

Special Note: The following is a summary of the Minutes taken from the Recorder's Advisory Council meeting held on Thursday, March 17, 2010 and does not necessarily provide a detailed verbatim transcription of the Minutes.

MINUTES

**RECORDER'S ADVISORY COUNCIL
THURSDAY, MARCH 17, 2011
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, Recorder, Clark County Recorder
Tami Miramontes, Community Title Services of Nevada
Lisa Ferishin, Equity Land Title
Jon Morgan, Equity Title of Nevada
Betsy Hughes, First American Title Company of Nevada
Paulette Baker, First American Title Company of Nevada
Jeanine Pogue, First American Title Company of Nevada
Joe Fitzgibbons, FNTG Las Vegas Title Group
Robert Rosales, FNTG Las Vegas Title Group
Rene Espinosa, Nations Title Company of Nevada
Amanda Terrill, Nevada Title Company
Ammie Wallace, Noble Title
Jack Woodcock, Prudential Americana Group, REALTORS
Brad Berrett, Republic Services
Tracy Sabol, SPL Inc
Wil Andasol, Stewart Title of Nevada
Clayton Freeman, TitleOne of Las Vegas Inc.
Brenda Durant, TitleOne of Las Vegas Inc.

Members Absent

Mona Baca-Shaw, California Hall Service
Martin Bressler, Chicago Title
Joe McCaffery, Chicago Title Escondido
Debra Pomponio, Commerce Title Company
Tracey Keller, DHI Title
James Orate, Document Processing Solutions, Inc.
Eric Puhl, Escrow Unlimited
Sue Naumann, GLVAR- Tsunami Properties Inc.
Paul Bell, GLVAR- Prudential Americana Group
Keith Kelley, Kelley and Associates Real Estate
Daniel Potucek, Law Office of Daniel Potucek
Steve Dover, Lawyers' Title

Laurie Quigley, Legal Wings
Robert C. Sherratt, Mesquite Title Company
Cyndi Riska, Nevada State Title
Nick Nicholson, North American Title Company
Kehau Haia, Old Republic Title Company of Nevada
Ellie Lumsden, Premier Realty Group
Jerry Smith, Realty Ticor Group
Troy Hicks, Red Rock Title & Escrow Company
Jerry R. Smith, Ticor Realty Group
Troy Hicks, Public Member

Staff

Eugene Mendiola, Clark County Recorder's Office
Denise Gulia, Clark County Recorder's Office
Laurel Jimenez, Clark County Recorder's Office
Maurice Reid, Clark County Recorder's Office
Sheila Salehian, Clark County Recorder's Office
Susan Wohlbrandt, Clark County Recorder's Office
Juanita Sul, Clark County Recorder's Office
Maggie Tellez, Clark County Recorder's Office
Courtney Hill, Clark County Recorder's Office
Shirley Stein, Clark County Recorder's Office
Chris Chong-Wong, Clark County Recorder's Office

Guests

David Pierce, Clark County Assessor's Office

I. Call to Order

Debbie Conway, Clark County Recorder, called the meeting to order at approximately 10:38 AM.

II. Introductions

The committee members each introduced themselves and the companies they represent.

III. New Business

a. **Approval of December 16, 2010 Minutes**

The RAC members unanimously approved the minutes for the December 16, 2010 meeting.

b. **Informational Letter Re: E-Recording**

Eugene Mendiola, Clark County Recorder's Office, provided information on a letter that was sent to RAC members about the benefits of E-Recording and the companies that are currently E-Recording with the Recorder's Office.

c. **Escrow Accounts**

Debbie Conway, Clark County Recorder's Office, discussed the utilization of the escrow accounts and explained the quality of service provided by the Recorder's Office will be

improved when a company uses an escrow account. **Conway** also stated that escrow accounts provide customers with a more streamlined process and allows the wait times for recorded documents to be less than those without an escrow account.

Denise Gulia, Clark County Recorder's Office, provided information on the benefits of having an escrow account and stated that the customer can view their balances and monitor their transactions. Customers can see what documents are being charged and what fees are being applied to the individual documents. **Gulia** also stated that with an escrow account, customers will receive quicker service since funds can be pulled from the account and there will be fewer conflicts that may arise during the recording process.

