2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**rnelson**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**	Extra Copies:	**MPG**

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to: **melissa.schmidt@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rnelson 2/20/2013			_____ _____			
/P1	rnelson 5/7/2013	csicilia 3/11/2013	jmurphy 3/11/2013	_____ _____	srose 3/11/2013		
/1	rnelson 10/3/2013	csicilia 5/14/2013	jmurphy 5/14/2013	_____ _____	sbasford 5/14/2013		

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/2	rnelson 11/12/2013	csicilia 10/21/2013	jmurphy 10/21/2013	_____ _____	srose 10/21/2013		
/3	rnelson 11/18/2013	csicilia 11/13/2013	rschluet 11/14/2013	_____ _____	sbasford 11/14/2013		
/4	rnelson 12/9/2013	csicilia 11/20/2013	jfrantze 11/20/2013	_____ _____	lparisi 11/20/2013	mbarman 11/22/2013	
/5		csicilia 12/9/2013	rschluet 12/9/2013	_____ _____	lparisi 12/9/2013	lparisi 12/9/2013	

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**rnelson**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**	Extra Copies:	**MPG**

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to: **melissa.schmidt@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rnelson 2/20/2013			_____ _____			
/P1	rnelson 5/7/2013	csicilia 3/11/2013	jmurphy 3/11/2013	_____ _____	srose 3/11/2013		
/1	rnelson 10/3/2013	csicilia 5/14/2013	jmurphy 5/14/2013	_____ _____	sbasford 5/14/2013		

12/9 send email asking for jacket

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/2	rnelson 11/12/2013	csicilia 10/21/2013	jmurphy 10/21/2013	_____ _____	srose 10/21/2013		
/3	rnelson 11/18/2013	csicilia 11/13/2013	rschluet 11/14/2013	_____ _____	sbasford 11/14/2013		
/4		csicilia 11/20/2013	jfrantze 11/20/2013	_____ _____	lparisi 11/20/2013	mbarman 11/22/2013	

FE Sent For:

5 gis 12/9/13 **<END>**

2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**rnelson**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**	Extra Copies:	**MPG**

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to: **melissa.schmidt@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rnelson 2/20/2013			_____ _____			
/P1	rnelson 5/7/2013	csicilia 3/11/2013	jmurphy 3/11/2013	_____ _____	srose 3/11/2013		
/1	rnelson 10/3/2013	csicilia 5/14/2013	jmurphy 5/14/2013	_____ _____	sbasford 5/14/2013		

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/2	rnelson 11/12/2013	csicilia 10/21/2013	jmurphy 10/21/2013	_____ _____	srose 10/21/2013		
/3	rnelson 11/18/2013	csicilia 11/13/2013	rschluet 11/14/2013	_____ _____	sbasford 11/14/2013		
/4		csicilia 11/20/2013	jfrantze 11/20/2013	_____ _____	lparisi 11/20/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**rnelson**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**		
		Extra Copies:	**MPG**

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to: **melissa.schmidt@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rnelson 2/20/2013			_____ _____			
/P1	rnelson 5/7/2013	csicilia 3/11/2013	jmurphy 3/11/2013	_____ _____	srose 3/11/2013		
/1	rnelson 10/3/2013	csicilia 5/14/2013	jmurphy 5/14/2013	_____ _____	sbasford 5/14/2013		

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/2	rnelson 11/12/2013	csicilia 10/21/2013	jmurphy 10/21/2013	_____ _____	srose 10/21/2013		
/3		csicilia 11/13/2013	rschluet 11/14/2013	_____ _____	sbasford 11/14/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**rnelson**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**		
		Extra Copies:	**MPG**

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to: **melissa.schmidt@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rnelson 2/20/2013						
/P1	rnelson 5/7/2013	csicilia 3/11/2013	jmurphy 3/11/2013		srose 3/11/2013		
/1	rnelson 10/3/2013	csicilia 5/14/2013	jmurphy 5/14/2013	jm	sbasford 5/14/2013		

11/3/13

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/2	rnelson 10/3/2013	csicilia 10/21/2013	jmurphy 10/21/2013	_____ _____	srose 10/21/2013		

FE Sent For:

