



RESOLUTION NO. 127-2019

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**WHEREAS**, per Government Code 27388 (a) (1) "In addition to any other recording fees specified in this code, upon the adoption of a resolution by the county board of supervisors, a fee of up to ten dollars (\$10) shall be paid at the time of recording of every real estate instrument, paper, or notice required or permitted by law to be recorded within that county, except those expressly exempted from payment of recording fees and except as provided in paragraph (2). For purposes of this section, "real estate instrument" means a deed of trust, an assignment of deed of trust, an amended deed of trust, an abstract of judgment, an affidavit, an assignment of rents, an assignment of a lease, a construction trust deed, covenants, conditions, and restrictions (CC&Rs), a declaration of homestead, an easement, a lease, a lien, a lot line adjustment, a mechanics lien, a modification for deed of trust, a notice of completion, a quitclaim deed, a subordination agreement, a release, a reconveyance, a request for notice, a notice of default, a substitution of trustee, a notice of trustee sale, a trustee's deed upon sale, or a notice of rescission of declaration of default, or any Uniform Commercial Code amendment, assignment, continuation, statement, or termination.", and;

**Whereas**, per Government Code 27388 (b) "Money placed in the Real Estate Fraud Prosecution Trust Fund shall be expended to fund programs to enhance the capacity of local police and prosecutors to deter, investigate, and prosecute real estate fraud crimes. After deduction of the actual and necessary administrative costs referred to in subdivision (a), 100 percent of the funds shall be distributed to the district attorney, subject to review pursuant to subdivision", and;

**Whereas**, the current Real Estate Fraud fee is set at \$3.00 per recorded real estate transaction, and;

**Whereas**, the District Attorney has reviewed the performance of the Real Estate Fraud Protection Trust Fund and determined a fee reduction of \$1.00 per recorded real estate transaction is justified based on the fund balance and case activity, and;

**NOW, THEREFORE, BE IT RESOLVED** that the Recorder-Clerk shall implement a Real Estate Fraud fee reduction from \$3.00 to \$2.00 effective September 1, 2019.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 6th day of August, 2019 by the following vote of said Board:

Attest:

Clerk of the Board of Supervisors

By: \_\_\_\_\_

Deputy Clerk

Ayes: Frentzen, Parlin, Novasel

Noes: None

Absent: Hidahl, Veerkamp

Chair, Board of Supervisors  
Sue Novasel