

# 2026 TREC Forms Changes: What Texas Agents Need to Know

The Texas Real Estate Commission (TREC) and Texas REALTORS® are implementing significant updates to residential and leasing forms effective January 2026. These changes reflect new legal requirements, enhance clarity, and streamline transactions for Texas real estate professionals.

## Key Benefits

- **Legal Compliance:** Updated forms ensure compliance with new Texas laws effective January 1, 2026
- **Enhanced Clarity:** Revised language throughout forms improves understanding for all parties
- **Streamlined Transactions:** Better organization of information speeds up processing
- **New Protections:** Additional provisions protect brokers and clarify relationships
- **Improved Organization:** Renumbered paragraphs and consolidated sections for easier navigation
- **Modern Requirements:** Updates reflect current real estate practices and technology

## Overview of Changes

The January 2026 updates include:

- **Revised Forms:** 16 existing forms with updates ranging from minor formatting to major reorganization
- **New Forms:** 3 brand new forms to address emerging needs
- **Retired Forms:** 1 form being retired as it's no longer utilized

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## Residential Forms Revisions

## **Residential Real Estate Listing Agreement Exclusive Right to Sell (TXR 1101)**

### **Key Changes:**

- **Subagent Reference Removed:** Reference to subagent removed in Section 5A
- **Related Party Definition Added:** New definition clarifies what constitutes a "related party"
- **Protection Period Enhancement:** New paragraph prohibits related parties from selling the property during the protection period without compensating the broker
- **T-47.1 Declaration Option:** Added as an option in Section 19D

**Impact:** These changes provide stronger protection for listing brokers and clarify family/related party transactions.

## **Residential Real Estate Listing Agreement Exclusive Right to Lease (TXR 1102)**

### **Key Changes:**

- **Subagent Reference Removed:** Reference to subagent removed in Section 5A
- **Broker Compensation Update:** Revised Paragraph 5 to comply with new TREC housekeeping law (effective January 1, 2026)
- **Fair Credit Reporting Act Notice:** Added notice to ensure awareness of requirements for obtaining credit reports
- **Form Number References:** Added form numbers in Paragraph 19 for easy identification of Texas REALTORS® forms
- **Insurance Requirements:** New paragraph addresses insurance requirements
- **Subletting/Assignment Fees Removed:** References removed to conform with updated Lease

**Impact:** Brings leasing agreements in line with new legal requirements and modern leasing practices.

### **Farm and Ranch Real Estate Listing Agreement Exclusive Right to Sell (TXR 1201)**

#### **Key Changes:**

- **Subagent Reference Removed:** Reference to subagent removed in Section 5A
- **Related Party Definition Added:** New definition clarifies what constitutes a "related party"
- **Protection Period Enhancement:** New paragraph prohibits related parties from selling the property during the protection period without compensating the broker

**Impact:** Farm and ranch listings now have the same protections as residential listings.

### **Condominium Addendum (TXR 1401)**

#### **Key Changes:**

- **Terminology Update:** Changed the term "unit" to "property" throughout the document

**Impact:** Creates consistency with other forms and broader applicability.

### **Amendment to Listing (TXR 1404)**

#### **Key Changes:**

- **Subagent Reference Removed:** Reference to subagent removed in Section D

**Impact:** Aligns with changes across all listing agreements.

### **Information About On-Site Sewer Facility (TXR 1407)**

#### **Key Changes:**

- **Updated Information Source:** Paragraph D updated with current date and source for wastewater usage rates

**Impact:** Ensures accurate, current information for buyers.

### **Buyer/Tenant Representation Agreement – Long Form (TXR 1501)**

#### **Key Changes:**

- **Title Change:** "Residential" removed from title to allow use in more transaction types
- **Optional Retainer:** New provision allows for optional retainer payment to broker
- **Related Party Definition:** New definition added
- **Senate Bill 17 Notice:** New additional notice regarding changes to Texas law following passage of SB 17 relating to foreign acquisition of real property interests