/3 gjs 12/13

<END>

2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**rnelson**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**	Extra Copies:	**MPG**

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to: **melissa.schmidt@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rnelson 2/20/2013			_____ _____			
/P1	rnelson 5/7/2013	csicilia 3/11/2013	jmurphy 3/11/2013	_____ _____	srose 3/11/2013		
/1		csicilia 5/14/2013	jmurphy 5/14/2013	_____ _____	sbasford 5/14/2013		

/2 cjs 10/21/13 jm 10/21 [illegible]

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**rnelson**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**		
		Extra Copies:	**MPG**

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to: **melissa.schmidt@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rnelson 2/20/2013						
/P1		csicilia 3/11/2013	jmurphy 3/11/2013		srose 3/11/2013		

FE Sent For:

/1 cjs 5/14 <END> 5/14 5/14
13

2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**mkunkel**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**	Extra Copies:	**MPG**

Change per RPN to RPN

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to: **melissa.schmidt@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rnelson 2/20/2013						
/P1		csicilia 3/11/2013	jmurphy 3/11/2013		srose 3/11/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received:	**1/15/2013**	Received By:	**mkunkel**
Wanted:	**As time permits**	Same as LRB:	
For:	**Gary Hebl (608) 266-7678**	By/Representing:	**Mike Murray**
May Contact:	**Melissa Schmidt, Leg. Council**	Drafter:	**mkunkel**
		Addl. Drafters:	
Subject:	**Trade Regulation - other**		
		Extra Copies:	**MPG**

Submit via email: **YES**
Requester's email: **Rep.Hebl@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Land record solicitations

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	mkunkel						

FE Sent For:

<END>

Kunkel, Mark

From: Gary, Aaron
Sent: Tuesday, January 15, 2013 12:59 PM
To: Kunkel, Mark
Cc: Mueller, Eric; Gallagher, Michael
Subject: FW: Wisconsin Land Records Letters
Attachments: Deed Solicitations.pdf

Mark, Sorry, but wouldn't this go in ch. 100 (trade reg)? It is DATCP, not DFI, and it is definitely not WCA .....

Aaron

-----Original Message-----
From: Mueller, Eric
Sent: Tuesday, January 15, 2013 12:57 PM
To: Gary, Aaron
Subject: FW: Wisconsin Land Records Letters

Eric Mueller
Attorney, Legislative Reference Bureau
Phone: (608)261-7032
eric.mueller@legis.wisconsin.gov
-----Original Message-----
From: Murray, Mike
Sent: Tuesday, January 15, 2013 10:31 AM
To: Mueller, Eric
Cc: Schmidt, Melissa
Subject: FW: Wisconsin Land Records Letters

Hi Eric,

Here is the information regarding the deed solicitation issue that I mentioned to you on the phone. I have been working on this with Melissa Schmidt at Leg Council, so you (or Aaron if this turns out to be his issue) certainly have our office's permission to check in with her for any background you may need regarding the issue.

I have attached a copy of a typical solicitation that homeowners receive in the mail in which the solicitor offers to procure a copy of the homeowner's deed for a fee well above the cost of simply getting the deed directly from the Register of Deeds. Rep. Hebl is very concerned about the format of these solicitations because they look like they derive from an official government agency, often contain something approximating a deadline, and give the appearance that action is legally required by the homeowner. Gary would like to create some consumer protections in this field and would like to model these protections based on existing Wisconsin law for unsolicited checks or money orders and other states that have directly addressed these land record solicitations.

As a reference, 2009 Wisconsin Act 150 provides the basis for some of Gary's requested changes regarding notice and disclosure requirements. The rest of his suggestions are based on laws/proposals from other states. Melissa provided links to the relevant proposals from other states in the email below.

