

Electronic Real Estate Recording Task Force

2007 REPORT TO THE MINNESOTA LEGISLATURE



December 29, 2006

Due: January 15, 2007

Version 1.3

This report can also be found at:

<http://www.sos.state.mn.us/home/index.asp?page=383>

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MINNESOTA SECRETARY OF STATE OFFICE

Mary Kiffmeyer, Secretary of State

December 29, 2006

To: Minnesota Legislators

From: Mary Kiffmeyer, Chair of the Electronic Real Estate Recording Task Force

Re: 2007 Legislative Report

The Minnesota Electronic Real Estate Recording (ERER) Task Force respectfully submits the 2007 legislative report to the Minnesota Legislature. In 2005 the legislature re-authorized the authority of the ERER Task Force to continue their work on setting standards for electronically recording mortgages, deeds and certificates of real estate value (CRV's).

Recording land records electronically is a more efficient and cost effective way of recording documents that creates a win-win situation for all. It has been and will continue to be a great benefit to Minnesota property owners and the land title industry.

The Task Force has made significant progress in setting standards for mortgages and deeds with an anticipated implementation date of late summer 2007.

1. Initiated numerous education and promotion efforts around the electronic recording of real estate documents. Trusted Submitter presentations were made to the following:
 - a. County Auditors, Treasurers and Recorders Conference in January 2006
 - b. ERER Task Force Spring 2006
 - c. County Recorders in June 2006
 - d. MN Land Title Association in August 2006
 - e. MN Metro Property Records Education partners (PREP) in September 2006
 - f. MN Southwestern PREP in October 2006

Presentations on Models of electronic recording were made to the following:

- a. ERER Task Force Spring 2006
- b. County Recorders in June 2006
- c. Land Title Association in August 2006
- d. MN Metro PREP in September 2006
- e. MN Southwestern PREP in October 2006.

Other presentations were made to the following:

- a. Minnesota Real Estate Services Agency (MRESA) meeting in summer of 2006.
- b. Association of Minnesota Counties (AMC) in December 2006.

2. The Task Force has obtained donations of resources in development of standards and supporting technical documentation of schemas, version control, communications protocol and style sheet; including \$20,000 in consulting fees and an estimated 1,000 hours of consulting time.
3. Facilitated the engagement of industry and government by encouraging improvements across the board and in all areas of real estate recording.
 - a. Resulted in the enhancement of the numbering, indexing, recording, payment, verification of receipt, certification, return of documents and on- or off-site customer access services for counties.
 - b. Counties became more aware of “back room” processes by analyzing the electronic process that have or can become less redundant and more efficient.
 - c. Promoted communications by posting information related to meetings schedules, meeting minutes, project reports, and statistics on the ERER website.
4. Provided for bringing the industry closer to standards and data definitions by involving all stakeholders in the development of these items.
 - a. Conducted county site visits and interviews in defining business requirements and work flow processes.
 - b. Created two subcommittees to work directly on and with national standards organizations; URPERA – Uniform Real Property Electronic Recording Act, PRIA – Property Records Industry Association, and MISMO - Mortgage Industry Standards Maintenance Organization
 - c. Regularly monitors electronic recording progress, successes and challenges through the website.
5. Initiated the education of Task Force Members and counties on the Models (levels) of electronic recording by inviting experts to present and be part of a panel discussion at the November 2006 Task Force meeting.
6. Determined how to implement the technology “created” by the previous Task Force and plan to carry on using this and new technology by considering the;
 - a. Long-term maintenance of electronic real estate recording.
 - b. Development of electronic recording; including the migration, conversion and preservation of the data over time.
 - c. Future maintenance and support of electronic recording of real estate records in Minnesota.

Because of the re-authorization of the Task Force by the Legislature, great progress has been and will continue to be made to insure electronic recording for the entire mortgage package is a reality in Minnesota.

CERTIFICATE OF APPROVAL

We, the undersigned members of the Minnesota Electronic Real Estate Recording Task Force, hereby approve the Report to the Legislature as presented to us, December 21, 2006 and direct its presentation to the Legislature by the chair of the Task Force.

Mary Kiffmeyer, Task Force Chair

Dennis Fink, Task Force Co-Vice Chair

Fritz Knaak, Task Force Co-Vice Chair

Tim Anderson

Chuck Baggeroer

Jeanine Barker

Regina Brown

Theresa Bulver

Michael Cunniff

Shirlee Heitz

Robert Horton

Geri Kane

Dennis Kron

Carol Leonard

Jan Parker

Eileen Roberts

Jinnelle Weis

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BACKGROUND

Virtually everyone uses and relies on the real estate record. Home ownership is the single biggest investment of most Minnesota families. Mortgages are a critical component of the financial industry. The property tax system relies on the real estate record to determine ownership of parcels that are subject to taxation. The interests of citizens, the mainstay of the economy, and the operation of government all depend on the real estate record.

County recorders and registrars of title throughout Minnesota work very hard to operate their offices efficiently and cost-effectively, and to date they have succeeded. Previous to the implementation of the Electronic Real Estate Task Force and electronic recording in Minnesota, most recording offices could accept only paper documents for recording.

Recording is the act of entering deeds, mortgages and other written instruments that affect title to real property into the public record. Minnesota's recording act requires that "every conveyance of real estate shall be recorded in the office of the county recorder of the county where such real estate is situated." In every Minnesota county, the county recorders office is in effect a library of all of the conveyances and other instruments affecting title to land in the county that have been recorded since 1849, when the Minnesota Territorial Legislature first established the office of register of deeds.

When a deed or other document is presented for recording, the county recorder stamps it with the date and time of presentment and assigns it a document number. The recorder makes an entry regarding it in the index making it a public record. Anyone who wants to know who currently owns a particular parcel of property, or wishes to trace its history of ownership may do so by searching the indexes and then examining the documents located through the search.

The cornerstone to electronic real estate recording in Minnesota is the Electronic Recording Standards developed by the ERER Task Force and adopted by the Minnesota Legislature. The standards assure the private sector and the Minnesota counties that there is a uniform approach for sending and receiving documents electronically.

Models (levels) of electronic recording have been studied to determine the "best fit" for Minnesota and the future of electronic recording. While current and future standards are based on Model 3, the Task Force has been looking at Model 2 to determine if practical and if Model 2 would facilitate more rapid growth in the numbers of Minnesota submitters.

Standards have been developed, tested and piloted for Assignments of Mortgage, Certificates of Release, and Satisfactions of Mortgage. Standards are being developed for mortgages, deeds and certificates of real estate value.

Process to Electronic Recording

Substantial research went into the development of Electronic Recording standards. All Minnesota counties were visited on-site or interviewed by phone to gain background on the current state of real estate recording and discuss how electronic recording could fit within the county offices. Several private entities were interviewed to assess sources and uses of recording information. Best practices were collected via interview with several out-of-state counties that had already implemented electronic recording. Additionally, vendors and industry organizations were researched to better understand future direction of current initiatives. Collectively this information was used to develop the initial electronic recording standards.

Five pilot counties were selected to test the standards. These counties were of varying size and location throughout the state of Minnesota. After the pilots were completed, the standards were revised based on the experience.

Continuing the practice of the previous task force, the re-authorized Task Force meets the third Thursday of every month. All meetings are recorded and a note taker is present. Minutes from the meeting are posted on the official Electronic Real Estate Recording (ERER) website hosted by the Office of the Secretary of State. Many of the task force members also belong to one or more of the five subcommittees, all of which have contributed to this Report.

It is expected that the electronic recording standards will evolve over time as needs from private and public sectors change as well as technologies change and new technologies are introduced. Determining who the appointing authority should be in Minnesota for future electronic recording monitoring and support is currently under consideration for the Task Force.

EXECUTIVE SUMMARY

In 2005, the revived Task Force was authorized by the Legislature to develop statewide electronic recording standards for Mortgages, Deeds, Certificates of Real Estate Value (CRV), and Well Certificates. The previous Task Force facilitated the development and implementation of electronic recording standards for Satisfactions of Mortgage, Certificates of Release and Assignments of Mortgage. This Task Force and its authority expired on June 30, 2004.

The Governor appointed seven members from the private sector and two title company representatives effective November 1, 2005. In addition, four county members were appointed by the Minnesota Association of County Officers (MACO), and two county commissioners were appointed by the Association of Minnesota Counties (AMC). The Minnesota Historical Society is represented by a non-voting member; the Secretary of State is the Chair of the Task Force and a voting member.

The Task Force has established five subcommittees. It is through subcommittees that much strategic, technical and analytical work is completed. Recommendations are then made by these subcommittees to the full Task Force for consideration.

Electronic recording affects many, including lenders, title companies, loan servicers, state and local government, mortgage attorneys, system providers and the general public. The interests of the stakeholders are integrity of the record, timeliness of recording, record permanence, security, cost and access to the records as detailed in this report.

The Task Force may accept donations of money or resources, including loaned employees or other services. Volunteered resources have been estimated at exceeding \$175,000.

Currently, 30 Minnesota counties are authorized to electronically record with 13 actively recording. Of the remaining 17, not yet electronically recording, the reasons for non-participation are identified later in this Report. It is key to remember that a county's size has little bearing on its ability to implement electronic recording as there are many methods in which to participate. A small county that has Internet access could use a web services program to receive and return documents and at a minimum, would need to have a server with enough disk space to enable a web services program. All pilot county activity is recorded via the web and monitored closely by the Task Force.

The end objective of the EREER Task Force is to develop and implement standards for the “complete mortgage package” as doing so will dramatically increase the number of private organizations participating in electronic recording in Minnesota.

Upon the adoption of filing standards and a final report of the Task Force, a recommendation will be made to the Minnesota legislature to adopt a final complete version of the standards for Mortgages and Deeds as Minnesota’s statewide methodology. In addition, the Task Force will consider the appointing authority that will be responsible for continued development of and updating standards for the content and format of future electronic filing of real estate records.

