



**Agency Bulletin:  
AGTX-2014-001**

Date: April 23, 2014  
To: First National Title Insurance Company Agents  
  
From: Craig Dunbar, regional agency representative  
  
RE: Administrative Rule S.5  
Quarterly Withholding Tax Report

First National Title Insurance Company (FNTI) wants to remind you of the new solvency rules requirement of filing your agency's quarterly tax reports with the Texas Department of Insurance (TDI). A copy of Administrative Rule S.5 outlining the requirements is below.

This rule requires title agents to submit a copy of your quarterly withholding tax report and evidence that taxes have been paid to the Texas Department of Insurance. This report and evidence should be submitted to TDI along with Form T-S5. The form is available on-line at the following link: [http://www.tdi.texas.gov/forms/pctitle/pc416form\\_t-s5.pdf](http://www.tdi.texas.gov/forms/pctitle/pc416form_t-s5.pdf)

As stated on the attached Administrative Rule, the submission for the quarter ending March 31, 2014, should be filed by May 15, 2014.

Submit your completed documentation to [Becky.Humphrey@tdi.texas.gov](mailto:Becky.Humphrey@tdi.texas.gov) or to:

Texas Department of Insurance  
Title Examinations  
P.O. Box 149104  
Austin, Texas 78714-9104

Please contact us should you have any questions that we can assist with. We rely on you for our success and believe that you do business with people you know, like, and trust. Thank you for the trust you have placed in First National Title.

## S.5. FILING OF TITLE AGENT'S QUARTERLY WITHHOLDING TAX REPORT

1. In accordance with §2651.011(c) of the Insurance Code, all title insurance agents shall submit to the Department on a quarterly basis a copy of the agent's quarterly withholding tax report or its equivalent that the title agent filed with the United States Internal Revenue Service (IRS) and evidence that the taxes have been paid. The agent may redact the salaries of individual employees from the quarterly withholding tax report or its equivalent.
2. The copy of the agent's quarterly withholding tax report or its equivalent and evidence that the taxes have been paid (such as a cancelled check or a debit on a bank statement that clearly indicates that funds were paid to the United States Treasury for taxes) must be submitted to the Department no later than 45 days after the end of the quarter. The schedule for filing is as follows:

<b>Quarter Ending</b>	<b>TDI Due Date</b>
March 31	May 15
June 30	August 15
September 30	November 15
December 31	February 15

3. The agent's quarterly withholding tax report or its equivalent and evidence that the taxes have been paid should be submitted to the Texas Department of Insurance, Title Examinations, P.O. Box 149104, Austin, Texas 78714-9104 or 333 Guadalupe, Austin, Texas 78701 or may be submitted electronically to the Department.
4. Form [T-S5](#) may be obtained from the Texas Department of Insurance, Title Examinations, P.O. Box 149104, Austin, Texas 78714-9104 or 333 Guadalupe, Austin, Texas 78701, or from the Department's website [www.tdi.texas.gov](http://www.tdi.texas.gov).
5. A title agent that does not have employees shall certify to the Department that there has not been a material change in the agent's financial condition in accordance with the schedule specified in subsection II of this administrative rule to the address specified in subsection III of this administrative rule using Form [T-S5](#).
6. If an agent is part of a professional employer organization, it may submit a copy of the report of payroll tax the agent receives from the professional employer organization as the equivalent of a quarterly withholding tax report.

*Effective January 3, 2014*