

Special Note: The following is a summary of the Minutes taken from the Recorder's Advisory Council meeting held on Thursday, December 12, 2013 and does not necessarily provide a detailed verbatim transcription of the Minutes.

MINUTES

**RECORDER'S ADVISORY COUNCIL
THURSDAY, DECEMBER 12, 2013
9:30 A.M.**

**CLARK COUNTY GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
1ST FLOOR, PUEBLO ROOM
LAS VEGAS, NEVADA 89155**

Members Present

Debbie Conway, Clark County Recorder
Eugene Mendiola, Clark County Assistant Recorder
Soomi Kim, Clark County District Attorney's Office
Bart Donovan, Document Retrieval Services
Sara Sorbello, Equity Land Title
Jon Morgan, Equity Title of Nevada
JR Albrecht, First American Title Company of Nevada
Michael Gilliam, FNTG Las Vegas Title Group
Paul Bell, GLVAR- Prudential Americana Group
Rene Espinoza, Nations Title Company of Nevada
Lisa Forbes, Nevada Title Company
Troy Sears, NexTitle
Kevin DiStefano, Noble Title
Mandi Zollotuchen, Old Republic Title Company
Jack Woodcock, Prudential Americana Group, REALTORS
Renato Ritter, QUICKclaimUSA.com
Brad Barrett, Republic Services
Carolyn Paige, Republic Services
Jerry R. Smith, Tico Realty Group
Tami Miramontes, WFG National Title Company

Staff

Denise Gulia, Clark County Recorder's Office
Maurice Reid, Clark County Recorder's Office
Susan Wohlbrandt, Clark County Recorder's Office
Maggie Tellez, Clark County Recorder's Office
Georgia Brunson-Wright, Clark County Recorder's Office
Courtney Hill, Clark County Recorder's Office
Chris Chong-Wong, Clark County Recorder's Office
David Pierce, Clark County Assessor's Office
Ken Masden, Clark County Assessor's Office
Mike Anderson, Clark County Assessor's Office

I. **Call to Order**

Debbie Conway, Clark County Recorder, called the meeting to order at 9:33 AM.

II. **Introductions**

The committee members each introduced themselves and the companies that they represented.

III. **New Business**

a. **Approval of March 14, 2013 Minutes**

The RAC members unanimously approved the minutes.

b. **Technology Updates**

Debbie Conway, Clark County Recorder, indicated that the yearly Technological Enhancements handout is currently being finalized for the members and will be available by the next Recorder Advisory Council meeting.

Robert Garza, Clark County Recorder's Office, indicated that there is a prototype of the highly anticipated recording kiosk being developed in-house for the public to interact with the office and to record documents remotely. This prototype will be available towards the end of 2014. **Conway** added that the marriage certificate kiosk allowed customers to purchase certificates without having to wait in line. **Garza** provided statistics for the marriage certificate kiosk indicating that there were over 13,000 orders placed on the kiosk since the April, 2013 launch date. Just like the recording kiosk which is under development, the marriage certificate kiosk was developed internally as well.

Lisa Forbes, Nevada Title Company, questioned which documents the recording kiosk will allow customers to record. **Garza** replied that the kiosk will allow the customer to record all official records excluding maps. Due to the limited space on the kiosk, the design of the kiosk will only include an upright or flatbed scanner, webcam, and a label printer, along with the operating system. **Mendiola** added that the kiosk will allow the customer to interact with a deputy who will provide assistance in the recording process with issues such as inserting the document wrong to any other issues that may arise. **Garza** added that the updates to the kiosk's development will be given at the future RAC meetings. A mobile recording application will be implemented in 2014 that will allow customers to record documents on the go. **Mendiola** stated that the recording application is similar to the applications used by banks to allow mobile check deposits. Parameters will have to be set to allow which documents can be recorded using the mobile application. **Garza** said that a recording kiosk was first implemented by Maricopa County in Arizona, but the Recorder's Office will improve on the technology that exists.

Michael Gilliam, FNTG Las Vegas Title Group, asked if the office is closer to having the instrument number separated like it was in the past. **Mendiola** replied that the office is currently waiting on an update from the vendor. **Garza** added that the new update will allow the office to be more streamlined and efficient in all of its processes.

Debbie Conway, Clark County Recorder, announced that additional enhancements to the office are being developed such as adding a streamlined process to the mail room as to how the office processes incoming and outgoing mail allowing for the office to provide even quicker turnaround. **Conway** added that the older historical record books will be preserved and the office will be working with a vendor to preserve these books. Older documents will be

indexed to allow users to search the documents. The technological enhancements handout, once finalized, will be sent to the members.

c. Records Research Workshops

Eugene Mendiola, Clark County Assistant Recorder, indicated that the Records Research classes are usually held from May to August with two sessions each month. Once classes were completed last year, several requests prompted the Recorder's Office to address the common question that was asked at the workshops, which is on the lifecycle of a property that is going through foreclosure and the timelines to record subsequent related documents. **Mendiola** added that some companies were confused as to the lifecycle of the process. Classes were also provided on Saturdays to provide for flexibility in schedules.

Jack Woodcock, Prudential Americana Group, REALTORS, asked if there is any history of property foreclosures being kept. **Mendiola** replied that there is no tracking on how many times a property has gone into foreclosure and the only way to find out is to do a property search and see how many times a Grant, Bargain, Sale Deed or a Trustee's Deed has been recorded. **Woodcock** added that there is a Multiple Listing Service that allows customers to search how many times a property has been sold and if there is any way to imitate such a database. **Mendiola** replied that the office will look into the issue. **Woodcock** added that there is a benefit to providing such information. **Mendiola** added that the office will look at providing combined information from the offices of the Assessor, Treasurer, and Recorder.

