

THE TDI T-47.1 DECLARATION FOR USE WITH EXISTING SURVEYS

The new Texas Department of Insurance T-47.1 form will be available for use on or after November 1, 2024 under Texas Department of Insurance rules. TREC is currently in the process of updating its contracts to incorporate the T-47.1.

As always, check with your broker to confirm best practices for using new forms in your office.

HERE'S WHAT YOU NEED TO KNOW:

The T-47.1 is a "statutory declaration" as opposed to an "affidavit," a welcome option for Sellers that **eliminates the need to find a notary.**

The new form can be signed via digital signature without a notary's acknowledgment.

Sellers must include their date of birth and address on the new T-47.1. If they choose **NOT** to provide this information, they must complete the **T-47 Affidavit and sign before a notary**, as in the past.

Note that the title company does not file either document in public records, but the parties on the Buyer's side of the transaction will have a copy. Independence Title will still ask Sellers to sign the T-47 form at closing and the closer will notarize it.



Q. Who is the "Declarant" and what is a "GF No.?"

A: The Declarant must be the property owner or someone with knowledge of the property (e.g., manager, tenant). The GF, or "Guaranty File Number," is assigned by the title company.

Q. When is this form required?

A: The T-47 or T-47.1 is required from the Seller for any transaction utilizing an existing survey for title insurance coverage. Title insurance coverage may be adjusted based on this declaration.

Q. What do the T-47 and T-47.1 forms do?

A: The form affirms that there are no significant changes to the property (e.g., new structures, boundary changes, easements, or construction near the boundaries by an adjoining owner) since the survey date. Any changes must be noted by the Declarant, or marked "None." Declarant confirms all statements are true to the best of their knowledge and acknowledges potential liability for intentionally false information. Note that the title company relies on this declaration, but it's not a warranty or guarantee.

FAQ'S

PRO TIP FOR AGENTS:

If you plan to upload the survey & T-47.1 to the MLS, make sure to protect the Seller's private info online by hiding their DOB and address.



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For more information, reach out to your Independence Title Business Development Representative.