

**POLUNSKY BEITEL GREEN**  
ATTORNEYS AT LAW

To: Clients and Friends of the Firm

From: Polunsky Beitel Green, LLP

Date: December 31, 2018

Subject: Texas Title Insurance Guaranty Assessment Recoupment Charge (“GARC”)

As you may be aware, during 2018, a special \$4.50 fee that was collected for each title policy for Texas properties for a Guaranty Assessment Recoupment Charge or GARC. This memo is to advise you that this fee has NOT yet been renewed or established for 2019. Accordingly, there will, at a minimum, be a gap period during which this fee will not be charged or collected. Beginning with transactions for which the loan documents are signed on or after January 1 2019, this fee will NOT be assessed until there is action by the Texas Department of Insurance re-establishing the requirement that the fee be collected and establishing the appropriate dollar amount of the fee. Note that if loan documents are signed during 2018, but the loan does not fund until 2019, the fee is still required to be collected, as DOCUMENT SIGNING is the trigger for determining the date of the closing.

Please be aware that the Texas Land Title Association has indicated to its members that it anticipates that the fee will be reinstated at some point during 2019. We will send out a client notice advising you of this event and the details of its implementation if and when the Texas Department of Insurance takes action.

If you have any questions regarding this memorandum, please contact any of our firm attorneys or representatives below.

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