

什么是托管？

了解托管流程

托管是指买卖双方根据合同达成的一种安排，作为中立的第三方，托管负责接收和分发资金和/或文件。买卖房地产的人为了保护和方便自己而开设的一个托管账户。买方和卖方都希望托管代理根据交易相关的书面指示执行，并在任何情况下通知他们是否未能满足或者无法满足他们的指示。如果所有托管各方的指示都有明确规定，托管专员可以代表买方和卖方继续进行，无需进一步咨询。

交易完成过程中的典型角色

卖方/代理

- 向第三方托管代理交付《购销协议》
- 准备完成交易所需的文件。

买方/代理

- 将完成交割所需的资金存放给托管代理。
- 批准产权保险或《购销协议》要求的其他项目的承诺。
- 执行完成交易所需的文件和贷款文件。

贷款人

- 存放买方提供的贷款文件。
- 存放贷款资金。
- 通知托管代理贷款资金的使用条件。

托管代理人

- 明晰产权
- 获得产权保险
- 获得该房地产相关贷款的付款和发放文件
- 收到买方和/或贷款人的资金。代表卖方准备持有文件的清单陈述书。
- 对保险，税费，租金等进行分摊。
- 为每一方准备最终结算单，（通常称为“HUD结算单”或“结算单”），说明在交易结束时支付的金额。
- 将契约转发给县政府进行登记。一旦正确的文件被登记，托管代理人将向各方分发资金。

总结

托管是收集和处理房地产交易的许多组成部分的过程。当新的契据被登记并且资金可以提供给卖方时，房地产的所有权同时也从卖方转移到买方后，该笔交易正式完结。托管代理人是根据加利福尼亚州法规制定的托管法，代表买方和卖方行事的中立第三方。

What is Escrow?

UNDERSTANDING THE ESCROW PROCESS

An escrow is an arrangement made under contract between a Buyer and Seller. As the neutral third party, escrow is responsible for receiving and disbursing money and/or documents. People buying and selling real estate open an escrow for their protection and convenience. Both the buyer and seller expect the escrow agent to carry out their written instructions associated with the transaction and also to advise them if any of their instructions are not being met, or cannot be met. If the instructions from all parties to an escrow are clearly set out, the escrow officer can proceed on behalf of the buyer and seller without further consultation.

TYPICAL ROLES IN THE CLOSING PROCESS

The Seller/Agent

- Delivers Purchase Sale Agreement to the escrow agent.
- Prepares the paperwork necessary to close the transaction.

The Buyer/Agent

- Deposits funds required to close in with the escrow agent.
- Approves the commitment for title insurance, or other items as called for by the Purchase Sale Agreement.
- Executes the paperwork and loan documents necessary to close the transaction.

The Lender

- Deposits loan documents to be provided by the buyer.
- Deposits the loan funds.
- Informs the escrow agent of the conditions under which the loan funds may be used

The Escrow Agent

- Clears Title
- Obtains title insurance
- Obtains payoffs and release documents for underlying loans on the property
- Receives funds from the buyer and/or lender. Prepares vesting document affidavit on seller's behalf.
- Prorates insurance, taxes, rents, etc.
- Prepares a final statement (often referred to as the "HUD Statement" or "Settlement Statement") for each party, indicating amounts paid in conjunction with the closing of your transaction.
- Forwards deed to the county for recording. Once the proper documents have been recorded, the escrow agent will distribute funds to the proper parties.

IN SUMMARY

Escrow is the process that gathers and processes many of the components of a real estate transaction. The sale is officially closed when the new deed is recorded and funds are available to the seller, in turn transferring ownership from the seller to the buyer. The escrow agent is a neutral third party acting on behalf of the buyer and seller under the Escrow Law as set forth in the State of California.