



# LOCAL

APRIL 2022



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## Racial Covenants in Home Titles Must Remain in Public Record, Washington State Supreme Court Rules

*excerpted from The Seattle Times 4/3/22*

The Washington State Supreme Court has ruled county auditors cannot remove racial covenants on a home's title and deed from the public record. In a case that started in Spokane County, the court Thursday affirmed a lower court ruling in favor of the county, saying that racial covenants, language in home titles that made it illegal for people of color to live there, should remain in the public record.

"We must ensure that future generations have access to these documents because, although the covenants are morally repugnant, they are part of a documented history of disenfranchisement of a people," Justice G. Helen Whitener wrote in the unanimous opinion. "It is our history."

The case started with Alex May, a Spokane homeowner, who wanted the county to remove a covenant on his South Hill home that reads "no race or nationality other than the white race shall use or occupy any building on any lot."

Spokane County Auditor Vicky Dalton said it was not in her authority to remove it. The Spokane County Superior Court and a Washington state appeals court both ruled against May, saying the county does not have the authority to remove the provisions.

After the lower court rulings and before the Supreme Court's oral arguments, the Legislature changed the law surrounding racial covenants. The law allows homeowners to pursue a "judicial remedy" to strike the covenants from the chain of title. However, the law says striking the language should "not prevent preservation of the original record, outside of the chain of title, for historical or archival purposes." ([Read complete article.](#))



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## PRIA Local News

In March two PRIA Local Chapters met and new Chapters were formed in both Northern and Southern California. The **Utah Chapter** met on March 22, and the **Metro Minnesota Chapter** met on March 10. The new **California** chapters will have a joint meeting on May 11, 2022.

## [PRIA Local Challenge](#)

The PRIA Local Challenge continues in 2022. That means that anyone starting or re-starting a **PRIA Local chapter** in their area and holding at least one meeting will receive a **PRIA membership** to a non-member chapter participant. We've had two new chapters take advantage of this offer: **East Central Missouri** and the **Heart of Iowa** chapters both started in 2021 and both received the free annual PRIA membership. And so far in 2022 we have two new Chapters starting in **Northern California and Southern California**.

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The banner features the Simplifile logo on the left, the text '2,358 counties eRecording and counting...' in the center, and a 'See where' button on the right. There is also a small icon of two overlapping squares on the far right.

### Can Blockchain Replace GPS Mapping?

*excerpted from [CNBCTV18.com 3/29/22](#)*

Blockchain technology offers numerous benefits over traditional centralized systems. It provides higher levels of transparency, is less likely to be hacked, and enables faster data processing. As such, multiple industries have either already begun to leverage the power of blockchain or are in the process of doing so.

Global positioning systems are the latest addition to the list of business verticals considering the application of blockchain systems. And the benefits of the two verticals merging is promising, especially for end-users. ([Read complete article.](#))

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### PRIA's April webinar: "Redaction Best Practices" on 4/27/2022

Join us for PRIA's April webinar, "Redaction Best Practices" on Wednesday, April 27, at 2:30 - 3:30 p.m., Eastern Time. The speakers for this webinar are Troy Burke, Extract Systems, Carol Foglesong, Orange County, FL, retired and Christie Willis, Orange County, FL. The webinar is complimentary for PRIA members and \$25 for non-members.

To register for this webinar, [click here](#). Registrations will be accepted on a first-come, first-served basis until all seats are filled.

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### Can Alternative or Hybrid Appraisals Create More Equal Valuations?

*excerpted from [M Report 4/5/22](#)*

Appraisals can be a stressful process for anyone buying or selling a home and there are many reasons why an appraisal would be undervalued or overvalued. Water intrusion, cracks in foundations, or termites are all things that can tank an appraisal, but what if your race comes into play?

A recent analysis from Fannie Mae found that, of a sample size of 2 million borrowers, there were discrepancies in appraisal values received by black and white borrowers who

were in the process of refinancing their homes. In order to close this racial disparity gap, Fannie Mae, and their industry partners, are “taking concrete actions” to make sure that appraisals are fairer going forward. ([Read complete article.](#))

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## **State Launches New Remote Online Notary Public Website**

*excerpted from [The Maui News 4/4/22](#)*

The state of Hawaii has launched a new remote online notary public website, allowing notaries to meet with customers virtually, Hawaii Attorney General Holly Shikada announced Friday.

