

PROPERTY RECORDS INDUSTRY ASSOCIATION (Local)

PRIA LOCAL – UTAH CHAPTER – MEETING

16 Sep 2020

BRENDA MCDONALD – UINTAH COUNTY RECORDER – CO-CHAIR

MEG WATSON – UTAH LAND TITLE ASSOCIATION – CO-CHAIR

Chairperson McDonald convened the meeting at 9:00 A.M. – via GO TO MEETING

Attendees:

Andrea Allen, Jerry Houghton, Shelley Brennan, Laile Lomax, Jeff Smith, Jon Ivins, Jessica Goodman, Cort Ashton, K. Richmond, Leann Kilts, Carrie Jeffries, Rashelle Hobbs, Rhonda Francis, Dalin Donaldson, Brenda Nelson, Brenda McDonald, Meg Watson, Richard Maughan

NEW BUSINESS:

1. Minutes of Chapter Meeting of 10 Oct 2019 were presented for approval. Motion to approve by Richard Maughan, seconded by Meg Watson. Motion passed, Minutes approved.

2. Chair McDonald posed the question regarding the need for a 2<sup>nd</sup> Co-Chair, asked for consensus. No comments were made, notion was tabled.

3. New officers of The Utah Land Title Association were introduced: Jon Ivins – Meridian Title, President. Justin Sutherland, Sutherland Title, 1<sup>st</sup> Vice President, Mike Smith, U. S. Title, 2<sup>nd</sup> Vice President, Vicki Smith, First American Title, Past President, Cort Ashton, Cottonwood Title, Legislative Chair.

Officers of the Utah Association of County Recorders were introduced: Recorders - Leann Kilts, Weber County, President, Rhonda Francis, Summit County, Vice President, Carrie Jeffries, Iron County, Secretary, Shelley Brennan, Duchesne County, Treasurer, Brenda McDonald, Uintah County, Past President. Jerry Houghton, Tooele County, Legislative Chair.

CONTINUING BUSINESS:

1. Cort Ashton was invited to discuss his request that recorders concede a reduction of recording fees for corrective or release documents to a single fee of \$10 per document, from the present \$40 document recording fee. Discussion ensued regarding definition of “corrective document”, requirements for indexing such documents, recorder office budgets impacts such an adoption would create. No position was taken. It was agreed that further discussion will be forthcoming. Moved the topic to November UACR Meetings in St. George.

2. Utah State Senator Karen Mayne’s proposed legislation to require county recorders to return recorded reconveyances to the makers of the trust deeds was discussed. Salt Lake County Recorder Rashelle Hobbs interjected that Salt Lake County’s “Property Watch” initiative likely has resolved Sen. Mayne’s concerns for her constituency. Other counties have/are attempting to adopt and implement the program. Rashelle suggested that Sen. Mayne appears to have been satisfied and we could expect to see no more attempt by Sen. Mayne to proffer a bill on this issue.

3. Question was posed by Chair McDonald: Do we as PRIA local chapter want to have a legislative committee: Brief discussion concluded that UACR and ULTA legislative efforts may be sufficient for the time being.

4. The need for a marketing committee was discussed. It was suggested that the chapter expand its reach from County Recorders and Title Industry members to include commercial vendors, software developers, others involved in the industry. Chair McDonald indicated she would extend invitations to such for the next meeting. Chair Watson agreed to invite all title companies, not just those currently or recently attending.

5. PRIA Annual Convention virtual meetings were discussed and reviewed by Chair McDonald. Education credits are available to all who participated. The Mid-winter PRIA conference is scheduled for Feb 22-25, 2021, in Phoenix, AZ.

#### DISCUSSION ITEMS:

1. Do title companies prepare accommodation documents? Pres. Jon Ivins suggested title companies don't want the legal liability connected to the practice, particularly if they don't have staff attorneys. May constitute unlicensed practice of law.

Some counties have prepared accommodation lists of willing participants for services, i.e. local surveyors, title companies, law firms which deal with real estate issues, etc., for distribution to patrons who ask for such.

2. Question was posed about expiration of Trust Deeds. How do they get removed/expunged/zapped from the records if they are 40 or more years old? Cleaning them up is apparently a concern for some recorders. Question was asked if there needed to be legislation drafted to deal with expired Trust Deeds.

3. Question about tenancy, specifically "Joint Tenancy", particularly as it affects property vesting terms such as "husband and wife", "man and wife", "a married couple", "married to each other", etc. Legislation would be needed to include more terms under the blanket of "Joint Tenancy". Was suggested that with the evolving social landscape, and difficulty with changing social relationships, a requirement to designate "Joint Tenants", or otherwise, might be a simpler resolution to the confusion.

ROUNDTABLE DISCUSSION: Chair McDonald opened with discussion about "courtesy letters" sent from Recorders' offices. Discussion ensued, and it was mentioned that while the recorder's office has no obligation to send such, as a courtesy some do. Some stated that many go out without response.

Wrap-up of the discussion: Mentioned possible legislation regarding the tenancy issue and the expiration of Trust Deeds might be suggested to Leg Chairs Houghton and Ashton.

Next PRIA Local meeting is scheduled for 17 Mar 2021, at 9AM, hosted by Salt Lake County Recorder's Office.

Meeting adjourned at 10:30 A.M.

Minutes respectfully submitted 17 Sep 2020, by Richard T. Maughan, PRIA Local Utah Chapter Secretary.