



# Ask Your Underwriter

■ *Laura M. Licastro, Associate Florida Underwriting Counsel*

**Question:** I know Florida law does not require witnesses for a mortgage on non-homestead property, but what about homestead property?

**Answer:** Ever since the 1968 amendment to the Florida Constitution, witnesses are no longer required on mortgages of either homestead or non-homestead property. Remember, however, that § 689.111(a), F.S. requires that any power of attorney being used to mortgage homestead property have two witnesses. In addition, a durable power of attorney must have two witnesses regardless of whether the document it is being used for requires witnesses or not (see § 709.08 F.S.).



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