



STATE OF MICHIGAN

GRETCHEN WHITMER  
GOVERNOR

DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET  
LANSING

TRICIA L. FOSTER  
DIRECTOR

**MINUTES**

Electronic Recording Commission

March 22, 2019

Vehicle and Travel Services Building  
6951 Crowner Dr., Lansing, Michigan, 48821.

Commission Members Present: Brandon Denby, Sherri Irwin (Tricia Foster's designee), Donna Krall, Chair Christian Meyer, Patricia Niepoth, Thomas Richardson, Justin Roebuck, and Teresa Walker.

Also in attendance: Jerome Czaja, Chief Deputy Register, Kent County; Kelly Hamilton, DTMB Legislative Liaison; Evelyn Quiroga, Director Disclosure Data Division, Secretary of State; Rachel Sanchez, Chief Deputy Register, Ottawa County; and Deborah Stevens, Recording Secretary.

I. CALL TO ORDER. The meeting was called to order by the Chair C. Meyer at 11:02 a.m. A quorum was present. Introductions were made.

II. APPROVAL OF MINUTES.  
Motion: to approve the minutes of November 29, 2018.

Moved: J. Roebuck                      Second: P. Niepoth                      Passed: Unanimously

III. ELECTION OF CHAIR AND VICE CHAIR  
C. Meyer noted that his term expires at the end of 2019 and suggested that the next chair come from among the registers of deeds. He recommended that a new chair be elected now to allow for transition.

Motion: to nominate Justin Roebuck as commission chair person

Moved: S. Irwin                      Second: C. Meyer                      Passed: Unanimously

Amended Motion: to nominate Brandon Denby as commission deputy chair

Moved: T. Walker                      Second: D. Krall                      Passed: Unanimously

IV. E-NOTARIZATION AND REMOTE NOTARY  
E. Quiroga from the Secretary of State's (SOS) office provided an update on the implementation of electronic and remote notary legislation. This included the process of "approving" vendor platforms by March 30 as required by legislation. SOS is also requesting "visible representation" of the notary signature, validation of vendors and customers, and an assurance that the identification had not been

tampered with. Several vendors had been or were scheduled to demonstrate their product. They were identified from approved lists of other entities. Individual notaries public would contract with these vendors directly if they wished to provide e-notary services.

The commission expressed some of their concerns and areas for clarification including location issues such as where was the document signed and how to handle documents e-notarized outside of the state of Michigan; defining “verifiable transactional relationship;” fraud; and management of printed paper documents which were first e-notarized.

V. RE-WRITE OF CURRENT E-RECORDING STANDARDS

C. Meyer outlined four areas for the commission to develop:

1. Update of the current e-recording standards
2. Define “verified transactional relationship” including whether it allows an audit and requires annual attestation.
3. Develop standards for e-notarization of electronic documents
4. Address “papering out” or physical recording of electronic documents.

The meeting recessed at 12:19 p.m. and resumed at 12:42 p.m.

Volunteers were assigned to work on the four areas.

1. Chris Meyer, Jerome Czaja
2. Brandon Denby, Donna Krall, Tom Richardson
3. Patty Niepoth, Justin Roebuck, Teresa Walker
4. Patty Niepoth, Justin Roebuck, Teresa Walker

VI. PROJECTED MEETING DATES FOR 2019

The next meetings were scheduled on Tuesdays: June 18, October 1, and December 3, 2019 from 11 a.m. to 2 p.m. and will include a working lunch.

VII. ADJOURNMENT.

The commission extended its thanks and appreciation to Christian Meyer for his service as Chair since January 1, 2017.

The Chair adjourned the meeting at 1:23 p.m.

Respectfully submitted:

Deborah A. Stevens  
Recording Secretary