

## TEXAS TITLE AGENTS REFERENCE CARD

We appreciate your business and want you to know we're here to help. This reference card only provides general information for Capital Title's Texas agents and should not be considered legal advice. If you need specific advice, please contact your favorite Texas underwriter. This card is not meant to direct your escrow or settlement practices or change underwriting agreements. The information provided here is subject to change. (Revised 07/2024).

Issue	Period	AUTHORITY
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### Abstracts of Judgment

Private Creditors	10 years	TEX. PROPERTY CODE §52.006(a)
State of Texas	20 years	TEX. PROPERTY CODE §52.006(b)
Federal Judgments	20 years	28 UNITED STATES CODE §3201
Federal Lien Securing a Judgment Imposing a Criminal Fine	20 years, generally from judgment, release, or death	18 UNITED STATES CODE §3613
<b>Acknowledgment Defects</b>	>4 years, Prior to 9/1/2007 (ignore) >2 years, After 8/31/2007 (ignore)	TEX. CIV. PRAC. & REM. CODE §16.033(A)(8)
<b>Ad Valorem Property Taxes</b>	20 years delinquent, Real Property 4 years delinquent, Personal Property	TEX. TAX CODE §33.05(A)
<b>Adopted Children, Right of Inheritance from Natural Parent</b>	4 years from death of natural parent	TEX. CIV. PRAC. & REM. CODE §16.051
<b>Child Support Liens</b>	No limitation, Prior to 9/1/2009 10 years, On/After 9/1/2009	TEX. FAMILY CODE §157.318
<b>Deeds</b>	4 years from discovery of cause to set aside, rescind, or reform	TEX. CIV. PRAC. & REM. CODE §16.051

### Deed of Trust Liens

Non-Federal Beneficiary	4 years after maturity date	TEX. CIV. PRAC. & REM. CODE §16.035
FDIC/RTC Beneficiary	6 years after maturity date or receivership	12 UNITED STATES CODE §1821(d)(14)
Federal Beneficiary	No Limitation	28 UNITED STATES CODE §2415
<b>Earnest Money Contract</b>	4 years after day the cause of action accrues	TEX. CIV. PRAC. & REM. CODE §16.004(A)(1)
<b>Farm, Factory &amp; Store Worker's Lien</b>	6 months after filing Affidavit securing lien	TEX. PROPERTY CODE §58.006

### Federal Tax Liens

Income Tax	10 years after assessment of tax	26 UNITED STATES CODE §6502(A)(1)
Estate & Gift Tax	10 years after date of decedent's death	26 UNITED STATES CODE §6324
<b>HOA/POA Assessment Liens</b>	4 years after due date- with resale certificate showing not collectible	TEX. CIV. PRAC. & REM. CODE §16.035
<b>Mental Health &amp; Mental Retardation Liens</b>	No Limitation	TEX. HEALTH & SAFETY CODE §533.004

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## Mechanic's Lien

Voluntary (Contractual)	4 years after payment of the contract price became due	TEX. CIV. PRAC. & REM. CODE §16.035
Involuntary (Constitutional)	4 years after underlying debt became due	§37 TEX. CONSTITUTION; TEX. CIV. PRAC. & REM. CODE §16.004(A)(3)
Involuntary - Statutory Affidavit of Claim (Owner's Residence)	16 months after last date of labor/furnished materials, can be extended up to 28 months by written agreement	TEX. PROPERTY CODE §53.158(B)
Involuntary - Statutory Affidavit of Claim (All other Construction)	17 months after last date of labor/furnished materials	TEX. PROPERTY CODE §53.158(A)

## Municipal Liens

Street Improvements	No Limitation	TEX. TRANSPORTATION CODE §313.054(D)
Statutory Health/Safety Liens	No Limitation	TEX. HEALTH & SAFETY CODE §342.007(E)
<b>Restitution Liens</b>	10 years after filing	TEX. CODE OF CRIMINAL PROCEDURE ART. 42.22, §§12(A), 12(B)

