

**Standards Subcommittee
Teleconference Meeting
Summary
April 20, 2023**

Participants

Ashten Wittrock, Carroll County Recorder
Jayne Schultz, Winneshiek County Recorder
Joan McCalmant, Linn County Recorder

Naomi Ellis, Marion County Recorder
Jolynn Goodchild, Plymouth County Recorder
Katie Carlton, Union County Recorder

Other Participants

Miranda Bills, Audubon County Recorder
Nancy Booten, Lee County Recorder
Deb McDonald, Greene County Recorder
Jamie Stargell, Adams County Recorder
Kelly Seward, Monona County Recorder
Tracy Marshall, Hancock County Recorder
Toni Wilkinson, Franklin County Recorder
Dianna Longhenry, Poweshiek County Recorder

Katie Carlton, Union County Recorder
Stacie Herridge, Story County Recorder
June Brady, Hancock County Recorder
Lisa Kent, Wapello County Recorder
Janelle Schneider, Adair County Recorder
Sue Meyer, Clayton County Recorder
Paula Corzette, Monona County Dep. Recorder

Census Lo-Liyong, Iowa Land Records
Phil Dunshee, Iowa Land Records

Lisa Long, Iowa Land Records

Welcome

A meeting of the ESS Standards Subcommittee was held via web conference. The participants included the regular ESS Standards Subcommittee members and other members of the Document Formatting working group.

February Meeting Summary

The Subcommittee reviewed the February 2, 2023, meeting summary. Jolynn Goodchild made a motion to approve the meeting summary. Sue Meyer seconded, and the motion was approved.

Software Development Updates – User Administration Functions

The Subcommittee received a report on the results of a survey of recent focus group and testing participants. A preview of the registration process for the new CAS system was also presented. Four focus group discussions were held in March 2023 to demonstrate the new application. After the stakeholder demonstration, a survey was sent to gather responses and suggestions about the new search application. The survey provided valuable feedback that will guide the remaining software development work. The results from the survey indicate that the participants viewed the new search tools as favorable or very favorable.

Company/ User Administration

The new application will join E-sub and Search into a single system and organizations will need to apply for a business account. E-submitter accounts will be provided with access to the new search application. But a new Search organization will be required to set up a “business” account. There will no longer be a self-registration system. Acceptance of an updated ESS Terms of Service will also be required.

Individual/ User Administration

Individual users who want to access the system or personal use will need to complete a separate application form and agree to the updated ESS Terms of Service.

Linn County Payment Project Update

The Project Manager provided an update concerning the proposed agreement between Linn County and ESS. As part of the agreement, ESS would provide access to its payment system for the new Linn County online registration renewal system. The Linn County Recorder's office in collaboration with their county IT department is in the process of developing the online registration renewal system. A draft agreement is currently being reviewed by Linn County officials.

Local Service Provider Maintenance Agreements

ESS is in the process of updating its maintenance agreements with local service providers. ESS has added two new APIs for E-submission and County Upload functions. The ESS system was built in 2005 and needed updates to become more current and secure. ESS requires that all Service Providers integrate with ESS and the Iowa Land Records system through the ESS API (web services). The Service Provider systems must communicate with ESS through the ESS API. Service providers have received a notice of discontinuance of the LCM and SOAP API.

Legislative Update

SF 141 - ESS Terms of Service and ESS API and Batch Transfer Authorizations

The Subcommittee was updated on progress made on two ESS legislative priorities concerning website Terms of Service and authorization for batch transfers and an API for specific purposes. A Study Bill was approved by the Senate Local Government Committee with a minor amendment. It was renumbered as SF 141 and assigned to the Ways and Means Committee in the Senate. Although the bill had garnered support from various stakeholders and legislators, it did not make it through the Senate Ways and Means committee. We hope to propose a similar bill next year. We will continue to communicate with our stakeholders and legislators.

SF 498 – Writing Fee Consistency

The recorders advanced a bill to make writing fees uniform for all all-terrain vehicles, snowmobile, and water vessel transactions. The writing fee bill proceeded through the Senate Transportation and Ways and Means committee. It was incorporated into the Senate property tax SF 569 (formerly SSB1218) bill and the writing fee was increased from one dollar and twenty-five cents (\$1.25) to two dollars (\$2). The bill was approved by the Senate. Further action is pending.

