

Option Fee Now Included in Mobile Deposit



The Texas Real Estate Commission (TREC) recently revised its contract forms to combine payment of the earnest money and the option fee into a single provision and require payment of the **option fee** to the **escrow agent**.

The use of these revised forms is mandatory starting April 1, 2021. We are aware of the changes being made and are prepared to receive delivery of the option fee!

Consumers can now enjoy the added safety and simplicity of including option fees in addition to their earnest money deposit using **startSafe**® (soon to be Start inHere®) **Mobile Deposit!**

FREQUENTLY ASKED QUESTIONS:

What is the deadline for the delivery of the option fee to the escrow agent under the revised forms?

The buyer must deliver the option fee to the escrow agent within three days after the effective date of the contract. Note, however, that if the last day to deliver the option fee falls on a Saturday, Sunday, or legal holiday, the deadline to deliver is extended until the end of the next day that is not a Saturday, Sunday, or legal holiday.

Will the seller have to wait until closing to receive the option fee from the escrow agent?

No. Under the revised forms, the buyer authorizes the escrow agent to release and deliver the option fee to the seller at any time without further notice to or consent from the buyer. The option fee will be credited to the sales price at closing. Note, however, that any disbursement will be conditioned on the collection of good funds acceptable to the escrow agent. Title companies, which are regulated by the Texas Department of Insurance, must comply with good funds rules before disbursing any funds.