument immediately beneath the signature of such person and the post-office address of each such person is legibly printed, typewritten, or stamped upon such instrument;

(b) The name and post-office address of the natural person who prepared the instrument or under whose supervision it was prepared are legibly printed, typewritten, or stamped upon such instrument;

(c) The name of each witness to the instrument is legibly printed, typewritten, or stamped upon such instrument immediately beneath the signature of such witness and the post office address of each such person is legibly printed, typewritten, or stamped upon such instrument;

(d) The name of any notary public or other officer authorized to take acknowledgments or proofs whose signature appears upon the instrument is legibly printed, typewritten, or stamped upon such instrument immediately beneath the signature of such notary public or other officer authorized to take acknowledgment or proofs;

(e) A 3-inch by 3-inch space at the top right-hand corner on the first page and a 1-inch by 3-inch space at the top right-hand corner on each subsequent page are reserved for use by the clerk of the court; and

(f) In any instrument other than a mortgage conveying or purporting to convey any interest in real property, the name and post-office address of each grantee in such instrument are legibly printed, typewritten, or stamped upon such instrument.

(2) If a name or address is printed, typewritten, or stamped on an instrument in a position other than the position required by subsection (1), the clerk of the circuit court may, in her or his discretion, accept the instrument for recordation if she or he determines that the connection between the signature and the name or the name and the address is apparent.

(3) This section does not apply to:

(a) An instrument executed before July 1, 1991.

(b) A decree, order, judgment, or writ of any court.

(c) An instrument executed, acknowledged, or proved outside of this state.

(d) A will.

(e) A plat.

(f) An instrument prepared or executed by any public officer other than a notary public.

(4) The failure of the clerk of the circuit court to comply with this section does not impair the validity of the recordation or of the constructive notice imparted by recordation.

History.—s. 1, ch. 90-183; ss. 8, 22, ch. 94-348; s. 773, ch. 97-102; s. 5, ch. 2023-238.

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The 2024 Florida Statutes (including 2025 Special Session C)

[Title XL](#)
REAL AND PERSONAL
PROPERTY

[Chapter 689](#)
CONVEYANCES OF LAND AND DECLARATIONS OF
TRUST

[View Entire
Chapter](#)

689.025 Form of quitclaim deed prescribed.—A quitclaim deed of conveyance to real property or an interest therein must:

(1) Be in substantially the following form:

This Quitclaim Deed, executed this _(date)_ day of _(month, year)_, by first party, Grantor _(name)_, whose post office address is _(address)_, to second party, Grantee _(name)_, whose post office address is _(address)_.

Witnesseth, that the said first party, for the sum of \$ _(amount)_, and other good and valuable consideration paid by the second party, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim unto the said second party forever, all the right, title, interest, claim, and demand which the said first party has in and to the following described parcel of land, and all improvements and appurtenances thereto, in _(county)_, Florida:

(Legal description)

(2) Include the legal description of the real property the instrument purports to convey, or in which the instrument purports to convey an interest, which description must be legibly printed, typewritten, or stamped thereon.

(3) Include a blank space for the parcel identification number assigned to the real property the instrument purports to convey, or in which the instrument purports to convey an interest, which number, if available, must be entered on the deed before it is presented for recording. The failure to include such blank space or the parcel identification number does not affect the validity of the conveyance or the recordability of the deed. Such parcel identification number is not a part of the legal description of the property otherwise set forth in the instrument and may not be used as a substitute for the legal description required by this section.

History.—s. 4, ch. 2023-238.

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[Title V](#)

JUDICIAL BRANCH

[Chapter 28](#)

CLERKS OF THE CIRCUIT COURTS

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28.47 Recording notification service; related services; public records exemption.—

(1) On or before July 1, 2024, each clerk of the circuit court must create, maintain, and operate a free recording notification service which is open to all persons wishing to register for the service. For purposes of this section, the term:

(a) “Land record” means a deed, mortgage, or other document purporting to convey or encumber real property.

(b) “Monitored identity” means a personal or business name or a parcel identification number submitted by a registrant for monitoring under a recording notification service.

(c) “Recording notification” means a notification sent by electronic mail indicating to a registrant that a land record associated with the registrant’s monitored identity has been recorded in the public records of the county.

(d) “Recording notification service” means a service which sends automated recording notifications.

(e) “Registrant” means a person who registers for a recording notification service.

