

PRIA LOCAL

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Washington Supreme Court Weighing Fate of Racist Home Covenants in Spokane Home Deeds

excerpted from [The Spokesman-Review 10/23/21](#)

A Spokane homeowner wanted a historic racist covenant removed from his home's title and deed. Spokane County Auditor Vicky Dalton said it was not within her authority to do so. Now, the state Supreme Court will decide.

The Court heard arguments on October 28, 2021 on the case involving Alex May, who wants the county to remove a property 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." Homes in Spokane and across the country have similar language in their titles, although it is now illegal to enforce them.

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. In Thursday's argument before the Supreme Court, Yajaira Lujano, a Gonzaga University law clinic intern representing May, said the language is "viscerally offensive" and prevents a homeowner from fully enjoying their property.

She pointed to a new law passed by the Legislature in April, which outlines the process of how to remove racial covenants from public records. The law allows homeowners, if they chose, to pursue a "judicial remedy," which would order a county auditor to entirely strike the "racist or otherwise discriminatory covenants from the chain of title." ([Read complete article.](#))



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PRIA Local News

[Recent PRIA Local Chapter Meetings:](#)

Check out the agendas and minutes for the PRIA Local Chapter meetings that were held over the last month.

- [SE Minnesota Chapter](#) met on November 3, 2021;
- [Heart of Iowa Chapter](#) met on October 26, 2021;
- [UP - Michigan Chapter](#) met on October 21, 2021; and
- [East Central Missouri Chapter](#) met on October 18, 2021.

Please feel free to contact any of the **PRIA Local Chapter co-chairs** on their website pages if you want to find out more details about their Chapters, why and how they started them, and what they think the benefits are to having a Chapter.

PRIA Local Challenge:

We're still making the 2021 PRIA Local Challenge available to anyone starting or re-starting a **PRIA Local Chapter** in their area. Simply hold at least one meeting in the remainder of 2021 and let us know how it goes. We'll give one 2021-2022 **PRIA membership** to the Chapter to give to a non-member chapter participant. We think you'll be delighted with the outcome and, of course, we hope you continue to meet. We will help you with possible agendas, direct feedback from other chapter co-chairs, materials and even speakers and topic suggestions. Just **contact us** and we'll help you get started.

We've had two new chapters take advantage of this offer: **East Central Missouri** and the **Heart of Iowa** Chapters both started chapters this year and both received the free annual PRIA membership.



Council Passes Bill Strengthening Protections Against Deed Fraud Through Information

excerpted from City Land 11/2/21

On October 21, 2021, the New York City Council passed legislation to help fight against deed fraud. Deed fraud is a growing problem in New York City; fraudsters have been using a variety of tactics such as offering fake home improvement services, grants for repairs, forging homeowner signatures or posing as foreclosure "rescue" companies to record fraudulent deeds, mortgages and other liens against property. The bill, Int. 1919-A, sponsored by Council Member and Chair of the Committee on Finance Daniel Dromm, aims to provide homeowners with information on how to respond if it is believed that deed fraud has occurred.

The bill amends Local Law 249 of 2017, which established the Notice of Recorded Document program. The program provides any party with an interest in real property a notification by mail, text or email, that a deed- or mortgage-related document has been recorded with the city register against that property. The bill extends this program by requiring the Department of Finance to include with the notice of recorded document information about what to do if the property owner believes that fraud has occurred. The information will include whom to contact for assistance and how to file a complaint or report a criminal act. The provided information can allow homeowners to respond faster if they suspect deed fraud.

The City Council previously held an oversight hearing regarding deed fraud in October 2020. The bill was discussed at this hearing, in addition to other ways to promote accountability in stopping deed fraud. (**Read complete article.**)



Mortgage Fraud Risk Increases Nearly 40% Year Over Year

excerpted from Mortgage Orb 10/27/21

CoreLogic has released its latest Mortgage Fraud Report, showing a 37.2% year-over-year increase in fraud risk at the end of the second quarter of 2021, as measured by the CoreLogic Mortgage Application Fraud Risk Index. The significant increase for mid-2021 follows a large drop seen in 2020 – a decrease driven mainly by the surge in traditionally low-risk refinances during the pandemic.

