

Special Note: The following is a summary of the Minutes taken from the Recorder's Advisory Council meeting held on Thursday, June 11, 2009, and does not necessarily provide a detailed verbatim transcription of the Minutes.

MINUTES

**RECORDER'S ADVISORY COUNCIL
THURSDAY, JUNE 11, 2009
10:30 A.M.**

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

Members Present

Debbie Conway, Recorder, Clark County Recorder's Office
Charles Harvey, Assistant Recorder, Clark County Recorder's Office
Martin Bressler, Chicago Title
Carmen Vojtasek, Community Title Services of Nevada
Mary Ann Porter, Community Title Services of Nevada
Jon Morgan, Equity Title of Nevada
Linda Arillano, First American Title Company of Nevada
Caesar Espinosa, FNTG Las Vegas Title Group (servicing CTT, FNT & TT)
Sue Naumann, Greater Las Vegas Association of Realtors (GLVAR)
Paul Bell, Greater Las Vegas Association of Realtors (GLVAR)
Steve Dover, Lawyers Title
Amanda Terrill, Nevada Title Company
Charles C. Clawson II, Noble Title
Nick Nicholson, North American Title Company
Kehau Haia, Old Republic Title Company of Nevada
Jack Woodcock, Prudential Americana Group, REALTORS
Jerry R. Smith, Realty One Group
Brad Berrett, Republic Services
Tracy Sabol, SPL Inc
Phil Diprima, SPL Inc
Armen Garibyon, SPL Inc

Members Absent

Debra Pomponio, Commerce Title Company
Tracey Keller, DHI Title
James Orate, Document Processing Solutions, Inc.
Valerie Connor, First American Title Company of Nevada
Ellie Lumsden, Keller Williams – Market Place
Keith Kelley, Kelley and Associates Real Estate
Laurie Quigley, Legal Wings
Robert C. Sherratt, Mesquite Title Company
Phillip Bouchard, National Title Company

Rene Espinosa, Nations Title Company of Nevada
Cyndi Riska, Nevada State Title
Robbie Graham, Nevada Title Company
Troy Hicks, Red Rock Title & Escrow Company
Ann Stuart, Stewart Title of Nevada
Norman Spaeth, TitleOne of Las Vegas Inc.

Guests

Dennis Freimann, Clark County Recorder's Office
Denise Gulia, Clark County Recorder's Office
Laurel Jimenez, Clark County Recorder's Office
Shauna Johnson, Clark County Recorder's Office
Eugene Mendiola, Clark County Recorder's Office
Juanita Sul, Clark County Recorder's Office
Maggie Tellez, Clark County Recorder's Office
Susan Wohlbrandt, Clark County Recorder's Office

I. Call to Order

Debbie Conway, Clark County Recorder, called the meeting to order at approximately 10:36 AM.

II. Introductions

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

III. New Business

a. Approval of March 19, 2009 Minutes

The RAC members unanimously approved the minutes for the March 19, 2009 meeting.

b. Recorder's Office Technological Updates

Laurel Jimenez, Clark County Recorder's Office, gave a brief update on the technological enhancements over the last couple of months. She mentioned that in April the Recorder's Office starting accepting credit cards as a method of payment. She also stated that on May 1 shopping carts were implemented online and 15% of the requests for copies (approximately 3,000) were made online in the month of May without a formal announcement (soft launch). As for the digitization project, purchasing has identified a vendor and testing should be complete by the 1st of September. The project will consist of digitizing images from the newest to oldest. This project should take about 6-9 months to complete. **Jimenez** also added that after the meeting there will be an overview of the OnCore system and a brief discussion regarding the policies and procedures that may impact RAC members.

c. Open Discussion – E-Recording and Recording Issues

Eugene Mendiola, Clark County Recorder's Office, discussed changes with the new OnCore system. He stated that when documents come in, they will be scanned, reviewed, and recorded. With the new automated index feature, it will allow documents to be returned the same day. With this new process, recording will take a little longer. The drop off policy will

also change. All documents must be dropped off by 10 a.m. in order to get them back the same day. Also, batches in excess of 50 documents must have separate checks to allow more than one deputy to record the documents. He informed the members that companies will have to provide specific instructions on how they want their documents recorded. If checks do not cover the full amount of a company's transaction, then all of their documents will be rejected. The Recorder's Office will not take on the responsibility of choosing which documents will be recorded and which will not. **Mendiola** mentioned that recording requirements have not changed, only the process will change. The ultimate goal is to provide a smooth transition during this period.

