

## 1: Welcome to TREC

*A S YOU HAVE probably already learned in your real estate pre-licensing course, every real estate salesperson in the state of Texas "or in any other state, for that matter" must be licensed.*

Jeff Rattikin One of the most puzzling issues confronting Texas consumers when attempting to document a real estate transfer is deciding which type of transfer deed is appropriate to use. For generations, well-meaning advisors have unknowingly led their questioners astray by repeating a well-circulated but extremely inaccurate mantra: In order to transfer title to real estate, the seller should give the buyer a quitclaim deed, often mispronounced a quickclaim or quick claim deed. And the bad advice is not limited to just the non-attorney public. Many, many divorce lawyers and probate lawyers routinely subject their clients to potential title issues by including quitclaim deeds in their work product. How such misinformation and misuse has become so widespread is a mystery; however, Texas law is very clear that in most instances, a quitclaim deed is not appropriate, and could lead to future problems. In Texas, there are basically four main types of deeds: The differences between them are profound, and the type used continues to affect both parties well after the transfer takes place. But back to basics. In order to validly convey title to real estate in Texas, a grantor must execute a deed to the property in front of a notary public. Failure to file the deed can subject the property to future claims by other parties. Most commonly, a grantor provides a general warranty deed. This basic staple of Texas real estate law serves to transfer title to the grantee, and contains a full warranty of title, whereby the grantor warrants to the grantee that the title to the property is free and clear of any other claims. Obviously, such a deed, containing broad warranties of title, provides the best protection for the grantee. However, in certain situations, a grantor may not be comfortable in making such broad warranties to a grantee. Perhaps they are not sure about the status of title prior to their ownership, or they would rather the grantee rely on the title insurance provided by a title company to cover any past title issues. In such cases, a grantor may opt to provide only a special warranty deed. If for whatever reason a grantor is not comfortable making any warranties of title at all, a deed without warranty can be prepared. However, such a document is not advised, and a grantee would accept such a deed only as a last resort. This type of deed is typically used to clear up past title problems, such as recently found heirs in the chain of title who were not even aware of their interest in the property. Lastly a quitclaim deed is hardly a deed at all, in that technically, it does not convey anything. Instead, it is more of a release than anything else. In executing a quitclaim deed, the signer is in effect releasing, or relinquishing, any claim of title to the transferee. For this reason, most title companies will not give credence to quitclaim deeds found in a chain of title, and corrective action must be taken before a property sale can be closed. Rattikin has provided transactional legal services to clients across the State of Texas for over 28 years, emphasizing real estate, business and title law.

## 2: Contracts, Forms and Notices | TREC

*Brokers and Preferred Lists of Service Providers - What's AI The Commission has received several questions about whether a broker may adverti An Update on Customer Service From Tony Slagle, Deputy Exec When I was named the Deputy Executive Director of TREC and the Deputy Commission.*

## 3: Texas Real Estate Forms Manual (3rd Edition) - Texas Bar Books " Texas Bar Books

*ABOUT THE TEXAS INTERNATIONAL HOMEBUYERS REPORT The edition of the Texas International Homebuyers Report is based on survey data from the Profile of International Transactions in U.S. Residential Real Estate by the.*

## 4: Deeds in Texas: It's the Type that Counts! - Texas Legal Docs

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*PERSONAL PROPERTY A. Characteristics of Land/Real Estate.*

## 5: Property Tax Assistance

*Texas state laws stipulate that a person may not act as a real estate broker, broker-salesperson, or salesperson without first obtaining a license issued by the Texas Real Estate.*

## 6: Free Real Estate Books Download | Ebooks Online Textbooks

*As public records, contract forms adopted by the Texas Real Estate Commission are available to any person. Real estate license holders are required to use these forms.*

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