The EREER Task Force invites the legislature and the public to visit its web site for more details about this important e-government initiative.

<http://www.sos.state.mn.us/home/index.asp?page=364>

TASK FORCE MEMBERSHIP

The Task Force consists of 17 members. Members who are appointed shall serve for a term of three years expiring June 30, 2008.

Name	Title	County
Mary Kiffmeyer, Chair	Secretary of State	Sherburne
Timothy Anderson	Citizen - Mortgage Company	Blue Earth
Chuck Baggeroer	Citizen - Technical and Industry Expert	Hennepin
Jeanine Barker	County Recorder	Lyon
Regina Brown	Citizen - Mortgage Company	Hennepin
Teresa Bulver	Citizen - Mortgage Company	Dakota
Michael Cunniff	County Recorder and Registrar of Titles	Hennepin
Dennis Fink	County Commissioner	St. Louis
Shirlee Heitz	Citizen - Realtor	Sherburne
Robert Horton	State Archivist - Minnesota Historical Society	Ramsey
Geri Kane	Citizen - Title Company	Dakota
Fritz Knaak	Citizen - Real Estate Attorney	Ramsey
Dennis Kron	Deputy County Auditor	Stearns
Carol Leonard	County Treasurer - Auditor	Dakota
Jan Parker	County Commissioner	Ramsey
Eileen Roberts	Citizen - Real Estate Attorney	Hennepin
Jinnelle Weis	Citizen - Title Company	Hennepin

SUBCOMMITTEES

The subcommittees meet once a month and on an as needed basis with a note taker present. The chair of the subcommittee submits a detailed written report to the Task Force at each meeting regarding actions of the subcommittee. These reports are posted on the official EREER website.

The five following subcommittees are the workgroups and facilitators of the EREER Task Force. These subcommittees are active in evaluating and assessing findings and drafts of standards, considering national standards and promoting electronic recording in Minnesota.

- 1. Certificate of Real Estate Value (CRV)**
- 2. Security Instrument XML**
- 3. Trusted Submitter Advisory**
- 4. URPERA**
- 5. MISMO/PRIA**

1. Certificate of Real Estate Value (CRV) Subcommittee

The purpose of this subcommittee is to facilitate the Task Force partnership with the Minnesota Department of Revenue on creating standards for the Certificate of Real Estate Value (CRV).

The full eCRV proposal has the goal of developing a complete system for all counties and property sellers to submit electronic CRV information. Once adopted counties will be able to enter received paper CRVs into the system. A CRV is a necessary document to complete a sale and provide oversight to assessment practices and equitable application of property tax laws in the state of Minnesota. This effort will reduce costs for title companies and counties while improving the state's oversight and compliance activities.

Members

Name	Organization
Larry Dalien	Anoka County Recorder
Geri Kane	Stewart Title Company
Dennis Kron	Stearns County Deputy Auditor
Carol Leonard - Chair	Dakota County Auditor
Jason Parker	Minnesota Department of Revenue
Jinnelle Weis	Burnet Title

Objectives

- Obtain funding for future maintenance and support of system
- Finalize the defined and published eCRV schema based on a metadata registry
- Design Entry Form and Application prototype
- Build file acceptance infrastructure
- Define data elements and business requirements with assistance from counties
- Implement eCRV pilot with “adopter” counties and eventually countywide.

Timeline

November 2006 Phase 1: Complete eCRV Requirements and Analysis
Spring 2006 – Spring 2007 Phase 2: eCRV Early Adopter Pilot Implemented
Fall 2007 – Spring 2008 Phase 3: eCRV Statewide Adoption

Materials

Project updates and progress reports for the CRV can be found on the website maintained by the Department of Revenue at <http://proptax.mdor.state.mn.us>.

See [Appendix A](#) for the eCRV Project Update dated October 19, 2006 and prepared by the Minnesota Department of Revenue.

2. Security Instrument XML Subcommittee

The purpose is to oversee the development and testing of the schema for the security instrument and the development of communications protocol, version control and a standardized style sheet.

Members

Name	Organization
Chuck Baggeroer	Self
Regina Brown - Chair	Wells Fargo Bank
Teresa Bulver	US Bank
Michael Cunniff	Hennepin County Recorder

Objectives

- Gap analysis of existing XML schema for Mortgages
- Format changes to existing XML schema
- Draft a Timeline and Task Items for each Milestone
- Draft a Executive Summary and Detail Proposal for MN Communication Protocol, Schema change, Version Control policy and guideline, MN Style Sheet for Approved Documents
- Draft a Executive Summary and Detail Implementation Plan for Version Control, MN Communication Protocol, Schema changes and MN Style Sheet

Timelines

December 2006	Develop a data xslt from MISMO/PRIA Mortgage dtd and categories 1-5 to MN mortgage schema
January 2007	Reconcile MISMO, PRIA and MN standards Complete initial MN mortgage document schema template Complete MN schema with business rules for mortgages
February 2007	Complete style sheet with business rules for mortgages Complete version control document – 30% complete Complete communications protocol procedures – 1 st draft complete
May 2007	Conduct testing of mortgage schema
June 2007	Implement pilots for electronically recording mortgages

Materials

See [Appendix B](#) for the Minnesota Mortgage Schema Timeline

(http://www.sos.state.mn.us/docs/erertf_mn_mortgage_schema_timeline_20060612.pdf)

See [Appendix C](#) for the Minnesota ERER Standards Case Study

(<http://www.sos.state.mn.us/docs/minnesotaererstandards-2006-07-19.pdf>)

3. Trusted Submitter Advisory Subcommittee

This subcommittee is responsible for the maintenance of the adopted Trusted Submitters Advisory Guide and to serve as a resource for those interested in becoming a trusted submitter for electronic recordings.

Members

Name	Organization
Joel Beckman	Dakota County Recorder
Geri Kane - Chair	Stewart Title Company
Ben Marczak	Hennepin County
Gail Miller	Renville County Recorder
Rob Reitz	First American Title
Jinnelle Weis	Burnet Title

Objectives

- Educate stakeholders on electronic recording
- Prepare materials on electronic recording and distribute through various forums; government websites and association meetings, industry meetings, etc.
- Prepare and maintain an advisory guide for trusted submitters.

Timelines

No specific timelines set as the education efforts and maintenance of the advisory guide are on-going.

Materials

See [Appendix D](#) for the Trusted Submitter Advisory Guide

(http://www.sos.state.mn.us/docs/1317341122006tsa_guide-v.1.2006.08.17.doc).

Visit http://www.sos.state.mn.us/docs/trustedsubmitterpptii-rob_2006_01_241.ppt for the power point presentation used for various educational forums.

4. URPERA Subcommittee

This subcommittee is responsible for reviewing the Uniform Real Property Electronic Recording Act (URPERA) and Property Records Industry Association (PRIA) position statement on URPERA. As well as define what is legally considered the original document and recommend to the Task Force an appointing authority who will be responsible for future electronic recording once the Task Forces authority expires.

URPERA was drafted to provide a uniform and consistent framework for bringing recordation into the modern electronic era. The act authorizes the receipt, recording and retrieval of documents and information in electronic format. PRIA conditionally supports URPERA.

Members

Name	Organization
Dennis Fink	St. Louis County Commissioner
Jeaniner Barker	Lyon County Recorder
Chuck Parsons	MN Bar Association
Theresa Bulver	US Bank
Jinnelle Weis	Burnet Title
Eileen Roberts, Convener	William Mitchell Law School Professor
Leonard Peterson	MN Department of Revenue

Objectives

- Review URPERA
- Review PRIA
- Draft a legal definition of what is considered the “original document”
- Recommend appointing authority.

Timelines

December 2006 First meeting
January 2007 Initial Report
February 2007 Final Recommendation

Materials

See [Appendix E](#) for URPERA Executive Summary.

See [Appendix F](#) for the PRIA position statement or visit

http://www.pria.us/CommitteeDocs/PRIAPositionURPERA_Final_Adopted.pdf.

5. MISMO/PRIA Subcommittee

This subcommittee is responsible for the review of establishment of standards for electronic recording of mortgage, deed and other unaddressed documents, after consideration of the standards of Mortgage Industry Standards Maintenance Organization (MISMO) and PRIA.

MISMO is the primary standards setting body for the financial services organizations where the lending process begins and whose work efforts result in recordable documents. PRIA is a public/private cooperative entity with both recorders and submitters among its members, with a mission to create and maintain standards.

Members

Name	Organization
Mike Cunniff	Hennepin County Recorder
Fritz Knaak	Private Attorney and Task Force Member
Pete Palmer	Wells Fargo Mortgage
Chuck Baggeroer, Convener	Private Consultant and Task Force Member
Pam Trombo	US Recordings Inc.

Objectives

- Conduct an analysis of the MISMO model logical dictionary maps and compare to the Minnesota mortgage requirements to identify differences/gaps.

Timelines

December 2006	First meeting
January 2007	Initial Report
	Complete gap analysis for model logical dictionary maps
February 2007	Final Recommendation

Materials

See [Appendix G](#) for PRIA Prefatory Note.

See [Appendix H](#) for MISMO Executive Summary.

BENEFITS TO STAKEHOLDERS

The use of electronic recording standards will be a benefit to all stakeholders by meeting the demand for speedier transaction items and allowing the industry to keep pace with twenty-first century technology developments.

1. Mortgage Industry / Submitters

- Significant reductions in cycle time for all processes. With the reduction in cycle time, associated benefits include higher customer satisfaction, lower costs and higher quality from the mortgage processes.
- Faster turn around times for processing, which meet the demand and pressure from secondary mortgage markets to get documents recorded more quickly.
- The standards allows for uniformity of filing in Minnesota so there is one way to “electronically record”.
- Electronic recording has encouraged the engagement of industry to government and government to industry.
- Incomplete or inaccurate recordings are identified immediately, resulting in minimal errors.
- Allows for faster retrieval of real estate records for litigation or research purposes.
- Increased data integrity as the data and document become one in the eDoc format. This data is used throughout the process, eliminating unnecessary re-keying of loan data.
- Keeps stakeholders on pace with an ever increasing volume of documents for recording and document complexities.
- Reduces document fraud through systematic security layers and “wrapped” files.

