

# Boat purchases can be tricky

Be careful not to sink before you set sail. **By David E. Irwin**

**M**any of us who live in South Florida dream of someday owning a boat of our own and heading out onto the deep blue Atlantic to enjoy a day of fishing or just relaxing with friends and family.

Buying a boat is a very exciting endeavor. But the danger is falling in love with a boat before doing all your homework and taking the steps necessary to protect yourself.

There are a few vital points to consider before making your purchase to ensure that your new boat will bring you the years of pleasure you have been dreaming about.

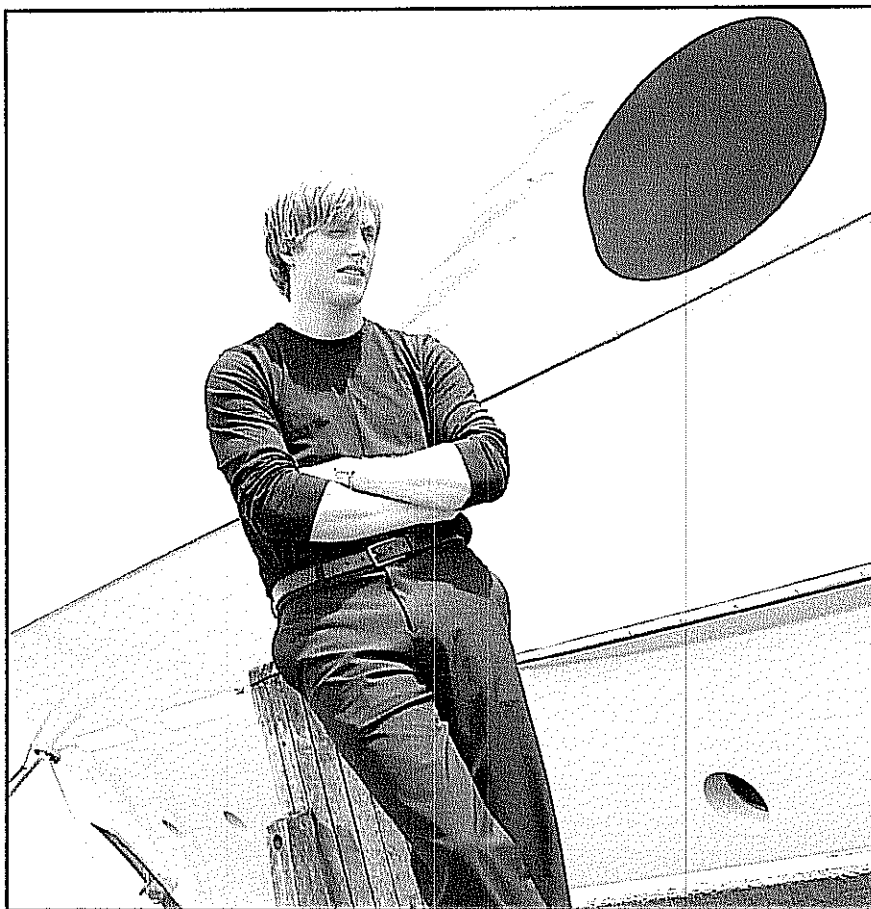
Always take the time to consider and honestly assess how you will use your boat. Often, buyers think that they will be having a large party of guests or family members, when in reality, those occasions may be quite rare. So placing a premium on a certain number of cabins, for example, may not lead you to the vessel that's right for you.

Also, if you are only a casual fisherman, you may want to reassess your needs before committing to the costs of outfitting and maintaining a true sport-fishing vessel over a pleasure boat.

Consider where you will store your vessel. You are only truly ready to buy a boat when you know where and how you will keep it and what it will cost.

Buying used can save some dollars, but make sure to survey the vessel. There are two types of surveyors you should seriously consider employing before agreeing on a purchase, depending on the size and value of the boat you are buying.

A hull surveyor will thoroughly inspect the structure of the vessel, as well as check the functional state of equipment on board such as the heads, galley, lighting and navigational electronics. An engine surveyor specifically tests the condition of the engines and any generators on board. While there are many independent engine surveyors, when in doubt, look for a surveyor who is also an authorized mechanic for the manufacturer of the engines in question.



When it comes to the title of your vessel, any new purchase should come with a bill of sale and a manufacturer's certificate of origin, which will allow you to register the vessel in the state of your choice and/or with the United States Coast Guard.

When buying a used vessel, the buyer should also receive a bill of sale. An abstract of title can be requested for U.S. documented boats, which should show any mortgages against the vessel. Be aware that both federal law (under the Federal Maritime Lien Act) and Florida law (Fla. Stat. § 713.60) allow for secret liens against vessels. These are generally liens in favor of persons or companies that provide necessary maintenance or services to a vessel.

The lien may not be known about or no claim may be made at the time you are

purchasing the vessel. To protect against future claims against the vessel, insist on title warranty from the seller stating that the vessel is being sold free of any and all mortgages, liens or encumbrances against the vessel. That way, you will have the seller in a position to indemnify you should a claim arise.

By taking the above precautions, you can help ensure that your dream of a South Florida yachting lifestyle does not turn into a sinking nightmare.



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