Tracy Sabol, SPL Inc, voiced her concerns about possible holding accounts for companies who have batches of 500 documents that need to be recorded at a time instead of just 50. **Juanita Sul, Clark County Recorder's Office,** informed the members that the new system has a feature that allows escrow accounts. Money can be drawn from the escrow account to bypass paying for each batch with separate checks. She informed members that interest cards and applications were available for anyone interested and would like to learn more about the process. **Mendiola** added that the holding accounts can work with each deputy completing different batches for one customer. He also mentioned that the holding account can be used for all services the Recorder's Office offers. A RAC member then questioned the intentions of the drop-off receipt and what kind of features there are to reconcile the account. **Mendiola** said basically the receipts are to keep track of your documents, so when companies come to pick up their batches everything is there and ready. **Sul** elaborated by saying customers have access to reports to see what was recorded and how much money was pulled from their specific accounts. She also said that receipts will have a running balance on the holding accounts which will also help reconcile funds. **Linda Arillano, First American Title Company of Nevada,** then inquired about how to put money into the account. **Sul** replied that deposits to holding accounts currently will be by check over the front counter and at this time there is no minimum balance.

Nick Nicholson, North American Title Company, questioned if holding accounts will be separate from SimpliFile. **Sul** assured him that they are totally separate accounts. **Tracy Sabol, SPL Inc,** then asked if customers will still receive receipts as the current system now provides, **Mendiola** answered yes. **Denise Gulia, Clark County Recorder's Office,** stated that customers will also receive a separate receipt that lists what was recorded, suspended, and/or rejected. **Linda Arillano, First American Title Company of Nevada,** then questioned if a batch will still get recorded if a document within it is suspended. **Mendiola** informed her that if corrections can be made over the counter you are able to do so at that time. The issues that are in the process of being worked out are the drop off documents with rejections.

Mendiola next addressed a members concern about still being able to record documents on the spot. He reiterated that the drop off process is mainly for larger batches of documents.

Conway asked members how long it will take their title companies to change over to the new system of holding accounts. **Tracy Sabol, SPL Inc,** answered that it would be most beneficial; she just has to get approval from her company. **Nick Nicholson, North American Title Company,** added that he thinks it makes perfect sense and should take possibly just a day for his company to make the switch. **Conway** then went on to elaborate that she does not want companies to be unprepared for the transition. Therefore, written correspondence will follow as go-live becomes reality. She added there should not be a problem for the Finance Department to make the transition in setting up the holding accounts. All that is needed is the approval from the companies to create their accounts. The transition should occur within the next 30 days.

Gulia included that all rejected documents will have a bar code to help them be easily identified, so when rejected documents are returned it is important that the receipt that belongs with it is returned also. **Jack Woodcock, Prudential Americana Group,**

REALTORS, then raised his concern about each document having a tracking number. **Mendiola** reassured him that there will be a transaction number, receipt number, and an instrument number in order to look up each document.

Carmen Vojtasek, Community Services of Nevada, asked if once a document has been rejected at the Recorder's Office, pertaining to the new system, is it still okay to e-Record that document. **Mendiola** told her yes, e-Recording rejected documents is still an option. **Conway** added that the Recorder's Office is working on being as efficient as possible. The new system will definitely help. She also stated that the Recorder's Office is working hard to return documents to title companies so that they can return them to the customers as soon as possible. **Mendiola** addressed **Steve Dover's** question about SimpliFile locking. He expressed that the problem was a bug within the SimpliFile system and with the new OnCore system, locking should not be a problem.

d. White Paper Subcommittee Report

Jack Woodcock, Prudential Americana Group, brought to the attention of the group the success of the partnership that has been created between the Recorder's Office and the public, the high volume users as well as anyone else who records documents. He added that there has been a great deal of progress towards making something that will impress everyone. It's a fairly extensive document that goes into the history; what has been accomplished, the advancements the Recorder's Office has made, and gives out a large amount of information on how all this can be used in other governmental departments. Its overall goal is to showcase how the Recorder's Office has taken this public-private partnership and made it work extremely well. He announced that by the next meeting everything should be finalized and there will be a document to show members.