**Impact:** Provides greater flexibility and addresses new legal requirements for foreign buyers.

### **Termination of Buyer/Tenant Representation Agreement (TXR 1503)**

#### **Key Changes:**

- **Signature Emphasis:** Language added to emphasize both parties must sign the termination agreement
- **Termination Fee Clarification:** Clearer language about termination fees
- **Protection Period Reorganization:** Moved to separate paragraph with "related party" definition added
- **Surviving Provisions:** Clarifies that certain provisions survive termination

**Impact:** Reduces confusion and disputes during representation termination.

### **General Information and Notice to Consumers (TXR 1506)**

### **Key Changes:**

- **Tenant-Specific Provisions:** Additional provisions specifically applicable to tenants
- **Enhanced Clarity:** Modified language throughout for better understanding

**Impact:** Better serves both buyers and tenants with targeted information.

### **Notice of Withdrawal of Offer (TXR 1945)**

#### **Key Changes:**

- **Formatting Changes Only:** No substantive changes, only formatting improvements

**Impact:** Easier to read and process.

### **Buying Your Home: Settlement Costs and Helpful Information (HUD Form) (TXR 2512)**

#### **Status:**

- **RETIRED:** This form is being retired as it is no longer being utilized

**Impact:** Removes outdated form from circulation.

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## **New Residential Forms**

### **Unrepresented Customer Showing Form (TXR 1508)**

**Purpose:** Can be used for non-agency showings to prospective buyers of residential property

#### **When to Use:**

- Showing properties to unrepresented buyers
- Documenting non-agency relationships
- Protecting brokers during property showings

**Benefits:** Clarifies the non-agency nature of the relationship and protects all parties.

### **Residential Contract Critical Date List (TXR 1958)**

**Purpose:** Informational form to list important dates and deadlines from the residential one-to-four family contract

#### **When to Use:**

- After contract execution
- For transaction tracking
- To ensure no deadlines are missed

**Benefits:** Provides a clear, organized reference for all critical contract dates.

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## **Leasing & Property Management Forms Revisions**

### **Residential Lease Application (TXR 2003)**

#### **Key Changes:**

- **Foreign Buyers and Renters Law:** New paragraph regarding law effective September 1, 2025 alerts applicants to seek attorney advice if law applies
- **Fair Credit Reporting Act Notice:** Added to ensure awareness of credit report requirements

**Impact:** Ensures compliance with new foreign ownership restrictions.

### **Animal Addendum (TXR 2004)**

#### **Key Changes:**

- **Paragraph Reference Updated:** Updated to match revised Lease

**Impact:** Maintains consistency with updated lease form.

### **Extension of Residential Lease (TXR 2005)**

**Key Changes:**

- **Paragraph Reference Updated:** Updated to match revised Lease

**Impact:** Ensures accuracy when extending leases.

**Residential Lease Amendment (TXR 2014)****Key Changes:**

- **Paragraph Reference Updated:** Updated to match revised Lease
- **Contact Information Updated:** Updated to match revised Lease

**Impact:** Maintains accuracy in lease modifications.

**Addendum Regarding Fee in Lieu of Security Deposit (TXR 2018)****Key Changes:**

- **Paragraph Reference Updated:** Updated to match revised Lease

**Impact:** Aligns with new security deposit provisions.

**Residential Leasing and Property Management Agreement (TXR 2201)****Key Changes:**

- **Subagency Reference Removed:** Removed from Paragraph 15 "Cooperation With Other Brokers" to comply with new TREC housekeeping law
- **Duplicative Language Fixed:** Corrected in Paragraph 22

**Impact:** Cleaner, more accurate property management agreements.

**Lease Amendment Concerning Tenant Change (TXR 2211)****Key Changes:**

- **Paragraph Reference Updated:** Updated to match revised Lease

**Impact:** Maintains accuracy when changing tenants.

**Itemization of Security Deposit (TXR 2216)****Key Changes:**

- **Paragraph Reference Updated:** Updated to match revised Lease

**Impact:** Ensures proper security deposit accounting.

### **Notice of Termination Due to Casualty Loss (TXR 2229)**

#### **Key Changes:**

- **Required Days Updated:** Updated the required number of days to wait for repairs to begin for ease of use

**Impact:** More practical timeframes for casualty situations.

### **Notice of Late Rent Breach of Lease (TXR 2230)**

#### **Key Changes:**

- **Paragraph Reference Updated:** Updated to match revised Lease

**Impact:** Maintains accuracy in late rent notices.

### **Residential Lease Sight Unseen Addendum (TXR 2017)**

#### **Status:**

- **REMOVED:** This form has been removed as the language is already included in the updated Lease

**Impact:** Eliminates redundancy.

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## **Major Residential Lease Overhaul (TXR 2001)**

The Residential Lease has undergone the most extensive revision with significant reorganization and updates.

