

Sent: Wednesday, April 27, 2022 8:38 AM

Subject: H.512 land records

Madame Chair, Committee members,

I recognize with the end of the session near, Committee time is precious. During your last hearing on H.512, you asked for actionable recommendations. This email is meant to provide some.

1. The VBA asks that you expand the study committee to include a banker, realtor and lawyer. These are practitioners who utilize the land records on behalf of property owners. Their input will be valuable to the results of the study.

We would also recommend you add a member from the House and one from the Senate. As you witnessed, there is a lot of tension between the parties. I would go as far as saying a lack of trust and confidence to achieve the objectives stated in the bill's findings. Having legislators participate would be very beneficial.

2. The VBA recommends you pass the study portion of the bill and leave the uniform laws until the 2023 session. Let the group do its work on the interim report, which would then allow the legislature to act on recommendations coming from the study.

If that approach is not acceptable, pass H.512 with the uniform language on notarial acts and electronic recording, but push out the effective date for those two items until 2024. This would again allow the group to conduct a complete study and come back with recommendations.

The VBA believes it is vital to have meaningful land record reform that addresses the inconsistencies of indexing and recording. Standards should be developed and clerks should be required to implement those standards. In our opinion, such an approach does not upend the land record system or create a conflict with the constitutional requirement.

Chris

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