2. Property Owners

- Can be more secure in the knowledge that their purchase or sale is quickly posted to the public record.
- Creates a more efficient and accessible process for retrieving indexed and recorded real estate records.
- Creates a more secure environment for storing and transferring mortgage-related data and documents.
- Since the private sector organizations and counties will be more efficient in indexing, recording and retrieving real estate records, there is a great potential for cost savings.

3. Government

- Establishes a level playing field for all counties, regardless of size, demographics or resources, to participate in electronic real estate recording.
- Crafts an infrastructure - independent standard allowing for participants to select the technology best suited to their needs.
- Shortens the preparation time for counties and trusted submitters to begin e-recording.
- Saves paper and time in the origination, closing, delivery and recording of documents.
- Cost savings realized in system integrations. Using uniform data standards greatly reduces development time and maintenance of proprietary system-to-system interfaces.
- Reduced risk – quality control and regulatory checks can now be performed electronically, throughout the life of the loan.
- Allows for processing of submissions more efficiently, less costly and with more accuracy.
- Reduces document management overhead, shortens cycle times, and improves overall process efficiencies with secure electronic delivery of mortgage-related documents.

SUMMARY OF REVENUES

Since December 2005, private sector contributions to the Task Force in terms of volunteered time and resources are valued in excess of \$145,000.

From technical experts:

1. Technical gap analysis of the Minnesota standards for mortgage documents = \$20,000
2. Development of a communications protocol = 360 hours
3. Defined methodology for version control of Task Force documents = 180 hours
4. Development of a style sheet for document rendering = 100 hours.
5. Other related technical tasks = 360 hours.

From private sector real estate representatives:

1. Creation of the Trusted Submitter Advisory Guide.
2. Prepared and presented educational power points at numerous real estate related forums.
3. Contributions of \$37,500 pledged to the Department of Revenue for eCRV development.

From Government Sources:

The Department of Revenue has contributed staff, Project Management and \$200,000 to the project. The department has also committed to resolving how to maintain the operation of a new statewide eCRV system.

Counties have contributed their energies and their resources to implement the county portions of implementing a statewide eCRV solution. In addition counties have offered to assist in funding the state level development of the system. A schedule for county contributions has been agreed to by the eCRV Working Group counties that shares contributions by CRV volumes.

SUMMARY OF EXPENDITURES

There are overhead expenses for the Task Force.

As previously appropriated to the Legislative Coordinating Commission in past biennia, there is a budget of \$50,000 (\$25,000 per fiscal year) to support the administration of the Task Force. These funds have been appropriated to the Office of the Secretary of State.

Administrative Support Efforts Include:

1. Maintenance and support of the Electronic Real Estate Recording Task Force website.
2. Review and recommendation of legislative needs for on-going Task Force work.
3. Preparation of Task Force Bylaws.
4. Professional input at ERER Task Force monthly meetings.
5. Development of a Statement of Commitment for trusted submitters.
6. Administrative support for subcommittee meetings.
7. Creation, maintenance and support of a web based reporting system for pilot counties.
8. Logistical and technical support for Task Force and subcommittee meetings.
9. Creation, publication and distribution of the legislative report.

Administrative Support Expenditures Breakdown:

	FY05	FY06
Salaries	\$1,400	\$13,895
Salary Reimbursement	\$0	\$122
Supplies, printing and postage	\$681	\$3610
Meeting Expenses	\$180	\$702
TOTALS:	\$2,261.00	\$18,329

ACCOMPLISHMENTS

2005

1. Website migration of all ERE Task Force information from the Legislative Coordinating Commission (LCC) website to the Secretary of State's Website.
2. Bylaws were created that outlined the basic principals of how the Task Force conducts their business.
3. Authorized 10 pilot counties in addition to the 5 original pilot counties.

2006

1. Numerous website additions and improvements have been made by creating surveys, reporting mechanisms, links to created documents and an improved navigation process.
2. Authorized an additional 15 pilot counties to electronically record real estate documents.
3. Implemented county conference calls as a forum for pilot counties to share information, report implementation status, identify challenges and resolve issues. These calls take place two times a month and have been well attended.
4. Schema changes review is near completion for Mortgages and Deeds, as well as version control documentation, communications protocol and a standardized style sheet.
5. Provided for the creation of a survey tool for reporting by the pilot counties, with the ability to enter their statistics via the web for monthly reporting and a one time baseline report. Spreadsheets are then created from this data, reviewed by the Task Force at their monthly meeting and acted upon as needed.
6. Creation of a Statement of Commitment, whereas a trusted submitter partners with a pilot county for electronic e-recording and the Statement is accepted for all pilot counties.
7. A Trusted Submitter Advisory Guide was created for distribution to current and interested submitters to use as a reference guide.
8. There has been considerable work done on documenting the workflows and use cases of the CRV application, with a great deal of time being spent working on technical issues in the use of XForms and the transmission process.

PROCESS

Standards provide a baseline – that is, a level playing field - that allows entities to communicate efficiently, securely and consistently regardless of their technology infrastructure. Standards allow for any electronic real estate document partner to quickly gain the knowledge and expertise necessary to electronically record with all counties implementing a system using standards.

The standards created were done so by defining business requirements, comparing proposed standards with existing and national standards, implementation of the standards, testing and monitoring and updating schemas as recognized during testing. The standards for the remaining three record types will follow the same methodology.

1. Assess and identify needs, considerations and concerns

Moving to electronic documents required the Task Force to consider the impact doing so will have on compliance with a wide variety of laws, regulations, national standards and business policies requiring constant review of real property laws, regulations, national standards and business policies.

Recording offices require internal procedures dictated by the need for auditable controls so that any activity that has a financial impact may be verified by internal and external auditors. In addition, systems need to provide sufficient security to address the potential risk for fraud based on their internal controls.

4. Identify Features / Index Standards

In order to adequately develop a standard to allow for interoperability, infrastructure independence and integration with existing processes and standards; features of each counties process and indexing standards need to be considered. Significant work has already been done identifying these business requirements and current indexing systems through in-person visits, meetings and interviewing processes.

5. Independent Development and Assessment of Standards

Technical consultants have donated many hours of time to assess standards and complete gap analysis of required development efforts to complete the project. Those contributing to this effort include; Fidlar, Hennepin County, Magnolia Technologies, Perficient Systems, TriMin Systems, US Recordings, Wells Fargo Mortgage and West Central Indexing.

4. Software (vendor) Selection and Certification

The pilot county needs to select a software vendor for electronic recording if they are not able to do so in house with internal developers. Recommended selection criteria for ranking vendors may include items such as the compatibility of vendor applications with existing systems, vendors' knowledge of the recording process, references of the vendor, and the skills and availability of the customer support staff.

Electronic recording vendors or internal developers are responsible for reviewing the Minnesota Standards and schema documents. The schema describes each data element, the business logic and the business relationship of that element. After reviewing the schema, the vendor or developer will determine the best way to use the schema in the electronic recording system.

To insure the counties are utilizing the Minnesota standards, each vendor or county IT department must be validated as in compliance with the standards. If a vendor's code has been previously validated through another county's electronic recording implementation, there is no need for a repeat validation. If a county owns or is building the county's own technology, the system must be validated as in compliance with the standards.

Validations will be performed by an independent party, selected by the ERE Task Force. The validation process includes the following deliverables.

- a. Detailed report of vendor code compliance review.
- b. Contingency plan.
- c. Vendor approval.

6. Pilot County Selection

Pilot counties selection is initiated by the counties who submit a resolution to the Task Force for authorization. Once authorized the pilot county is ready to implement electronic recording.

The measurement of pilot activity includes evaluation of standards based on feedback from pilot testing and a review of pilot results against national interests, Minnesota legislative, county and customer interests and business needs.

7. Implementation and Testing

Implementation of the standards requires testing of the schemas, communications protocol and style sheet rendering. Testing proposed e-recording standards is an absolute necessity. Schema standards were agreed upon by the Task Force for testing and measurements. The Task Force will continue to assess and monitor the standards for mortgages and deeds as they are piloted for electronic recording. (See <http://www.sos.state.mn.us/home/index.asp?page=399>).

PILOT COUNTIES

The original five pilot counties are Dakota, Hennepin, Lyon, Renville and Roseau.

In addition are those pilot counties approved by the Task Force on or after December 2, 2005 are: Beltrami, Big Stone, Blue Earth, Carlton, Cass, Clay, Crow Wing, Faribault, Hubbard, Jackson, Kandiyohi, Lincoln, McLeod, Martin, Polk, Pope, Redwood, Scott, Stearns, Stevens, Wabasha, Wadena, Watonwan, Wilkin and Wright.

Of these counties, the following 13 are actively recording electronically: Cass, Clay, Dakota, Hennepin, Kandiyohi, Lyon, McLeod, Martin, Renville, Roseau, Wabasha, Wadena and Wilkin.

