

Best Practices for eRecording

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PRIA Winter Conference
February 19, 2015

Why Best Practices?

- Provide information to Recorders wanting to start eRecording
- “...identify areas of consensus within the industry leading to recommendations for and support of best standards and practices.”
- Set the standard for the industry
- Industry response to other Best Practices models

Current Status

- Team has spent past 16 months
- Multiple iterations of best practices
- Team has completed work and submitted document to PRIA Board for 30 day comment period

- Recording jurisdictions should accept electronically signed and notarized documents
 - To maximize the volume and efficiencies of eRecording
 - Reference ESIGN, UETA, URPERA

- Procedures and systems should be in place to prevent duplicate recording of a document
 - To avoid duplicate recordings which result in extra fees being charged and confusing entries in the recorders index

- The Recorder may choose to limit the number of documents submitted in a package or batch to no more than 10 documents totaling no more than 200 pages
 - To assure submittal and return of document to the end user submitter while minimizing the chance of rejections of larger packages or batches

- The Recorder should not void or remove documents after recording, unless directed to do so by a court order
 - To maintain the integrity and reliability of the public land records

- Recorders should work with multiple eRecording vendors
 - To increase the percentage of eRecording document submissions

- Images should be submitted in a standardized format taking into consideration preservation needs. Scanned documents should be clean, without artifacts/lines, and must accurately represent the original document
 - To record and preserve documents in the public land records

- The Recorder is responsible for recording the document and creating the index
 - To meet the legal requirements obligating the recording jurisdiction to create the recording index and maintain it's accuracy

- The eRecording process should be as simple as paper recording
 - To maximize e-recorded document transactions for the recorder and the end user submitter. Dealing with multiple recording jurisdictions with varying requirements complicates the process for end user submitters.

- The Recorder should accept all real estate related document types
 - To maximize efficiencies for recorders and all end users submitters

- The Recorder should accept fees for service in the eRecording environment preferably with Automated Clearinghouse Payments (ACH)
 - To simplify the payment of fees for document recording

- Recorders should execute Memorandums of Understanding (MOUs), contracts or agreements with each eRecording vendor that serves the recording jurisdiction, not with each end-user submitter
 - To minimize the number of MOUs, contracts or agreements

For Questions

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