

Don't Get Rejected New Witness Address Requirements Begin January 1

Starting January 1, 2024, certain documents recorded in Hendry County's Official Records must include the post office address of each witness in addition to the witness's name. Because of changes to section 695.26 of the Florida Statutes, the Clerk's office will not be able to accept documents submitted for recording without the required witness address information.

What documents are affected?

The new requirement applies to any "instrument by which the title to real property or any interest therein is conveyed, assigned, encumbered, or otherwise disposed of." In plain English, this means deeds and other documents that affect the ownership of real estate.

All deeds and easements notarized in Florida require witness names, so these documents will now also require witness addresses. Other documents "by which title to real property or interest is conveyed, assigned, encumbered or disposed of" may or may not have witnesses, but an address is required if a witness is included. If there are no witnesses on these other documents, then no addresses are required.

What is new that I need to include?

The post office address of each witness must be legibly printed, typewritten, or stamped on these documents.

Can I use an email address instead of a mailing address?

No, the witness address must be a physical address or PO box. It cannot be an email address.

Our company uses standard forms for deeds or other affected documents. What should we do?

You will need to update your forms to include the witness address prior to January 1, 2024.

What happens if I try to record a document without the required witness address?

The Clerk's office must reject documents that do not include information required by section 695.26 of the Florida Statutes.

Documents Requiring Witness Addresses Effective January 1, 2024

These documents will require witness addresses if witnesses are found on the document. All deeds and easements notarized in Florida require witnesses.

Affidavit – Affidavit of Sufficient Funds, Scriveners Affidavit, Affidavit of Lost Assignment, Affidavit of Notice of Interest
Affidavit Taxable
Agreement for Deed
Agreement Taxable
Assignment (Including Assignment Taxable)

Claim of Lien
Deed
Other Deeds (Deed of Trust, Curative Notice, Etc.)
Deed of Assumption
Deed Mortgage
Easement
Modification of Mortgage
Mortgage (Including Documentary Stamp Exempt, Intangible Tax Exempt, Exempt from Both, Fully Taxable)
Notice of Commencement
Note with Real Property
Partial Release of Lien or Mortgage
Release or Satisfaction of Lien or Mortgage
Termination of Notice of Commencement
Waiver of Release of Lien
Mobile Home Retirement or Affixation
Notice of Contest of Lien (Construction or HOA)
Notice of Interest in Land
Notice of Bond
Notice of Homestead
Notice of Contest of Claim Against Payment Bond
Request for Release of Transfer of Lien to Security