Texas
Title Reference Guide

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Please note - This document is intended to cover most requirements for obtaining a negotiable, lien-free title. It is not intended to replace motor vehicle department regulations or rulings. If you have title questions please contact IAA’s Title Solutions Department (TitleSolutions@iaai.com).

Contact Information

IAA Website: http://www.iaai.com

Please direct any questions, comments, or corrections to IAA’s Title Solutions Team. TitleSolutions@iaai.com Toll Free - 888-MY-TITLE (888-698-4853)

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Title Questions:

IAA – Title Solutions
7835 Woodland Drive
Suite 200
Indianapolis, IN 46278
Toll Free: 888-698-4853
FAX: 855-584-5198
TitleSolutions@iaai.com

Motor Vehicle Department:

Texas Department of Motor Vehicles
4000 Jackson Ave.,
Austin, TX 78731
Phone: 888-368-4689
www.txdmv.gov

IAA Locations in Texas:

Austin
2191 Highway 21 West
Dale, TX 78616
Phone: 512-321-8075
Fax: 512-321-8303
Auction: Every Tuesday at 9:00 AM CT

Corpus Christi
4701 Agnes Street
Corpus Christi, TX 78405-3601
Phone: 361-881-9555
Fax: 361-887-8880
Auction: Every Wednesday at 10:00 AM CT

Dallas
204 Mars Road
Wilmer, TX 75172
Phone: 972-525-6401
Fax: 972-525-6403
Auction: Every Wednesday at 8:30 AM CT

Houston-North
16602 E. Hardy
Houston, TX 77032
Phone: 281-443-1300
Fax: 281-443-4433
Auction: Every Thursday at 8:30 AM CT

Longview
5577 US Highway 80 East
Longview, TX 75605-6771
Phone: 903-553-9248
Fax: 903-553-0210
Auction: Every Thursday at 9:00 AM CT

Permian Basin
701 W 81st St
Odessa, TX 79764
Phone: 432-550-7277
Fax: 432-366-8725
Auction: Every other Thursday at 10:00 AM CT
IAA Locations in Texas (continued):

El Paso
14651 Gateway West
El Paso, TX 79927
**Phone:** 915-852-2489
**Fax:** 915-852-2235
**Auction:** Every other Friday at 9:30 AM MT

San Antonio-South
11275 South Zarzamora
San Antonio, TX 78224
**Phone:** 210-628-6770
**Fax:** 210-628-6778
**Auction:** Every Monday at 9:00AM

Houston
2535 West Mt. Houston Road
Houston, TX 77038-3532
**Phone:** 281-847-4700
**Fax:** 281-847-4799
**Auction:** Every Wednesday at 8:30 AM CT
Title mistakes can be costly and can significantly delay the sale of salvage vehicles. Catching these potential errors before the title paperwork goes to the auction can prevent title problems that will delay a vehicle’s sale by weeks or even months.

Title and Disposal Information

Standard Title Processing
IAA will apply for the appropriate title in the Provider’s name. In order to initiate this process the vehicle provider must supply the following documentation:

- **Properly Executed Title** – If owner held title at time of loss, then the provider must send a title that has been properly executed by the owner or the title including the correctly executed Power of Attorney (POA). If the lien holder possessed the title at the time of the loss, then the provider must send the unsigned title with a lien release if applicable or lien holder signed off on title, and Power of Attorney signed by the owner. Original / no copies. **Certified copies of original PoA are accepted.**
- **Lien Release** (if applicable) – Lien to be satisfied and dated on the face, or include separate notarized lien termination statement on lien holder letterhead with a vehicle description and owner’s name(s) original. No copies.
- **Odometer Disclosure** – Odometer disclosure is required for vehicles less than 10 model years. This can be accomplished on the title or with a separate odometer statement, signed by the owner. Mileage should be stated with a verified reading and should not be an estimate or guess.

If IAA is not processing the title, please attach the properly executed sale document and any additional required forms as outlined above to a coversheet with your selling instructions noted. Forward these documents to the appropriate IAA Branch.

DMV Title Fees
Please contact your local IAA Branch or DMV for up-to-date fees.
Duplicate - $2.00
Salvage - $8.00

Duplicate Title
With the owner’s cooperation, IAA can apply for a duplicate title.
IAA will need:
- One (1) Power of Attorney and copy of owner’s driver’s license. If vehicle is titled in a business name a business card or statement on company letterhead stating the representative’s position signing on behalf of the company and that they are authorized to do so.
- Lien Release if applicable. Either business card or letter proving that agent can sign, if lien holder is a business.
Additional Information

Deceased Owner Requirements
- If One Owner - A copy of the Death Certificate and notarized Affidavit of Heir are needed. Heir must sign title or POA.
- If Joint Tenant With Right of Survivorship (JTWROS) - Survivor must sign title and provide copy of Death Certificate.
- If Probated - Letters of Testamentary/Administration along with the title signed by executor are required.

