



**"WORKING TOGETHER"**  
**Property Records Education Partners**  
**(PREP)**



**Volume 76,**  
**mid-October 2013**



SIMPLIFYING RECORDS MANAGEMENT NEEDS  
 FOR GOVERNMENTS AROUND THE WORLD

**Newsletter Sponsors**



**States Used Mortgage Settlement Money to Balance Budgets**

*(excerpted from USA Today 10/8/13)*

Instead of helping homeowners, states used at least \$1 billion of the \$2.5 billion they received in a legal settlement with major mortgage lenders to plug budget holes, pay for pet projects or promote economic development. The \$2.5 billion is in addition to an estimated \$51 billion in relief that Bank of America, Citigroup, JPMorgan Chase, Wells Fargo and Ally Financial (formerly GMAC) will provide to homeowners to settle states' charges that lenders were using improper mortgage practices. Those included "robo-signing" documents in foreclosure proceedings that resulted in widespread errors that pushed some people out of their homes unnecessarily.

States have no role in providing the \$51 billion in relief to homeowners. But states do have wide discretion over the additional \$2.5 billion, which was intended to ameliorate the housing crisis. Instead, according to a state-by-state list compiled by the National Conference of State Legislatures, many of them found other uses for the money:

- Texas put almost its entire \$135 million share into its general fund, then spent it on largely non-housing activities.
- Arizona spent \$50 million of its \$98 million share to balance its budget.
- Georgia has set aside its entire \$99 million for economic development.
- Kansas spent 25 percent of its nearly \$14 million share for activities related to mortgage fraud, and the rest went to its general fund.
- Nebraska is depositing its entire \$8 million into its rainy day fund.
- Virginia has directed all but \$7 million of its \$67 million allotment into its general fund.

Other states, however, did use the money for housing-related initiatives. Connecticut, for example, used \$22 million of its \$26 million on emergency mortgage assistance. Colorado spent nearly half of its \$50 million to help homeowners modify their loans, and the rest of the money on counseling and legal services. And Pennsylvania has set aside 90 percent of its \$67 million for its housing finance agency, NCSL said. ([Read complete article.](#))



If you'd like to advertise in this newsletter please contact: [stevie@pria.us](mailto:stevie@pria.us)

**In This Issue**

- States Used Mortgage Settlement Money to Balance Budgets**
- News from PREP Chapters - Central Texas PREP**
- Electronic Signatures On the Radar**
- Homes Entering Foreclosure Process Slide to Lowest Level in 7 Years**
- Simplifile Expands eRecording to Sandoval, NM**
- ALTA News**
- Links to National News**
- PREP Blog and PREP LinkedIn**



Update your Ads for the 2013/2014 Year

**Examples of PRIA's Products**

- ["The History of Public Records"](#)
- ["The Impact of Fraud on the Real Estate Industry"](#)
- ["How to get Ready for eRecording"](#)
- ["Access to and Sale in Bulk of Land Records"](#)
- [\(other PRIA Standards and Publications\)](#)

**News from PREP Chapters**

In every edition of the PREP Newsletter, we highlight a PREP Chapter and post an abbreviated version of their recent Chapter minutes. You can also see what [PREP Chapters](#) are talking about by going to PRIA's PREP Chapters webpage.

**Central Texas PREP:**

Co-chairs: Government, Nancy Rister at [nrister@wilco.org](mailto:nrister@wilco.org) and Business, Jerry Llewallen at [jerry@erecordingpartners.net](mailto:jerry@erecordingpartners.net)

We recently received the minutes from the Central Texas PREP Chapter who met on August 22, 2013. The primary presentation for this meeting was given by Richard Bramhall, former PRIA President, and was entitled: Players in the Mortgage Process - Who is wearing which hat?? Amongst other things, the group learned that attorneys handle the closings in five states: North and South Carolina, Georgia, West Virginia and Massachusetts. Teresa Kiel, Guadalupe County Clerk, then gave a Legislative update and discussed various bills that affect this group. Marya Crigler and Denise Pierce with Travis Central Appraisal District then talked about property tax exemptions. PRIA was discussed and Eugene Sisneros gave an overview of PRIA's eRecording eXcellence program. Future topics for the next PREP Meetings were reviewed, including: Affidavits, a MERS update, the role of title plants, and a Consumer Fraud Protection Bureau update. The next meeting will be on April 22, 2014. (Read [complete minutes](#) on PRIA's PREP webpage.)

**PREP Chapter Meetings**

*Fall 2013*

- Metro Minnesota
- New York
- SE Minnesota
- Central Florida
- Pennsylvania
- Central Texas
- North Central Texas
- Washington State

**Contact Information**

Do you have questions or suggestions for this newsletter or any updated information on co-chairs, emails, phone numbers, etc. please contact us: [Carolyn Ableman](#) PREP Coordinator  
[Mark Monacelli](#) PREP Committee Government Co-Chair, Recorder St Louis County, Minnesota  
[Madeleine Nagy](#) PREP Committee Business Co-Chair, ALTA State Government Affairs



**From PRIA's "In Touch" eNewsletter: "Electronic Signatures - On the Radar"**

**Electronic Signatures - On the Radar**

by Marc Aronson, president, Pennsylvania Association of Notaries

A book and page, or the electronic age; a recorder's quandary. Style or intent? What is a wet signature? What is an electronic signature? What is an electronic notarization?