Eugene Mendiola, Clark County Recorder's Office, added that the escrow accounts will allow the Recorder's Office to make adjustments to their accounts without the transaction going into the refund process which takes a lengthy amount of time.

Lisa Fershin, Equity Land Title LLC, commented that the escrow account website is very user friendly. **Fershin** also questioned the adjustments that were made during the recording process where the amounts are taken out quickly, however when there is a refund the wait time to receive the refund is long and prevents the customer from receiving the refund for Real Property Transfer Tax quickly just like when the adjustments are taken out. **Mendiola** responded that the Real Property Transfer Tax refund process has to go through the Board of County Commissioners to get approved for a refund to be given to the customer. The statute prevents the Recorder's Office from issuing the Real Property Transfer Tax refund to the customer without going through the County Commissioners.

Denise Gulia, Clark County Recorder's Office, added that the escrow accounts allow customers to have multiple accounts and can bring in large amounts of documents. The escrow accounts allow the customers and their representatives to have an individual agent account to help identify them more quickly in the transactions. **Salehian** added that the large amounts of documents can be dispersed amongst multiple deputies to allow the transaction to be completed in a shorter amount of time.

Lisa Fershin, Equity Land Title LLC, questioned the funding for the escrow accounts and asked if the accounts can be given the funds through the customer remotely in a different location besides presenting a check. **Mendiola** stated that the functionality doesn't exist at the moment, but the idea will be presented as a suggestion to be added in the next system update.

Tracy Sabol, SPL Inc., questioned the amounts that are being pulled out of the accounts, in regards to the non-compliance fees that may occur during the recording process. **Gulia** stated that the process involving any non-compliance will be suspended and the other documents will be recorded and no fees will be pulled from the account unless the customer indicates during the recording process that the transaction can be recorded and fees can be assessed. Also the customer will be contacted whenever there is an issue involving their transaction. **Mendiola** added that the customer will also be asked whether or not the non-compliance fees can be pulled out of the escrow accounts. In addition, if there are any other concerns that may arise the customer will be notified as well.

Debbie Conway, Clark County Recorder's Office, stated that the recent budget cuts that have been suggested by the County Management are currently underway and the Recorder's Office is constantly changing to accommodate the customers and help streamline the recording process. **Conway** stated that the escrow accounts will help the customers get their documents processed more quickly and asked the members if there is any company that they know of that may not have an escrow account to please encourage them to obtain an account because it can help them to get their documents serviced more quickly.

d. Update Re: Technological Enhancements

Courtney Hill, Clark County Recorder's Office, followed up on the technological enhancements that he presented at the previous RAC meeting. Business Continuity allows front counter recorders to continue and resume recording documents, should the Recorder's Office lose connection to the main database. The Board of County Commissioners has approved the temporary storage of the microfilm that is in the process of being digitized. The only microfilm documents that have not been converted to digital reel are newspapers from the Sun and the Review Journal, because they are not considered official documents.

Courtney Hill, Clark County Recorder's Office, added that the Kiosk is still on track to be presented to The Board of County Commissioners and that the sites for these are still being discussed.

Debbie Conway, Clark County Recorder's Office, added that the Kiosk item should be brought before The Board of County Commissioners by late April or early May. Feedback from Maricopa County in Phoenix, AZ indicated that the inclusion of Kiosks in public facilities brought an average of two hundred transactions a month, which shows that the Kiosk does in fact work and benefits the public.

e. Digitization Project Update

Courtney Hill, Clark County Recorder's Office, gave an update on the progress of the digitization project and how far along the Recorder's Office is. Bay Area Microfilm (BMI) is 85%-90% finished with converting microfilm to digital images. The adjustment of actual page count is also in progress to help verify the correct page count for documents that are being digitized.

Laurel Jimenez, Clark County Recorder's Office, spoke about the third level of E-Recording which is known as E-Notarization. The current level of E-Recording allows companies to scan in paper documents and have them recorded electronically. However, E-Notary will allow companies to E-Record without paper, but simply by entering data into an application which then creates an electronic document. The issues that are being worked on for E-Notary include the notary signature and seal, which is part of a discussion with the Secretary of State. **Jimenez** stated that this would alleviate time for companies who record bulk liens and other documents.