Here is an outline in what Gary would like to see in a bill:

-Conspicuous 24-type notice that the document is a solicitation, not from a government agency, the cost of acquiring this information from the Register of Deeds, the Register of Deeds' contact information, and that no action is legally required by the recipient -Verbal follow up with any recipient who sends payment for the service that provides the information contained in the written disclosure to confirm that the recipient still wishes to purchase this service. At this point, the recipient would have the opportunity to rescind payment and cancel the service.
-Appropriate restrictions on the form, title, dates and any other information or appearance of the solicitation to prevent the document from appearing to be an official government document that imposes any legal duty on the recipient -A limit on the amount that can be charged for attaining the deed: either 4 times the amount charged by the Register of Deeds or $45, whichever is lower.
-Require solicitors to register with DATCP (or another appropriate agency) and allow the agency to suspend or revoke the license for violations of these regulations -Any solicitor must provide a copy of the solicitation to the Register of Deeds in any county in which they distribute solicitations

Please let me know if any of this is unclear or if you wish to speak further about this proposal. Thanks for your help; we really appreciate it.

Mike

Mike Murray
Office of Rep. Gary Hebl
46th Assembly District

-----Original Message-----
From: Schmidt, Melissa
Sent: Tuesday, December 18, 2012 1:12 PM
To: Murray, Mike
Subject: FW: Wisconsin Land Records Letters

Mike,

Heather Morton from NCSL just sent me a list of three states--California, Florida and New Jersey--that have had legislation addressing these property deed solicitation companies. California is the only state that enacted its legislation. The New Jersey bill made its way to the governor at the very end of its 2010 biennium, but it was pocket vetoed.

If you would like to chat about the legislation when you are back in the office, please let me know. Otherwise, I hope this gives you some food for thought on how to approach a bill draft.

Here is the information about the legislation I found:

Florida
2012 H.B. 1469
Died in committee 3/9/12
http://www.flsenate.gov/Session/Bill/2012/1469/BillText/Filed/PDF
Companion Bill S.B. 1668

Died in committee 3/9/12
http://www.flsenate.gov/Session/Bill/2012/1668/BillText/Filed/PDF
Provides limitation on the amount that a business entity may charge for furnishing certified copy of deed of conveyance of real property unless the business entity makes certain disclosures in the solicitation offering to furnish a certified copy of deed of conveyance of real property.

California
2010 A.B. 1373
Signed by governor 9/29/10, Chapter 533
http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_1351-1400/ab_1373_bill_20100929_chaptered.html
This bill makes it unlawful for any person, firm, corporation, association, or any other business entity to make any untrue or misleading statements in any manner in connection with the offering or performance of a grant deed copy service, defined as a service, offered through a mailed solicitation to a property owner, to obtain, for compensation, a copy of the property owner's grant deed or other record of title. The bill makes it unlawful to offer to perform this service without making specified disclosures.

New Jersey
2010 A.B. 3397
Pocket vetoed by governor 1/17/12
http://www.njleg.state.nj.us/2010/Bills/A3500/3397_R1.HTM
Companion bill S.B. 2459
Substituted 1/9/12
http://www.njleg.state.nj.us/2010/Bills/S2500/2459_R2.HTM
Regulates deed procurement services.

Sincerely,

Melissa Schmidt
Staff Attorney
Wisconsin Legislative Council
Ph: (608) 266-2298
Fax: (608) 266-3830

Dane County Register of Deeds
KRISTI CHLEBOWSKI
210 M L King Jr Blvd, Room 110
P O Box 1438, Madison WI 53701-1438 (608) 267-8814
www.countyofdane.com/regdeeds
chlebowski@countyofdane.com

August 13th, 2012
For Immediate Release

Area homeowners are being targeted this summer by at least two companies offering to send copies of "grant deeds" for an $86 fee. Arriving in homeowners' mailboxes as official-looking notices, and sometimes with the bogus phrase "FINAL NOTICE" printed on the envelope, these letters - while apparently not illegal - are offering a largely unnecessary and definitely over-priced service. The letters warn that homeowners need to obtain this deed in order to confirm their ownership of the property. Yet, these public records are readily available for almost no cost and homeowners should already have a copy of their deed, received from the title company they used when they purchased their home. What keeps this borderline scam legal is the fine print stating the service is not a bill and that homeowners could receive the same information from the County Recorder or register of deeds. Bottom line is, if you need a copy of a mortgage, deed or other official document, you can cheaply and easily get one through your local Wisconsin Register of Deeds office.

