



ABSTRACT OF JUDGMENT

An Abstract of Judgment is a court issued document that may allow a claimant (creditor) to place a lien on Real Property owned by another (debtor). The lien attaches to any Real Property presently owned, and subsequently acquired by the debtor in the county when the Abstract is recorded.

Usually, the Abstract of Judgment does not list the property affected by the lien. The document will show the name of the debtor, the amount of the lien and the date it was entered with the court. In addition, other information may be included, if known to the creditor. This can include the driver's license, social security number, date of birth and last known address. From that information, Tiago Title will have to determine if the judgment debtor is the same person as the property owner. In cases where the owner has a common name, there may be a large number of Abstracts of Judgment recorded with the same or similar names. The challenge is to sort through the various recorded judgments and attempt to determine if any affect the Real Property in question.

At Tiago Title, the tool we use to eliminate such matters from their reports and policies is a "Seller Information Request and Authorization." This is a very important form the principals need to complete early in the transaction. In it, the parties give certain personal information about themselves. That information can then be compared to the recorded Abstract of Judgments.

The Seller Information Request and Authorization should be delivered to us well before close of Escrow. One reason is to allow sufficient time to review the liens. Perhaps more important is to allow enough time to obtain payoff information or take other steps should the liens turn out to be against one of the principals.

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