Are these questions that keep you awake at night? Well, do you at least think about them once in a while? As recorders, recorder's vendors, title underwriters

[Join Our Mailing List!](#)

[Find us on Facebook](#)

[View our profile on LinkedIn](#)

and lenders, they are questions that you should be considering.

Since the year 2000 I have been involved in the never ending search for the truth about how the electronic age works and how it should work, now and in the future. As part of that process I joined the Notary Public Administrators (NPA) section of the National Association of Secretaries of State (NASS), the Property Records Industry Association (PRIA) and for a long time lurked around the Electronic Signature and Records Association (ESRA) until the PRIA Board recently approved a one year membership in ESRA, and gave me permission to represent PRIA at various ESRA functions.

Who is ESRA? The ESRA web site <<http://esignrecords.org/>> describes ESRA as: "...a centralized educational resource for its members and the public with respect to the legal, regulatory and operational issues in relation to the use of electronic signatures and records." A few of the member companies you might recognize would be: Adobe, eLynx, Equifax and Wolters Kluwer. There are many others who are specialists in the area of electronic signatures.

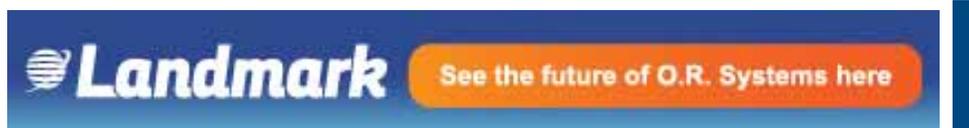
But to me, ESRA (like PRIA) is all about the members, the knowledge they have, the contacts one can make, and the understanding of the history of the electronic age. Some of the members of ESRA assisted in the development and writing of both ESIGN and UETA. It is a privilege to be able to interact with some of the authors of the electronic age. (The electronic age, by the way, I've been told started late at night in a hotel in 1988 over a beverage at a bar. Does that sound familiar to some of you in PRIA?).

At the moment, ESRA has preliminary plans to do the following to increase the adoption and use of electronically-enabled notarization:

- Meet with NASS in Washington, DC to discuss the NASS eNotarization Standards
- Meet with NCCUSL/ULC on promoting the adoption of the Revised Uniform Law on Notarial Acts (RULONA)
- Develop a White Paper on Notarization from the perspective of the ESRA eSignature membership
- Send Marc Aronson to Alaska. What that really means is that I recently traveled to Anchorage as an emissary of ESRA to introduce ESRA to the NPA Association.

And in November in New York City, three PRIA members (Kay Wrucke, Martin County, MN, recorder; Paul Clifford, president of Simplifile and a member of the PRIA President's Advisory Council; and I), will take part in a panel entitled: E-Sign: Notarization & Recording-"Notary, Submitter, Recorder: A History of Where We Were, Where We Are and Where We Want to Be." If you have any interest in eCommerce or eSignatures I would encourage you to click on this link for more information about this important conference:  
<http://www.americanbanker.com/conferences/esra/>.

I am honored to be able to work with these three organizations - PRIA, NPA and ESRA - to further the cause of eRecording and eNotarization in the United States. Please feel free to contact me any time about these groups or projects at [maronson@notary.org](mailto:maronson@notary.org).



**Homes Entering Foreclosure Process Slide to Lowest Level in**

## 7 Years

excerpted from [The Seattle Times 10/12/13](#)

Homes entering foreclosure process slide to lowest level in 7 years. The number of U.S. homes set on the path to foreclosure slid to a seven-year low in the third quarter, reflecting a gradually improving housing market and fewer homeowners falling behind on mortgage payments. Lenders initiated foreclosure action on 174,366 homes in the July-September period, the lowest level since the second quarter of 2006, said foreclosure listing firm RealtyTrac Inc.

Foreclosure starts declined 13 percent from the previous quarter and were down 39 percent from the third quarter last year, the firm said. The national slowdown in foreclosure starts comes as the U.S. housing market continues to recover from a deep slump, a rebound driven by rising home prices, steady job growth and fewer troubled loans dating back to the housing bubble days. Fewer homes entering the foreclosure pipeline should translate into fewer properties that eventually end up lost to foreclosure. ([Read complete article.](#))

## Simplifile eRecording now Available in Sandoval County, NM

excerpted from [The Digital Journal 10/11/13](#)

Sandoval County, NM is now accepting electronic land records for recording through Simplifile, which will save time, money, and improve the efficiency of document recording for customers.

"County Clerk Eileen Garbagni had mentioned this in her campaign and we are all so happy that she implemented this. We are slowly moving towards a more user-friendly county," said Anne Brady, chief deputy clerk in Sandoval County. "We are striving to move into this new era of electronic recordings, and I feel as though much can be achieved by implementing this system."