For additional information, please see the following article from the Wisconsin State Journal:
Local Homeowners Warned

LOCAL RECORDS OFFICE
1213 N Sherman Ave. #341
Madison, WI 53704
Phone: (800) 775-9059

THIS SERVICE TO OBTAIN A COPY OF YOUR DEED OR OTHER RECORD OF TITLE IS NOT ASSOCIATED WITH ANY GOVERNMENTAL AGENCY. YOU CAN OBTAIN A COPY OF YOUR DEED OR OTHER RECORD OF YOUR TITLE FROM THE COUNTY RECORDER IN THE COUNTY WHERE YOUR PROPERTY IS LOCATED.

include mail cost

*********LRO WUI7361203 DIGIT-23
Timothy E Giuliano
1041 Chandler Ln
Sun Prairie, WI 53590

Please Respond By:
01/08/2013

LOCAL RECORDS OFFICE - Misleading title

Local Records Office provides a copy of the only document that identifies Timothy E Giuliano as the property owner of 1041 Chandler Ln, by a recently recorded transferred title on the property.

Local Records Office provides a property profile where you can find the property address, owner's name, comparable values, and legal description or parcel identification number, property history, neighborhood demographics, public and private schools report.

Records obtained through public information show a deed was recorded in your name Timothy E Giuliano on 2012-11-07 which indicates your ownership and interest in the specified property below.

DANE COUNTY PUBLIC INFORMATION - Misleading as Dane County

Legal Property Address: ***1041 Chandler Ln, Sun Prairie WI 53590***

Purchase or Transfer Date:	2012-11-07	**Year Built:**	N/A	**Property ID:**	0911-314-7641-2
Doc Number:	4930655	**Lot Sq Ft:**	N/A	**Improvements:**	$115,500
Sale Amount	N/A	**Square Feet:**	N/A SF	**Use Code:**	1001
Assessed Value:	$133,500	**Pool:**	N/A	**2nd Owner Name:**	N/A

For a complete property profile and an additional copy the only document that identifies you as a property owner usually called deed, please detach coupon and return with an $89 processing fee in the envelope provided. You will receive your documents and report within 21 business days.

Upon receipt of your processing fee, your request will be submitted for documents preparation and reviewed. If for any reason your request for deed and property profile cannot be obtained, your processing fee will be immediately refunded.

LOCAL RECORDS OFFICE IS NOT AFFILIATED WITH THE COUNTY IN WHICH YOUR DEED IS FILED IN, NOR AFFILIATED WITH ANY GOVERNMENT AGENCIES. THIS OFFER SERVES AS A SOLICITING FOR SERVICES AND NOT TO BE INTERPRETED AS BILL DUE. THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY ANY GOVERNMENTAL AGENCY, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF GOVERNMENT. THIS IS NOT A BILL THIS IS A SOLICITATION YOU ARE UNDER NO OBLIGATION TO PAY THE AMOUNT STATED, UNLESS YOU ACCEPT THIS OFFER. LOCAL RECORDS OFFICE OPERATES IN ACCORDANCE TO WISCONSIN ADMIN CODE § ATCP 127.44.

Please detach coupon and mail with your check

CODE:WUI7361203

PROPERTY ID NO.	SERVICE FEE	PLEASE RESPOND BY:	CHECK No.
0911-314-7641-2	$ 89.00	01/08/2013	

false deadline

Timothy E Giuliano
1041 Chandler Ln
Sun Prairie, WI 53590

☐ *Please check box if your mailing address is different and print mailing address on reverse side.*

MAKE CHECK PAYABLE TO:

LOCAL RECORDS OFFICE
1213 N Sherman Ave. #341
Madison, WI 53704

Your Phone Number: (_____)_____
Please write the PROPERTY ID NO. On the lower left corner of your check.

LOCAL RECORDS OFFICE

Local Records Office provides a copy of the only document that identifies Timothy E Giuliano as the property owner of 1041 Chandler Ln, by a recently recorded transferred title on the property.

Local Records Office provides a property profile where you can find the property address, owner's name, comparable values, and legal description or parcel identification number, property history, neighborhood demographics, public and private schools report.

Records obtained through public information show a deed was recorded in your name Timothy E Giuliano on 2012-11-07 which indicates your ownership and interest in the specified property below.

