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HOUSE BILL NO. 2307

Offered January 12, 2017

A BILL to amend and reenact § 17.1-227.1 of the Code of Virginia, relating to cover sheet for deed; property subject to the Property Owners' Association Act.

 Patron—Bulova

 Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 17.1-227.1 of the Code of Virginia is amended and reenacted as follows:****§ 17.1-227.1. Use of cover sheets on deeds or other instruments by circuit court clerks.**

A. Circuit court clerks may require that any deed or other instrument conveying or relating to an interest in real property be submitted for recordation with a cover sheet detailing the information contained in the deed or other instrument necessary for the clerk to properly index such instrument. The cover sheet shall be developed in conjunction with the Office of the Executive Secretary of the Supreme Court of Virginia and shall include the following information: (i) the name of each party to be indexed as grantor and the name of each party to be indexed as grantee and, in the case of any individual grantor or grantee, the surname of each individual identified as such; (ii) in the case of a deed or other instrument described in § 58.1-801 or 58.1-807, the amount of the consideration and the actual value of the property conveyed; (iii) the Virginia or federal law under which any exemption from recordation taxes is claimed; (iv) if required under § 17.1-252, the tax map reference number or numbers, or the parcel identification number (PIN) or numbers, of the affected parcel or parcels; ~~and~~ (v) the name and current address of the person to whom the instrument should be returned after recordation; *and (vi) if the instrument to be recorded is a declaration creating a development that is subject to the Property Owners' Association Act (§ 55-508 et seq.), an acknowledgment of the review and consideration of best practices for the contents of declarations published by the Common Interest Community Board pursuant to subdivision A 8 of § 54.1-2349.*

B. In any clerk's office that does not require a cover sheet, the attorney or other party presenting a deed or other instrument conveying or relating to an interest in real property may submit a cover sheet with such deed or other instrument containing all of the information required under subsection A, and in such case the deed or other instrument need not contain the information otherwise required to be included under subsection A of § 17.1-223, except that each page thereof shall be numbered consecutively as provided in subsection A of § 17.1-223.

C. The attorney or other party who prepares the cover sheet submitted with any deed or other instrument conveying or relating to an interest in real property for recordation has the responsibility for ensuring the accuracy of the information contained in the cover sheet, and the clerk may rely on the information provided therein.

The cover sheet may be recorded with the deed or other instrument with which it is submitted, but it shall not be included as a page for determining the amount of any applicable filing fees pursuant to subdivision A 2 of § 17.1-275 except in the case of a cover sheet submitted pursuant to subsection B. The cover sheet shall be provided only for information purposes to facilitate the recordation of the deed or other instrument with which it is submitted. The cover sheet shall not be construed to convey title to any interest in real property, purport to be a document in the chain of title conveying any interest in real property, or be considered a part of, or affect the interpretation of, the deed or other instrument with which it is submitted, regardless of whether the clerk records the cover sheet with such instrument.

INTRODUCED

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