

PRIA LOCAL

MAY 2021



Utah County's Online Marriage System Takes Off During Pandemic

excerpted from [Government Technology](#) 5/5/21

As Utah County got close to demoing its online marriage license system in December 2019, little did anyone know the system would save the wedding plans of multiple anxious couples during a worldwide pandemic just a few months later.

The end-to-end online process was live by January 2020, thanks to the vision of Clerk/Auditor Amanda Powers Gardner and her deputy Josh Daniels, a duo that has also pushed the envelope with blockchain-based mobile voting. The system's rollout came in the nick of time.

"Once state and local governments started to shut down, many offices that would do marriages and marriage licenses shut down, and we were the only ones in business ... they [couples] had nowhere to turn, and they turned to Utah County," Daniels said. ([Read complete article.](#))



PRIA LOCAL News

The [East Central Missouri PRIA Local Chapter](#), had their first meeting on April 20, 2021. The virtual meeting included discussion about privacy and redaction federal legislation and racially restrictive covenants. The group also decided to name the government co-chair Gerald Smith, St Louis County Recorder, and the Business co-chair, Scott Moore, from Fidar. The next meeting will be in the summer of 2021.

If you have a Chapter and would like to ask PRIA to help you find a speaker, please contact PRIA [here](#). Potential topics include: electronic records preservation, PRIA overview, PRIA Local, eRecording, LRMS best practices, document rejections, land records and GIS, and eNotary/RON. If these topics don't meet your organization's needs, reach out to PRIA for a customized program.

As always, please contact [me](#) anytime with your thoughts and questions about having a [PRIA Local](#) Chapter of your own. It's a great way to introduce your communities to an effective venue for discussing mutual concerns.

Blockchain Could Streamline Ownership Verification, but Title Companies aren't Going Anywhere

excerpted from BisNow 5/3/21

Buying property can be a messy business. The chain of ownership for a piece of land or building can span decades or even hundreds of years, and over that time, all sorts of convoluted issues can arise, including clerical errors, forged documents, illegal deeds or missing heirs.

Title companies offer some protection from those problems, performing extensive research to ensure the smooth transfer of ownership. However, blockchain technology could replace some core functions by creating an indisputable ledger of ownership that proponents say cannot be tampered with, eliminating opportunities for accidental errors or fraud in documentation.

Industry experts say that as blockchain becomes more readily used in the buying and selling of property, title companies will be less necessary. But the sluggish pace of digitizing public records, coupled with the complexities of actually evaluating legal ownership of a property, could keep title companies functioning as-is for at least another decade. ([Read complete article.](#))



Racist Restrictions in Old Home Deeds Across Washington State will get Expanded Scrutiny

excerpted from Seattle Times 5/1/21

Marlene Smick remembers sitting in the back seat of her parents' car in 1958 as the family spotted an open house sign in Seward Park. Smick's father, a second-generation Japanese-American who had been incarcerated during World War II, rolled down the window to ask about the property.

"The guy, a builder, said, 'You're welcome to come look, but I'm sorry I can't sell to you,'" Smick said. "It was whites only."

For many families across the region and the state, memories of housing discrimination and segregation are still clear. In some cases, that racism is still part of the public record. Racial covenants prohibited people of certain races, nationalities and religions from living in certain neighborhoods until housing discrimination was outlawed in the 1960s. The language hasn't been legally enforceable in decades, but remains in old property records. University of Washington researchers have investigated such covenants before, finding language affecting about 20,000 properties in King County. But they believe many more could still be on the books, said UW history professor James Gregory, who has led the research.

A bill state lawmakers passed this month directs UW and Eastern Washington University to search for more covenants and notify property owners when their homes are affected. Each university will get \$125,000 a year for two years to fund the research. UW researchers will comb through records in King, Pierce and Snohomish counties. EWU will search in 20 counties east of the Cascades. ([Read complete article.](#))

New ICE Tool Promises eClosing Transparency

excerpted from MReport 5/1/21

ICE Mortgage Technology has launched Encompass eClose, enabling lenders to electronically facilitate every aspect of the eClosing workflow, without ever having to leave Encompass.

Encompass eClose leverages a standardized platform for document delivery, recording eligibility, and settlement agent coordination, joining together all of the components, regardless of the closing type—including ink, hybrid or full eClose.