Debbie Conway, Clark County Recorder's Office, informed the members that the Recorder's Association has already met to discuss E-Notarization and will soon meet with the Secretary of State again to finalize the process. The time frame for this matter may be around three months and an update will be given at the next RAC meeting.

Debbie Conway, Clark County Recorder's Office, stated that the issue for bulk recording discussed in previous RAC meetings is still in the process of being reviewed. The District Attorney will review and advise on what should be done regarding the bulk recordings.

f. Current Tax Values of Property (Audit Change)

Shirley Stein, Clark County Recorder's Office, gave an update on the change of total taxable values that the Recorder's Office will base transfer tax. Per guidance from the State of Nevada Department of Taxation, the Recorder's Office will now use the 2011-2012 total taxable value to calculate Real Property Transfer Tax. Examples in which this applies include Deed in Lieu of Foreclosures, transfers from an LLC to an individual, to determine nominal

value, and in the case of no actual sale. Documents that involve an actual sale will not be affected by the change. **Stein** also stated that audit is more than willing to review documents prior to recording. Customers who have questions regarding value stipulations can have audit review them to expedite the process of recording.

IV. Miscellaneous Discussions

Eugene Mendiola, Clark County Recorder's Office, stated that a non-compliance class will be given to all deputies in the Recorder's office. Non-compliance classes are also being offered to the Courts and to any RAC member who would like a better understanding of how the Recorder's Office reviews documents for compliance.

Debbie Conway, Clark County Recorder's Office, also addressed the non-compliance issue and stated that the \$25 non-compliance fee is consistent throughout the state based on the decision by the Recorder's Association. The training is offered to help reduce the charging of the non-compliance fee and to push the consistency of documents.

Betsy Hughes, First American Title Company of Nevada, inquired as to how long a non-compliance class would be. **Denise Gulia, Clark County Recorder's Office**, answered that a class could take up to an hour.

Tracy Sabol, SPL Inc., expressed her concern for lines that separate the area for recording stamp and the policy for charging non-compliance because of the verbiage that states what the area is for. **Sabol** also inquired as to how the deputies decide if a document is compliant, whether using a ruler, computer, or a transparency template that is placed on top of the document.

Eugene Mendiola, Clark County Recorder's Office, responded that the deputies are to refer to the image that is on the computer first. Secondly, they refer to the original document by using a ruler. If there are still questions about compliancy, the deputy is to then consult a supervisor.

David Pierce, Clark County Assessor's Office, addressed the hearings and property value changes. The hearings are still in process but the effect on the budget will not be known until the hearings are over. As far as value questions, **Pierce** suggested that members contact him via email for more information.

Jack Woodcock, Prudential Americana Group, REALTORS, expressed his concern for the rise in assessed value of properties in a declining market. Improvements are based upon cost replacements, which cause assessed values to increase. **Woodcock** wanted to know why there is not a decrease in value when wanting to sell property.

Eugene Mendiola, Clark County Recorder's Office, followed up on the check issue that was discussed in the previous RAC meeting. He restated that the Recorder's Office will no longer accept personal checks. By law and according to statute, checks must also be filled out entirely before being submitted for payment.

Jack Woodcock, Prudential Americana Group, REALTORS, asked if property tax payments could be made in one transaction, if the taxpayer was paying for multiple properties. **David Pierce, Clark County Assessor's Office**, directed him to the Clark County Treasurer's Office, which deals with collecting property taxes.

Paulette Baker, First American Title Company of Nevada, inquired if there was a delay between recording documents and uploading those images to the search engine. **David**

Pierce, Clark County Assessor's Office, stated that the time frame can be up to ten business days.

Lisa Fershin, Equity Land Title LLC, posed the same question, but regarding indexing documents that have already been recorded. **Eugene Mendiola, Clark County Recorder's Office**, replied that indexing will take no longer than three business days from the date of recording. If a document is still not indexed following that time period, customers may contact the Recorder's office and upon verification, the document will be indexed that same day.

V. Public Comments

None.

VI. Next Meeting Date: Thursday, June 16, 2011, 9:30 AM, 1st Floor, Pueblo Room,
Clark County Government Center, 500 S. Grand Central Pkwy., Las Vegas, NV 89155

VII. Adjournment

The meeting was adjourned at 11:45 AM.