

# T-47 AFFIDAVIT



## Information for Sellers: Understanding the T-47 Affidavit



When you decide to sell property, you must fill out a number of essential forms. One of those required by the state of Texas is a [T-47 Residential Real Property Affidavit](#). It's essential for real estate agents, buyers, and sellers to know why and how this document is used by Patten Title and what it means.

### WHAT IS A T-47?

A real estate title includes the bundle of rights afforded to the property owner about where their property boundaries lie, if they can use the property for commercial or residential purposes, or even how the property can be transferred.

Texas requires the Residential Real Property Affidavit, or T-47 form, so that the title company has a notarized document explaining to the buyer what the seller knows about the property's boundaries.

### WHY DO I NEED A T-47?

The T-47 is contractually required so that the buyer is aware of any changes the seller made that could impact any previous versions of the land survey. For example, if the land was purchased without a building on it, and the seller has since added a fence, home and garage as well as paved parking, older versions of the land survey would be obsolete.

In some cases, if the seller has made no structural or property changes, a buyer can forgo paying for a new survey of the property.

### WHO NEEDS THE T-47?

Because this is a sworn and notarized affidavit, this form is used by the buyer's lender and title company to determine the need for a new survey. In Texas, the cost of a title survey depends on the size and location of the land, but it averages about \$500.

### HOW DO I COMPLETE A T-47?

Locate the original land survey to help fill out the T-47 affidavit. If you don't have one, your title company should have a copy.

1. Fill out your name, the date, and the address of the property to be sold.
2. Your original title policy can help you fill the "Description of Property" line. This description would include information like lot and block descriptions. You'll want to fill it out exactly as it appears on your original title policy (e.g., Lot 9, Block B, etc.).
3. The "GF number" line can be left blank. The title company will fill in this number.
4. The form needs to be signed by all property owners and notarized.

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#### T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT

(May be Modified as Appropriate for Commercial Transactions)

Date: \_\_\_\_\_ GF No. Title Company to Complete

Name of Affiant: Your Information

Address of Affiant: \_\_\_\_\_

Description of Property: Legal Description

County \_\_\_\_\_, Texas

## UNDERSTANDING SECTION 4

Section 4 of the T-47 can trip up many sellers and agents filling out the form. Section 4 is the portion that guarantees nothing has been changed on the property since the last title was issued.

The confusing part is often the date (*or the blank line*). It is recommended to insert the last survey date, whether from the original purchase date or if a new survey has been taken since the property was last titled. This means you'll want to use the date of the latest survey on record.

If, for instance, you have upgraded with a new fence since buying a property 10 years ago, you'll want to include that in a list of any changes that were made and write those within Section 4.

Also, if a survey was performed after the sale because a garage or entire home was built on what had previously been vacant land, you would write the date of the newest survey on the date line.

If no changes have been made, you must write "None" at the end of the section.

4. To the best of our actual knowledge and belief, since \_\_\_\_ (Date the home was purchased) there have been no:

- a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
- b. changes in the location of boundary fences or boundary walls;
- c. construction projects on immediately adjoining property(ies) which encroach on the Property;
- d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

EXCEPT for the following (If None, Insert "None":) Add what changed or "None". Don't forget to write "None" if nothing has changed.

## WHEN SHOULD I COMPLETE THE T-47?

A seller should fill out the form before the first contract is received. To make life easy, fill it out when you decide to put your property on the market. However, a T-47 is only necessary if a new survey is not needed or requested.

There are requirements and conditions attached to the T-47, including the timeliness of its delivery. If a seller fails to deliver both the T-47 and the existing survey by the time specified in the contract, the seller might be on the hook to pay for a new survey.

## WHERE DO I RECEIVE A T-47?

Talk to your agent about all of the forms you need to complete as you prepare to put your property on the market. The T-47 is just one of many. However, you can also reach out to your title company or the Texas Department of Insurance for a copy of the form.

Finally, follow [this link](#) to print out a copy to prepare and submit when necessary.

