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TITLE RESEARCH

Navigating the Complex World of New York Title Search

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Navigating the Complex World of New York Title Searches

Title searching in New York presents a unique set of challenges unlike those found in most other states. With a decentralized, county-by-county recording system, title professionals must navigate a patchwork of indexing rules, document access methods, and local procedures. In some areas, searchers must also contend with the rarely used Torrens system, adding a layer of legal nuance. Urban environments like New York City introduce further complexity with co-ops, air rights, and fractional ownership structures. Many properties carry chains of title stretching back centuries, requiring deep historical research and scrutiny. Relevant information is often scattered across municipal offices, surrogate's courts, and county clerks, demanding time-consuming, multi-source investigations. To make matters more intricate, recent legislation means that NYS Tax Warrants can now attach across jurisdictions, meaning searchers must go beyond the immediate county to ensure a thorough and accurate title review.

Together, these factors make New York one of the most challenging—and skill-dependent—states for title search work.

Why are title searches more complicated in New York?

1. County-by-County Variability

New York is not a single, centralized recording system. Each county maintains its own records and procedures—some use modern digital systems, others rely heavily on paper or microfiche archives. Title searchers must understand the quirks and indexing rules of each individual county.

2. The Dual System: Torrens vs. Common Law

While the Torrens Land Title Registration Law was abolished by the NYS Legislature on January 1, 2000, searchers must still access these historical records. This dual system adds complexity, as searchers must know how to handle both systems accurately.

3. Complex Property Types and Urban Density

In densely populated areas like NYC, properties may involve:

- Air rights
- Subsurface rights (e.g., subway easements, vaults)
- Multiple parties with fractional ownership
- Co-ops and Leaseholds, which don't convey by deed in the traditional sense

All of these require a nuanced approach to title searching.





4. Historic Chain of Title

New York properties can have chains of title going back centuries. Unrecorded interests, estate matters, and obscure covenants often surface, requiring deep-dive research and legal interpretation.

5. Court and Municipal Record Integration

In addition to county clerk offices, searchers often need to pull data from:

- Surrogate's courts (for estate-related transfers)
- UCC filings

This patchwork of sources adds layers of manual effort and expertise.

How NY's Quirky Past Still Complicates Today's Title Work

New York's long and layered history still influences property lines today—leading to a range of quirks that title professionals need to know inside and out. Here are just a few...but there are many others!

Some Manhattan Titles Still Trace Back to Dutch Land Grants

Parts of lower Manhattan can trace their chain of title all the way back to the 1600s when the Dutch settled "New Amsterdam." Original land grants from the Dutch West India Company were later converted by the British Crown—meaning today's title records sometimes include documents in Dutch or referencing colonial monarchs.



Patents

Similarly, you will find chains of title dating back to “Patents” issued by King Charles II and later monarchs, for tracts of land stretching from Long Island up the Hudson River to Albany and beyond! In fact some of these original NY grants later became parts of Vermont and New Jersey. While far outside the scope of a normal residential search, we must still access these records particularly along the coastlines, involving underwater land such as oyster beds.

“Phantom Lots” Exist in NYC

Because of outdated or abandoned property subdivisions, there are “phantom lots” on record— properties that legally exist on paper but have no current access, visibility, or actual land due to urban development swallowing them up.

Metes and Bounds Confusion

In rural New York, many property descriptions still rely on metes and bounds, a measurement system that originated in the 18th century and uses physical features of the local geography, along with directions and distances, to define and describe the boundaries of a parcel of land. It typically uses vague language like “from the big rock to the old oak tree.” Over the centuries, landmarks disappeared, creating endless disputes and title search nightmares.

Even today, it is not unusual to see legal descriptions measured in links, chains and rods— rather than feet and inches. A seasoned title searcher must know how to convert and plot these measurements.

New York's “Adverse Possession” Rules Were Once Shockingly Loose

Until they were revised in 2008, New York allowed someone to claim legal ownership of another person’s property simply by maintaining it without explicit permission—even by mistake. That led to legal battles over yards, alleyways, and even parts of buildings.



What Should You Look for in a NY Title Search/Production Company?

01

NY-Specific Expertise

Seek a search vendor that just doesn't cover NY, but one who has roots in the NY ground and boots ON the NY ground.

02

Scalable System

Whether you're growing or scaling back, you need a system that scales with you. So whether you need only 3 searches or 300, there's no need to add or reduce staff.

03

Full Production Services

Seek a vendor that handles full production needs in New York, so you can focus on closing deals.

04

Integration with TrackerPro in NY

You'll want a vendor who is fully integrated with TrackerPro to keep you efficient and to help avoid workflow disruptions.

05

Track Record of Accuracy

Check historical accuracy of the vendor you're considering. Action Title Research boasts a 99.99% non-claim rate, with more than 2 Million searches under our belt.

06

Professional Liability Insurance

Errors & Omissions insurance is an essential component in protecting you against future claims, and professional search agencies will provide some level of coverage, commonly between \$1 Million and \$2 Million. For a point of reference, Action Title Research offers a \$5 Million E&O insurance policy.



New York Solutions Offered by Action Title Research

County Search

Not all county searches are equal—particularly in the complex state of NY. With decades of title research experience, we put even the most basic county search through our stringent QC process. We provide expert, statewide coverage across New York's boroughs, counties, and local jurisdictions.



SyncSearch™

Upgrade your county search to a SyncSearch: a typed report with ownership, legal description and liens, delivered to you in either XML or JSON formats to easily integrate with your title production software. SyncSearch saves you time and money and significantly improves your workflow efficiency.



SmartStax™

The last thing you want is to be halfway through a file and discover that you're missing ancillary searches such as tax, tide, flood, upper courts, PATRIOT Act, etc. SmartStax allows you to easily order ancillary searches on top of county searches. Our NY experts will assess your property's location and needs and bundle the required searches.



SmartSearch™

The most comprehensive of our offerings, SmartSearch automates the busywork, saving your team time and effort. It combines SmartStax™ ancillary search bundles into a comprehensive, QC checked package that simplifies examination and streamlines commitment letter prep. SmartSearch outputs are pre-typed, workflow-ready, and integrate with leading Title Production software.



Ready to Get Started? Contact me at your convenience:



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[Schedule a call with me](#)