(2) The clerk must ensure that registration for the recording notification service is possible through an electronic registration portal, which portal must:

(a) Be accessible through a direct link on the clerk’s official public website;

(b) Allow a registrant to subscribe to receive recording notifications for at least five monitored identities per valid electronic mail address provided;

(c) Include a method by which a registrant may unsubscribe from the service;

(d) List a phone number at which the clerk’s office may be contacted during normal business hours with questions related to the service; and

(e) Send an automated electronic mail message to a registrant confirming his or her successful registration for or action to unsubscribe from the service, which message must identify each monitored identity for which a subscription was received or canceled.

(3) When a land record is recorded for a monitored identity, a recording notification must be sent within 24 hours after the recording to each registrant who is subscribed to receive recording notifications for that monitored identity. Such notification must contain, at a minimum:

(a) Information identifying the monitored identity for which the land record was filed;

(b) The land record’s recording date;

(c) The official record book and page number or instrument number assigned to the land record by the clerk;

(d) Instructions for electronically searching for and viewing the land record using the assigned official record book and page number or instrument number; and

(e) A phone number at which the clerk’s office may be contacted during normal business hours with questions related to the recording notification.

(4) There is no right or cause of action against, and no civil liability on the part of, the clerk with respect to the creation, maintenance, or operation of a recording notification service as required by this section.

(5)(a) This section does not require the clerk or property appraiser to provide or allow access to a record or information which is confidential and exempt from s. [119.07\(1\)](#) and s. 24(a), Art. I of the State Constitution or to otherwise violate the public records laws of this state.

(b) All electronic mail addresses, telephone numbers, personal and business names, and parcel identification numbers submitted to the clerk or property appraiser for the purpose of registering for a recording notification service or a related service pursuant to this section are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except upon court order. This paragraph applies to information held by the clerk or property appraiser before, on, or after May 6, 2024. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

(6) This section also applies to county property appraisers who have adopted an electronic land record notification service before July 1, 2023.

(a) The property appraiser may use a verification process for persons wishing to register for the electronic land record notification service to ensure the integrity of the process.

(b) For purposes of this subsection only, and notwithstanding paragraph (1)(a) and subsection (3):

1. “Land record” means a deed or other document purporting to convey real property.
2. When a land record is recorded for a monitored identity, the property appraiser must send a recording notification to each registrant who is subscribed to receive recording notifications for that monitored identity within 24 hours after the instrument being reflected on the county tax roll.

History.—s. 2, ch. 2023-238; ss. 1, 2, ch. 2024-149.

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The 2024 Florida Statutes (including 2025 Special Session C)

[Title VI](#)

CIVIL PRACTICE AND PROCEDURE

[Chapter 65](#)

QUIETING TITLE

[View Entire Chapter](#)

65.091 Quieting title; fraudulent conveyances.—

(1) An action to quiet title based on a fraudulent attempted conveyance allegation may be maintained under this chapter, and this remedy is cumulative to other existing remedies. A petitioner bringing an action to quiet title based on such allegations is entitled to summary procedure under s. [51.011](#), and the court shall advance the cause on the calendar.

(2) In an action to quiet title, when the court determines that an attempt was made to fraudulently convey the land at issue away from a plaintiff who had legal title to the land before the conveyance, the court must quiet title in and award the plaintiff with the same title and rights to the land that the plaintiff enjoyed before the attempted conveyance.

(3) The clerk of the circuit court must provide a simplified form for the filing of a complaint to quiet title based on a fraudulent attempted conveyance allegation and instructions for completing such form.

History.—s. 3, ch. 2023-238.

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The 2024 Florida Statutes (including 2025 Special Session C)

[Title VI](#)

CIVIL PRACTICE AND PROCEDURE

[Chapter 51](#)

SUMMARY PROCEDURE

[View Entire Chapter](#)

51.011 Summary procedure.—The procedure in this section applies only to those actions specified by statute or rule. Rules of procedure apply to this section except when this section or the statute or rule prescribing this section provides a different procedure. If there is a difference between the time period prescribed in a rule and in this section, this section governs.

(1) **PLEADINGS.**—Plaintiff’s initial pleading shall contain the matters required by the statute or rule prescribing this section or, if none is so required, shall state a cause of action. All defenses of law or fact shall be contained in defendant’s answer which shall be filed within 5 days after service of process. If the answer incorporates a counterclaim, plaintiff shall include all defenses of law or fact in his or her answer to the counterclaim and shall serve it within 5 days after service of the counterclaim. No other pleadings are permitted. All defensive motions, including motions to quash, shall be heard by the court prior to trial.

(2) **DISCOVERY.**—Depositions on oral examination may be taken by any party at any time. Other discovery and admissions may be had only on order of court setting the time for compliance. No discovery postpones the time for trial except for good cause shown or by stipulation of the parties.

