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What Do I Do If My Spouse Can't Come To The Closing?

It's almost time for the closing and you discover that your spouse will need to be on a business trip during the time that you are supposed to close on your house purchase. What do you do?

You can ask the sellers if they would be willing to move the closing to a date that would allow your spouse to be at the closing. The date that is set in the contract as the "Closing Date" is not set in stone. It can be pushed forward or back, depending on the needs of the parties. But, the sellers are not required to agree to a change of the Closing Date.

There is another solution. Your spouse can sign a Power of Attorney that will allow you to sign on his/her behalf. The Power of Attorney is prepared by your lawyer and must be approved by your lender and your title agency. There are specific clauses that must be in the Power of Attorney so it is not a do-it-yourself job.

Once the Power of Attorney has been approved, you will have the ability to sign any document on behalf of your spouse that concerns the purchase of your new home. It does mean that you will be signing each document twice (and that is a lot of signing). But it allows you to close on your home without totally inconveniencing everyone. So, don't worry if one of you can't come to the closing. There are always solutions.

Email Robin Gronsky at RGronsky@Gronskylaw.com to find out how she can become your trusted legal advisor, helping you when you buy or sell real estate.