



Procedure for return of original property documents to the legal heirs in event of demise of the sole borrower or joint borrowers of MAS Financial Services Limited

Introduction

MAS Financial Services Limited (herein referred to as “MFSL / the Company”) is a Non-Banking Financial Company (NBFC) regulated by Reserve Bank of India (RBI). This document has defined Procedure for return of original property documents to the legal heirs in event of demise of the sole borrower or joint borrowers (herein referred to as “deceased Borrower”) of MFSL. This procedure is based on RBI Circular No. RBI/2023-24/60 DoR.MCS.REC.38/01.01.001/2023-24 dated September 13, 2023 on Responsible Lending Conduct – Release of Movable / Immovable Property Documents on Repayment/ Settlement of Personal Loans/business loans. This document provided simplified Procedure for enabling speedy and hassle free return of original property documents to the legal heirs in event of demise of the sole borrower or joint borrowers.

Applicability

This procedure shall be followed only in below conditions:

1. Demise of Sole Borrower with reference to loan provided by MFSL, or
2. Demise of all Borrower/Co-Borrower with reference to loan provided by MFSL.

The procedure mentioned below shall be followed only after full repayment/settlement of outstanding loan(s) provided by MFSL to deceased Borrower. The person repaying/settle the loan provided by MFSL shall not be entitled to receive the original property documents by mere repayment/settlement. MFSL at its discretion shall deliver original property papers to legal heirs of such deceased Borrower as per the procedure mentioned below.

Release of original property papers to legal heirs shall be done as per procedure defined below:

1. The legal heirs/legal representative(s) should notify MAS Financial Services Limited (MFSL) of the borrower's demise in writing by submitting a formal request letter along with supporting Legal Representation at its branch/HO.
2. The legal heirs/legal representatives must submit the following documents to establish their claim:
 - a. Death Certificate issued by Competent Authority for verification along with Application;
 - b. Court order such as Probated Will/ Letter of Administration issued by competent authority/ Succession Certificate to establish the rightful claim;
 - c. Loan Closure Proof – Confirmation that all outstanding dues, if any, have been cleared;
 - d. KYC Documents of Legal Heirs: Photograph and valid proof of identification (as per Officially Valid Document) such as proof of possession of Aadhaar number, the Voter's Identity Card issued by the Election Commission of India, job card issued by NREGA duly signed by an officer of the State Government and letter issued by the National Population Register containing details of name and address;
3. In case of any dispute among the Legal heirs, any claim made by legal heir/ heirs, any notice received objecting release the original property documents, then the documents will be handed over only after clear court order or all the legal heirs have jointly decided among themselves with respect to the original property document custody and such understanding is signed by all legal heirs.
4. If any outstanding dues exist, MFSL will communicate the same to the legal heirs and upon settlement of dues, MFSL will issue a No Dues Certificate (NDC).
5. Once the verification is complete and there are no pending liabilities, MFSL will arrange for the handover/delivery of original property documents at the discretion of MFSL. The legal heirs may need to visit the branch/office in person for document collection if required. After complying all required procedures, original property documents will be handed over to legal heirs under due acknowledgement.
6. MFSL shall reserves the right in sole discretion and without liability to take final decision on delivery of property documents.
7. The laws, rules of the respective states / jurisdiction will be applicable in case of any dispute.
