

Best Practices for eRecording

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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




BP # 1

- Recording Jurisdictions should execute MOU's with ER Vendors, not submitters
 - Submitter MOU not required for paper
 - Significant overhead burden to manage large number of MOU's for both parties
 - ER Vendor/ Submitter Agreement addresses “only create image from original document” issue




BP # 2

- Recording Jurisdiction should accept payment for eRecording via ACH
 - ACH payments are regulated by NACHA (National Automated Clearing House Association and the Federal Reserve)
 - Escrow Accounts place a financial burden on the eRecording vendor
 - The use of eRecording with payment via ACH significantly reduces the number of checks to be processed




BP # 3

- Recording Jurisdictions should accept all document types for eRecording
 - Allows submitters to have one submission process for all documents in a jurisdiction
 - Routing options exist to allow multiple departments to view and process documents before recording



BP # 4

- The eRecording process should be as easy for the end user submitter as the paper process
 - Required data entry should be limited to image identification and fee/tax calculation
 - Documents should not be rejected based on data formatting issues
 - Utilize a communication system including recorder, land records system and eR vendor to send rejection information



BP # 5

- The Recorder is responsible for recording the document and creating the index.
 - The Recording Jurisdiction has the legal responsibility to create and maintain the index
 - Only enough data to identify the image and calculate the fees should be required
 - Documents should not be rejected for data entry issues that are the responsibility of the recording jurisdiction

**BP # 6**

- eRecording images should be submitted in a standardized format
 - Page size to meet local standard. PRIA standard is 8.5 x 11
 - Page size and page count to be in metadata
 - Resolution of 300 x 300 DPI
 - Image format to meet requested type. PRIA standard is TIFF.

**BP # 7**

- eRecording jurisdictions should work with all qualified eRecording vendors
 - Using multiple vendors will increase your percentage of eRecorded documents
 - You currently accept paper documents from multiple delivery vendors (USPS, FedEx, UPS, courier)

**BP # 8**

- Recorder should not void or remove documents after recording unless by court order
 - If so ordered, the Recorder should enter a note in index in the location of the voided document
 - A copy of the order should be placed in the image library
 - If administratively removed, a note should be made in the index and the interested parties notified

**BP # 9**

- Recorder may choose to limit the number of documents submitted in a package or batch
 - Limit should be no more than 10 documents with total of 200 pages
 - Recorder should post limit on their website and include info in MOU

**BP # 10**

- Procedures and systems should be in place to prevent duplicate recordings
 - All parties involved in the transaction should play an active role
 - Interface between eRecording vendor and LRMS plays a key role
 - If the issue occurs, all parties should work together to identify and resolve issue



BP # 11

- eRecording jurisdictions should accept electronically signed and notarized documents
 - Check your legislation or get legal opinion
 - Consult with state association and or other recorders



Please Send Comments

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