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April 15, 2020

The Honorable Greg Abbott
Governor of Texas
P.O. Box 12428
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Governor Abbott,

On behalf of our more than 125,000 members across the state, Texas REALTORS® remains in admiration of your strong leadership during these challenging times.

As our members across the state have adapted to local and state health and safety orders that necessarily limit in-person interaction while conducting real estate business, they have recently reported a few stumbling blocks in the transaction process.

Your executive order on April 9, 2020 allowing for virtual appearance for certain notarial acts was wisely limited to specific circumstances such as execution of wills, powers of attorney, etc. We recognize that real estate transactions are different actions, and merit distinct consideration.

Texas REALTORS® believe that real estate transactions can be securely conducted by similar remote witnessing of signatures. Indeed, some real property transactions already do close entirely virtually, where that practice is accepted by all involved.

In light of the still-uncertain future need to limit in-person interaction, we respectfully request that you issue a supplemental order allowing for remote witnessing of real estate-related notarizations, under specific circumstances. We support the specific measures to protect transactional integrity as proposed by the Texas Land Title Association on April 9, including: defining “personal appearance” to include the use of two-way audio-video; subsequent affixion of the notarial seal on the “wet signature” document; recording and storage requirements for the audio-video communication; a statement of acknowledgement for involved parties; and a limitation on this order to be concurrent with the statewide “Stay at Home” order.

We believe these specific measures will protect parties involved in remote real estate transactions while still allowing those transactions to move forward.

Certainly, all Texans are learning as we go during the COVID-19 pandemic, and Texas REALTORS® appreciate your ongoing consideration of new matters such as these as they arise..

Handwritten signature of Cindi Bulla in black ink.

Cindi Bulla
2020 Chairman of the Board
Texas REALTORS®

Handwritten signature of Travis Kessler in black ink.

Travis Kessler
Chief Executive Officer
Texas REALTORS®