### **General Changes**

- **Extensive Renumbering:** Paragraphs have been renumbered throughout the document
- **Better Organization:** Related information consolidated for easier reference
- **Enhanced Clarity:** Improved wording throughout

## **Paragraph 1: Parties**

**Previous:** Occupants listed in Paragraph 12

**Now:** Occupants moved to Paragraph 1

### **Changes:**

- Changed "ages of Occupant(s)" to "DOB of Occupant(s)"
- Defined "Tenant" and "Occupant"

**Impact:** Critical information now appears on the first page.

## **Paragraph 3: Lease Term and Rent**

**Title Change:** Reworded to "Lease Term and Rent"

### **Major Updates:**

- **Written Notice Clause:** Added details for when written notice of termination is due during Primary Term
- **Streamlined Amounts:** Only includes Monthly Rent, Prorated Rent, Late Fees, and Security Deposit on page 1
- **Additional Monthly Fees:** New clause for recurring fees (e.g., monthly animal fee)
- **Late Fee Options:** Added blank for late fees in 3(D)(2) to include both dollar amount AND percentage
- **Security Deposit Date Options:** Now includes checkboxes for "on or before execution" OR specific date prior to execution
- **Reorganized Clauses:** Restructured for better understanding

**Impact:** All key financial information appears on page 1 for easy reference.

## **Paragraph 4: Rent & Payment Details**

**Title:** Now titled "Rent & Payment Details"

### **What's Included:**

- Time of payment

- Place of payment
- Method of payment
- Rent increases
- Late fees and late payment details
- Returned payment
- Application of funds
- Delay of occupancy

**Consolidated From:**

- Previous Paragraph 6: Late Charges
- Previous Paragraph 7: Returned Payment
- Previous Paragraph 8: Application of Funds

**Impact:** All payment-related details consolidated on page 2 for convenience.

**Paragraph 5: Automatic Renewal and Notice of Termination**

**Previous:** Paragraph 4

**Changes:**

- Removed confusing and duplicative language

**Impact:** Clearer understanding of renewal and termination requirements.

**Paragraph 7: Security Deposit Details**

**Changes:**

- Renamed to "Security Deposit Details"
- Reformatted for easier reading
- **Wear and Tear Definition:** Added definition as defined in Texas Property Code

- **Consolidated Charges:** Consolidated list of potential reasonable charges

**Impact:** Clear understanding of security deposit rules and expectations.

### **Paragraph 9: Use and Occupancy**

**Previous:** Paragraph 12

#### **Changes:**

- Clarified "Guest" language

**Impact:** Better definition of who can occupy the property.

### **Paragraph 13: Move-Out**

**Previous:** Paragraph 16

#### **Changes:**

- Updated (A) Move-Out Condition to reflect that property should be surrendered in clean condition

**Impact:** Clear expectations for move-out condition.

### **Paragraph 14: Property Maintenance**

**Previous:** Paragraph 17

#### **Changes:**

- **Water Softeners Added:** Added to tenant's responsibility list in (A)(13)
- **Yard Maintenance Updates** in (B):
  - Removed reference to "common areas" maintained by owner's association
  - Now simply refers to any areas maintained by owner's association
  - **Tree Trimming Excluded:** Added clause to exclude tree trimming from Yard Maintenance for safety

- All yard references now mean only yard as defined in B(1)

**Impact:** Clearer maintenance responsibilities and safety considerations.

### **Paragraph 15: Repairs**

**Previous:** Paragraph 18

#### **Changes:**

- Added clause to (A) Repair Requests acknowledging that some local ordinances may determine HVAC is an emergency repair

