



HOME SURVEILLANCE *LEGAL ISSUES*

WHAT A SELLER NEEDS KNOW, DO & DISCLOSE

- Where are the cameras? Do they have audio? If so disable all audio devices
- Disclose to Listing Agent and potential Buyers that the home is under surveillance and they consent to the recording, e.g. sign-in sheet, sign in the front yard etc.
- Remove any recording devices from any place a person has a reasonable expectation of privacy, i.e. a bathroom.

WHAT A LISTING AGENT NEEDS TO DO

- Try to obtain a written form, prepared by an attorney, stating the seller is fully responsible for the audio/video of their home

WHAT A BUYER'S AGENT NEEDS TO DO

- Find out in advance of a showing if the home has home surveillance.
- Disclose to your Buyer the house has surveillance and you may or may not be recorded, on both audio and video recording.

AGENT'S LIABILITY

- If you use information that you know, or reasonably should know, was obtained by interception of the communication then a cause of action for wiretapping can be prosecuted against you for both civil and criminal liability.

** Texas Pen. Co. 16.02 (c)4: CPRC 123.001 (2)*

The legal statements contained herein are brief summaries of statutes and case law and are not intended to be a substitute for legal advice. If you are concerned about any of these issues Republic Title encourages you to speak to an attorney.