The current risk level is similar to mid-2019. During the second quarter of 2021, an estimated 0.83% of all mortgage applications contained fraud: about 1 in 120 applications. By comparison, in the second quarter of 2020, the estimate was 0.61%, or about 1 in 164 applications. Continued low mortgage rates and a record volume of refinances pushed overall fraud risk down. However, risk in the purchase segment increased 6%, with investment properties driving the highest risk in both purchase and refinance populations. ([Read complete article.](#))



National Bank Settles Redlining Charges

excerpted from [Lexology 10/22/21](#)

A national bank (Trustmark) recently settled Consumer Financial Protection Bureau (CFPB), the Department of Justice (DOJ) and the Office of the Comptroller of the Currency (OCC) allegations of redlining under the Fair Housing Act, the Equal Credit Opportunity Act and the Consumer Financial Protection Act.

In a Complaint filed in the U.S. District Court for the Western District of Tennessee, the DOJ and CFPB alleged that from 2014 to 2018 the bank engaged in a pattern of redlining that included avoiding providing home loans and other mortgage services and discouraging applications for credit for properties located in majority-Black and Hispanic neighborhoods.

The Complaint alleged that the bank: avoided locating branches in majority-Black and Hispanic neighborhoods; avoided assigning loan officers to majority-Black and Hispanic neighborhoods; failed to monitor its fair lending compliance; and discouraged applicants and prospective applicants in majority-Black and Hispanic neighborhoods. ([Read complete article.](#))

"Being Well: the Value of Self-Care" PRIA Webinar on November 18, 2021

Check out the next PRIA sponsored webinar entitled: "[Being Well: the Value of Self-Care](#)". The webinar will be on November 18, at 3 PM, Eastern time.

Attendees will:

1. Learn how our monkey mind works and discover tips for how to tame and train it for greater well-being and self-care.
2. Discover how a simple shift in focus can reframe our perspective, bring greater clarity and well-being.
3. Learn about the new scientific research that reveals the intelligence of the human heart and how we can use our heart for greater balance, creativity and enhanced intuitive capabilities.

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

Registrations will be accepted on a first-come, first-served basis until all seats are filled. These webinars are an excellent educational resource and are FREE to PRIA members,

and only \$25 for non-members.

(This webinar is presented by Darity Wesley, a former PRIA Board Member and privacy and information security lawyer. Having recently concluded her successful legal career, she has shifted her focus to writing and teaching, becoming a best-selling personal development author, conscious deathing advocate and Modern Day Oracle. She provides support and encouragement to those seeking personal development and spiritual evolution. Darity has written several award-winning books including *You Can Transform Your Life* and *How To Be the REAL You!* Her books have quickly become #1 Amazon Best Sellers and received several literary awards. Wesley's free monthly love letter, *Wisdom for the New Reality* is sent out to subscribers all over the world.)

Public Comment Sought for Mortgage Insurance Guide

excerpted from Dodd Frank Update 10/25/21

MISMO, the real estate finance industry's standards organization, has issued a request for public comment on its new mortgage insurance estimated rate quote guide. The implementation guide specification will help facilitate obtaining estimate mortgage insurance (MI) rate quotes in the JavaScript Object Notation (JSON) API format.

"MISMO is bringing more value, better and faster, to the industry and this API specification is part of our efforts to deliver standards to meet key business challenges," MISMO President Seth Appleton said in a release. ([Read complete article.](#))

ALTA NEWS - CFPB Director Gets Off to Fast Start

excerpted from ALTA Advocacy Update, by Diane Tomb, ALTA CEO, 10/26/21

Newly installed Consumer Financial Protection Bureau (CFPB) Director Rohit Chopra delivered his first testimony on his agency's semi-annual report to Congress.

ALTA sent an introductory letter to Chopra. The letter provided a quick overview of who we are as an industry and what we have been working on the past year. As he settles into the new role, we will be setting up an introductory meeting with Chopra and ALTA leadership. However, as we look at his first few moves, it doesn't appear that title issues will be at the top of his agenda.

In one of Chopra's first major moves, the CFPB issued a series of data requests to tech giants like Apple, Facebook, Amazon, Google, Square and PayPal about their procedures for collecting, storing and using consumers' financial information. The data requests are part of a larger focus from the White House and Congress on competition issues related to big tech.

"Big tech companies are eagerly expanding their empires to gain greater control and insight into our spending habits," Chopra said. "We have ordered them to produce information about their business plans and practices."

In a second major move, the CFPB along with other federal banking regulators and the Department of Justice announced a settlement in a discrimination (or redlining) case against Trustmark. The move will see Trustmark pay a \$5 million penalty and commit an additional \$3.85 million to increase credit access in Memphis, Tenn.

The two moves are good indicia of the priorities for Chopra and the White House. We expect the CFPB to focus on issues related to discrimination and fair housing along with ongoing financial harm caused by the pandemic.

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

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PRIA Local Business Co-chair - Elizabeth Blosser

PRIA Local Government Co-chair - Susan Kramer

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