ANALYSIS

This ordinance adds section 2.32.091 to Title 2 - Administration of the Los Angeles County Code relating to the imposition of new and increased fraud notifications and related fees when recording certain real estate documents for the purpose of providing notice, information, counseling or assistance to a person who receives the notice pursuant to Government Code sections 27297.6 and 27387.1.

Section 2.32.091 would require the Registrar-Recorder/County Clerk to collect an additional recording fee of $3.00 from a party recording a deed, quitclaim deed, or deed of trust. This section also adds a second new fee of $7.00 to be collected from a party recording a notice of default and notice of sale.

Section 2.32.091 will remain in effect until January 1, 2015, unless State law is amended to authorize the collection of the fees provided for in the ordinance beyond that date, in which case the ordinance will remain in effect until such later date.

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By
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VK:kp
[Requested 5/13/13]
[Revised 5/24/13]

HOA.979070.2

ORDINANCE NO. _____

An ordinance amending Title 2 – Administration of the Los Angeles County Code, relating to the imposition of new and increased fraud notification and related fees when recording certain real estate documents.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2.32.091 is hereby added to read as follows:

2.32.091 Fraud notification fee revised

A. In addition to any other recording fee, the Registrar-Recorder/County Clerk shall collect a fee of $3.00, in addition to the existing fee of $4.00 imposed by section 2.32.090 (for a total of $7.00), from a party or parties, other than a government entity, filing a deed, quitclaim deed, or deed of trust, to cover the cost of sending mailed notice to the persons executing the involved deeds and related administrative costs, as well as the actual cost to provide information, counseling, or assistance to persons who receive these notices in accordance with Government Code section 27387.1.

B. In addition to any other recording fee, the Registrar-Recorder/County Clerk shall also collect a fee of $7.00, from a party or parties, other than a government entity, filing a notice of default or a notice of sale to cover the cost of sending mailed notice to the party or parties subject to these documents, including the occupants of the involved property, and related administrative costs, as well as the actual cost to provide information, counseling, or assistance to persons who receive these notices in accordance with Government Code section 27387.1.

C. After deducting the actual mailing and administrative costs incurred by the Registrar-Recorder/County Clerk in providing the notices described in subsections A and B of this section, the Registrar-Recorder/County Clerk shall transfer any remaining portion of the fees to the Department of Consumer Affairs in order for the Department of Consumer Affairs to provide the recipients of the notices with the information, counseling, or assistance described in subsections A and B of this section.

D. This section shall remain in effect until January 1, 2015, and as of that date is repealed, unless amendments to California Government Code sections 27297.6 and 27387.1 authorize the fees contained herein to remain in effect until a later date, in which case this section shall remain in effect until such later date.

E. If any provision in this section, or any part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this section are severable.

[232090VKCC]