

# Tex. Prop. Code § 51.0001

## Section 51.0001 - Definitions

In this chapter:

- (1) "Book entry system" means a national book entry system for registering a beneficial interest in a security instrument that acts as a nominee for the grantee, beneficiary, owner, or holder of the security instrument and its successors and assigns.
- (2) "Debtor's last known address" means:
  - (A) for a debt secured by the debtor's residence, the debtor's residence address unless the debtor provided the mortgage servicer a written change of address before the date the mortgage servicer mailed a notice required by Section 51.002; or
  - (B) for a debt other than a debt described by Paragraph (A), the debtor's last known address as shown by the records of the mortgage servicer of the security instrument unless the debtor provided the current mortgage servicer a written change of address before the date the mortgage servicer mailed a notice required by Section 51.002.
- (3) "Mortgage servicer" means the last person to whom a mortgagor has been instructed by the current mortgagee to send payments for the debt secured by a security instrument. A mortgagee may be the mortgage servicer.
- (4) "Mortgagee" means:
  - (A) the grantee, beneficiary, owner, or holder of a security instrument;
  - (B) a book entry system; or
  - (C) if the security interest has been assigned of record, the last person to whom the security interest has been assigned of record.
- (5) "Mortgagor" means the grantor of a security instrument.
- (6) "Security instrument" means a deed of trust, mortgage, or other contract lien on an interest in real property.
- (7) "Substitute trustee" means a person appointed by the current mortgagee or mortgage servicer under the terms of the security instrument to exercise the power of sale.
- (8) "Trustee" means a person or persons authorized to exercise the power of sale under the terms of a security instrument in accordance with Section 51.0074.

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Amended By Acts 2007, 80th Leg., R.S., Ch. 903, Sec. 1, eff. 6/15/2007.

Added by Acts 2003, 78th Leg., ch. 554, Sec. 1, eff. 1/1/2004.