"Previously people were required to be physically present when requesting notary services," Shikada said in a news release. "Now notaries and their customers can use audio-visual technology to conduct meetings."

Last year, a new law took effect that allows remote notaries in Hawaii to perform remote online notarizations and provide services to signers in any location. Active notaries can now apply to become a remote online notary at [notary.ehawaii.gov](http://notary.ehawaii.gov). Notaries can make payments, schedule their exam and view the status of their application at any time throughout the process. They must be physically located in the state at the time of the notarial act. ([Read complete article.](#))

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## **Inside the Government's Attempt to Fight Redlining**

*excerpted from [Housing Wire 3/29/22](#)*

Redlining is a five-alarm word in the lexicon of American racism, but it really has a quite specific definition: The denying of credit in non-white, particularly Black neighborhoods. The federal government was for redlining before it was against it, instituting color-coded maps of fast-changing metropolises for the better part of the 20th Century.

And redlining is very much still around. The racial homeownership gap is now wider than it was in 1890. What is not widely known is the role federal banking regulators play in letting this practice continue. The main law policing redlining is the 1977 Community Reinvestment Act, or CRA. Bank regulators only enforce the CRA when banks seek a merger or acquisition. The broadly written 1960 Bank Merger Act, which President Joe Biden's administration wants strengthened, also requires banking regulators to consider a merger's impact on the community. ([Read complete article.](#))

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## **Protection or Logistical Nightmare? Kentucky Bill Aims to Shield Some Public Officials' Personal Info**

*excerpted from [WDRB.com 3/10/22](#)*

SB 63 creates 11 categories of “public officers,” allowing them and their immediate family members to request that information such as addresses on property tax records be withheld from public view. Estimates attached to the bill assume that at least 38,000 public officers alone would qualify.

The public agency getting the request must redact or remove the data within three days or explain why it's not possible. The bill also lets the public officers sue anyone who “disseminates” their or their immediate family members' personal information in an effort to influence an action or harass them, among other motivations.

Fayette County Clerk Don Blevins Jr. said SB 63 would create several challenges for his office, which oversees voter registration and vehicle information, as well as land records like deeds and mortgages. All three departments have their own software systems and storage practices, he said. Blevins said he also would likely purchase new software that

allows for redactions. But he said it's not clear how to comply with requests to redact certain paper records, such as those with addresses, that are now publicly available.

"Modification of existing documents is a big 'no-no' in county clerk land," Blevins said. "So that's another one of the questions I would have for how to practically do this. There's book after book out here in my vault with these in them." ([Read complete article.](#))

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## **ALTA NEWS - Cyber Losses Hit \$6.9B in 2021**

*excerpted from ALTA Advocacy Update, by Diane Tomb, ALTA CEO, 4/6/22*

America experienced an unprecedented increase in cyberattacks and malicious cyber activity as U.S. consumers lost \$6.9 billion to internet crime in 2021, according to the latest report from the FBI's Internet Crime Complaint Center (IC3).

According to the report, the FBI received 847,376 cybercrime complaints in 2021, an increase of 7 percent from the year before. That amounts to one complaint every 37 seconds. Losses relating to Business Email Compromise (BEC) and Email Account Compromise (EAC) increased by 33 percent over the previous year, with the per-incident loss increasing from \$92,932 in 2020 to \$120,277 in 2021. BEC and EAC scams accounted for nearly 35 percent of all losses reported to the IC3 in 2021.

Real estate/rental cybercrime losses reached \$350 million in 2021, up from \$213 million in losses in 2020. The number of victims, however, decreased to 11,578 from 13,638 in 2020. We applaud the efforts of our members as well as ALTA's consumer awareness and advocacy work on this issue. The new data shows the continued importance of these endeavors in reducing incidents.

Cybercrime was reported across all age groups, but victims over the age of 40 accounted for 74 percent of reported losses. As the real estate sector was hit hard by BEC and EAC scams last year, victims between the ages of 20 and 29 reported losses that were 118 percent higher than the prior year—the greatest increase of all age groups tracked in the report. This age group accounts for a large portion of first-time homebuyers and work-from-home employees, which may account for the sharp year-over-year increase.

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## **Any Other Topics You'd Like to See in the PRIA Local Newsletter? Please Contact us Anytime**

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