



# GRANT DEED VS. QUITCLAIM DEED

*Both instruments are common in California,  
and convey ownership in property to another person.*

## **GRANT DEED:**

- Grantor transfers all of his ownership rights in a specific property to the Grantee
- Grant deed carries implied warranties, which means the Grantor guarantees or warranties that he actually owns the property being conveyed and has disclosed any limitations on the Grantee's rights to the property in the deed itself
- Grant Deed warranties that the seller is conveying title to the property with "marketable title," meaning that title is free and clear of other claims or encumbrances
- Grant Deed is typically used in sales for most arms-length real estate transactions not involving family members or spouses
- Can be used for any conveyance of real property, regardless of whether there is a sale for value involved

## **QUITCLAIM DEED:**

- Similar to the Grant Deed in the fact that it conveys ownership in the property, although it carries none of the implied warranties of a Grant Deed
- Seller makes no guarantee of "marketable title" to the buyer
- The conveying party may or may not have a record interest in the property; this deed conveys only whatever interest the conveying party may have in the property
- Is typically used to convey spousal interest or inter-family conveyances
- Few buyers will accept a quitclaim deed when they buy property

***If in question as to which deed you should use for your transaction, please consult with a licensed real estate attorney for guidance.***

*Source: Leslie Shrimplin, VP | Title Operations Manager, Lawyers Title*