“While there has been a lot of innovation in the mortgage industry, the path for a lender to deliver a truly end-to-end electronic closing experience remains highly fragmented and costly. We are changing the way mortgage loans are closed in the U.S. for the better,” said Joe Tyrrell, President of ICE Mortgage Technology. ([Read complete article.](#))



Philadelphia Man Charged with Stealing 14 Homes Through Deed Theft

excerpted from WHYY 5/3/21

A Philadelphia man allegedly stole 14 houses around the city using fraudulent deeds, according to the District Attorney's Office. Tyree Burno, 42, has been arrested and charged with assuming ownership of homes located in West Oak Lane, Logan, Frankford, Cedar Brook, and Mt. Airy neighborhoods, either in his own name or using a series of fake names.

Deed theft is a recurring problem in Philadelphia. In March, five people were charged for taking 10 homes, and in 2019 city officials unveiled a tool called Fraud Guard to crack down on the thefts. City officials continue to urge homeowners to sign up for the program, which alerts you when a document is recorded with your name on it.

This is how the scenario often plays out. An elderly person may move out of a house they own, or pass away, leaving the home unoccupied. Deed fraudsters keep an eye out for houses where there is no activity, casing the neighbors for information, and create fake deeds to take over ownership of the home. They then sell the home to an unsuspecting buyer, and profit the returns. ([Read complete article.](#))

Join PRIA for their May Webinar: What Property Records Professionals Need to Know about Appraisals - 5/27/21, 3 p.m. ET

Join colleagues across the country at PRIA's May webinar entitled: "Appraisal 101: What Property Records Professionals Need to Know." The webinar will be held on May 27, 2021 at 3 p.m., Eastern Time. The webinar is complimentary for PRIA members and is \$25 for nonmembers. Presenters will be: Warren B. Boizot III, BLG Appraisal Group, Inc. and Rodman Schley, BBG.

Attendees will learn:

1. The role of appraisals in the mortgage process.

2. The key components of an appraisal.
3. The role and qualifications of appraisers.
4. The myths vs. realities about appraisals and appraisers.

To register for this webinar, [click here](#).

Drone Operators Challenge Surveyors' Turf in Mapping Dispute

excerpted from AP News 4/25/21

When Michael Jones started a side hustle shooting drone photos and videos for realtors, his clients wanted more: images with property lines on them, to better understand where their fences should be.

It seemed like a good use of emerging technology that met an obvious consumer demand, and Jones was careful to add a disclaimer: his maps weren't meant to replace the proper surveys that are often needed for such things as mortgages, title insurance and land use applications.

But after two years of steady business, Jones was slapped by the state of North Carolina in 2018 with an order that grounded his drone. The Board of Examiners for Engineers and Surveyors said he faced criminal prosecution for surveying without a license. ([Read complete article](#).)

ALTA NEWS - Smacked Down at Supreme Court, FTC Asks for New Authority

excerpted from ALTA Advocacy Update, by Diane Tomb, ALTA CEO, 5/4/21

In a unanimous decision on April 22, the Supreme Court in *AMG Capital v. FTC* held that the Federal Trade Commission (FTC) lacks authority to pursue equitable monetary relief in federal court under Section 13(b) of the FTC Act. The case resolves a split in the federal appeals courts.

Section 13(b) authorizes the FTC to seek preliminary injunctions in federal district court whenever "the Commission has reason to believe" a target company is violating or "is about to" violate the Act. The Court noted that Section 13(b) refers only to injunctions, not monetary relief. The opinion by Supreme Court Justice Stephen Breyer noted that the FTC could use its authority under Sections 5 and 19 of the FTC Act to get restitution and disgorgement, but only after conducting a more onerous proceeding before an agency in-house administrative law judge. The case involved a payday lender that deceived consumers into rolling over their loans with interest.

Following the decision, the FTC is turning to Congress to give it the authority the Supreme Court says is lacking. Recently, the Senate Commerce Subcommittee on Consumer Protection, Product Safety and Data Security convened a hearing entitled, "Curbing COVID Cons: Warning Consumers about Pandemic Frauds, Scams and Swindles." Senators on both sides of the aisle argued for giving the FTC the authority to recoup and repay the victims of fraudulent activity under Section 13(b). There was also bipartisan support for doing more to combat scams originating on social media. Along with advocating for a fix to the Section 13(b) issue, the FTC's Acting Director of the FTC's Bureau of Consumer Protection Daniel Kaufman called for civil penalty authority for privacy violations.

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

PRIA Local Coordinator - Carolyn Ableman

PRIA Local Business Co-chair - Elizabeth Blosser

PRIA Local Government Co-chair - Susan Kramer

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Property Records Industry Association
coordinator@pria.us
919.459.2081