Repossessed Vehicle
- On a repossessed vehicle, the lien holder has to sign as seller on original title, and attach a notarized Affidavit of Repossession.

Name Changes
- If the insured’s name is different than the name that appears on the title (i.e. different last name or nickname instead of first name), a copy of the marriage license, divorce decree, or court document stating legal name has changed may be required in addition to the signed title. Please contact a Texas branch if questions arise.
- If name on title is completely different, this could be a situation where the owner purchased the vehicle from someone and did not title it properly. In this scenario the owner will be required to pay sales taxes and have the vehicle titled properly before it can be sold. Contact your local IAA branch or Title Solutions for assistance in resolving these situations. Title Solutions requires written approval via email or fax from provider before providing assistance.

Owner Retain
- If the vehicle has been declared a total loss by the provider and deemed repairable, the owner may retain the vehicle but must obtain title and notify the state with the Owner Retained Report-VTR-436 form.

Un-Recovered Theft
- The provider is required to obtain a clear title in their name because the provider will need proof of ownership if the vehicle is recovered.
- A POA is required, even if title is signed by the owner, so that application can be completed on the owner’s behalf for an Un-recovered Theft title.
- Copy of Police Report is required.
Alternate Disposal

If the Provider is unable to obtain a negotiable title, IAA can obtain one through one of the following processes:

- **Court Ordered Title** – Can be used on any vehicle without a stolen notice in DMV. This process takes 90 days to obtain adequate resale documents and is usually reserved for a late model, high dollar rebuildable salvage. Process costs $200 and can be initiated with written notification on Provider letterhead requesting a Court Ordered title.
- **Abandonment without Proceeds** – Please contact your local IAA branch for details.
- **Insurance Companies Only**: TX HB 1422-If a provider has exhausted all efforts to obtain a negotiable title, they can obtain a certificate of title through this process. The provider has the option of a clear, salvage, non-repairable or flood-salvage title (based on percent of damage).
  - **HB 1422 Application Requirements:**
    - Two written notices attempting to obtain the properly assigned certificate of title. Letters must be mailed certified, and does not require specific verbiage; (can be mailed 1 day apart). Copies of green certs or returned letters along with additional requirements below are needed to mail with title application.
    - DMV print screen required. If vehicle is titled out of state, a VTR221-Out of State Statement of fact is required.
    - A statement on provider letterhead is needed to advise the state that two written notices have been mailed to vehicle owner attempting to obtain the title of said motor vehicle.
    - Evidence that the provider paid the claim.
# State Guidelines

## Title Requirements by Vehicle Type

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Titled</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Passenger vehicles</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>ATVs</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Boats – motorized</td>
<td>Yes</td>
<td>All powerboats, self-propelled boats less than 14 feet in length are exempt from titling.</td>
</tr>
<tr>
<td>Commercial trucks (i.e. tractor trailers)</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Farm Equipment</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Manufactured and mobile homes</td>
<td>No</td>
<td>Sell on Bill of Sale</td>
</tr>
<tr>
<td>Motor Homes and RV’s</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Motorcycles</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Snowmobiles</td>
<td>No</td>
<td>Sell on Bill of Sale</td>
</tr>
<tr>
<td>Trailers with an unloaded weight equal to or greater than 4,000lbs</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Trailers with an unloaded weight less than 4,000lbs</td>
<td>No</td>
<td>Sell on Bill of Sale</td>
</tr>
</tbody>
</table>
**Title Branding Guidelines**

<table>
<thead>
<tr>
<th>Title Branding Guidelines</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Salvage Title</strong></td>
<td>Salvage titles are required for vehicles of all model years that have been damaged over 100% of the ACV. Salvage title needed for any flood claim. Non-repairable titles are required on all vehicles for which the residual value is scrap only.</td>
</tr>
<tr>
<td><strong>Clear Title</strong></td>
<td>As long as the estimated cost of repair is less than 100% of ACV the title can remain clear. When provider completes the Owner Retained Report-VTR-436 form, they should not check the box – “A Salvage Vehicle Title is Issued.” Provider may require the owner to surrender their current title to have branded salvage even if the cost of repair falls into the clear title guidelines.</td>
</tr>
</tbody>
</table>
Determining the Correct Title Type

Texas Salvage Title Flow Chart

[Diagram showing decision points for determining the correct title type based on vehicle details and location.]
Frequently Asked Questions

What is required to correct a mistake that is made by the owner on the back of the title?
If an error is made on the title please contact the branch to determine if an affidavit of correction will suffice or if a duplicate title is required. Please contact the branch for more specific situations.

Is a copy of the written estimate needed to process the title?
A damage appraisal is not required.

What type of POA is required if the title is not signed?
The state accepts a generic power of attorney that does not need to be notarized.