## State Tax Liens

Sales, Use, Excise, Franchise, Gross Receipts, Business Permit, Severance, Hotel Occupancy and Inheritance Taxes (Title 2 Taxes)	3 years from notice	TAX CODE §156.001; TEX. TAX CODE §111.202
Texas Workforce Commission and Employers - Unpaid Unemployment Compensation Contribution	3 years after contribution due	TEX. LABOR CODE §213.033(A)
Wage Lien (a/k/a Payday Lien)	No Limitation	TEX. LABOR CODE §61.081, §61.082
Texas Workforce Commission and Employees - Overpaid Unemployment Compensation Benefits	3 years after reimbursement became due	TEX. LABOR CODE §212.006, §213.033(A)
<b>Student Loans</b>	No Limitation	TEX. EDUCATION CODE §51.967
<b>Substitute Trustee Lacking Recorded Appointment</b>	4 years from Trustee's Sale Deed, prior to 9/1/2007 2 years from Trustee's Sale Deed, on/after 9/1/2007	TEX. CIV. PRAC. & REM. CODE §16.033(A)(7)  TEX. CIV. PRAC. & REM. CODE §16.011

## Tax Sales, to Set Aside

Tax Warrant Seizure	1 year after Sheriff's Sale	TEX. CIV. PRAC. & REM. CODE §16.002(B)
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Ad Valorem Tax Lien Foreclosure (Non-homestead, Non-agricultural, & Surface Only)	1 year after filing date of Sheriff's Tax Deed	TEX. TAX CODE §33.54(A)(1)
Ad Valorem Tax Lien Foreclosure (Homestead, Agricultural, OR Minerals w/ Surface)	2 years after filing date of Sheriff's Tax Deed	TEX. TAX CODE §33.54(A)(2)
Resale by Taxing Unit Taking Title at Tax Sale	1 year after date resale occurred	TEX. TAX CODE §34.05(F)
<b>Water Control &amp; Improvement District Lien</b>	No Limitation	TEX. WATER CODE §51.509

### County Liens

County Assessment for Road Improvements	No Limitation	TEX. TRANSPORTATION CODE §253.009
County Lien for Repair or Removal of Shoreline Structure	No Limitation	TEX. LOCAL GOVT. CODE §230.001
County Litter Lien	No Limitation	TEX. HEALTH & SAFETY CODE §365.034
County Weed & Sanitary Lien	No Limitation	TEX. HEALTH & SAFETY CODE §343.011, §343.0111, §343.022, §343.023

### Municipal Liens

Municipal Demolition Lien	No Limitation	TEX. LOCAL GOVT. CODE §214.001, §214.0015
Municipal Assessments for Street Improvements	No Limitation, unless lien assigned from municipality to 3rd party, then 4 years from assessment	TEX. TRANSPORTATION CODE §313.054
Municipal Utility Services Lien	No Limitation	TEX. LOCAL GOVT. CODE §402.0025
Municipal Assessment for Water/Sewer Systems	No Limitation	TEX. LOCAL GOVT. CODE §402.065, §402.067
Municipal Weed & Sanitary Lien	No Limitation	TEX. HEALTH & SAFETY CODE §342.007, §342.008
<b>Solid Waste Facility Remedial Lien</b>	No Limitation	TEX. HEALTH & SAFETY CODE §361.194
<b>Surface Coal Mining Reclamation</b>	No Limitation	TEX. NATURAL RESOURCE CODE §134.150
<b>Miscellaneous State Tax Liens</b>	No Limitation	TEX. TAX CODE §113.001, §113.101, §113.105
<b>Unemployment Taxes</b>	No Limitation	TEX. LABOR CODE §213.057, §213.058
<b>Water District Taxes</b>	No Limitation	TEX. WATER CODE §55.604
<b>Broker's Lien/Appraiser's Lien</b>	2 years from recording date (commercial property only)	TEX. PROPERTY CODE CHAPTER 62
<b>UCC Financing Statement</b>	5 years from recording	TEX. BUSINESS & COMMERCE CODE §9.403

# TEXAS TITLE AGENTS REFERENCE CARD

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