

In relation to Commercial Real Estate Transactions, in South Carolina, only lawyers licensed in the state of South Carolina, or admitted to practice in the state of South Carolina, may do the following:

1. Certify the title to real estate and issue a title opinion to a client, a lender, a title insurance company, a governmental agency, or anyone else
2. Prepare deeds
3. Either draft, oversee the drafting, or review and approve loan closing documents to be utilized in a real estate transaction, including the legal description utilized in any document
4. Be responsible for the actual closing of a real estate transaction to include the explanation of the pertinent issues related to the transaction and review all documents for proper signatures, witnesses, notarization and authorizations, as applicable, even if the closing takes place out of state, or in a location other than the closing attorney's office
5. Oversee the proper recordation of the pertinent documents
6. Review and approve the form and execution of any power of attorney used in a real estate transaction for proper authority of the attorney-in-fact as well as the validity of the document
7. Disburse all funds related to the transaction, except payoffs and fees that can be held by a lender that will be paid to the lender and not to third parties, and with the exception that nationally-recognized title insurance companies and financial institutions that are insured by the Federal Deposit Insurance Corporation may disburse funds related to the transaction as long as Items 1-6 listed above are performed by a lawyer licensed in the state of South Carolina or by a lawyer admitted to practice in the state of South Carolina.