

## **PRIAL Local – Inaugural Meetings**

Marriott Courtyard - Madison WI      Tuesday June 18, 2019  
Fairfield Inn & Suites - Weston WI      Thursday June 20, 2019

### Introductions and PRIA Local purpose

Staci Hoffman, Jefferson County Register of Deeds and Scott Moore, VP Sales, Fidlar Technologies

Objective: Building a Bridge of communication between the property records stakeholders; share perspectives and information; problem resolution through discussion and networking.

The plan is to have meetings twice a year at two locations throughout the state; meeting duration should be two hours, followed by lunch. We are looking for different sponsors for each meeting. Please submit topic ideas to Scott Moore [scottm@fidlar.com](mailto:scottm@fidlar.com) or Staci Hoffman [stacih@jeffersoncountywi.gov](mailto:stacih@jeffersoncountywi.gov)

Open discussion:

Reducing Document Rejections: Staci Hoffman explained that the Wisconsin Register of Deeds Association (WRDA) Help Desk was created to standardized and reduce document rejections. The committee consists of one WRDA member from each district across the state to answer questions submitted to the help desk, the committee reviews statutes, administrative code and seeks advice from experts in the topic to create an agreed upon answer. The Q&A is shared monthly with the association and may be used as a training tool for staff.

Top reasons documents are rejected per Nationwide Title Clearing are:

1. Missing or incorrect legal description
2. Missing PIN (parcel identification number) – for counties that require a PIN
3. Missing or incorrect record information (reference to document numbers)
4. Grantor name is incorrect – wrong person signed
5. Incorrect County
6. Missing or unmatched WI real estate transfer return
7. Document is illegible
  - i. Partner with eRecording providers to assist with training

Staci shared the WRDA's "Recordings-Accepting Documents for Recording s.59.43(2m) and 706.05" information sheet and "A Complete Legal Description should include the following..." Please share these documents with your staff; generally if all the statutory requirements are on the document they should not be rejected. WLTA will share these documents with their members.

Record if Known Error? - Sharon Martin – Washington County Register of Deeds (Madison) and Jodi Helgeson – Adams County Register of Deeds (Weston)

Put it on record or not? This becomes a bigger issue with paper document rejection because of turnaround time through the mail. Discussion

Statutes vs. Case Law: Does having the doc title and legal description placement make the document un-enforceable if it went to a court of law? Should the statutes be updated for recording requirements? Does the difference of 1/8" make the document invalid? Please use common sense when submitting or rejecting documents. The statute states the document must substantially comply.

Corrections: If it is signed, record it and let the attorney's determine if it's legal. Beware of "helpful" comments to the general public as we don't know the background of the correction.

Which documents are more important to get recorded? The title industry believes they are all important to get on record; the race notice state can affect many different aspects of lien placement.

Documents with missing pages, blank pages or out of order pages; should we record or reject if any of these occur? Record, there is no statute that allows us to reject for this purpose. Discussion held on the fact that the county pays for storage based on the amount of space used on the server. Please check scanner settings before submitting documents.

There was a suggestion to bring in an eRecording vendor to do a demo; to show submitters how to properly set their scanner settings; i.e. do not scan in color or grey scale. It would be great to show the ROD staff what the submitters see on their end. Many ROD's have hosted an eRecording day to help promote eRecordings and assist with mutual understanding of the systems.

Jodi Helgeson spoke about paper vs. electronic recordings. Her office includes a note on the recorded document alerting the title company that something appears to be incorrect. Currently, there is no way to do this on an e-recorded document; we should work with the software vendors to add this function.

Courtesy calls are appreciated by the title companies; however, they should not be expected. Many ROD's have discontinued making these calls as the title people expected the ROD staff to be their second set of eyes. This is a courtesy and should not be expected. It is important to return the call as soon as possible, if the ROD does not have a response prior to the close of recordings for that day the documents will be rejected and returned.

Property Fraud Alert notification systems are available in most ROD offices; customers can sign up for this service free of charge. If a document is recorded with your name on it you will be notified; if you were expecting a recording you need do nothing; however, if you did not initiate a recording you will want to check with the ROD office immediately to prevent possible property fraud. Would the title companies consider promoting this at their closings?

What Do You Need from Your ROD? Lisa Petersen, WLTA and Kate Marlin, Old Republic Title

It is important to record the documents; it can always be fixed later.

Title companies and underwriters are focused on the commitment date and keeping the gap as small as possible. The seller pays for GAP insurance, the GAP does not stop until the document is recorded; it is VERY important to record the documents, do not reject unless the document does not substantially comply with our statutory authority.

If a title company has recording questions they can submit question through the WRDA public website.

Real Property Lister: The title company representatives expressed their frustration when dealing with the county RPL's. Scott Moore will invite their association president to the next PRIA Local meeting.

Title Rep Comments:

- The title company representatives truly appreciate the ROD's reaching out to them with an issue, prior to rejecting.
- Timing is everything
- Please record even if there are blank pages mixed in
- Don't worry about it causing a bad chain, they will fix it in the future

Title Plants in WI – Perry Armstrong, Preferred Title

This session was held in Madison only.

Perry discussed why they maintain a title plant. The main reason was because some register of deeds offices were behind in indexing their documents and it helped to keep the gap as small as possible. A title plant pulls document from other resources besides the register of deeds records; including, clerk of courts, register of probate, treasurer, department of financial institutes, etc. It pulls all the information and documents into one data base.

Note for next meeting; arrange tables in a circle or u shape.

Meeting adjourned