Of the remaining 17 their status is shown in the table below:

COUNTY	APPROVED BY TASK FORCE	ANTICIPATED START DATE	PENDING ISSUES
Beltrami	12/2/05	February 2007	Vendor upgrade
Big Stone	1/5/06	December 2006	Vendor upgrade
Blue Earth	12/2/05	Not yet determined	Software and imaging integration
Carlton	1/5/06	December 2006	Ready to go – waiting for a submitter
Crow Wing	9/21/06	January 2007	Hardware/software integration
Faribault	12/2/05	November 2006	Ready to go – waiting for a submitter
Hubbard	1/5/06	Not yet determined	Software vendor
Jackson	12/2/05	Not yet determined	
Lincoln	12/2/05	January 2007	Vendor upgrade
Polk	1/5/06	December 2006	Needs a new server
Pope	2/16/06	January 2007	Vendor upgrade
Redwood	2/16/06	Not yet determined	
Scott	9/21/06	January 2007	In development
Stearns	2/16/06	January 2007	Payment processes finalized and establishing trusted submitters
Stevens	9/21/06	February 2007	Vendor upgrade
Watonwan	12/2/05	Not yet determined	Pending Model 2 Decision
Wright	3/16/06	Late December 2006	In development

Pilot County Best Practices

The following are the best practices recommended for use by pilot counties.

- Test proposed e-recording standards following the schema standards approved by the Task Force.
- Virus scanning software needs to be loaded on the e-recording server that will reside in the county to protect the integrity of the system.
- In manual, paper processes, larger counties may have an “assembly line” model for recording documents. When moving to electronic recording, staff needs to understand the entire recording process. This is because staff will move from recording paper documents to handling exceptions. For example, electronically filed documents with errors will move to an “exception queue” for attention from individuals. These documents may be rejected in any stage of the recording process. Recording staff needs to be able to identify and deal with document errors no matter where they appear.
- For better data integrity, cross references between electronically recorded documents and indexing systems should be made whenever possible. For example, recording systems should match reference numbers on Satisfactions to mortgage numbers in the indexing system.
- Prior to beginning electronic recording, the county must determine how to integrate electronic document numbers with paper document numbers.
- When beginning to record electronically with any new trusted submitter, start by recording only a few documents at a time. This allows the recording staff to individually review electronic documents and identify any problems immediately.

Non-Pilot Counties

There are 57 counties who have not yet submitted resolutions. The Task Force outreach efforts to these counties include education efforts through PREP meetings, current pilot counties conference calls and a conference call with all counties on December 7th and 8th.

The following reasons were identified by non-pilot counties as to why they have not yet committed to being a pilot county.

1. The need to work out backroom process complications.
2. Issue with deeds and how the legal descriptions will be applied and the process for regulation defined.
3. Integration of current software in the county with electronic recording software.
4. Not enough documents recorded to realize a return on investment.
5. Waiting for “bugs” to be worked out.
6. Budgeting for hardware requirements, i.e. server.
7. Issue with integration of surveys and plats.
8. Need to work out payment options with escrow accounts, ACH (push/pull options) and credit cards.
9. Finding the time to implement electronic recording (new system upgrades, vendor communications, integration, preparation and monitoring) with other duties.
10. Convincing County Commissioners of the value.

PILOT COUNTY ACTIVITY

Standard measurement criteria has been created for the pilot counties to ensure that a comparison of before and after scenarios is possible and results can be compared across counties.

The method chosen by the Task Force for pilot county reporting uses a web-based data entry survey.

First, the baseline information for paper documents is gathered one time via the web.

For those electronically recording, monthly reports of e-recording measurements are entered on the web-based survey tool, which are then submitted to the task force.

See [Appendix I](#) for survey questions and procedures.

Baseline Reporting

The data gathered for the baseline related to paper filings for the pilot counties includes:

1. Number of documents processed
2. Number of steps involved in processing documents
3. Staff hours spent processing – per document
4. Number of documents rejected
5. Average number of days from date of receipt to date indexed for a year
6. Percent of recorded documents mailed back to submitter (estimated for a year)

Analysis of baseline (paper) statistics for abstracts with 18 counties responding.

- Average number of recordings accepted is 857 per month.
- Average number of hours spent on processing is 117 per month.
- Average number of steps involved is 11 per recording.

See [Appendix J](#) for pilot county baseline statistics.

Monthly Reporting

Pilot counties submit monthly reports to the Task Force, which includes the following criteria for each document type.

1. Date of first e-recording
2. Cumulative total of e-recordings to date
3. Successes and Challenges
4. Identify new Trusted Submitters
5. Identify new vendors
6. First date of e-recording for each specific document type
7. Number of e-records by type for the previous month
8. Number of e-records by type to date

Original Pilot County statistics for e-recording from first e-filing through 6/30/04.

County	Mortgage Satisfaction	Cert. of Release	Assignment	Total for Time Period
Dakota				4566
Hennepin	494	3	0	497
Lyon	76	0	0	76
Renville	1	0	0	1
Roseau	*			
TOTAL	571	3	0	5140

*10/20/05 was the date Roseau County started e-recording.

See [Appendix K](#) for pilot county e-recording statistics.

TRUSTED SUBMITTERS

A Trusted Submitter is a private sector party submitting electronic documents to the Pilot Counties authorized by the Minnesota Electronic Real Estate Recording Task Force. The Trusted Submitter and Pilot Counties must follow the Minnesota standards for recording real estate documents electronically. The Task Force has authority to establish Pilot Counties and to ensure that all parties utilize Task Force standards in their work.

The Task Force has facilitated the creation of the following documents to assist and guide the trusted submitter on electronic recording.

1. Statement of Commitment

The Pilot Counties establish a working relationship with the Trusted Submitter through the Statement of Commitment as shown in [Appendix L](#).

After submitting this Statement of Commitment, and after schema validation by any participating Pilot County, the Trusted Submitter may submit documents to any other Pilot County subject to communications, rendering and payment considerations of that other county.

2. Trusted Submitter Advisory Guide

This guide was created as a step-by-step guide on how to work with the Pilot County and software vendor in setting up the ability to electronically record.

3. Online Submitter Web Application

This application was built with three core technical principles:

- Use the Minnesota ERER Schema as the base of data input and output;
- Use the Minnesota proposed communications standard for submission communications; and
- Use the Minnesota Universal Conveyancing Blanks as the template for rendering the documents.

FUTURE PLANNING

There are a number of work products of the Electronic Real Estate Recording Task Force required by law (507.094, Subd. 1(a) and subd. 2), to be delivered by June, 2008.

Recommendations for implementation of electronic filing and recording of real estate documents to include:

- a) technology and computer needs
- b) legal issues such as authenticity, security, timing and priority of recordings, and the relationship between electronic and paper recorder systems
- c) a timetable and plan for implementing electronic recording, considering types of documents and entities using electronic recording
- d) permissive versus mandatory systems
- e) other recommendations of the task force

It is recommended that final standards and procedures be adopted in December 2007 for introduction in the 2008 Legislative Session.

The general order in which all related tasks are anticipated for completion:

1. 2007 Legislative Report
2. Review of the Uniform Real Property Electronic Recording Act (URPERA)
3. Review of the PRIA position statement on URPERA
4. Establishment of standards for electronic recording of mortgage, deed and other unaddressed documents, after consideration of the standards of MISMO, PRIA and other national groups.
5. Recommendations for implementation of electronic filing and recording of real estate documents
6. Recommending different structure options for the permanent Commission on Electronic Real Estate Recording Standards
7. 2008 Legislative Report
8. Legislative Enactment of Recommendations for implementation of electronic filing and recording of real estate documents

ON-GOING PROJECT COMMUNICATIONS

The Task Force will meet once a month and all meeting information will be posted on the Electronic Real Estate Recording page on the OSS website.

Task Force and Subcommittee meeting minutes will be taken and once Task Force approved posted to the EREER web page.

Other resources and Task Force approved materials will be posted to the EREER web page.

Twice a month county conference calls will take place with pilot counties.

Subcommittee meetings will continue to be conducted as needed and posted on the EREER web page.

LIST OF APPENDICES

- APPENDIX A: Minnesota Department of Revenue Project Update**
- APPENDIX B: Mortgage Schema Timeline**
- APPENDIX C: ERE Standards Case Study Executive Summary**
- APPENDIX D: Trusted Submitter Advisory Guide**
- APPENDIX E: URPERA Executive Summary**
- APPENDIX F: PRIA Position on URPERA**
- APPENDIX G: PRIA Prefatory Note**
- APPENDIX H: MISMO Executive Summary**
- APPENDIX I: Pilot County Monthly Reporting Survey Procedures**
- APPENDIX J: Baseline Statistics**
- APPENDIX K: Monthly Reporting Statistics**
- APPENDIX L: Statement of Commitment**
- APPENDIX M: Model 2 Resolution**

APPENDIX A
Minnesota Electronic Real Estate Recording Task Force
2007 Legislative Report

MN Department of Revenue eCRV Update Nov 2006

by [Jason Parker](#) — last modified 2006-11-09 10:35

Schemas

We've primarily been combing through the schemas fixing many minor issues. By necessity, our focus recently has been on the Homestead schema. But CRV is not far behind.

- - **Homestead** - We are finished with the reviews and will post the anticipated production version of the schema shortly. REMEMBER Homestead data is due for ALL counties April 30. Please see this news item: [Homestead due](#).
- - **CRV** - We are also near complete reviewing all of CRV. A new posting of CRV should also appear soon. One area that still needs work are some of the enumeration codes - particularly for property classifications. Deb Volkert has been leading the effort to review and determine the enumerations. What this may mean for you is that the schema when posted will be quite complete, though some of the enumeration codes may still change.

In both cases the changes are relatively small, but there are changes.

The plan is to establish a submission test server during January. The test server would expect an XML file and respond with the validation result. Hopefully this will assist in motivating counties and consortia to begin creating data instances complying with the schemas.

CRV Application

There has been considerable work done on documenting the workflows and use cases of the CRV application, but a majority of time has been spent working on technical issues in the use of XForms and the transmission process. Much more work is needed and January and February will be critical times for maintaining our goal of the first [early adopter](#) county in May.

Resources

We are in the process of hiring a new resource to help us complete building the CRV application and provide on-going maintenance.

Meeting

I will arrange an update meeting for the eCRV early adopter counties in January. Hopefully we will have some significant things to show and discuss on the application and workflow. Counties and consortia will also have a chance to discuss any experience they may have had trying to generate XML instance documents conforming to the schema.

