

Title Licensing FAQs

General Communication Issues

1. **License Approved:**
Once a title agent license is approved, a copy of the license is emailed to the title agent, and all underwriters along with a Firm Inquiry report. Any approved escrow officer licenses are sent to the title agent and escrow officer.
2. **Application filings:**
The title agent is required to submit all title agent and escrow officer applications and renewals.
3. **Appointment Action notifications:**
The system generated Appointment Action reports are provided as a courtesy and are not intended to contain all the licensure information. This report only contains basic information for identification and the action taken on the appointment. This report is sent to the underwriter only.
4. **Title Agent External Reports:**
The reports menu is located at the following URL, in the title agent / escrow officer section:
<https://apps.tdi.state.tx.us/sfsdatalookup/StartAction.do>

TDI is in the process of upgrading these reports to include an underwriter report and is enhancing existing reports to provide additional clarity to the data output. As more reports become available, they will be added to this location.
5. **Title Agent by County Report (DBA Names):**
You may request Information on including the DBA names on the report on a case by case basis. DBA names are not included for now, to avoid complicating the external Title Agent County Report. This may change in the future.
6. **Firm ID:**
The Firm ID is used the same way the Company ID was used in the pre-conversion world. This number is the main identifier and you should use it when corresponding with TDI on licensing documents.
7. **Indv ID:**
This number is used the same way the EID was used in the pre-conversion world. This number is a unique individual identifier and you should use it when corresponding with TDI on licensing documents.

- 8. Time Sensitive Filings:**
If you have an urgent, time sensitive filing situation, please inform us and we may be able to adjust your filing's priority.
- 9. Deficient Filings:**
When a filing is deficient, the TDI processor retains the filing. When you return the corrected filing to TDI, the filing is processed immediately. Our goal is to process corrected deficiencies within five business days.
- 10. Title Agents with Multiple DBAs**
TDI is asking title agents—where feasible—to merge into one entity because this comports with the single license methodology for title agents. Licensees now have one Federal Employer Identification Number (FEIN) with multiple DBAs. We realize that some will not be able to consolidate. TDI will issue separate licenses for unconsolidated agents.
- 11. Deficiency Filing Issues**
It is critical that we get a response from the applicant as quickly as possible because the filing is not deemed complete if it is deficient.
- 12. Calls and Emails to TDI**
TDI responds to all calls in the date order received. Currently we are receiving an extremely high volume of calls and emails.
- 13. Avoiding Delays in Processing**
Please thoroughly review your filings before submitting them to TDI. This will alleviate some deficiencies and speed up processing.

Forms

Workability Issues

- 1. Unencumbered Assets – Balance Sheet Requirement**
Insurance Code Sections 2651.002(c)(2) and 2651.012 require title agents to maintain a specified amount of unencumbered assets in excess of liabilities. Title agents may demonstrate that they comply with this requirement by submitting a balance sheet or other acceptable evidence when they submit their new (FINT143) or renewal (FINT03) Form.
- 2. Franchise Tax Account Status**
When an entity submits Form to apply for a new (FINT143) or renewal (FINT03) license, the entity must verify their Franchise Tax Account Status by submitting a current printout of the taxpayer's Franchise Tax Account Status page from the Texas State Comptroller's Office website,

<http://www.window.state.tx.us/taxinfo/coasintr.html> See Administrative Rules L-1.I.C.5. and L-1.IV.D.3.

3. FEIN(FIN) Verification

Title agents must verify their correct FEIN number by submitting a copy of the SS-4 letter from the IRS with all licensing packages.

5. Underwriting Contract for a New Agent

There is no term requirement for contracts with underwriters.

Escrow Officer Licensing Issues

1. Escrow Officer Cancellation Form

The cancellation language on the back of the Certificate of License is the same as pre-conversion. The signature line is available for an escrow officer who wishes to cancel the license. If there is a termination or other reason the escrow officer's signature cannot be obtained, the title agent needs to state the reason on that line.

2. Renewal Application

When renewing escrow officer licenses, the officers must verify that they have met the continuing education requirements by submitting copies of the course completion certificates. The escrow officer should keep the original for four years, under Procedural Rule P-28.12.

3. Ethics Requirements for Escrow Officers

All escrow officers licensed for at least 10 months must complete six or more hours of continuing education, depending on the length of time licensed. Procedural Rule P-28.A.3. Those hours must include at least one hour of ethics.

Abstract Plant Information Form (Form FINT120 or T-52)

1. Plant Ownership

If an agent leases a title abstract plant, whoever issues the subscription agreement should be listed as the plant owner on the Abstract Plant Information form.

Professional Management Course Issues

1. Management Personnel

The following people qualify as management personnel who are required to comply with Procedural Rule P-28 by taking a professional training course for title agent management personnel

- a. Designated managers, performing day to day operations.
- b. Any Owners, Officers, Directors, or Partners owning 10% or more of the Title Agent.
- c. If an entity owns 10% or more of the Title Agent, the entity's Officers, Directors, or Partners are required to take the training course.

2. Work History

To qualify for the exemption from professional management training requirements, management personnel may submit a resume or detailed work history demonstrating that they have held a position as management personnel in Texas for at least five years. *See* P-28.B.4.