STATE OF MICHIGAN
DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET
LANSING

RICK SNYDER
GOVERNOR

DAVID B. BEHEN
DIRECTOR

MINUTES
Electronic Recording Commission

October 24, 2016
Records Management Services Building
3400 N. Grand River, Lansing, Michigan.

Board Members Present: Diane Adams, Chair Mary Hollinrake, Christian Meyer, Thomas Richardson, Michelle Stevenson and Lori Wilson.

Board Members Absent and Excused: Donna Krall and Joyce Van Coevering (David Behen's designee)

Also in attendance: Jerome Czaja, Chief Deputy Register; Kent County; Mark Ladd, Property Records Industry Association and Vice President, SimpliFile; Deborah Stevens, Recording Secretary; and Michelle Wilsey, Regional Sales Director, Simplifile.

I. CALL TO ORDER. The meeting was called to order by the Chair M. Hollinrake at 10:03 a.m. A quorum was present.

II. APPROVAL OF MINUTES.
Motion: to approve the minutes of October 20, 2015.

Moved: D. Adams Second: C. Meyer
Passed: Unanimously

III. ADDITIONS TO AGENDA
The Chair changed the order of agenda items and also added Election of Officers.

IV. DISCUSSION OF LEGAL OPINION REGARDING THE E-RECORDING OF CERTIFIED COURT AND VITAL RECORDS DOCUMENTS – NOT ALLOWED.
A 2015 opinion from a Lansing law firm expressing that certified documents such as death certificates and probate documents cannot be accepted by a country register of deeds for e-recording has resulted in some registers only accepting those documents for filing in paper form.

Mark Ladd, president of PRIA (Property Records Industry Association) and VP of SimpliFile explained that, in general, since a certified copy has the seal of the court, it is a legally enforceable document and can be recorded as any other document is handled.

Discussion indicated the need for a clarifying opinion from the Attorney General or legislative action to amend the relevant acts. M. Hollinrake will discuss with the Michigan Association of Registers of Deeds.

V. TRID (TILA-RESPA INTEGRATED DISCLOSURE) UPDATE

T. Richardson related that TRID (TRID is an acronym for the following: Truth in Lending Act, Real Estate Settlement Procedures Act (RESPA), and Integrated Disclosures, which the industry refers to as "Know Before You Owe.") has not accomplished what it was intended to do and was not beneficial. His opinion was that predictable recording has been a huge success with its flat fee and lower error rate of rejection but TRID itself has been a failure. T. Richardson that disclosures are accurate in Michigan but not in 40% of the states where discounts are not disclosed. Over 1500 comments were received by the Consumer Financial Protection Bureau but he expects to see only insignificant changes.

Some discussion occurred about the quality of images which may be related to scanner settings. T. Richardson suggested that registers of deeds publish helpful hints on their web sites regarding images to be scanned.

VI. ELECTION OF OFFICERS

Since the Chair's term as a Commission member expires Jan. 1, 2017, and a new deputy chairperson was not named after the expiration of Bambi Somerlott's term, the Commission moved to fill those positions.

Motion: to nominate Christian Meyer as Chairperson, effective Jan. 1, 2017
Moved: D. Adams Second: M. Stevenson
Passed: Unanimously.

Motion: to nominate Diane Adams as Deputy Chairperson, effective Jan. 1, 2017
Moved: L. Wilson Second: C. Meyer
Passed: Unanimously.

VII. ADJOURNMENT.

The Commission expressed its appreciation to Mary Hollinrake for her hard work and leadership, thanking her for serving as its chair since its inception. M. Hollinrake is retiring at the end of the year.

Motion: to adjourn the commission meeting
Moved: T. Richardson Second: D. Adams
Passed: Unanimously.

The commission meeting was adjourned at 11:17 a.m.

Respectfully submitted:

Deborah A. Stevens

Deborah A. Stevens, Recording Secretary