



RESOLUTION NO.

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, Government Code section 27388(b) provides that money placed in the Real Estate Fraud Prosecution Trust Fund shall be expended to support programs that enhance the ability of local law enforcement and prosecutors to deter, investigate, and prosecute real estate fraud crimes, and that, after deduction of actual and necessary administrative costs identified in subdivision (a), and given that all investigation of real estate fraud in the county is done by the district attorney, 100 percent of the remaining funds shall be distributed to the district attorney; and

WHEREAS, the Real Estate Fraud fee of \$2.00 per recorded real estate transaction was previously suspended effective October 1, 2022, through September 30, 2025; and

WHEREAS, this suspension was subsequently extended for an additional year, through September 30, 2026; and

WHEREAS, the Real Estate Fraud Committee has re-evaluated the performance of the Real Estate Fraud Prosecution Trust Fund and determined that continuation of the suspension of the recording fee through December 31, 2026, is justified based on the fund balance and case activity; and

WHEREAS, per the evaluation, the Real Estate Fraud Committee has further determined that reinstating the recording fee at a rate of \$2.00 per recording is necessary and appropriate, and that the fee shall resume effective January 1, 2027; and

NOW, THEREFORE, BE IT RESOLVED that the Recorder-Clerk shall continue the suspension of the Real Estate Fraud recording fee from October 1, 2026, through December 31, 2026, and shall reinstate the fee effective January 1, 2027, at a rate of \$2.00 per recording.

Resolution _____

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PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

Chair, Board of Supervisors