

FININ2MIN - TRANSFER OF PROPERTY ACT, 1882

Chapter IV-D - Priority, Marshalling and Contribution

Chapter in 2 Minutes

Resolve competing securities, maximum-secured amounts, marshalling and contribution with a complete priority chart.

Provision map

- 78: Postponement of prior mortgagee
- 79: Mortgage securing uncertain amount
- 80: Repealed
- 81: Marshalling securities
- 82: Contribution to mortgage debt

Transaction controls

- ☐ Classify interest and transaction
- ☐ Verify title, litigation and encumbrances
- ☐ Confirm capacity, authority and consent
- ☐ Apply State stamp and registration
- ☐ Reconcile consideration, tax and possession
- ☐ Preserve closing and remedy evidence

Red flags

- ! Unclear title/authority
- ! Pending litigation or acquisition
- ! Unreleased mortgage/charge
- ! Wrong instrument or deficient stamp
- ! Possession before legal protection
- ! Uncontrolled limitation or forum