Chapter Adm 70

ELECTRONIC RECORDING OF DOCUMENTS IN WISCONSIN COUNTY REGISTER OF DEEDS OFFICES

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Adm 70.01 Purpose. The purpose of this chapter is to establish uniform recording standards and practices, provide for integrity and security of transmissions and promote efficiencies and improved service for electronic recording of documents in Wisconsin county register of deeds offices.

History: CR 08−084: cr. Register July 2009 No. 643, eff. 8−1−09.

Adm 70.02 Definitions. In this chapter:

(1) "Council" means Wisconsin electronic recording council.

(2) "Department" means the Wisconsin department of administration.

(3) "PRIA" means the property records industry association.

(4) "Trusted submitter" means a party that has a trusted submitter agreement accepted by and on file with the council in order to record documents electronically with a register of deeds.

(5) "Trusted submitter agreement" means the agreement to be signed by any party who wishes to become a trusted submitter.

(6) "UETA" or "uniform electronic transaction act" has the meaning specified in ch. 137, Stats.

(7) "URPERA" or "uniform real property electronic recording act" has the meaning specified in s. 706.25, Stats.

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Adm 70.03 Standards. A trusted submitter shall submit an electronic recording file to a county register of deeds in a manner that is consistent with state statutes and the technical standards contained in *Document 2.4.1* dated October 2007 and the *XML Implementation Guide* dated April 2007 both developed by PRIA. The council shall annually review these standards and guidelines and propose, to the department, necessary amendments to the standards and guidelines adopted in this section.

Note: Copies of the PRIA technical standards and guidelines imported by reference in s. Adm 70.03 and business requirements imported by reference in s. Adm 70.04 may be obtained from PRIA at:

Property Records Industry Association
2501 Aerial Center Parkway, Ste. 103
Morrisville, NC 27560
Telephone: 919.459.2081
FAX: 919.459.2075
Website: http://www.pria.us/

Locally copies may be obtained from the legislative reference bureau or from the council at the mailing address and website shown in s. Adm 70.04.

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Adm 70.04 Business requirements and guidelines. In addition to council developed business requirements, a trusted submitter shall comply with the requirements contained in *Business Requirements Document for Recording Electronic Document Formatted Recordable Instruments*, dated March 2008, developed by PRIA and the mortgage industry standards maintenance organization. The council annually shall review the business requirements and propose, to the department, necessary amendments to the requirements adopted in this section.

Note: Copies of the current standards and guidelines for submission of electronic documents as in s. Adm 70.03, business requirements as in s. Adm 70.04 and materials for trusted submitter agreements as in s. Adm 70.05 may be obtained from the legislative reference bureau or the council at the following address:

Electronic Recording Council of Wisconsin
c/o Wisconsin Department of Administration Secretary's Office
101 East Wilson Street, 10th Fl.
Madison, WI 53707
Telephone: (608) 266−5030
Website: www.ercwis.wi.gov

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Adm 70.05 Trusted submitter agreement. Every document submitter shall complete and sign a trusted submitter agreement application as approved by the council. Upon notice of acceptance of the trusted submitter agreement by the council, the trusted submitter shall be authorized to record documents electronically.

Note: A trusted submitter agreement application can be obtained from the council at mailing address and website listed in s. Adm 70.04.

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Adm 70.06 Legal description. Electronic documents submitted for recording shall contain a valid legal description of the real property as defined in s. 706.01 (7r), Stats.

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Adm 70.07 Notarization of documents. An electronic document shall be notarized under standards adopted in ch. 137, Stats. The notary's commission date shall be contained on the document or the document shall be authenticated as required in s. 706.06, Stats.

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Adm 70.08 Return and rejection of documents. The submitter of a recorded electronic document is the party entitled to the return of the document. Electronic documents that are recorded may be returned immediately. A document may be rejected if the party identified in the document image differs substantially from the party identified in the related index submitted.

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Adm 70.09 Method of payment. Each county shall permit payment of fees by electronic means.

History: CR 08−084: cr. Register July 2009 No. 643, eff. 8−1−09.

Adm 70.10 Business rules. The register of deeds may post business rules to assist customers submitting documents electronically.

History: CR 08−084: cr. Register July 2009 No. 643, eff. 8−1−09.