

Standards Subcommittee Virtual Meeting Summary July 30, 2024

Participants

Jayne Schultz, Winneshiek County Recorder
Carolyn Siebrecht, Linn County Recorder
Ashten Wittrock, Carroll County Recorder
Cathy Voith, Calhoun County Recorder

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

Other Participants

Nancy Booten, Lee County Recorder
ReNae Arnold, Dallas County Recorder
Erin Canfield, Boone County Recorder
Deb McDonald, Green County Recorder
Lisa Kent, Wapello County Recorder

Sue Meyer, Clayton County Recorder
Teresa Olson, Worth County Recorder
Stacie Herridge, Story County Recorder

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

Lisa Long, Iowa Land Records
Samantha McMahon, 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.

April Meeting Summary

The Subcommittee reviewed the April 23, 2024, meeting summary. Carolyn Siebrecht made a motion to approve the meeting summary. Jayne Schultz seconded, and the motion was approved.

Iowa Recording Fee and Business Process Modernization Project

The meeting agenda was structured to provide the Subcommittee and working group with an update on all aspects of the modernization initiative.

Project Charter

The participants received a summary of the ongoing discussion on potential changes to recording fees as part of the recording and business process modernization project. Currently, stakeholder groups, including associations such as the Iowa Bankers Association, Iowa State Bar Association, and others, are being engaged to gather input and feedback on proposed ideas and policy changes. Meetings are being held with the various stakeholders to review the proposed changes, and discussions are ongoing with the goal of finalizing positions prior to the legislative session.

Modernization Preliminary Survey Results

Subcommittee and working group members received an overview of a stakeholder modernization survey. Surveys have been distributed to e-submission and search customers to understand their perspectives, and the results are being analyzed. The team has also been following up on customer support issues identified through the open-ended survey responses. The survey report highlighted results with high ratings for proposals considered 'Very Important'. Many responses were received from law firms, abstractors, surveyors and others. The survey also showed broad support for the modernization project including a reasonable fee increase associated with system improvements.

Fee Policy Working Group

The project charter was streamlined to identify specific activities that will be considered as part of the modernization process. Following the ISAC Summer School, further discussions were held with the

executive board and the fee policy working group that resulted in an updated fee proposal. Concern was raised about eliminating additional transaction fees, the subcommittee will explore this issue and consider language to prevent the inclusion of multiple unrelated transactions in one document.

Fee Policy Modification

Following the summer conference, the Fee Policy Working Group and the Iowa County Recorder Association's Executive Board met to address concerns and differing opinions on the fee policy proposal. Modifications were made to the allocation of resources for ESS and Iowa Land Records, and the updated plan has been circulated to the membership for input. A vote on the revised proposal was expected at the ISAC conference in August.

Stakeholder Communication

It was reported that communication with the key stakeholder groups was underway. This included the Iowa Bankers Association, Iowa Land Title Association, Iowa State Bar Association, the Iowa Realtors Association, the Society of Land Surveyors of Iowa, and the Iowa Credit Union League. The ESS and ICRA lobbying teams plan to work with recorders to engage with individual legislators who serve on the Local Government committees and the Ways and Means committees.

Consideration of Statutory Policy Recommendations

A discussion was held on the document formatting standards and related policies required for the modernization project, including proposed amendments to Chapter 331 of the Iowa Code. A May 30, 2024, memo addressed to the ESS Coordinating Committee was presented to the participants for review and discussion. The memo, prepared by the ILR Project Manager, made recommendations for policy changes for document formatting in section 331.606B, indexing requirements in sections 331.606 and 558.49, and the modification of certain definitions in section 331.601A. The memo was accompanied by specific suggested legislative language. The content generally reflected many meetings and conversations of the Subcommittee and working group members that started in February 2023. It was noted that changes and refinements should be expected as the draft content is vetted with the various stakeholder groups.

The following is a summary of the more substantive recommendations.

- Modifies the minimum type size to 10 point and removes exceptions for pre-printed text.
- Modifies the required space for the top margin of the first page to require sufficient space for the recording stamp.
- Requires that parsed location information be provided on the first page.
- Clarifies language requiring parcel identification numbers on the first page.
- Clarifies language to require associated references when applicable.
- Codifies the use of cover pages when submitting documents for recording.
- Creates a new section of the Code with recording requirements for surveys and similar documents.
- Clarifies the authority of recorders to decline the recording of documents when an issue prevents the recorder from fulfilling their duty to record.
- Requires indexing with parsed location information, associated references and parcel identification numbers.

Pending Legislative Drafting

The Subcommittee and working group members were advised of plans for drafting the necessary statutes concerning recording fees and ESS (the county land record information system) authorization. It is expected that section 331.604 will need to be rewritten in its entirety, and that section 331.605B will also require several updates. The fee policy legislation would include increasing the current base recording fee from \$5 to \$10. The records management fee would be restructured to allocate funds from the revised base recording fee. Funds would also be allocated from the base recording fee to support ESS and Iowa Land Records.

The goal of the ESS authorization legislation would be to create coherent section that clearly outlines the mission and purpose of the ESS. This new section would replace the fragmented references currently scattered in different sections of the Iowa Code. No substantive policy changes are intended with these revisions.

Auditor Transfer Fees

No formal recommendations were made with respect to the Auditor's Transfer Fee.

Achievable Modernization Project Initiatives

Participants received an update on several project initiatives that are included in the modernization initiative.

Property Notification

The Project Manager presented plans for a property notification system, which will allow individuals and organizations to monitor specific property records and receive alerts based on predefined criteria such as names or document reference numbers. Built on the existing Iowa Land Records (ILR) search application, this system will introduce a "notification user" class, enabling users to sign up for notifications without using the full search platform.

Key features include:

- Users can receive notifications via email when documents matching their criteria are recorded. An authenticator service or SMS could be added if resources permit.
- Financial institutions and organizations could monitor business-related records, such as mortgage satisfactions.
- The wildcard search option could help capture variations or misspellings in names.

The system's business rules, including potential restrictions on monitoring certain names, are still being developed, and stakeholder feedback will help shape the final design. If legislative support is secured early enough, the project could start in early 2025; otherwise, it may begin later that year.

Back the Blue Reform

The current Back the Blue program could be improved and transformed into a "shielding" system. This would limit public access to entire documents rather than just redacted names. Access to these shielded documents would be restricted to specific users based on their professional roles, such as title agents or certain legal professionals. These users would need to be registered with the Iowa Land Records system and have the necessary permissions. This approach is being discussed with key stakeholders including the Iowa State Bar Association, the Iowa Land Title Association and Iowa Title Guarantee.

Historic Surveys

The Iowa Society of Land Surveyors has expressed interest in digitizing and preserving important but unrecorded documents, such as historic surveys. These documents, often sitting in private collections, are unrecorded, but hold professional and historic value. Iowa Land Records is currently in discussions with the surveyors to assist with making these records available online.

Property Information Integration

ESS and Iowa Land Records are currently engaged in planning with Schneider Corporation (Beacon) to establish an updated system integration. The updated system would be intended to enhance user access to information by registered users.

Software Development Update

The Subcommittee received a report on the status of redaction services. The team is working with CSI, the current redaction provider, to re-establish services on a new and secure platform. Testing is underway to ensure that the platform meets security standards. Once the platform is confirmed to be secure, the regular redaction process will resume. In the meantime, ESS will continue with the internal redaction process.