

Changes To Form T-47 & New Form T-47.1



Form T-47

Form T-47.1

New!

- Sellers may have the option to use the new T-47.1 Declaration in place of the T-47 Affidavit.
- Notary is no longer required to sign T-47.1.
- The T-47 can now be electronically signed offering a more convenient option for sellers.

T-47 Changes:

1) A section specifying the “Date of Survey,” and Paragraph 4 will now ask the signatory to confirm no changes “since Date of the Survey”, including a blank area for indicating any changes.

Date: _____ GF No. _____
 Name of Affiant(s): _____
 Address of Affiant: _____
 Description of Property: _____
 County _____, Texas
 Date of Survey: _____

2) Paragraph 4 (C) now asks simply whether “construction occurred on or near the boundary of the Property,” rather than determining if neighboring activities caused encroachment.

4. To the best of my actual knowledge and belief, since Date of the Survey, there have been no:
- construction projects such as new structures, additional buildings, rooms, garages, swimming pools, decks, or other permanent improvements or fixtures;
 - changes in the location of boundary fences or boundary walls;
 - construction projects on immediately adjoining property(ies) which construction occurred on or near the boundary of the Property;
 - conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

3) Form modification to allow separate seller signatures when there are multiple owners.

Introducing T-47.1:

The new form does not require a notary, but does include a statutory declaration and form does have to include the seller’s date of birth to satisfy the statutory requirements.

My name is _____ My date of birth is _____ and my address is _____	My name is _____ My date of birth is _____ and my address is _____
I declare under penalty of perjury that the foregoing is true and correct.	I declare under penalty of perjury that the foregoing is true and correct.
Executed in _____ County, State of _____ on the _____ day of _____.	Executed in _____ County, State of _____ on the _____ day of _____.
Signed: _____	Signed: _____
Declarant	Declarant

Amendments to One to Four Family Residential Contract:

- TREC has amended Paragraph 6C(1) to include the option of providing the T-47.1 Declaration in lieu of the T-47 Affidavit when the seller furnishes the buyer with an existing survey.
- Paragraph 6C(2) is amended to read “Buyer may obtain a new survey” instead of “Buyer shall obtain a new survey” and adds that if the buyer ultimately fails to obtain the survey, the buyer does not have the right to terminate the contract under Paragraph 2B of the Third Party Financing Addendum.

Once the forms are posted, they will be available for voluntary use and will become effective for mandatory use **Jan. 3, 2025.**