**Impact:** Accounts for varying local requirements.

### **Paragraph 21: Subordination**

**Previous:** Paragraph 24

#### **Changes:**

- Included summary of PTFA (Protecting Tenants at Foreclosure Act)

**Impact:** Better understanding of tenant rights during foreclosure.

### **Paragraph 25: Early Termination**

**Previous:** Paragraph 28

#### **Changes:**

- Added reference to Early Termination of Residential Lease TXR 2012 as an alternative agreement
- **Assignment/Subletting Removed:** All references removed (potential new form to be drafted for this purpose)

**Impact:** Clearer early termination process; assignment/subletting to be addressed separately.

### **Paragraph 28: Addenda**

**Previous:** Paragraph 31

#### **Changes:**

- Added TXR form numbers for easy reference
- Removed forms not available through Texas REALTORS®
- Added additional blank lines for brokerage-specific documents

**Impact:** Better organization and flexibility.

### **Paragraph 29: Notices**

**Previous:** Paragraph 32

#### **Changes:**

- **Strengthened Wording:** Updated to comply with SB 38 (effective January 1, 2026) allowing notices via email if parties agree in writing
- **Fax Removed:** Removed fax and blanks for alternative modes of communication

**Impact:** Modernized notice delivery methods.

### **Paragraph 31: Information**

**Previous:** Paragraph 34

#### **Changes:**

- Added option for landlord to require tenant to obtain and maintain liability insurance of a certain amount in 31(I)

**Impact:** Additional risk management option for landlords.

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## **New Leasing & Property Management Form**

### **Notice to Pay or Vacate**

**Purpose:** Created to ensure compliance with new eviction reform law effective January 1, 2026

#### **When to Use:**

- Before initiating eviction proceedings

- When tenant is in default on rent payments
- As required by new eviction reform law

**Benefits:** Ensures legal compliance with new eviction procedures.

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## **Implementation Timeline**

**Effective Date:** January 1, 2026

### **Action Items:**

- Review all revised forms before January 1, 2026
  - Update transaction management systems with new forms
  - Train team members on key changes
  - Remove retired forms from use
  - Begin using new forms on January 1, 2026
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## **Key Legal Updates to Note**

### **Senate Bill 17 (SB 17)**

- Relates to foreign acquisition of real property interests
- Notice required in Buyer/Tenant Representation Agreement
- Effective: Included in 2026 forms

### **Senate Bill 38 (SB 38)**

- Allows notices to be sent via email if parties agree in writing
- Updated in Residential Lease Paragraph 29
- Effective: January 1, 2026

## **TREC Housekeeping Law**

- Removes subagent references throughout forms

- Updates broker compensation language
- Effective: January 1, 2026

### **Eviction Reform Law**

- New requirements for eviction notices
- Addressed by new Notice to Pay or Vacate form
- Effective: January 1, 2026

### **Foreign Buyers and Renters Law**

- Notice required in Residential Lease Application
  - Effective: September 1, 2025
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## **Best Practices**

### **Before January 1, 2026**

- **Review All Changes:** Familiarize yourself with revised and new forms
- **Attend Training:** Participate in any available training on the new forms
- **Update Systems:** Ensure your transaction management software has the latest forms
- **Notify Clients:** Inform active clients about upcoming changes if transactions span the transition

### **After January 1, 2026**

- **Use Only New Forms:** Do not use pre-2026 versions for new transactions
- **Double-Check Form Numbers:** Verify you're using the correct version

- **Pay Special Attention:** Focus on forms with major changes (especially TXR 2001 Residential Lease)
- **Consult Your Broker:** When in doubt about changes, consult with your managing broker

### **Form-Specific Tips**

#### **For Listing Agreements:**

- Understand new "related party" definitions and protections
- Explain protection period changes to sellers

#### **For Buyer Representation:**

- Discuss optional retainer provisions with clients
- Ensure foreign buyer clients understand SB 17 implications

#### **For Residential Leases:**

- Take time to review the extensively reorganized lease
- Note new paragraph numbers when referencing the lease
- Understand consolidated payment information on pages 1-2

#### **For Property Management:**

- Review updated maintenance responsibilities
- Understand new insurance requirement options
- Familiarize yourself with new Notice to Pay or Vacate form