(3) **JURY.**—If a jury trial is authorized by law, any party may demand it in any pleading or by a separate paper served not later than 5 days after the action comes to issue. When a jury is in attendance at the close of pleading or the time of demand for jury trial, the action may be tried immediately; otherwise, the court shall order a special venire to be summoned immediately. If a special venire be summoned, the party demanding the jury shall deposit sufficient money with the clerk to pay the jury fees which shall be taxed as costs if he or she prevails.

(4) **NEW TRIAL.**—Motion for new trial shall be filed and served within 5 days after verdict, if a jury trial was had, or after entry of judgment, if trial was by the court. A reserved motion for directed verdict shall be renewed within the period for moving for a new trial.

(5) **APPEAL.**—Notice of appeal shall be filed and served within 30 days from the rendition of the judgment appealed from.

History.—s. 7, ch. 67-254; s. 23, ch. 73-333; s. 5, ch. 87-405; s. 292, ch. 95-147.

IN THE COUNTY COURT OF _____ COUNTY, FLORIDA

_____,
Plaintiff(s),

vs.

CASE NO. _____

_____,
Defendant(s).

**COMPLAINT TO QUIET TITLE BASED ON FRAUDULENT CONVEYANCE
UNDER SECTION 65.091, FLORIDA STATUTES**

The plaintiff(s), _____, sue(s)
defendant(s), _____,
defendant's unknown spouse, heirs, devisees, grantees, judgment creditors, and all other parties claiming by,
through, under, or against defendants or parties or claiming to have any right, title, or interest in the property
described in this complaint, and alleges:

1. This is an action to quiet and confirm title of plaintiff in and to lands located in
_____ County, Florida.
2. Plaintiff owns the following real property:

3. Plaintiff shows entitlement to (deraigns) title as follows (must show chain of title for at least
the past 7 years):
Plaintiff obtained ownership by deed or instrument dated _____, recorded
on _____, in official records book _____, page _____ of the
public records of _____ County, Florida. The property description in
that deed is as follows:

4. The deed or instrument purported to have been signed by plaintiff(s), or purporting to convey
the property to defendant(s), dated _____, recorded
_____, in official records book _____, page _____ of
the public records of _____ County, Florida, is fraudulent.

5. Plaintiff did not execute the deed and has not conveyed the property to any person since obtaining the conveyance(s) described in paragraph (3).
6. The deed or instrument described in paragraph (4) did not convey title to defendant because the grantor had no title, but the recording of the deed casts a cloud on plaintiff's title.

WHEREFORE, the plaintiff(s) respectfully request (requests) the court to enter an order to quiet title in and award the plaintiff(s) with the same title and rights to the land that the plaintiff enjoyed before the attempted conveyance.

Date: _____

Plaintiff

Address

City, State, Zip Code

Phone

Email

(Include Signature for each Plaintiff)

Plaintiff Signature

Plaintiff Signature

Plaintiff Signature

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

_____,
Plaintiff(s),

vs.

CASE NO. _____

_____,
Defendant(s).

**COMPLAINT TO QUIET TITLE BASED ON FRAUDULENT CONVEYANCE
UNDER SECTION 65.091, FLORIDA STATUTES**

The plaintiff(s), _____, sue(s)
defendant(s), _____,
defendant's unknown spouse, heirs, devisees, grantees, judgment creditors, and all other parties claiming by,
through, under, or against defendants or parties or claiming to have any right, title, or interest in the property
described in this complaint, and alleges:

1. This is an action to quiet and confirm title of plaintiff in and to lands located in
_____ County, Florida.
2. Plaintiff owns the following real property:

3. Plaintiff shows entitlement to (deraigns) title as follows (must show chain of title for at least
the past 7 years):
Plaintiff obtained ownership by deed or instrument dated _____, recorded
on _____, in official records book _____, page _____ of the
public records of _____ County, Florida. The property description in
that deed is as follows:

4. The deed or instrument purported to have been signed by plaintiff(s), or purporting to convey
the property to defendant(s), dated _____, recorded
_____, in official records book _____, page _____ of
the public records of _____ County, Florida, is fraudulent.

5. Plaintiff did not execute the deed and has not conveyed the property to any person since obtaining the conveyance(s) described in paragraph (3).
6. The deed or instrument described in paragraph (4) did not convey title to defendant because the grantor had no title, but the recording of the deed casts a cloud on plaintiff's title.

WHEREFORE, the plaintiff(s) respectfully request (requests) the court to enter an order to quiet title in and award the plaintiff(s) with the same title and rights to the land that the plaintiff enjoyed before the attempted conveyance.