Jon Morgan, Equity Title of Nevada, asked if there is some way to distinguish between foreclosure documents versus HOA liens and Trustee's Deeds and HOA Foreclosure Deeds. **Mendiola** replied that there was some feedback regarding the issue in the workshops when the legislature initiated the Foreclosure Mediation Program that requires an additional \$200 fee to assess the documents recorded relating to the foreclosure. This prompted the office to distinguish between the foreclosures from banks and HOAs. Defaults relating to the HOAs are recorded as a regular default and the bank foreclosures are recorded as Notice of Default with Election to Sell or Notice of Breach with Election to Sell.

Bart Donovan, Document Retrieval Service, questioned if there is a parcel number search is conducted on the Recorder's website would all the documents recorded be shown. **Mendiola** replied that's not always the case. Documents recorded in the office may have multiple parcel numbers. Indexing the parcel numbers on the documents are only done to the first parcel number provided on the document. **Conway** added that the issue was brought to County Counsel and according to state law the office is required to record one parcel number. **Mendiola** added that Clark County Recorder's Office is good at recording the one parcel number.

Debbie Conway, Clark County Recorder, announced that the office made a presentation to the National Association of Land Title Examiners and Abstractors (NALTEA) Conference. Information was provided to help their respective jurisdictions to understand the search function of the office and to help make access easier for their members.

d. Legislative Changes 2013

Eugene Mendiola, Clark County Assistant Recorder, briefed the members on the previous legislative session in 2011 where Assembly Bill 284 affected the real estate market. The 2013 legislative session looked at cleaning up the language of the bill and additional bills, Senate Bill 273, Senate Bill 278, and Assembly Bill 300 required banks to provide ample notice to homeowners to begin the foreclosure process. This allowed the process from being hastened to slowing the process. Other bills were also discussed.

e. Recorder's Association Meeting

Eugene Mendiola, Clark County Assistant Recorder, briefed the members on the Recorder's Association Meeting where the Nevada Department of Taxation was in attendance gathering information regarding RPTT exemptions for the legislative assistants to determine how to exempt certain properties from RPTT, or how to tax properties more efficiently. **Mendiola** added that the conference allowed the other counties to voice concerns regarding recording documents and how each county should handle certain documents. Discussions ensued regarding clarification on how they should accept documents and that NRS 247 is the main guideline on which documents are recorded in all counties. **Conway** added that these discussions provide the Recorders a platform to create uniformity as to how documents are recorded in Nevada. This allows the Recorders to remain in contact with each other to see how they can accommodate the customer when recording documents.

f. E-Notary Update

Debbie Conway, Clark County Recorder, briefed the members on the E-Notary issue and indicated that the process was presented to the Recorder's Association and to the Secretary of State. The Secretary of State is currently looking at the concept.

IV. Miscellaneous Discussions

Carolyn Paige, Republic Services, expressed concern on the issue of liens being filed on parcels that are being split and not being able to obtain the correct updated information and how they can collect the appropriate fees. **Masden** replied that there is information that can be imported to help distinguish how the parcels are divided. **Paige** added that the concern is mainly on the parcels that have multiple owner information and the current system used to research the parcel information. **Mendiola** added that as long as there is a parcel number the office will record the document. **Paige** added that she would like to have more departments involved in a meeting so the issue can be addressed for a viable solution. **Conway** added she will contact the other offices to schedule a meeting to address the concern and the appropriate parties will be present.

Soomi Kim, Clark County District Attorney's Office, indicated her availability to answer any questions or concerns on the issue of Notices of Default and Election to Sell and Notice of Breach and Election to Sell. **Morgan** asked if there was a Nevada Supreme Court decision on the confusion caused by the filing of HOA liens and default liens. **Kim** replied that there is a decision but the banks are appealing the decision. **Bell** added that the HOA liens are causing problems with property sales where the HOAs are claiming larger amounts than the actual values call for. **Woodcock** added that the HOA liens can overshadow a mortgage and cause problems for the market. **Morgan** added that there are laws that affect the priority of HOA liens and that the priority exists to whom can claim importance in a foreclosure proceeding and this causes issues to title insurance.

David Pierce, Clark County Assessor's Office, stated that the Assessor's Office will be updating their system to migrate their information from their current system over to their website. Their upgrade will include all information in the current system and will be implementing a new streamlined system that will allow more functions for the companies to search more information. **Morgan** asked if this will display information on assessed acreage and prior owner information. **Pierce** replied that this information will be available on the new system. This new update will progress over time and the members will be updated on all changes.

V. **Public Comments**

Debbie Conway, Clark County Recorder, gave thanks to the Recorder's Office for their steadfast efforts in having the latest technology that help enhance the efficiency of the office. The office won the Eagle Award from the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT) for the implementation of the mobile website and the Public Official of the Year Award from the National Association of County Recorders, Election Officials & Clerks.

VI. **Next Meeting Date:** Wednesday, March 19, 2014, 1st Floor, Pueblo Room,
Clark County Government Center, 500 S. Grand Central Pkwy., Las Vegas, NV 89155

VII. **Adjournment**
The meeting was adjourned at 11:13 AM.