e. CFOA and Legislative Summary

Charles Harvey, Clark County Recorder's Office, shared with the RAC members his experience at the counties Chief Financial Officers Association (CFOA) session which was held in Elko, Nevada. He informed members about the Nevada Recorders Association which was created to unify and have standardization throughout the county offices. The group was developed to exchange information, improve the working relationships around the state, and also unify and have some standardization to how the offices are run around the state of Nevada. The objectives of this group are to standardize recording practices, protect the integrity of the records around the state, educate taxpayers and to advocate and support legislation. Over the last few years the legislative portion has been the main focus of the group. Issues discussed at this past meeting included legislation and budget cuts. Also consistency and determining values for transfer tax was discussed. A statewide website created by Nevada Recorders Association is in the process of being developed. Clark County will attempt to take the lead with the association as a whole for the smaller counties that are looking for leadership and instruction. The next CFOA meeting will be held next year in Mesquite, Nevada, June 22–24. The meeting will be hosted by the Clark County Recorder's Office and there are efforts being made to set up a tour of the Clark County Recorder's Office. **Harvey** extended the invitation to any members that would be interested in participating in the tour or the conference.

Dennis Freimann, Clark County Recorder's Office, then briefly discussed a few assembly and senate bills. He stated that AB65 which is related to AB149 has increased the fee to \$50 upon the filing of any notice of default and election to sell. This fee is used as a fundraising method to hire attorneys. AB149 deals with owner occupied/no owner occupied foreclosures where the homeowner can request standard mediation and request a loan modification and when it goes into mediation the funds from AB65 are how the attorneys are hired. He said

that he foresees a large amount of foreclosures in the near future in which these two bills will come into play. The next bill he discussed is SB14 which increased certified or abstract copies by \$5. This increase of funds goes to domestic violence victims. **Freimann** then commented about SB67 which requires a standard form for the declaration of homesteads to be distributed throughout all recorder offices and on the internet free of charge. The next bill he talked about was SB128 which requires persons to record foreclosure sales under deed of trust within a 30-day period. Amended – Adds more liability to beneficiaries who don't record deeds within 30-day period. This bill is really meant to protect the renter that is in the house from paying on a house that is in foreclosure. SB276 is brought up and **Freimann** explains that it is nothing more than a contract of sale. It just clarifies that on "land sales installment contracts" the transfer tax must be paid. The last bill he touched on was SB283. It establishes a domestic partner as a new type of civil contract, granting the same rights as other civil contracts, i.e., marriage, at the same time clarifying that this is not a marriage. Basically says domestic partners after being registered with the secretary of state and meeting specific criteria can then qualify for exemption 5. Documentation must be provided from the secretary of state in order for exemption 5 to be allowed.

Nick Nicholson, North American Title Company, asked for clarification about AB65 only affecting NRS 107 and **Freimann** reassured him that it does. A RAC member then asked for clarification on SB128. **Jack Woodcock, Prudential Americana Group, REALTORS**, responds to clarify that the primary reason for SB128 is to make sure HOA's do not have the challenge they had in the past of collecting fees from the lender. **Freimann** added that one of the problems that he has seen is that deeds of trust were not recorded for about 5 months. In addition to protecting the renters, SB128 will push the recording of the trustee's deed. A RAC member then asked who collects the fine, **Freimann** answered that he will research the answer and get back to him. He then reassured the members that pertaining to SB128 even if the sale date is over 30-days old the Recorder's Office will still record it.

IV. Miscellaneous Discussions

There were no miscellaneous discussions at this time.

V. Public Comments

Debbie Conway, Clark County Recorder, in conclusion talked about the Clark County Recorder's Office winning a National Association of County Officials (NACO) award for the installation of the Q-Matic System.

VI. Next Meeting Date: Thursday, September 10, 2009, 10:30 AM, 1st Floor, **ODC Room 3**, Clark County Government Center, 500 S. Grand Central Pkwy., Las Vegas, NV 89155

VII. Adjournment

The meeting was adjourned at 11:41 AM.