Date: _____

Plaintiff

Address

City, State, Zip Code

Phone

Email

(Include Signature for each Plaintiff)

Plaintiff Signature

Plaintiff Signature

Plaintiff Signature



The Fund® DON'T BE A FRAUD MAGNET!

Minimum Standards - S.E.C.U.R.I.T.Y.

Seller & Borrower Verification

ID: Obtain a valid government-issued color ID and closely scrutinize for authenticity.

Independently Verify Transaction with Property Owner:

Confirm independently with the property owner in vacant land or absentee owner situations that the upcoming transaction is legitimate.

Escrow Protector

Independently Verify Payoff & Wire Transfer Instructions (WTI) with a Trusted Source:

Beware of unsolicited payoff/WTI and compare for consistency. Beware of changes to routing & account numbers.

Encrypt Wire Communication: Encrypt emails containing WTI or Personal Information (PI).

Avoid Sensitive Terms in Email Subject Lines:

(For example, a subject line using "Wire Instructions" is highly susceptible to spoofing and phishing attacks).

Track the Transaction: Keep track of transfers and monitor for any last-minute changes. Track receipt of disbursements (payoffs, insurance, seller proceeds).

Common Sense

Trust Your Instinct: Pause proceedings if there is a rejected wire, substituted unknown notary, or other irregularities. Be cautious of any last-minute changes, especially with vacant land, absentee owners, and foreign sellers.

Documents: Compare signor(s) locations on executed documents (deed/mortgage) with their ID document(s), and compare handwriting & signatures for similarities (witnesses, notary, grantor).

Utilize Secure Protocols

RON Service Providers: Use industry trusted and known RON platforms which incorporate KBA and other ID verifications.

Email Services Providers: Use secure email providers, avoiding public platform providers like Gmail, Yahoo, AOL, etc.

Cybersecurity Measures: Implement strict access controls.

Routine Training

Train Staff: Regularly update staff on fraud and anti-fraud techniques and encourage review of Fund education materials.

Practice Drills: Run drills and action plan rehearsals, including simulated test phishing emails to keep staff alert.

Incident Response Plan (IRP)

Incident Response Plan: Develop and maintain a strong plan with instructions, critical contacts including your bank's security officer, action items, and E&O carrier info.

Immediate Fraud Response: Inform outgoing and receiving banks immediately upon detecting fraud. Diligently work to recall wires.

Take Charge of the Closing

Trusted Sources: Control the closing process. Rely on trusted sources and known notaries.

RON: Use RON notary or require execution of documents with a known attorney or notary for signors who are not present and are unknown.

You

Stay updated on fraud trends and anti-fraud techniques.

Detect and Prevent Fraud: The responsibility ultimately lies with you. Everyone is counting on you to prevent fraud. You are in the best position to detect and thwart fraud.

Protect Yourself: These policies are essential to protect your business and livelihood.



The Fund® DON'T BE A FRAUD MAGNET!

Strongly Recommended - P.R.O.T.E.C.T.

Passwords

- Use strong passwords and change them frequently.
- Adopt ALTA's best practices where appropriate.

Records

- Secure records and purge Personal Information (PI).
- Transfer closed files with PI from internet-exposed servers to an external hard drive or other secured storage.

Operations

- Avoid personal email for work communications.
- Refrain from using open networks.
- Follow secure protocols to protect PI and other sensitive information.
- Regularly update your system to include all security patches by enabling automatic updates, using reliable antivirus software, keeping all software up-to-date, and backing up data to encrypted servers.
- Obtain and scrutinize a second valid government-issued ID.
- Consider sending a check instead of a wire but be aware of check washing risks.

Tools

- Use third-party vendors for wire transfer security, identity, and seller/borrower verification (e.g., CertifID, TLO Skip Tracing, Persona, Verisoul).
- Consider services that confirm bank account ownership.

Errors & Omissions Insurance

- Review and understand coverages and limitations of your E&O policy. Analyze to maximize protection for potential loss and actions taken as a closing agent.
- Ensure your office adheres to policy prerequisites and conditions for claims.
- Promptly review and comply with your E&O policy concerning notice obligations.

Cybersecurity Insurance

- Acquire cybersecurity insurance to cover matters excluded by E&O insurance.

Technology

- Implement Multifactor Authentication (MFA) across all accounts and devices.
- Utilize Positive Pay for escrow accounts.
- Use FaceTime or similar applications to secondarily verify ID photos with unknown seller/borrower on camera.