



Modernize Your Land Records

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Topics

- What Does “Modernize” Mean?
- Timeline of Advances
- Modern Land Records in the Year 2020
- COVID and Vermont Land Records
- Challenges and Opportunities
- Next Steps for Vermont

What Does “Modernize” Mean?

Since the 1960s, efforts to “modernize” land records have focused on **reducing the time needed to search and access records** and **keeping costs for maintaining records at a minimum** through a combination of:

- ❑ **TECHNOLOGY:** Comprehensive, multi-functional systems that can bring together records and information relevant to each individual parcel/tract of land, including title, taxes, zoning, etc.
- ❑ **STANDARDS:** Efficient practices to ensure land records and information for each individual parcel/tract are accurate, up-to-date and readily available.

Timeline of Advances: 1960s

- ✓ Interest in modernizing recording statutes emerges as electronic data processing becomes available for indexing land records and parcels/tracts
- ✓ Ownership and parcel/tract information are identified as critical sources that could be brought together for title searching as well as land use planning
- ✓ Development on Geographic Information Systems (GIS) software is initiated while the American Bar Foundation begins funding research for streamlining real estate transactions
- ✓ U.S. Department of Housing and Urban Development (HUD) leads an effort to develop a prototype for “integrated municipal information systems” (IMIS) based on land records and issues contracts to six municipal consortia for a pilot

Timeline of Advances: 1970s

- ✓ Wisconsin becomes the first state to begin studying the costs for maintaining land records and also barriers to modernization efforts
- ✓ The Register of Deeds in Forsyth County, North Carolina becomes the first recorder in the United States to initiate a land records modernization program with the goal of a single system for data on every property to meet the needs of both the private and public sector
- ✓ Congress passes the Real Estate Settlement and Procedures Act (RESPA) to increase the transparency of settlement costs after identifying inefficiencies and complex practices in the recording of land records as the single most critical barrier to reducing costs

Timeline of Advances: 1980s

- ✓ Maryland, Kansas, North Carolina, and Wisconsin lead the nation in projects focused on the development and implementation of integrated systems as part of their land records modernization programs
- ✓ Orange County (NC) Central Land Records System emerges as the one of first integrated computerized systems with a parcel indexing system within a deeds registry
- ✓ The Wisconsin Land Information Program (WLIP) is established by the Wisconsin legislature with funding through portions of county register of deeds document recording fees collected from real estate transactions

Timeline of Advances: 1990s

- ✓ Uniform Electronic Transactions Act (UETA) is promulgated by the National Conference of Commissioners on Uniform State Laws (NCCUSL) to create commonality among the states for electronic transactions and signatures
- ✓ The Property Records Industry Joint Task Force (PRIJTF) is established by the National Association of County Recorders, Election Officials & Clerks (NACRC) and the International Association of Clerks, Recorders, Election Officials & Treasurers (IACREOT) with support from Fannie Mae and the American Land Title Association (ALTA)

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Timeline of Advances: 2000s

- ✓ Congress passes the Electronic Signatures in Global and National Commerce Act (ESIGN) to facilitate the use of electronic records and electronic signatures in interstate and foreign commerce
- ✓ The Property Records Industry Joint Task Force (PRIJTF) is superseded by the Property Records Industry Association (PRIA)
- ✓ The State of Iowa becomes the first state to create a statewide system for the electronic recording of land records
- ✓ The Uniform Real Property Electronic Recording Act (URPERA) is promulgated by NCCUSL and enacted in 24 states

Timeline of Advances: 2010s

- ✓ 12 additional states enact URPERA
- ✓ PRIA advances its standards development process and issues standards ranging from indexing names and parties to real estate document formatting to eRecording best practices for recorders
- ✓ Revised Uniform Laws on Notarial Acts (RULONA) are updated twice by NCCUSL to support notary responsibilities, electronic recording, interstate recognition, and remedies
- ✓ U.S. Department of Treasury releases report recommending that all states enact URPERA and allow for electronic and remote online notarizations

“Modern” Land Records in the Year 2020

- State legislature has enacted legislation for electronic access as well as electronic closing and recording (*49 states as of this year*)
- Land records can be readily retrieved by anyone from both on-site and off-locations through a government owned and operated system, defined by statewide standards, that does not require paper or “wet” signatures and through which real estate documents may be electronically created, executed and authenticated and also delivered to and recorded with, as well as indexed, preserved, and retrieved by, recorders and registrars (*85+% of the nation’s population currently served by such systems*)

COVID and Vermont Land Records

The pandemic and the closure of town offices brought the modernization, or lack thereof, of Vermont land records to light and established a critical need

COVID and Vermont Land Records

The CARES funding provides a stop-gap but the grants are separate from a land records modernization program

Refresher on what “Modernize” means...

Since the 1960s, efforts to “modernize” land records have focused on (1) **reducing the time needed to search and access records** and (2) **keeping costs for maintaining records at a minimum** through the use of:

- ❑ **TECHNOLOGY:** Comprehensive, multi-functional systems that can bring together records and information relevant to each individual parcel/tract of land, including title, taxes, zoning, etc.
- ❑ **STANDARDS:** Efficient practices to ensure land records and information for each individual parcel/tract are accurate, up-to-date and readily available.

Challenges in Vermont

Since the 1990s, there have been efforts to modernize land records and move forward with both technology and standards, but...