DANE COUNTY PUBLIC INFORMATION

Legal Property Address: ***1041 Chandler Ln, Sun Prairie WI 53590***

Purchase or Transfer Date:	2012-11-07	**Year Built:**	N/A	**Property ID:**	0911-314-7641-2
Doc Number:	4930655	**Lot Sq Ft:**	N/A	**Improvements:**	$115,500
Sale Amount	N/A	**Square Feet:**	N/A SF	**Use Code:**	1001
Assessed Value:	$133,500	**Pool:**	N/A	**2nd Owner Name:**	N/A

For a complete property profile and an additional copy the only document that identifies you as a property owner usually called deed, please detach coupon and return with an $89 processing fee in the envelope provided. You will receive your documents and report within 21 business days.

Upon receipt of your processing fee, your request will be submitted for documents preparation and reviewed. If for any reason your request for deed and property profile cannot be obtained, your processing fee will be immediately refunded.

LOCAL RECORDS OFFICE IS NOT AFFILIATED WITH THE COUNTY IN WHICH YOUR DEED IS FILED IN, NOR AFFILIATED WITH ANY GOVERNMENT AGENCIES. THIS OFFER SERVES AS A SOLICITING FOR SERVICES AND NOT TO BE INTERPRETED AS BILL DUE. THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY ANY GOVERNMENTAL AGENCY, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF GOVERNMENT. THIS IS NOT A BILL THIS IS A SOLICITATION YOU ARE UNDER NO OBLIGATION TO PAY THE AMOUNT STATED, UNLESS YOU ACCEPT THIS OFFER. LOCAL RECORDS OFFICE OPERATES IN ACCORDANCE TO WISCONSIN ADMIN CODE § ATCP 127.44.

Please detach coupon and mail with your check

CODE:WUI7361203

PROPERTY ID NO.	SERVICE FEE	PLEASE RESPOND BY	CHECK NO.
0911-314-7641-2	$ 89.00	01/08/2013	

Timothy E Giuliano
1041 Chandler Ln
Sun Prairie, WI 53590

☐ *Please check box if your mailing address is different and print mailing address on reverse side.*

MAKE CHECK PAYABLE TO:

LOCAL RECORDS OFFICE
1213 N Sherman Ave. #341
Madison, WI 53704

Your Phone Number: (_____)_____

Please write the PROPERTY ID NO. On the lower left corner of your check.

AN ACT concerning deed solicitors and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. As used in this act:

"Deed" means a written instrument entitled to be recorded in the office of a county recording officer which purports to convey or transfer title to a freehold interest in any lands, tenements, or other realty in this State by way of grant or bargain and sale thereof from the named grantor to the named grantee. A leasehold interest for 99 years or more or a proprietary lease of a cooperative unit and any assignment of a proprietary lease of a cooperative unit, shall be treated as a "freehold" for the purpose of this act. Instruments providing for common driveways; for exchanges of easements or rights-of-way; for revocable licenses to use, to adjust, or to clear defects of or clouds on title; to provide for utility service lines such as drainage, sewerage, water, electric, telephone, or other such service lines; or to quitclaim possible outstanding interests, shall not be "deeds" for the purposes of this act.

"Deed solicitor" means any person who engages in the business of procuring copies of deeds for lands, tenements, or other realty in this State, for a fee and not in relation to the transfer or sale of such lands, tenements, or realty.

"Director" means the Director of the Division of Consumer Affairs in the Department of Law and Public Safety.

"Division" means the Division of Consumer Affairs in the Department of Law and Public Safety.

2. a. No person shall procure for a fee, or offer to procure for a fee, a copy of any deed for any lands, tenements, or other realty in this State unless registered with the Division of Consumer Affairs in accordance with the provisions of P.L. , c. (C.) (pending before the Legislature as this bill).

b. Every deed solicitor shall annually register with the director. Application for registration shall be on a form provided by the division and shall be accompanied by a reasonable fee, set by the director in an amount sufficient to defray the division's expenses incurred in administering and enforcing P.L. , c. (C.) (pending before the Legislature as this bill).

c. Every deed solicitor required to register under this act shall file an amended registration within 20 days after any change in the information required to be included thereon. No fee shall be required for the filing of an amendment.