APPENDIX B
Minnesota Electronic Real Estate Recording Task Force
2007 Legislative Report

Minnesota Mortgage Schema Timeline

ID	Name	Duration	Start	Finish
1	Scope	10.d	7/17/2006	7/28/2006
2	Determine project scope	1.d	7/17/2006	7/17/2006
3	Review & Adopt MISMO Categories	5.d	7/18/2006	7/24/2006
4	Secure project sponsorship	1.d	7/25/2006	7/25/2006
5	Secure resources for Initial Development	1.d	7/26/2006	7/26/2006
6	Secure core resources	1.d	7/27/2006	7/27/2006
7	Update delivery timeline	1.d	7/28/2006	7/28/2006
8	Scope complete - Communicate	.d	7/28/2006	7/28/2006
9	Initial Development (Task 1)	24.5d	7/31/2006	9/1/2006
10	Develop MN mortgage data elements	5.d	7/31/2006	8/4/2006
11	Develop Categories 1-5 SMART Doc for MN mortgage docs	5.d	8/7/2006	8/11/2006
12	Review data elements & categories with team	5.d	8/14/2006	8/18/2006
13	Draft recommend changes (if required)	5.d	8/21/2006	8/25/2006
14	Obtain approval to proceed	1.d	8/28/2006	8/28/2006
15	Incorporate recommend changes	2.d	8/29/2006	8/30/2006
16	Obtain approval to proceed	.5d	8/31/2006	8/31/2006
17	Update delivery timeline	1.d	8/31/2006	9/1/2006
18	Initial Development complete	.d	9/1/2006	9/1/2006
19	Data Mapping (Task 2)	46.d	9/1/2006	11/6/2006
20	Document difference between MISMO/PRIA data & MN mortgage data	2.d	9/1/2006	9/5/2006
21	Document difference between Smart Doc & MN mortgage data	2.d	9/5/2006	9/7/2006
22	Review documentation with team	5.d	9/7/2006	9/14/2006
23	Draft recommend changes (if required)	5.d	9/14/2006	9/21/2006
24	Obtain approval to proceed	2.d	9/21/2006	9/25/2006
25	Incorporate recommend changes	2.d	9/25/2006	9/27/2006
26	Obtain approval to proceed	1.d	9/27/2006	9/28/2006
27	Develop difference between MISMO/PRIA data & MN mortgage data	5.d	9/28/2006	10/5/2006
28	Develop difference between Smart doc & MN mortgage data	5.d	10/5/2006	10/12/2006
29	Review data mapping between MISMO & MN	5.d	10/12/2006	10/19/2006
30	Draft recommend changes (if required)	5.d	10/19/2006	10/26/2006
31	Obtain approval to proceed	2.d	10/26/2006	10/30/2006
32	Incorporate recommend changes	2.d	10/30/2006	11/1/2006
33	Obtain approval to proceed	1.d	11/1/2006	11/2/2006
34	Update delivery timeline	2.d	11/2/2006	11/6/2006
35	Data Mapping complete	.d	11/6/2006	11/6/2006

36	Develop Transformation Service (Task 3)	26.d	11/6/2006	12/12/2006
	Develop a data xslt from MISMO/PRIA mortgage dtd to			
37	MN mortgage schema	5.d	11/6/2006	11/13/2006
	Develop a data xslt from MISMO/PRIA categories 1- 5 to			
38	MN mortgage schema	5.d	11/13/2006	11/20/2006
39	Review with team	5.d	11/20/2006	11/27/2006
40	Draft recommend changes (if required)	5.d	11/27/2006	12/4/2006
41	Obtain approval to proceed	1.d	12/4/2006	12/5/2006
42	Incorporate recommend changes	2.d	12/5/2006	12/7/2006
43	Obtain approval to proceed	1.d	12/7/2006	12/8/2006
44	Update delivery timeline	2.d	12/8/2006	12/12/2006
45	Develop Style sheet complete	.d	12/12/2006	12/12/2006
46	Reconcile with MISMO, PRIA & MN	10.d	12/12/2006	12/26/2006
47	Develop supporting materials	1.d	12/12/2006	12/13/2006
48	Develop implementation plan for MISMO, PRIA	1.d	12/13/2006	12/14/2006
49	Review material and plan with team	2.d	12/14/2006	12/18/2006
50	Draft recommend changes (if required)	2.d	12/18/2006	12/20/2006
51	Obtain approval to proceed	1.d	12/20/2006	12/21/2006
52	Incorporate recommend changes	1.d	12/21/2006	12/22/2006
53	Obtain approval to proceed	1.d	12/22/2006	12/25/2006
54	Update delivery timeline	1.d	12/25/2006	12/26/2006
55	Initial MN mortgage doc schema template complete	.d	12/26/2006	12/26/2006
56	Tasks Remaining (Detail Task Required)	139.d	12/26/2006	7/9/2007
57	Finish MN schema with business rules	45.d	12/26/2006	2/27/2007
58	Finish MN style sheet with business rules	45.d	2/27/2007	5/1/2007
59	Approval by ERERTF	5.d	5/1/2007	5/8/2007
60	Testing	30.d	5/8/2007	6/19/2007
61	Implementation for pilot trial	14.d	6/19/2007	7/9/2007

Prepared by: Ben Marczak, Hennepin County (6/12/2006)

APPENDIX C
Minnesota Electronic Real Estate Recording Task Force
2007 Legislative Report

MINNESOTA ERER STANDARDS CASE STUDY

Executive Summary

Purpose of this recommendation is to modify current Minnesota ERER XML documents Standards. While attempting to apply the Minnesota ERER Standards to validate XML document instances, it was discovered that Minnesota ERER standards violate several Industry Standard XML Schema constraints dictated by World Wide Web Consortium (W3C) XML Schema recommendation. These violations are a major concern in that they prevent the Minnesota ERER Standards from being used for XML document validation.

Each of the recommended schema changes can be classified as either a minor change or a major change. A minor change indicates the change relaxes a constraint placed in the schema or leaves all constraints unchanged. These changes could be described as backwards compatible because every XML document that is valid against the original schema is still valid against the changed schema. Impact of minor changes on existing systems may not require any changes to existing system and will have little disruption to electronic recording

A major change indicates the change adds or stiffens a constraint in the schema. These changes are not backwards compatible because there exists XML documents that are valid against the original schema but are invalid against the changed schema. The major changes may or may not affect systems in a significant way. If these changes are introduced they may require additional development efforts and re-validate existing systems.

For a complete description of the standards case study go to the document located at <http://www.sos.state.mn.us/docs/minnesotaererstandards-2006-07-19.pdf>.

List of changes required to validate against W3C Schema recommendation.

	Changes	Classification	Notes
1	PropertyCode	Minor	No constraint changes.
2	BookOrVolumeInformation	Minor	No constraint changes.
3	SurveyType	Minor	No constraint changes.
4	AddressType	Minor	No constraint changes.
5	WellCertificate	Major	Changes order of elements.
6	AncillaryDocument	Major	Changes order of elements.
7	CorrespondenceBaseType	Major	Adds attribute type constraint.
8	AddressType	Major	Adds attribute type constraint.
9	AddressType	Minor	No constraint changes.
10	PropertyAddressType	Minor	No constraint changes.
11	CorrespondenceBaseType	Major	Stiffens type constraint.
12	RejectInformation	Major	Stiffens cardinality constraint.
13	GrantorType	Minor	Relaxes type constraint.
14	CRVComment	Minor	Relaxes type constraint.

Recommendation list

	Recommendation	Classification	Notes
1	EmbeddedFile	Major	Stiffens type constraint.
2	Namespace Declaration	Minor	No constraint changes.

APPENDIX D
Minnesota Electronic Real Estate Recording Task Force
2007 Legislative Report

Minnesota
Electronic Real Estate Recording (ERER)
Trusted Submitter Advisory Guide

Version adopted by
ERER Task Force on August 17, 2006

Originally Compiled by e-Record Subcommittee
Of MACO e-Counties

Version 1.2006-08.17

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Introduction

Electronic real estate recording in the State of Minnesota is based on the utilization and implementation of and compliance with the Minnesota Electronic Recording Standards, which were developed and approved by the Minnesota Electronic Real Estate Recording Task Force. The volume of documents recorded in Minnesota Counties necessitates the need for these standards in order to establish a uniform approach for sending and receiving documents electronically. The standards will periodically be reviewed, updated, and posted to the following websites hosting the Minnesota electronic real estate recording schema:

www.sos.state.mn.us/home/index.asp?page=399

or

www.macoecounties.org/erer_task_force

The original Task Force selected three document types that were approved and authorized for electronic recording in Minnesota. Those three document types are: Assignment of Mortgage, Satisfaction of Mortgage, and Certificate of Release of Mortgage by a Title Insurance Company or Appointed Agent.

After approval by the Task Force, the standards were tested in five pilot counties – Dakota, Hennepin, Lyon, Renville, and Roseau – representing various demographic areas across the State of Minnesota. Those five counties, and any other Minnesota Counties authorized by the Task Force pursuant to MS §507.24, subdivision 2(b), are now able to accept the electronic submission of the three document types for recording, given that the submission complies with the schema standards and communication protocol as established by the Task Force. For a current list of those counties now authorized, please click the following link:

http://www.sos.state.mn.us/docs/pilot_counties_info_2006_05_18.pdf

This Trusted Submitter Electronic Recording Guide has been prepared to aid those entities in the private business sector that wish to be able to submit documents for recording in electronic format. Since only three document types have been currently developed for electronic recording in Minnesota counties, and because the Electronic Real Estate Recording Task Force is continuing its work on developing other document types for electronic recording, this guide is a dynamic document that will be updated from time to time to reflect new developments and opportunities in the electronic recording process for Minnesota.

