

LOUISIANA TITLE AGENTS REFERENCE CARD

We at Stewart Title Guaranty Company thank you for your business and want to let you know that we are always available. Many times, agents ask specific questions. To help you find pertinent citations and to quickly locate answers, we provide this guide. These materials are intended to provide only general information for Stewart's Louisiana agents and are not to be considered a legal opinion, advice, or counsel. You should read the entire cited statute. If any agent needs specific advice, he/she should contact a member of our Louisiana team. The laws cited herein are subject to change, and those relying on this material should update research from January 1, 2015.

REAL ESTATE PRESCRIPTIVE PERIODS

ISSUE	STATUTE	PERIOD
Absolute Nullity	LCC 2032	Never
Acquisitive (just title)	LCC 3473	10 years
Acquisitive (no title)	LCC 3486	30 years
Agr. by co-owners not to sell	9:1112	15 years
Agr. by co-owners not to partition	9:1702 and LCC 807	15 years
Agreement to sell or purchase	9:5645	5 years
Actions against contractors	LCC 3500	10 years
Ancient records statute	LCC 3351	10 years
Child support judgments	9:322/9:323 & 13:4291	10 years from majority
Contracts	LCC 3500	10 years
Contract to buy and/or sell	9:5645	5 years
Corp., LLC of partnership lack of authority	9:5646	5 years
Defects against contractor	9:2772	5 years
Encroachments on public way	9:5627 and LCC 459	When complete
Federal estate tax lien	26 USC 6502	10 years from death
Homeowner's assn lien	9:1147	5 years
IRS liens	26 USC 6322 and 6325 (a)	10 years
Judgments (generally)	LCC 3359 and 3501	10 years
Judgments (political entities)	9:5685	10 years
Judgments (USA)	28 USC 3201	20 years
Judicial sales informalities	9:5622	2 years/5 years
Judicial sales lack of due process	U.S. 14 th amendment	Never
Lesion	LCC 2596	1 year but no 3 rd party
Liens in favor of state	9:5685	10 years
Minor's mortgage	LCC 3360	4 years after majority
Mortgages (generally)	LCC 3357	10 years
Mortgages (homestead)	6:830	41 years (from 1/1/86)
Mortgages (specifically)	LCC 3358	6 years after expressed maturity
New home warranty	9:3144	Various

ISSUE	STATUTE	PERIOD
Non-partition agreement	9:1702 and LCC 807	15 years
Non-use of usufruct	LCC 621	10 years
Non-use of servitude	LCC 753	10 years
Note	LCC 3498	5 years
Notice of seizure	LCCP art. 2293	10 years
Option	LCC 2628	10 years
Patent from state	9:5661	6 years
Paving liens	33:3746	3 years from final pmt.
Personal action	LCC 3499	10 years
Power of attorney, lack of	9:5647	5 years
Presumption of death	LCC 54	5 years
Recovery of rents, royalties or professional fees	LCC 3494	3 years
Redemption	LCC 2568	10 years
Redhibition	LCC 2534	1-4 years
Relative nullity	LCC 2032	5 years
Resolution or certif., lack of	9:5646	5 years
Restrictions	9:5625 and LCC 781	2 years
Right of first refusal	LCC 2628	10 years
Student loan	9:5701	30 years
Succession sale informalities	9:1454.1	2 years
Tax sale to state	41:1328	13 years
Tort	LCC 3492-93	1 year
Trust Existence	9:5646	5 years
Tutor's mortgage	LCCP 4134 (D)	4 years from majority
Unrecognized heir against 3D party	9:5630	2 years
Usufruct in favor of entity	LCC 608	30 years
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NOTES:

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NOTES:

**RECOMMENDED REFERENCES
FOR REAL ESTATE ATTORNEYS AND TITLE AGENTS**

LA Practice Series: LA Real Estate Transactions, 2007/08	Title
Louisiana Title Standards Act	LA Bar Association
Meyer's Manual on LA Real Estate, 1998 with 1998 Supplement	Meyer
Real Estate Transaction: Problems, Cases, and Materials (3 rd Edition, 2007)	Malloy/Smith
Understanding Modern Real Estate Transactions, 2001	Johnson
A basic Louisiana Notary Guide	Johnson
Title Insurance – 3 rd Edition (ABA)	Gosdin
Law of Title Insurance	Burke

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