



## RESOLUTION NO. 115-2022

### 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 \$2.00 per recorded real estate transaction, and;

**Whereas**, the District Attorney has reviewed the performance of the Real Estate Fraud Prosecution Trust Fund and determined that suspension of said Real Estate Fraud fee for a period of three years is justified based on the fund balance and case activity, and;

**NOW, THEREFORE, BE IT RESOLVED** that the Recorder-Clerk shall implement the suspension of the Real Estate Fraud fee effective October 1, 2022 for a period of three years, through September 30, 2025.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 26<sup>th</sup> day of July, 2022, by the following vote of said Board:

Attest:  
Kim Dawson  
Clerk of the Board of Supervisors

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

Deputy Clerk

Ayes: Parlin, Thomas, Hidahl, Turnboo, Novasel  
Noes: None  
Absent: None

\_\_\_\_\_  
Lori Parlin

Chair, Board of Supervisors  
Lori Parlin