Step One: Answer the Question

Is electronic recording in Minnesota for you?

This is the first question a prospective submitter must answer. Some of the criteria to be considered are:

- Do you record a high volume of the three document types that are currently authorized and available to be electronically recorded in Minnesota?

Again, the three document types that can be electronically recorded are:

- 1) Assignment of Mortgage,
- 2) Satisfaction of Mortgage, and
- 3) Certificate of Release of Mortgage by a Title Insurance Company or Appointed Agent.

- Do you originate and execute any of these documents, or do you record them on behalf of another entity?
- Do you intend to develop a long term plan to implement electronic recording for all documents that are available or become available?

Consider that, currently, the three document types noted above can only be recorded by the Model III method in Minnesota, and submissions must comply with the Standards and Schema established by the Task Force. Model II electronic recording may or may not be available in the future, depending upon the study of and future determination on implementation of electronic recording in Minnesota by the Task Force.

- Do you rely on staff IT/technical support or do you out-source that support? Because IT support staff will be integral in Step Two, contracting for IT and technical support staff may affect the economic feasibility of implementing electronic recording for your company.

Step Two: Develop a Plan

If the decision in Step One is an initial “Yes,” begin by developing a Project Plan.

A. Form an Electronic Recording Team

When forming your electronic recording team, consider the possible internal employees and external parties who will be integral to developing and implementing your electronic recording process.

- Company IT staff
- Company staff members involved in generating, processing, and recording the document type(s) you will be recording electronically
- Company management representative(s) authorized to make decisions on the project, including cost and staff allocation
- Company legal counsel/staff to review your company’s legal obligations, requirements, and contracts for project implementation

Consulting Members you will need to work with after the initial review stage (next page) are:

- County Recorder of a “target” county authorized by the Minnesota ERER Task Force to electronically record your document type
NOTE: The County you choose will play a key role in the testing and implementation of your electronic recording process
- Software vendor support staff

B. Review: It begins with “IT”

Your IT staff will first need to do some preliminary research, review, and assessment.

- Review Minnesota Standards for document types your company will be submitting electronically
 - Minnesota Version Control Policies and Procedures [To be published]
 - Minnesota Documents Schema
 - Minnesota Documents Communication Protocol
 - Minnesota Documents Style Sheet

NOTE: Minnesota Standards information is located on the web at:

<http://www.sos.state.mn.us/home/index.asp?page=399>

or

www.macoecounties.org/erer_task_force

- Review company hardware
- Review software options to submit documents electronically
 - Internal development and integration of electronic recording
 - Purchase software package or web-based applications
 - Purchase license for software package or web-based applications
 - Contract out the entire process
 - Cost assessment estimates for each of the above options

C. Review: Team effort

The initial members of your electronic recording team need to now discuss creating your project plan and taking the steps toward implementation of that plan.

- Review and Develop workflow diagram(s) for current paper recording process of selected document type(s)
- Review with company IT staff current automated processes, hardware and software utilization in relation to company's document recording process
- Review IT assessments and recommendations from Section B. above
- Review with company legal staff the company's obligation and requirements regarding the e-recording process in Minnesota
- Review counties authorized to accept electronic recording submissions in Minnesota and their respective software vendors to identify a county with which to work in implementing your electronic recording process

NOTE: You might consider approaching a county in which you record the highest volume of the document type that you wish to begin recording electronically. It is recommended that you consider approaching one of the original five pilot counties for your project implementation. They have extensive experience in the original testing and implementation of electronic recording.

- Keep in mind your company's Multi-State vs. Single State electronic document recording options and goals

NOTE: You should consult with your national office, and review electronic recording information and options available in other states.

D. Decide

Now it's time to make some decisions and add some new members to your team.

- Decide which county you want to approach to help you test and implement your electronic recording process
 - Appoint the team member who will be the county contact person for your company, and who will ask that county's Recorder to participate on your team.
 - Request a copy of the county's Trusted Submitter Statement of Commitment for your legal staff to review. You will be required to sign this commitment before being allowed to electronically record
 - Find out what software vendor that county uses and ask them to be available for testing.
- Decide whether to develop electronic recording internally, to purchase software or licenses for web-based applications, or to contract the process out to a third party or recording service
- Decide on the software and hardware you need to integrate the Minnesota Schema into current systems
- Decide whether to "submit only" or to integrate electronic recording information returned by the County into your company's production system
 - NOTE: Options to consider:
 - XHTML (XML) Data only
 - TIF Image
 - Verification and document number
 - Receipt only

Step Three: Execute the Plan

A. Integrate internally

- Review and integrate Minnesota Standards for document types your company will be submitting electronically
 - Minnesota Version Control Policies and Procedures [To be published]
 - Minnesota Documents Schema
 - Minnesota Documents Communication Protocol
 - Minnesota Documents Style Sheet

NOTE: Minnesota Standards information is located on the web at:

<http://www.sos.state.mn.us/home/index.asp?page=399>

or

www.macoecounties.org/erer_task_force

- Review Trusted Submitter Statement of Commitment with County
- Implement Security
- Obtain Digital Certificate
- Begin Testing with the County
- Sign Trusted Submitter Statement of Commitment with County
- Continue to Full Implementation

B. Purchase electronic recording software and applications

- Review and integrate Minnesota Standards for document types your company will be submitting electronically
 - Minnesota Version Control Policies and Procedures [To be published]
 - Minnesota Documents Schema
 - Minnesota Documents Communication Protocol
 - Minnesota Documents Style Sheet

NOTE: Minnesota Standards information is located on the web at:

<http://www.sos.state.mn.us/home/index.asp?page=399>

or

[www.macoecounties.org/erer task force](http://www.macoecounties.org/erer_task_force)

- Review Trusted Submitter Statement of Commitment with County
- Implement Security
- Obtain Digital Certificate
- Begin Testing with the County
- Sign Trusted Submitter Statement of Commitment with County
- Continue to Full Implementation

C. Purchase license for electronic recording software and applications

- Review and integrate Minnesota Standards for document types your company will be submitting electronically
 - Minnesota Version Control Policies and Procedures [To be published]
 - Minnesota Documents Schema
 - Minnesota Documents Communication Protocol
 - Minnesota Documents Style Sheet

NOTE: Minnesota Standards information is located on the web at:

<http://www.sos.state.mn.us/home/index.asp?page=399>

or

www.macoecounties.org/erer_task_force

- Review Trusted Submitter Statement of Commitment with County
- Implement Security
- Obtain Digital Certificate
- Begin Testing with the County
- Sign Trusted Submitter Statement of Commitment with County
- Continue to Full Implementation

D. Contract entire electronic recording process to Third Party

Choose wisely!

Step Four: eRecord!

Review your final checklist:

- Digital Certificates for document wrapper have been obtained
- Trusted Submitter Statement of Commitment with the county has been signed
- Testing is completed successfully in accordance with Minnesota Standards
- Method or mechanism for payment of recording fee is established with county
- Electronic documents are completed and ready to send...

eRecord!!!

Conclusion

Thank you for exploring electronic recording in Minnesota. It is our sincere belief that the electronic recording of real estate documents is an integral part of the real estate transaction, not only in the execution, but in the recording, archiving, and retrieval of real estate documents; not only in the future, but now; and that education and encouragement of potential submitters is critical to the ultimate success of electronic recording.

This guide is compiled to encourage greater submitter participation in electronic recording and to assist any prospective submitter. The guide is a dynamic living-working document. It will be updated periodically as progress and improvements are made in electronic recording in Minnesota.

Keep in mind that the guide is not intended to be – nor can it be in this rapidly changing world of electronic information and processes – an exhaustive or complete guide to the implementation of electronic recording for each submitter.

The identification of any entity in this guide is not an endorsement of, nor an offer of services of, that entity.

The guide is simply what it is: **a guide**.

APPENDIX E
Minnesota Electronic Real Estate Recording Task Force
2007 Legislative Report

**UNIFORM REAL PROPERTY ELECTRONIC RECORDING
ACT**

Prefatory Note

The status of electronic information technology has progressed rapidly in recent years. Innovations in software, hardware, communications technology and security protocols have made it technically feasible to create, sign and transmit real estate transactions electronically.

However, approaching the end of the 20th Century, various state and federal laws limited the enforceability of electronic documents. In response, the Uniform Electronic Transactions Act (UETA) was approved by the National Conference of Commissioners on Uniform State Laws (NCCUSL) in 1999. As of October 1, 2004, UETA had been adopted in 46 states, the District of Columbia, and the U.S. Virgin Islands. The federal Electronic Signatures in Global and National Commerce Act (E-Sign) was also adopted in 2000. The two acts give legal effect to real estate transactions that are executed electronically and allow them to be enforced between the parties to the transaction.

Even though documents resulting from electronic transactions are valid and enforceable between the parties, there is uncertainty and confusion about whether those electronic documents may be recorded in the various local land records offices in the several states. Legacy laws and regulations in many states purport to limit recordable documents to ones that are in writing or on paper or require that they be originals. Other laws and regulations require signatures to be in writing and acknowledgements to be signed. Being electronic and not written on paper, being an electronic version of an original paper document, or having an electronic signature and acknowledgement instead of handwritten ones, an electronic document might not be recordable under the laws of these states. The continuing application of these legacy laws and regulations remain uncertain (*see* Op. Cal. Atty. Gen. No. 02-112 (Sept. 4, 2002)).

Despite these uncertainties, recorders in approximately 40 counties in several states began recording electronic documents. These efforts depend, however, on the initiatives of individual recorders and the opportunities available under the laws of those states. They are piecemeal and offer only limited interoperability among the recording venues and across state lines. They do not provide a uniform legal structure for the acceptance and processing of electronic documents.