- Recording statutes for land records have remained largely the same from their original enabling legislation
- There is no single government entity or uniform body to provide support for a modernization effort or a land records modernization program
- As of 2020, Vermont is the only state that has not enacted legislation specific to electronic access to land records or electronic closing and/or recording processes

Opportunities in Vermont

It has been over 20 years since the first fully electronic land records system became operational within a recorder's office in the United States.

Lessons learned from “early adopters” and those with active modernization programs, along with advances in technology and the widespread adoption of uniform standards, provide the State of Vermont with more opportunities than we have had in the past.

Opportunity: Intermunicipal Cooperation

Cooperation offers a significant chance for success and at the lowest cost to both the private and public sector.

The Iowa County's Records Association decision to establish a single electronic services system with a board, staff and committees comprised of stakeholders continues to be seen as the "gold star" in terms of states.

www.iowalandrecords.org

- ✓ Iowa's single system was made possible through legislation that enables individual local government entities to form subdivisions of the State of Iowa (28E Agreements). Vermont passed similar legislation in 1969 but there have been few changes since enacted. ([Title 24, Chapter 121](#))

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Opportunity: Intermunicipal Cooperation

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[COVID-19 RESPONSE & INFORMATION](#)

What is Iowa Land Records?

Created and maintained by the Iowa County Recorders Association, this easy-to-use online portal and e-submission service allows users to search and submit real estate documents in all of Iowa's 99 counties. Iowa Land Records streamlines the overall process for the public and professionals with a convenient online tool that saves valuable time.

Our Mission

Connecting the public to recorded real estate documents and simplifying document submission with our online service.

NEW
AMPSH



Opportunity: Uniform Laws and Standards

Standards offer a significant chance for success and at the lowest cost to both the private and public sector.

Overlay laws, such as the [Uniform Real Property Electronic Recording Act](#) (URPERA), do not require recorders to digitize their paper filings or implement electronic recording but they do require the use of standards *if doing so* to ensure legal certainty of digital land records made accessible online

- ✓ States that have enacted URPERA and [PRIA](#) standards have significantly refined and revised their standards to create a core set of “tried and true” standards for technologies as well as processes

Opportunity: Uniform Laws and Standards

Real Property Electronic Recording Act

View Only

Home Discussion Documents

2004 | Real Property Electronic Recording Act

Real Property, Mortgages, & Liens | Administrative Law



Legislation

Jurisdiction	Year	Bill Number	Status	Sponsor
Alaska	2020	HB 124	Introduced	Claman
West Virginia	2020	HB 2086	Enacted	Storch
Kentucky	2019	SB 114	Enacted	McGarvey
Maryland	2018	HB 1099	Enacted	Platt
Rhode Island	2019	HB7000/SB2145	Enacted	Ruggiero/Crowley
Indiana	2017	SB 505	Enacted	Bray
Wyoming	2016	HB 107	Enacted	Brown
South Dakota	2014	SB 68	Enacted	Vehie
Utah	2014	SB 79	Enacted	Hillyard
Pennsylvania	2012	HB 970	Enacted	Longjetti
Mississippi	2011	HB 599	Enacted	Snowden
New York	2011	SB 2373	Enacted	Stewart-Cousins
US Virgin Islands	2010	28-0092	Enacted	Nelson
Michigan	2010	SB 791	Enacted	Van Woerkom
Georgia	2009	HB 127	Enacted	Lindsey
Hawaii	2009	HB 271	Enacted	Hierles
Alabama	2009	SB 90	Enacted	Marsh
Washington	2008	HB 2459	Enacted	Kelly
Oklahoma	2008	HB 2587	Enacted	Braddock
South Carolina	2008	HB 3451	Enacted	Cotty
Connecticut	2008	HB 5535	Enacted	
Minnesota	2008	HF 3516	Enacted	
Arkansas	2007	HB 1298	Enacted	Harrelson
Idaho	2007	SB 1018	Enacted	
New Mexico	2007	SB 201	Enacted	Martinez
Florida	2007	SB 2038	Enacted	King
Tennessee	2007	SB 317	Enacted	Henry
Illinois	2007	SB 319	Enacted	Hayne
Nevada	2007	SB 88	Enacted	Care
District of Columbia	2006	B16-173	Enacted	Ambrose
Kansas	2006	SB 336	Enacted	
Virginia	2006	SB 448	Enacted	Davis
Wisconsin	2006	SB 616	Enacted	Risser
Delaware	2005	HB 79	Enacted	Roy
North Carolina	2005	HB762/SB671	Enacted	Culpepper/Hartsell
Arizona	2005	SB 1384	Enacted	Hellon
Texas	2005	SB 335	Enacted	Carona
Virginia	2005	SB 992	Enacted	Davis

Description

The Uniform Real Property Electronic Recording Act (URPERA) allows local recording offices to accept deeds and other property records in electronic form. The act is technology-neutral; the enacting

Stay up-to-date on COVID-19 information for recorders and their business partners

PRIA ABOUT EVENTS & NEWS RESOURCES MEMBERS PRIA LOCAL COMMITTEES JOIN LOG IN

The future of property records is here

Government and business working together

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Next Steps for Vermont

Modernization sits on a foundation of cooperation, standard processes and the cost-effective use of technologies. Land record stakeholders in both the public and private sectors are the best position to determine next steps.

The Secretary of State's Office is a willing collaborator and has the following resources for consideration:

- [Legislative Report](#), in collaboration with the Vermont League of Cities and Towns and Municipal Clerks and Treasurers' Association (January 2019)
- [Land Records Standard for all Town Clerks](#) (August 2020)



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