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Electronic Real Estate Recording Task Force

Members

Upcoming Meetings

Private Sector Subcommittee

Meeting Minutes

SCOPE: This group will provide insight to the consultants on issues and concerns that include but are not limited to:

Resources on the Web

Subcommittees

- Private sector groups (lenders, title companies, etc.) necessary to validate recording process needs.

Task Force Forms

- Access to county records.

Pilot Activity

- Retrieval issues and concerns.

ERERTF Standards

2001 Legislative Report

2002 Legislative Report

2003 Legislative Report

2004 Legislative Report

MEMBERS:

Bill Mori	TriMin Systems
Bob Horton	Historical Society
Bonnie Rehder	County Recorder - Clay
Dennis Unger	CI Title
Joe Witt, Chair	Minnesota Bankers Association
Mike Carlson	Faegre and Benson
Susan Dioury	MN Assoc. of Realtors

MEETING MATERIALS:

[Minutes from January 16, 2002](#)

SUBCOMMITTEE RESOURCES:

Send comments regarding this site to:
www@commissions.leg.state.mn.us

Updated: 01/22/02(jhr)



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Electronic Real Estate Recording Task Force

Private Sector Subcommittee

Minutes: 16 January 2002
As recorded by Beth McNerny

Present: (Members) Joe Witt, Susan Dioury, Bonnie Rehder, (Guests) Wendy Metcalf

Joe Witt – Minnesota Bankers Association

- Issues of particular importance for Banking community: 1 & 2, 6 & 7, 11, 13, 14-17, 27 & 28, 30 & 32, 35-37
- Priority of recording seems to be an issue. This is being discussed by the Legal Subcommittee but the public needs to be educated and understand this clearly when they partake in the process.
- Searching is very important to the banking community. There is an assumption that if a document is recorded electronically it can then be searched electronically. If this is not the case throughout Minnesota then the private sector needs to understand this. If this will become possible in another phase they need to know that also.
- Searching could include: tax liens, mechanic's lien, divorce lien, etc.

Susan Dioury – Minnesota Realtors

- Issues of particular importance for realtors: 1, 13 & 14
- The documents that primarily come from realtors to Title Companies are: CRV, Well Certificate and Purchase Order.
- Digital signature will be the biggest issue to be dealt with. Minnesota's standard should be the "Microsoft" of digital signature standards. Will it be digital, digitized, PKI and encrypted or some other type. Does the buyer and the seller agree on what signature platform to use. Can one use a digitized / encrypted platform while the other uses a digital pen?
- Searching is also a concern. Looking most often for tax liens and legal

descriptions. Again, if this is recorded electronically there is an expectation that it can be retrieved via a search electronically.

- Consultants need to ask:
- How much would you be using in the electronic fashion?
- What information do you want to search for?
- Document workflow for recording deeds, mortgages and Sats is very different from one another, is the creation of these documents to get them filed different?

Bonnie Rehder – County Recorder – Clay County

- Searching is almost an entire project in itself. Each county has their own rules and methods of indexing by grantor/grantee or tract. Methods range from writing in books to complex proprietary databases. It would be a big project to standardize indexing. We could consider working forward from a given date. It wouldn't be easy to set standards. It would be VERY expensive to make historical data standardized. Some of these ideas are part of a dream list.
- If standards for indexing are made, the sooner they are made, the more information that would be entered in a standard format. However, a searcher would still need to know each counties old rules when looking at prior data. It might be easier to review the rules of each county before searching and know that all the data from the county would be using those rules.
- The recording priority of documents is going to be an issue. In Clay County the customer at the counter has priority. They made the effort to come to the counter to make sure their documents made it through the process with no problems. The mail and drop-offs have second priority. Documents are numbered and timed when the money is receipted into the system. Each county has their own procedures.
- Some documents require review and signatures from other county departments. These departments could be Auditor's Office, Treasurer's Office, Planning & Zoning, & etc. Consultants should gather this information when interviewing.
- Some counties enter parcel ID numbers on some documents (deeds), some counties enter parcel ID numbers on all documents. Sometimes these parcel ID numbers are considered Tax Parcel ID numbers and sometimes they're not. These parcel ID numbers sometimes relate to where the land is located in the county. Some counties enter this information into their databases for searching.
- Standardizing fees for copies or searches will be an interesting challenge. How will fees be established? Fees could be charged by hit, the printed page, a flat rate and many other variations. Fees for copies presently range from \$.10 per page to \$5. Copy fees are set by the County Board of Commissioners.
- Clay County is concerned about open searching by name. A local website allows searching by name which permitted an individual access to the address of a police officer. The police officer has been harassed because this information was available.

- In these notes I am presenting county variations of rules, methods, policies and procedures. These statements are for the purpose of discussion and not to say I am in favor or against any of the ideas.

Consulting Questions

When looking at county workflow make sure to note if another division must review a record before recording it. In Otter Tail the Planning and Zoning division reviews real estate records first. Note these types of exceptions.

Ask if the county charges fees for searching (if system is electronic), what types of searches and how much is the fee?

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