In response, a few states have convened study committees or task forces to consider the question of recording electronic documents. In 2002, a drafting committee was established by the NCCUSL Executive Committee to draft a Uniform Real Property

Electronic Recording Act. The Committee's decision followed a recommendation of the NCCUSL Committee on Scope and Program. Their actions were in recognition of a strong recommendation from the Joint Editorial Board on Uniform Real Property Acts that a uniform act be drafted.

The Uniform Real Property Electronic Recording Act was drafted to remove any doubt about the authority of the recorder to receive and record documents and information in electronic form. Its fundamental principle is that any requirements of state law describing or requiring that a document be an original, on paper, or in writing are satisfied by a document in electronic form. Furthermore, any requirement that the document contain a signature or acknowledgment is satisfied by an electronic signature or acknowledgement. The act specifically authorizes a recorder, at the recorder's option, to accept electronic documents for recording and to index and store those documents.

If the recorder elects to accept electronic documents, the recorder must also comply with certain other requirements set forth in the act. In addition, the act charges an Electronic Recording Commission or an existing state agency with the responsibility of implementing the act and adopting standards regarding the receipt, recording, and retrieval of electronic documents. The Commission or agency is directed to adopt those standards with a vision toward fostering intra- and interstate harmony and uniformity in electronic recording processes.

This act does not state the means of funding the establishment or operation of an electronic recording system in the various recording venues. No single approach is inherently the best for funding electronic recording systems. This is especially true because of the range of taxation systems and cultures existing in the various states and recording venues and the diversity of the various states and recording venues in terms of population and resources. In fact, the best system for any state or recording venue might involve a combination of approaches.

The establishment, and perhaps the operation, of an electronic recording system might be funded from the general taxes and revenues of the state or county. Because of the relatively large "front end" expenses needed to set up an electronic recording system, this approach might be very appropriate for that purpose. Whether the funding is to be by the county or the state is an issue that should be resolved prior to the passage of this act. A related question is whether the funding should cover the entire cost of setting up the system or only part of it with the remaining costs to be paid by recording and searching fees dedicated to the establishment of the electronic recording system.

This prefatory note was taken from the complete Act which can be found at:
http://www.law.upenn.edu/bll/ulc/urpera/URPERA_Final_Apr05-1.htm

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PRIA POSITION ON URPERA

EXECUTIVE SUMMARY

The goal of the Uniform Real Property Electronic Recording Act (URPERA) is to create homogeneous conditions across the United States for land records officials to accept records in electronic form, storing electronic records, and setting up systems for processing, searching, and retrieving these land records. The intent is only to authorize such activities, not to mandate them. The National Conference of Commissioners for Uniform State Laws (NCCUSL), the same organization which gave us the Uniform Electronic Transactions Act (UETA) and the Uniform Commercial Code, drafted the URPERA because of the confusion and uncertainty surrounding those states that did not include the optional Section 17 (Creation and Retention of Electronic Records and Conversion of Written Records by Governmental Agencies), Section 18 (Acceptance and Distribution of Electronic Records By Government Agencies), and Section 19 (Interoperability), which cover state and local governments transacting electronically, when enacting their version of the UETA; the Congressional adoption of the Electronic Signatures in Global and National Commerce Act (ESIGN), which was silent regarding local government agencies' acceptance of electronic records (addresses federal and state agencies); and the legacy state recording laws that specify "originality" or limit the form the recordable document to be submitted to the county recorder. The URPERA essentially operates like the UETA; it gives county recorders authority to accept electronic records and electronic signatures. The URPERA also addresses another issue: the issue of the stamp and seal requirement by notaries. UETA and ESIGN electronic notarization language did not specifically address this issue. The legislative history of the UETA and ESIGN (NCCUSL's Prefatory Notes and the Congressional Record respectively) addressed that the notary, when applying his or her electronic signature, did not need to affix his or her notary stamp or embossed seal on the electronic transaction. URPERA specifically provides legislative language that the notary is not required to affix his or her stamp or seal.

The Property Records Industry Association (PRIA) recommends the adoption of the URPERA with Alternative A of Section 5(a), which calls for an independent Electronic Recording Commission consisting of a majority of members from county recorders. This is a low budget commission whose primary work of adopting initial standards for eRecording should be completed quickly. Owing to the need to maintain standards over time, the commission should be one of continuing existence. The PRIA URPERA Guide provides detail on prospective organization, staffing and expertise for the commission, as well as a discussion of a prospective approach to the commission's efforts, such as activities leading to the inaugural meeting, items for the first meeting and ongoing activities of the commission.

Chapter 5 details various national and local standards bodies that develop and maintain standards of use to the commission. Two primary technical standards bodies, PRIA and the Mortgage Bankers' Associations' Mortgage Industry Standards Maintenance Organization (MISMO), create and maintain data standards for recording and the financial services industries involved in real estate financing and settlement transactions. It also introduces legislators and commissioners to other organizations whose technical standards include document formats, Internet specifications such as engineering for transmissions, security and formatting, and for records management, including archiving electronic records.

This executive summary was taken from PRIA, for the complete position go to http://www.pria.us/uniformelectronicrecording/PRIAURPERAGuide3_1_05_Cert.pdf

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PROPERTY RECORDS INDUSTRY ASSOCIATION (PRIA)

What is PRIA's Mission?

To serve the property records industry by facilitating recordation and access to public property records, by formulating and disseminating model standards, systems and procedures while preserving the integrity of those records.

Who is eligible for membership?

An individual or organization may apply for membership in PRIA if the applicant's primary business purpose is to provide processes or services relating to the functions of recording conveyance of property, taxing of property, and recording of liens on property. Those responsibilities may also include making such information available to the public, at the county, other local level, nationwide or worldwide.

What is required of PRIA members?

PRIA members are expected to abide by the highest ethical principles, and are required to accept and agree to the Bylaws and Operating Rules established by the Association.

What types of membership are offered?

PRIA offers various types of memberships, available to both public and private sector participants. The description for each category is included on the Membership Application page.

For more information related to PRIA visit their website at <http://www.pria.us/>.

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**MORTGAGE INDUSTRY STANDARDS MAINTENANCE
ORGANIZATION**

Executive Summary

The mortgage industry continues to evolve to an electronic mortgage environment. Since 2001, the mortgage industry has been working cooperatively within the Mortgage Industry Standards Maintenance Organization, Inc. (MISMO) to define key processes, transactions, and XML data standards to exchange the mortgage data and documents electronically. This collaborative work led to the formation of a suite of eMortgage concepts and voluntary standards, described in this eMortgage Guide.

Today's origination process usually involves the electronic generation of loan documents, which are then printed on paper for borrowers to sign. The paper documents are then manually shipped back, typically imaged, indexed, stored in electronic document repositories, and exchanged after origination. The data that is exchanged electronically must be certified against the data on the paper documents. Thus, while imaging can provide significant benefits, manual processes and physical shipping are still required.

The eMortgage framework and standards take these processes to the next level, into a fully paperless environment. eMortgage documents are generated, transferred, signed, sealed, registered, and stored electronically, eliminating the need for printing, imaging, shipping, couriers, data re-entry, manual data certification, and other costly steps of today's mortgage processes. The data in these electronic documents can be verified and trusted, because the documents are digitally signed to reveal any tampering.

This guide provides an overview of the eMortgage landscape as it exists today, including:

- Benefits of eMortgages,
- Key industry standards and concepts,
- Underlying legal framework and concepts,
- General guidance for key processes, and
- Sources of additional information to get started.

The mortgage industry is slowly but steadily moving forward on eMortgage development and implementation because the resulting paperless processes will provide significant savings of time and money for business and ultimately for consumers. MISMO standards are critical to achieving eMortgage adoption across the industry. During the transition from paper to eMortgages, both individual loans and loan pools will be hybrid, using combinations of paper, imaging, and electronic documents. This guide provides a reference tool to help you move forward toward a true eMortgage environment.

This executive summary was taken from MISMO at <http://www.mismo.org/>.

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**PILOT COUNTY MONTHLY REPORTING SURVEY
PROCEDURES**

A. OVERVIEW

Pilot counties for real estate e-recordings report to the Electronic Real Estate Recordings Task Force (ERERTF) on their activity. The office of the secretary of state (OSS) created a web based reporting mechanism using the survey functionality to allow for an efficient method of doing so.

There are three surveys the pilot counties are responsible for:
Baseline Paper Abstracts (one time)
Baseline Paper Torrens (one time)
Monthly E-Recording Activity

B. RESPONSIBILITIES

1. ERER Task Force

Monitor the activity
Request modifications to the survey as needed

2. OSS

Maintain the survey and data
Send monthly email reminder on completing survey
Notify pilot counties of any changes to the survey
Create monthly reports as requested by the Task Force

3. Pilot Counties

Complete the baseline survey's accurately and timely
Inform OSS of any data or technical issues related to the survey

C. PROCESS

1. Preparation and Access

Print out a copy of the worksheets. Then gather the baseline requirements using the examples and formulas listed within this procedure. Once data gathering is complete, open the email sent by OSS and click on the applicable survey link. Note: You can also save the link to your favorites.

Verify you are in the correct survey and begin entry.

2. Baseline Paper Abstract

Link: http://www.sos.state.mn.us/survey/user_survey.asp?nSurvey=91

This is a one time report, so once you have gathered all the data access the survey and enter the data.

1. Question 1 - Select your county name (required).
2. Question 2 - Enter the date the resolution was passed.
3. Question 3 - Enter the date of the meeting at which the resolution was approved.
4. Question 4 - Enter the date or anticipated date.
5. Questions 5, 6 & 7 - Determine the monthly average number of each document type for paper abstracts **accepted** and enter the number in the appropriate field.
6. Questions 8, 9 & 10 - Determine the monthly average number of each document type for paper abstracts **rejected** and enter the number in the appropriate field.
7. Question 11 - Enter the average number of steps involved in processing paper abstracts.
8. Question 12 - Enter the average number of business days (not weekends) that reflect the average number of days from the date of receipt to the date indexed (including queue time).
9. Question 13 - Enter the monthly average, in hours, for hands on time spent processing. If the time is less than an hour, enter the fraction in minutes (ex. 30 minutes = .5 hours so enter .5).

