

Regular Session, 2012

HOUSE BILL NO. 169

BY REPRESENTATIVE HENRY

1 AN ACT

2 To amend and reenact R.S. 9:2743(B) and (D)(2), relative to certificates of encumbrances;
3 to provide procedures for identifying the mortgagor or obligor of debt; to provide for
4 affidavit to serve as satisfactory evidence; to provide with respect to liability; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:2743(B) and (D)(2) are hereby amended and reenacted to read as
8 follows:

9 §2743. Certificate of encumbrances; procedure; content; liability

10 * * *

11 B.(1) The certificate shall list all the uncanceled mortgages and instruments
12 evidencing privileges, in the order of their recordation, that appear in the mortgage
13 records and that identify the persons designated in the request as the mortgagor or
14 obligor of the debt secured by the privilege, unless the recorder is supplied with
15 evidence satisfactory to him that such instruments are in fact not those of the person
16 in whose name the certificate is sought.

17 (2) Satisfactory evidence shall include an affidavit from the Louisiana
18 licensed attorney requesting the certificate, setting forth all of the following
19 information:

20 (a) A description of the uncanceled mortgages and instruments evidencing
21 privileges.

22 (b) A statement from the affiant that he or someone under his direction has
23 researched the uncanceled mortgages and instruments evidencing privileges.