"The most important goal for me is to serve the public and allow easy access of our records," Brady said. According to Brady, Garbagni has also started working on a website that will enable the general public to view public access documents remotely. The Sandoval County clerk's office is accepting all document types for eRecording, requiring that they are notarized and include a grantor, grantee, and a legal description. ([Read complete article.](#))

## ALTA NEWS: Housing Recovery Picks Up Steam Despite Persistent Headwinds

With home prices and household formations rising and household balance sheets healing, the ongoing housing recovery is expected to gain momentum next year even as several challenges remain, according to economists who participated in the National Association of Home Builders (NAHB) Fall 2013 Construction Forecast Webinar. "The cards are in play for a decent and fairly strong recovery in 2014 and particularly in 2015," said NAHB Chief Economist David Crowe.

"From the standpoint of GDP growth, housing has been a plus, growing at two, three and four times the rate of the rest of the economy in recent quarters. Helping to spur the housing rebound was a double-digit increase in home prices over the past year, driven in part by tight inventories of new and existing homes for sale and

gradual gains in employment. We expect to see price increases moderate in the next few years as we see additional inventory on the market and investors back away as the bargains disappear," said Crowe.

Another bright spot is rising household formations that were delayed during the downturn as college graduates and young professionals were forced to move back in with their parents or double up as roommates. At the height of the housing boom, the U.S. was producing 1.4 million additional households every year. That figure plunged to 500,000 during the depth of the recession and today is now back up to 700,000. Meanwhile, households across the nation have been increasing their savings and shedding debt.

"They've corrected a lot of excesses and feel more comfortable about moving forward," Crowe said, noting that the University of Michigan Consumer Sentiment Index shows that the percentage of consumers who believe that now is a good time to buy a house is back up to levels last seen near the housing boom. However, Crowe cited several headwinds that are impeding the recovery. "Credit conditions are much tighter now, builders are increasingly facing labor shortages, lot supplies are tight, building material prices are rising, and inaccurate appraisals are hurting home sales" he said. "You can't charge more than you can get an appraisal for," Crowe added. "Even though we are seeing price increases in labor, land and materials, 36 percent of builders recently said they had lost at least one sale over appraisals coming in below the cost of production."

[\(Read complete article on ALTA's website.\)](#)

## Links to National News

---

### [Mortgage Rates Hold Steady Amid Federal Government Shutdown](#)

#### ***The Washington Post***

The 30-year fixed-rate average experienced a slight uptick, rising to 4.23 percent with an average 0.7 point. It was up from 4.22 percent a week ago and 3.39 percent a year ago. The 30-year fixed rate had fallen for three weeks in a row.

### [Is the Housing Market Making a Major Shift?](#)

#### ***USA Today***

The real estate market has been one of the strongest pillars of the economy following the greatest financial downturn since the Great Depression.

### [First Glances at September New-Home Sales Spark Worries](#)

#### ***The Wall Street Journal***

The early reads on new-home sales in September don't look good. And one housing bull sees enough of a slowdown to justify reining in her projections for the rest of this year.

### [Shadow Inventory Falls to Lowest Level Since August 2008](#)

#### ***DSNews***

Overall residential shadow inventory, as of July 2013, was 1.9 million homes, according to CoreLogic. That's the lowest shadow inventory tally reported since August 2008.

## Join the PREP Blog and the PREP LinkedIn Group

---

Almost every day, we post national news articles, and PRIA and PREP Chapter information on the [PREP Blog](#) and the [PRIA/PREP LinkedIn Group](#). You are able to

stay in touch by subscribing to both sites and automatically receiving updates daily or weekly.

## Banner Ads are still available for the 2013/2014 PRIA Year in all of PRIA's Newsletters (includes PREP)

Banner ads are still available for the two PRIA publications, *In Touch* and PREP's *"Working Together"* Newsletter. Additional opportunities are available for companies wishing to claim a banner ad spot for 2013-2014.

Ad Position	Bundled Rate (annual)
5th Banner (and Lower)	\$1,479

*In Touch* is produced and distributed 12 times each year, while PREPs *"Working Together"* is distributed 24 times a year. It's a lot of exposure with a wide audience, up to 12,000 readers, for just a few dollars.

To claim your spot [click here](#).

### CONTENT DISCLAIMER

The views and opinions expressed in the media, articles, comments, or links in this publication are those of the speakers or authors and do not necessarily reflect or represent the views and opinions held by the Property Records Industry Association (PRIA) or its members. PRIA does not warrant the accuracy, timeliness or completeness of the information contained in this publication. If you have a complaint about something you have found in this publication, please contact PRIA by email at [info@pria.us](mailto:info@pria.us).

### FAIR USE NOTICE

This publication may contain copyrighted material the use of which has not always been specifically authorized by the copyright owner. PRIA believes this constitutes a 'fair use' of any such copyrighted material as provided for in section 107 of the US Copyright Law. In accordance with Title 17 U.S.C. Section 107, the material in this publication is distributed without profit, to those who have expressed a prior interest in such information, for comment and nonprofit educational purposes.

[Forward email](#)



This email was sent to coordinator@pria.us by [cableman@priamail.us](mailto:cableman@priamail.us) | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

PRIA | 2501 Aerial Center Parkway | Suite 103 | Morrisville | NC | 27560