Formula:

Take a batch of 10 Satisfactions documents

Record the employee time it takes to process all 10 documents

Divide the total time by 10, this results in the average time it takes to process 1 document; then multiply the average time it takes for one document by the average number of filings recorded each month = answer.

10. Questions 14, 15, 16 & 17 - These are related to your software vendor. Select or enter the information that applies.
11. Questions 18, 19, 20 & 21 - These are related to any trusted submitters. Select or enter the information that applies.
12. Proof the data for accuracy.
13. Once the data is all entered print the page by clicking on the print icon.
14. Click on the Submit button.

3. Baseline Paper Torrens

Basically the same steps as the Baseline Paper Abstracts survey, with fewer questions. **Note:** This survey will be distributed at a later time.

4. Monthly Recording Activity

Link: http://www.sos.state.mn.us/survey/user_survey.asp?nSurvey=80

This information can be entered anytime after the month you are recording for is past.

1. Gather all the statistics for the previous month or the month you are entering e-recording information for.
2. Select your county name (required).
3. Select the month you are reporting for (required).
4. For questions 3 & 4, track internally on a spreadsheet or other means, as the survey tool does not total these items.
5. For questions # 5 - 22 enter the date or numbers for each of the specific categories and type of document.
6. For question #23 add any additional trusted submitters you have contracted or made an agreement with since completing the baseline survey.
7. For questions #24 - 26 identify if you have made a change to your software and if yes what it is. If there is more than one separate them with a semi-colon.
8. For questions #27 & 28 enter a brief description and separate each item with a semi-colon.
9. Proof the data for accuracy.
10. Once complete print the page by clicking on the print icon.
11. Click the Submit button.

D. DATA ERRORS and TECHNICAL ISSUES

For data entry errors you have the following options:

Send an email to bonita.b.harvieux@state.mn.us stating the error and it will be corrected in the database. OR Re-enter all the information again with the correct entry and click “Submit” and send an email to bonita.b.harvieux@state.mn.us to identify which is the incorrect entry of information and it will be deleted in the database.

For any technical issues related to the website or the survey create a ticket in the customer portal: <http://customerportal.sos.state.mn.us/>

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PILOT COUNTY BASELINE STATISTICS

Monthly averages as entered by the county.

County	number of Mortgage SATs accepted	number of Releases accepted	number of ASN accepted	Number of Mortgage SATs rejected	Number of Releases rejected	Number of ASN rejected	Average number of steps involved in processing paper Abstracts	Average number of business days for processing paper Abstracts	In hours of actual hands on time spent processing Abstracts
Big Stone	24	1	2	2	1	1	10	12	0.5
Carlton	190	15	57	3	1	4	8	10	0.166
Cass	216	106	29	10	5	1	14	7	23.25
Dakota	3280	684	0	253	14	0	12	12	43
Faribault	61	6	11	6	1	1	12	8	100
Hennepin	6595	1635	0	361	101	0	12	12	989
Kandiyohi	240	22	39	48	10	22	14	4	44
Lyon	148	2	0	20	1	0	20	20	46
Martin	109	2	20	?	?	?	7	4 to 5 days	240
Mcleod	216	29	31	2	0	5	4	5	160
Pope	60	2	20	1	0.1	0.8	5	6	0.5
Redwood	60	1	6	5	0	1	9	3	157.5
Renville	102	2	0	1	1	0	12	12	2
Roseau	63	0	0	10	0	0	12	2	3
Wabasha	122	25	20	unknown	unknown	unknown	7	5 to 10	unknown
Watonwan	54	1	15	1	1	1	12	3	126.5
Wilkin	15	2	5	1	0	0	10	2	76

Key:

SATs = Satisfactions

Release = Certificates of Release

ASN = Assignments

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MONTHLY STATISTICS - As reported by the counties through 12/18/06

County	Activity Month	Abstract SATs	Abstract Releases	Abstract ASN	Torrens SATs	Torrens Releases	Torrens ASN
Renville	January	1	0	0		0	
Dakota	January	134	0				
Lyon	January	8	0	0		0	
Hennepin	January	213	0	0		0	
Clay	February	8					
Lyon	February	9	0	0	0	0	0
Dakota	February	115	0	0		0	
Faribault	February	0	0	0		0	0
Hennepin	February	224	0	0			
Lyon	March	12	0	0	1	0	0
Dakota	March	157	0	0	0	0	0
Renville	March	6	0	0	0	0	0
Hennepin	March	269	0	0			
Clay	March	16					
Renville	April	6					
Martin	April	0					
Lyon	April	147	0	0	0	0	0
Hennepin	April	275	0	0	176		
Clay	April	11					
Hennepin	May	297	0	0	235		
Renville	May	5	0	0	0	0	0
Clay	May	11					
Lyon	May	158			0		
Martin	May	3					
Dakota	May	187	0	0	0	0	0
Wabasha	May	0	0	0	0	0	0
Wadena	May	0	0	0	0	0	0
Wilkin	June	4	0	0	0	0	0
Martin	June	8					
Clay	June	13					
Lyon	June	19			3		
Lincoln	June						
Renville	June	1	0	0	0	0	0
Wabasha	June	1	0		0	0	0
Hennepin	June	344					
Hennepin	June	344	0	0	226	0	0
Dakota	June	154	0	0	0	0	0
Lyon	July	8	0	0	1	0	0
Cass	July	0	0	0	0	0	0
Wabasha	July	2	0	0	0	0	0

Dakota	July	142	0	0	0		
Wilkin	July	7	0	0	0	0	0
Martin	July	21					
Kandiyohi	July	0	0	0	0	0	0
Wadena	July	0	0	0	0	0	0
Clay	July	22					
Hennepin	July	253	0	0	174	0	0
Renville	July	2	0	0	0	0	0
Kandiyohi	August	27	0	0	0	0	0
Clay	August	29					
Wilkin	August	9	0	0	0	0	0
Wabasha	August	4	0	0	0	0	0
Dakota	August	157	0				
Cass	August	10	0	0	0	0	0
Martin	August	3					
Renville	August	1	0	0	0	0	0
Lyon	August	19	0	0	1	0	0
Hennepin	August	263	0	0	251	0	0
Kandiyohi	September	18	0	0	0	0	0
Cass	September	11	0	0	1	0	0
Clay	September	13					
Hennepin	September	244	0	0	166	0	0
Wilkin	September	2	0	0	0	0	0
Dakota	September	125	0				
Wabasha	September	2	0	0	1	0	0
Martin	September	9					
Carlton	September	2	0	0	0	0	0
Lyon	September	15	0	0	1	0	0
Dakota	October	112	0				
Clay	October	22	0	0	0	0	0
Martin	October	4					
Hennepin	October	236	0	0	151	0	0
Wilkin	October	5	0	0	0	0	0
Lyon	October	9	0	0	0	0	0
Renville	October	1	0	0	0	0	0
Cass	October	6	0	0	3	0	0
Kandiyohi	October	15	0	0	0	0	0
Wabasha	October	2			0		
Carlton	October	15					
Clay	November	15	0	0	0	0	0
Kandiyohi	November	21	0	0	0	0	0
Martin	November						
Dakota	November	117					
Renville	November	3	0	0	0	0	0
Lyon	November	15	0	0	3	0	0

INSTRUCTIONS

A Trusted Submitter is a private sector party submitting electronic documents to the Pilot Counties authorized by the Minnesota Electronic Real Estate Recording Task Force. The Trusted Submitter and Pilot Counties must follow the Minnesota standards for recording real estate documents electronically.

The Task Force has authority to establish Pilot Counties and to ensure that all parties utilize Task Force standards in their work.

The Pilot Counties establish a working relationship with the Trusted Submitter through the Statement of Commitment and report activity to the ERER Task Force related to real estate e-recordings on a monthly basis.

After submitting this Statement of Commitment, and after schema validation by any participating Pilot County, the Trusted Submitter may submit documents to any other Pilot County subject to communications, rendering and payment considerations of that other county.

PROCESS:

Trusted Submitter

1. Select a county authorized by the Minnesota Electronic Real Estate (ERER) Task Force to electronically record documents. The county you choose will play a key role in the testing and implementation of your electronic recording process. For a complete list of current e-recording Pilot Counties go to the Minnesota Secretary of State Website at www.sos.state.mn.us.
2. Develop a plan that includes:
 - a. Identify an electronic recording team that includes internal Management staff, IT staff and a legal advisor.
 - b. Identify technical needs: software, hardware, licenses, digital certificates or contract out options.
 - c. Conduct a technical review of Minnesota standards for document types that will be submitted electronically by visiting the Minnesota Secretary of State Website at www.sos.state.mn.us.
 - d. Implement: Testing, Security and Digital Certificates.
3. Purchase software package or web-based applications for e-recording.
4. Purchase license for software package or web-based applications.
5. Complete the Statement of Commitment Form.
6. Submit the signed form to the County you have selected.

County Recorder

1. Take action, including schema validation, in response to the submitted Statement of Commitment.
2. Submit the Statement of Commitment to the ERER Task Force for scanning and posting on the Minnesota Electronic Real Estate Recording website.
3. Submit the name of the new Trusted Submitter on the Pilot County monthly reporting survey tool.
4. Original paper Statement of Commitment is retained by the county.

Task Force

1. Post the new Trusted Submitter information on the Minnesota Electronic Real Estate Recording website.
2. Scan the Statement of Commitment and post on the Minnesota Electronic Real Estate Recording website.

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Be it resolved that the Task Force will proceed with the implementation of Model 3. be it further Resolved that the Task Force will proceed to explore and examine what steps would be required to test, pilot and implement other models, specifically Model 2.