3. Any person who advertises in print, or puts out any sign, card, or other device which would indicate to the public that he is a

deed solicitor, or who causes his name or business name to be included in a classified advertisement or directory in New Jersey under a classification for deed solicitors covered by this act, is subject to the provisions of P.L. , c. (C.) (pending before the Legislature as this bill). This section shall not be construed to apply to simple residential alphabetical listings in standard telephone directories.

4. In addition to any other procedure, condition, or information required by this act:

a. The director may refuse to issue or may suspend or revoke any registration issued by him upon proof that the applicant or holder of the registration:

(1) has obtained a registration through fraud, deception, or misrepresentation;

(2) has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise, or false pretense;

(3) has engaged in gross negligence, gross malpractice, or gross incompetence;

(4) has engaged in repeated acts of negligence, malpractice, or incompetence;

(5) has engaged in professional or occupational misconduct as may be determined by the director;

(6) has had his authority to engage in the activity regulated by the director revoked or suspended by any other state, agency, or authority for reasons consistent with this section; or

(7) has violated or failed to comply with the provisions of P.L. , c. (C.) (pending before the Legislature as this bill) or any regulation administered by the director.

b. An applicant whose registration is denied, suspended, or revoked pursuant to this section shall, upon a written request transmitted to the director within 30 calendar days of that action, be afforded an opportunity for a hearing in a manner provided for contested cases pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

c. An applicant shall have the continuing duty to provide any assistance or information requested by the director, and to cooperate in any inquiry, investigation, or hearing conducted by the director.

5. a. The director may refuse to issue or renew, and may revoke, any registration for failure to comply with, or violation of, the provisions of P.L. , c. (C.) (pending before the Legislature as this bill) or for any other good cause shown within the meaning and purpose of P.L. , c. (C.) (pending before the Legislature as this bill). A refusal or revocation shall not be made except upon reasonable notice to, and opportunity to be heard by, the applicant or registrant.

b. The director, in lieu of revoking a registration, may suspend the registration for a reasonable period of time, or assess a penalty in lieu of suspension, or both, and may issue a new registration, notwithstanding the revocation of a prior registration, if the applicant is found to have become entitled to the new registration.

6. Any deed solicitor who uses a written form of communication to solicit new clients shall:

a. Include on the written form of communication in a clear, conspicuous, and prominent manner the address and telephone number of the appropriate county clerk's office through which the recipient could obtain a copy of the deed directly, and the fee provided for in Title 22A of the New Jersey Statutes that the county clerk's office assesses for providing copies of deeds; and

b. File a copy of such written form of communication used to solicit new clients with the director and the appropriate county clerk's office at least 15 days prior to distribution.

7. It is an unlawful practice and a violation of P.L.1960, c.39 (C.56:8-1 et seq.) to violate any provision of P.L. , c. (C.) (pending before the Legislature as this bill).

8. The director, pursuant to the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall promulgate rules and regulations to effectuate the purposes of this act.

9. This act shall take effect on the first day of the 19th month following enactment, but the Director of the Division of Consumer Affairs may take such anticipatory acts in advance of that date as may be necessary for the timely implementation of this act.

STATEMENT

This bill would require deed solicitors to register with the Division of Consumer Affairs. The bill defines "deed solicitor" as any person who engages in the business of procuring copies of deeds for lands, tenements, or other realty in this State, for a fee and not in relation to the transfer or sale of such lands, tenements, or realty.

Under the bill, deed solicitors who use a written form of communication to solicit new clients would be required to include on that written communication in a clear, conspicuous, and prominent manner the address and telephone number of the appropriate county clerk's office through which the recipients could obtain a copy of the deed directly and the fee that the county clerk's office would charge for providing the consumer with a copy of the

A bill to be entitled

An act relating to certified copies of deeds of conveyance of real property; amending s. 695.19, F.S.; providing a limitation on the amount that a business entity may charge for furnishing a certified copy of a deed of conveyance of real property unless the business entity makes certain disclosures in a solicitation offering to furnish a certified copy of a deed of conveyance of real property; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 695.19, Florida Statutes, is amended to read:

695.19 Certified copies of recorded instruments may be recorded.—

(1) Certified copies of deeds, mortgages, powers of attorney, and all other instruments of any kind which have been or may hereafter be duly recorded or filed among the public records of any county in this state may be recorded or rerecorded among the public records of any other county in this state as fully and in the same manner and with like effect as if such certified copy were the original instrument.

