

Title Instructions when DECEASED

Instructions for obtaining a new title when the seller(s), (who is listed as the registered owner on the front of the title), is a deceased person:

1. **If there was a will and it was probated**, you must use a letter of testamentary, that was issued after the will was probated. The person named on the letter of testamentary is the authorized signer for the back of the title and the application for title.

2. **If there was no will, or if there was a will, but it will never be probated**, you must use Affidavit of Heirship form(s). If the surviving spouse is still living and the deceased spouse had no children from a previous marriage, the only heir that has to sign the Affidavit of Heirship is the surviving spouse. If the deceased person did have any other children by a previous marriage, then the surviving spouse and all the other children must sign as heirs. **Signatures on the Affidavit of Heirship must be notarized.** You can have one sheet for each person, or several may sign on one sheet. If the estate is going to be probated, but has not yet been done, you must wait until after it is done and the Letter of Testamentary is issued.

Required documents:

1. Title (if available) signed on back. Must be signed by authorized person listed as heir, or executor of estate, depending on which form you have to use. **If the title is not available, the State will not issue a certified copy of a title (lost title) on a deceased person, even if ONE of the listed owners is still living.**

2. One of the forms listed above (either Affidavit of Heirship or Letter of Testamentary) depending on the circumstances of the estate.

3. Application for Texas Title, signed on line #22 as seller. Seller's signature will either be the person named on the Letter of Testamentary or any one of the heirs (again, depending on which form above you have to use).

4. Odometer reading on Application for Texas Title, if the vehicle is less than 10 years old. If it is more than 10 years old, odometer reading is "Exempt".

5. **If the title is an out of state title**, a VIN Verification Sheet, formerly called a "green sheet" is required. This is a form obtained from any Texas inspection station after the vehicle (or trailer) is inspected in Texas.

6. If the title does not show an empty weight on the front, a weight ticket is also required.

7. Color of vehicle is now required to be on all Texas titles.

If you have any other questions, do not hesitate to call the Jack County Tax Office at 940-567-2352. We will be glad to assist you.