Texas Department of Transportation

Form VTR-262
(Rev. 7/2007)
(GSD-EPC)
Page 1 of 2

Affidavit of Heirship for a Motor Vehicle

(See important instructions on page 2.)

YEAR	MAKE	BODY STYLE	MODEL	LICENSE PLATE NUMBER

VEHICLE IDENTIFICATION NUMBER	TITLE/DOC. NUMBER

THE STATE OF TEXAS COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared all the undersigned affiants, who, after having been by me duly sworn, on oath, each for himself and herself deposes and states that _____ , the recorded owner of the above described motor vehicle, died on the _____ day of _____, year _____ , at _____ in the county of _____ , and the State of _____ ; that the deceased left (check one) **either** ☐ no will **or** ☐ a will; a court has determined that no administration is necessary or that no application for administration or probate has been filed; that there is no necessity for an administration upon the estate nor for probate of a will and all affiants having agreed that the will shall not be offered for probate; that affiants herein are the sole and only known heirs at law of the deceased and, if there is a will, all beneficiaries of the will are, therefore, authorized under the law to sell, transfer and assign the ownership to said motor vehicle described above, to wit; there are no other known heirs who have prior right to the estate of the deceased, and it is the decision of all of the undersigned that title to the above described motor vehicle be issued to:

NAME OF PURCHASER | ADDRESS | CITY | STATE | ZIP CODE

Or, if the lienholder recorded on the title is deceased and the lien is paid, title issued free and clear of lien to:

NAME OF RECORDED OWNER | ADDRESS | CITY | STATE | ZIP CODE

*** * * SIGNATURES OF AFFIANTS (HEIRS) * * ***

_____ _____

_____ _____

_____ _____

NOTARY SEAL

Subscribed and sworn to before me this the _____ day of _____ , year _____ .

_____ _____ , Texas

NOTARY PUBLIC | COUNTY

ODOMETER DISCLOSURE STATEMENT (only for vehicles less than 10 model years old)

FEDERAL AND STATE LAW REQUIRE THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER OF OWNERSHIP. FAILURE TO COMPLETE OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES AND/OR IMPRISONMENT.

I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked:

_____
ODOMETER READING (NO TENTHS)

☐ 1. The mileage stated is in excess of its mechanical limits.
2. The odometer reading is not the actual mileage.
WARNING - ODOMETER DISCREPANCY.

SIGNATURE OF SELLER/HEIR | PRINTED NAME (SAME AS SIGNATURE) | DATE OF STATEMENT

SELLER/HEIR ADDRESS | CITY | STATE | ZIP CODE

I am aware of the above odometer certification made by the seller/heir.

SIGNATURE OF PURCHASER | PRINTED NAME (SAME AS SIGNATURE) | DATE OF STATEMENT

Contact / Help

Online Form at www.txdot.gov

Print Form

HEIRSHIP PROCEDURE

1. If the estate has been probated, the executor or administrator may assign the title provided a certified copy of the probate proceedings or Letters Testamentary or Letters of Administration is attached. **Otherwise, the following procedures must be met in order to transfer ownership.**
2. If an heirship affidavit is used when a court has determined that no administration is necessary, the affiant(s) must attach the original or certified copy of the court document indicating no administration of the will is necessary and the portions of the will which specify that the will is in the deceased owner's name and indicates the name(s) of the heir(s).
3. Complete the information regarding the vehicle description.
4. **ALL HEIRS OF ESTATE** - If there has been no administration on the estate, and no administration is necessary, the heir or heirs should sign in the SIGNATURE OF AFFIANTS AREA. If all heirs cannot appear before one notary public on the same date, separate acknowledgments may be taken and attached to the form. If one of the heirs is a surviving spouse, only that heir need sign as an affiant, unless there are surviving children of the deceased with a parent who is other than the surviving spouse. If there is no surviving spouse, or if there are surviving children of the deceased with a parent who is other than the surviving spouse, all children of the decedent (if any) must sign as affiants. If the decedent left neither a spouse nor children, consult legal counsel as to who are the "heirs at law."

   NOTE:
   1. Children born to or legally adopted by the deceased qualify for this procedure as "children" of the deceased.
   2. If there are surviving minor children of the deceased who are "heirs," a guardian must sign for the minor children and attach Letters of Guardianship.
   3. If there is no surviving spouse, a guardian should sign for any surviving minor children of the deceased and attach Letters of Guardianship.

Note: The foregoing is for information purposes only. If legal advice is required in any matter, the affiant(s) should make their own arrangements for the same.

5. **NOTARIZATION** - All signatures must be notarized.
6. **Errors** - Errors that have been lined through and explained may be corrected with a statement of fact. Erasures and significant alterations may require a new form to be completed.
7. **ODOMETER DISCLOSURE STATEMENT** - This section is required to be completed by the seller/heir and the purchaser on motorized vehicles with a year model of less than 10 model years old.

   NOTE: Only one seller/heir is required to execute the odometer disclosure statement.

The following additional documentation may be required in order for a title transfer to be processed by the County Tax Assessor-Collector in the name of the title applicant(s):

a. An Application for Texas Certificate of Title (Form 130-U);
b. A Title and Registration Verification or Current License Receipt;
c. A Release of Lien (if applicable);
d. An Affidavit of Physical Inspection (Form VTR-270);
e. A secure Dealer Reassignment of Title (Form VTR-41-A); and
f. Current Proof of Liability Insurance in the Title Applicant's Name(s).

WARNING: TRANSPORTATION CODE § 501.155, PROVIDES THAT FALSIFYING INFORMATION ON ANY REQUIRED STATEMENT OR APPLICATION IS A THIRD-DEGREE FELONY.