(2) Any business entity that furnishes a certified copy of a deed of conveyance of real property to a grantor or grantee named in the deed:

(a) May charge no more than 4 times the actual amount

CODING: Words stricken are deletions; words underlined are additions.

charged by the clerk of court for issuance of the certified copy or $12 more than the actual amount charged by the clerk of court, whichever is greater; or

(b) Must disclose in any solicitation offering to furnish a certified copy of a deed of conveyance of real property the actual amount that the clerk of court charges for issuing a certified copy, the actual amount that the business charges for furnishing a certified copy, and the website address and telephone number that may be used by an individual to order a certified copy of a deed of conveyance directly from the clerk of court.

Section 2. This act shall take effect July 1, 2012.

CODING: Words stricken are deletions; words underlined are additions.

State of Wisconsin
2013 – 2014 LEGISLATURE

LRB-1184/P1
RPN:

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** solicitation of fee for a deed of conveyance of real property, granting rule-making authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 100.313 of the statutes is created to read:

100.313 Solicitation of a fee for providing a deed. **(1)** In this section, "deed" means a written document evidencing transfer of ownership of real property.

(2) (a) No person may solicit a fee for providing a copy of any deed until the person has registered with the department, obtained a registration number from the department, and paid an initial registration fee and any annual registration renewal fee established by the department. The registration fees established by the

department shall be sufficient to defray the department's expenses in administering this section.

(3) A person soliciting a fee for providing a copy of a deed shall state on the top of the form used for the solicitation, in at least 24–point type, all of the following:

(a) That the solicitation is not from a governmental agency.

(b) That no action is legally required by the person being solicited.

(c) The cost of obtaining a copy of the deed from the office of the register of deeds.

(d) The contact information for the office of the register of deeds.

(e) The department's registration number issued to the solicitor, identified as such, and the contact information of the department.

(4) The written document used for a solicitation under this section may not be in a form or use deadline dates or other language that makes the document appear to be a document issued by a governmental agency or that appears to impose a legal duty of the person being solicited. The department may promulgate rules specifying the contents and form of the written solicitation document.

(5) A person soliciting a fee for providing a copy of a deed may not charge a fee of more that 4 times the amount charged by the office of the register of deeds for a copy of the same deed, or $45, whichever is lower.

(6) A person soliciting a fee from potential clients for providing a copy of a deed shall furnish the office of the register of deeds of the counties where the solicitations are to be distributed with a copy of the written document that will be used for those solicitations not less than 15 days before distributing the solicitations.

(7) The department shall investigate violations of this section. The department may suspend or revoke the registration of any person who violates this section. The department may bring an action against any person who violates this section to

document distributed

recover a forfeiture of not more than $100 for each solicitation sent in violation of this section.

(8) This section does not apply to the office of the register of deeds.

(END)

Nelson, Robert

From: Murray, Mike
Sent: Monday, May 06, 2013 1:11 PM
To: Nelson, Robert
Subject: LRB-1184/P1 revisions

Hi Bob,

DOJ provided Rep. Hebl with a couple of suggestions regarding LRB 1184/p1. They are listed in the email below. Would you mind incorporating these suggestions into a final draft of the bill? Thanks very much,

Mike

Mike Murray
Office of Rep. Gary Hebl
46th Assembly District

From: Rinehart, Mark W. [mailto:RinehartMW@DOJ.STATE.WI.US]
Sent: Friday, April 19, 2013 3:38 PM
To: Murray, Mike
Subject: RE: deed solicitation bill

Hello Mike,

I just received some first impressions on your proposal from one of our attorneys.

First, the bill could be read to sweep in the provision of deeds as an incidental part of professional services (e.g. an attorney, title company, etc.). I think this could be addressed either by defining "solicit" to mean advertising or marketing to consumers with whom the seller has no preexisting business relationship—or alternatively by explicitly excepting incidental transactions (as an addition to (8)).

Second, the remedies could be expanded to include refund of all monies paid by consumers pursuant to non-complying solicitations.

Hope this helps.