If an owner’s full name is listed, does he/she need to sign as listed on the face of the title?
The signature should match exactly as the name is listed on the face of the title.
Example: John P. Doe / John P Doe. Note that this is NOT signed John Doe or J. Doe or Mr. Doe.
Example Documents

Texas Title (Front)

[Image of a Texas Certificate of Title]

- **Signature**: [Signature]
- **Date of Issue**: [Date]
- **1st Lien Released**: [Date]
- **2nd Lien Released**: [Date]
- **3rd Lien Released**: [Date]

**RITES OF SURVIVORSHIP AGREEMENT**

- **Signature**: [Signature]
- **Date**: [Date]
# Glossary

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affidavit of Correction</td>
<td>A notarized form that can correct certain errors made by an owner on the title.</td>
</tr>
<tr>
<td>Appraisal</td>
<td>Written estimate detailing damage and replacement costs for a vehicle. Also known as an Estimate of Repair.</td>
</tr>
<tr>
<td>Date of Loss</td>
<td>Date accident occurred or vehicle was stolen.</td>
</tr>
<tr>
<td>Duplicate Title</td>
<td>A duplicate title is a replacement title obtained through the state title processing agency (Ex. DMV, MVD, BMV). When a duplicate title is issued the original title becomes void.</td>
</tr>
<tr>
<td>Electronic Title</td>
<td>Some states are now using E-Titles especially when there is a Lien Holder listed. An E-Title is held in the title possessing agency’s system until the Lien Holder releases the lien. The title is then printed and mailed out to the specified party.</td>
</tr>
<tr>
<td>Exceeds Mechanical Limits (EML)</td>
<td>Exceeds Mechanical Limits is an option on most titles that is selected when the vehicle has travelled more miles than the odometer can register. Many older vehicles are limited to 99,999.9 mile odometer reading. When the vehicle exceeds the odometer’s mechanical limits traveling past 100,000.0 miles, the vehicle has exceeded its mechanical limit for the odometer. This option is rarely selected on newer vehicles since most odometers now register up to 999,999 miles.</td>
</tr>
<tr>
<td>Lien Release</td>
<td>When a lien has been perfected on a vehicle the state requires the lien holder to release the lien indicating that the lien has been satisfied before ownership of the vehicle can be transferred. Lien releases are typically executed by having the lien holder sign and date the face of the title or by providing a separate notarized lien termination statement on the lien holder’s letterhead. If a separate statement is used the statement should include a description of the vehicle including; VIN, year, make, model, and the owner’s name(s). Lien holder can also add or remove electronic liens by accessing the state’s database. A paper title will automatically be mailed to address of the lien holder’s discretion if the lien is active or to the vehicle owner if it is a title holding state.</td>
</tr>
<tr>
<td>Not Actual Mileage (NAM)</td>
<td>Not Actual Mileage is an option on most titles that allows the owner to indicate that mileage shown on the odometer is not a true representation of the mileage of the vehicle. This can happen on some vehicles when the odometer or the vehicles engine control unit (ECU) is replaced, or when the odometer or its related systems are damaged or inoperable.</td>
</tr>
</tbody>
</table>
Glossary

Odometer Disclosure
Odometer disclosure is required for vehicles less than 10 model years. This can be accomplished on the title or with a separate odometer statement signed by the owner. Mileage should be stated with a verified reading and should not be an estimate or guess.

Owner
The name listed on the front of the title. It usually states Owner or Legal Owner.

Owner Retain
Any vehicle deemed a total loss by the provider that the owner elects to retain ownership of. Most states will require that the title is converted into some form of salvage title. Rules regarding who is responsible for transferring the title vary by state.

Power of Attorney (POA)
Legal document that allows the appointed person/Provider to sign title, application, or any other documents related to the vehicle listed on the form on behalf of the owner.

Properly Executed Title
Title that is properly signed by owner and lien holder, which has released lien if applicable.

Provider
Insurance company, charity, or individual selling the vehicle through IAA

Repair Estimate
Written appraisal detailing estimated repair cost of damage and replacement cost for a vehicle. Also known as a Damage Appraisal

Sale Document
Document that was used to sell the vehicle at an IAA auction. (bill of sale, clear title, salvage title, certificate of destruction, junk title, scrap title etc.)

Salvage Title
Titles are branded Salvage on ANY vehicles that fall into the salvage branding criteria for each specific state. Most states consider a vehicle to be deemed salvage if it is 10 model years of age or newer that has been stolen or has been deemed uneconomical to repair by the insurance company. (S.) These vehicles are issued a salvage title and may be subject to repair and re-inspection.

Title Problems
Title paperwork received by IAA that is not correct or incomplete and requires additional documents or information before the title can be processed and vehicle can be sold.

Title Solutions
A specialized and exceptionally knowledgeable service by IAA that provides innovative and prompt solutions for your toughest title problems.

Total Loss
Any vehicle that has been deemed uneconomical to repair by the insurance company.

Un-Recovered Theft
Any vehicle that has been stolen and not recovered.
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