HF 475 – Real Estate Agreements

A bill was introduced relating to unfair real estate service agreements, enforceability, and recording. The bill required that recorders monitor agreements and refuse to record unfair agreements or face penalties. Through an extensive lobbying process, the sections related to the recorders were removed. An amendment was proposed that removed the liabilities from recorders. The final text of the bill reads that "the recorders may refuse to record an unfair agreement" and removed the penalties. The bill was approved by both chambers through unanimous vote and sent to the Governor for review.

HF 634 – Real Estate Inspections

HF 634 is an act relating to persons certified to conduct time-of-transfer inspections of private sewage disposal systems. This bill was a concern to recorders as it would hold them liable for faulty inspections (\$10,000) and fine the county (\$10,000) if the recorder alters the time stamp. The recorders advocated collectively for an amendment. The amended version removes the role of the recorder. The bill was approved by the House and Senate through a unanimous vote.

Trade Names

In 2022, ICRA suggested a technical change to policies on who should file Trade Name documents with Iowa counties. The changes are being researched and reviewed with stakeholders, including the Secretary of State's office and the Treasurer's affiliate. Going forward, ISBA real estate and business

sections will be involved in the planning process.

Back File Scanning Survey Results

A survey was conducted by ESS to understand the current back scanning process and to find out if records were being transferred to ILR. Most of the back scanning was performed by a third-party service provider while 33% was conducted by internal county staff. The survey revealed issues with service providers, lack of indexing and inability to transfer records to ILR. ESS will be reviewing options for helping with and coordinating back file scanning activities.

Policies & Procedures

Associated References and Parcel Identification Numbers

The Subcommittee received a brief overview of potential policy changes concerning associated document references and parcel identification numbers. A draft associated reference policy would clarify and expand on county requirements for indexing associated references (going forward) for the purpose of providing user access to associated documents through the updated ILR Search Application. Policies concerning parcel identification numbers would be considered to allow the data point to be used in a future update to the Search Application and to link to related land record information. The concept would make indexing a parcel identification number for conveyance documents a requirement (going forward). The topics may be included in the agenda at the next regular meeting of the Standards Subcommittee.

Terms of Use Update – 7

The Standards Subcommittee was presented with a proposed amendment to Chapter 7 of the ESS Policies and Procedures concerning the Terms of Use (Service) and Privacy Policies. With the new ILR Search Application, user registration will be based on organization, and there will no longer be a self-registration process. The current policy is directed to individuals. The main focus of the proposed amendment would be to change terminology so that the Terms of Service and related policies apply to both organizations and the individual users.

The Subcommittee was asked to approve the proposed amendment and advance it to the ESS Coordinating Committee for action. Nancy Booten made a motion to approve it and Naomi Ellis seconded the motion. The motion was approved.

Document Formatting Standards

The formatting standards working group completed a review of the current formatting standards as reflected in Section 331.606B of the Iowa Code. The primary focus of the discussion centered on a review of the suggested changes to subsection 1 of Section 331.606B. The input and comments received at previous meetings were incorporated into a draft amendment to subsection 1, and the working group was asked to review the updated draft. During the discussion the following additional adjustments were discussed.

- Inserting language to clarify that attachments may not be affixed with tape
- Modified the requirement that all documents have text of at least 10 point type to reinsert an exception for a plat or survey or a drawing related to a plat or survey
- Inserted language that signatures should be “clear and discernable” in lieu of the term “readable”, as the nature of signatures is that they may often be hard to read

No action was taken. Members of the working group were asked to give further review to an updated draft. Participants were also asked to review several other “discussion draft” documents addressing other policy concepts relating to personally identifiable information (PII), index legends, stamp areas, the question of who is responsible for reviewing legal aspects of documents, and the concept of what is required for “recordability”. These topics would be considered further at a future meeting of the working group.

PRIA Update

The Subcommittee received an update on a new working group created by PRIA concerning blockchain. Several subgroups were created, Phil Dunshee is leading the private sector group, Census Lo-liyong is participating in the legislation subgroup, and Lindsay Laifersweiler is with the public sector subgroup.

The meeting was adjourned at 12 PM.

Next Meeting: July 18, 2023 (Regular Meeting)

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