

# Kings County Assessor/Clerk/Recorders Office

## Issues With The Recording of Documents

### February 2024

## Summary

It was brought to the attention of the Kings County Civil Grand Jury (Grand Jury) that legal documents submitted for recording with the Kings County Assessor/Clerk/Recorders office by employees of departments in the County of Kings and the cities of Avenal, Corcoran, Hanford, and Lemoore, as well as land developers are being rejected on a regular basis. It was also brought to the Grand Jury's attention that a document presented for recording one day is rejected but the same document presented (with no changes made to the document) on another day is accepted. This requires multiple trips to the Assessor/Clerk/Recorders Office to correct the problem and is a waste of money in terms of employees' time and travel. Departments in Kings County and in the cities of Avenal, Corcoran, Hanford, and Lemoore, do not have examples of the acceptable format of documents that pertain to their departments or the requirements in writing for the recording of legal documents that they submit on a regular basis.

## Background

"The Grand Jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county" Cal. Pen. Code § 925.

"Every grand jury may investigate and report upon the needs of all county officers in the county, including the abolition or creation of offices and the equipment for, or the method or system of performing the duties of, the several offices" Cal. Pen. Code § 928.

County Assessor/Clerk/Recorder Departments deal with multiple legal documents, forms, and rules, etc. In Kings County, the following concerns have been noted and shared with the Grand Jury by persons associated with Kings County departments, and the cities of Avenal, Corcoran, Hanford, and Lemoore:

- 1) There seems to be no standardization of format requirements, what information is required, use and placement of staples, location of signatures, spacing for the assessor's stamp, name/titles, page numbers or other documents that must be attached.
- 2) Standard forms used for recording environmental documents, provided by the State of California, are often rejected with a request to modify those forms.
- 3) A document presented one day is rejected but taken a second time (with no changes being made to said document) is then accepted.

- 4) Costs associated with filing documents, requirements, recording and filing fees seem to change frequently.
- 5) Some information is difficult to obtain such as parcel ownership data, parcel mailing address for public notices, etc.
- 6) County departments and others are not able to find online examples of documents, what the documents should look like and what the requirements are to record them. Example: Notice of Completion or Notice of Exemption.

A more detailed explanation of requirements, examples of documents online, and a hardcopy manual with forms (specific to each department) would benefit both the entities that record documents and the Assessor's Office by saving time, effort, and money in repeated recording attempts.

Documents are usually rejected because they are in the wrong format (a stamp or signature is in the wrong place, etc.) or they need to be notarized or require an affidavit.

It was shared with the Grand Jury that the staff at the counter in the Kings County Assessor/Clerk/Recorders office are very courteous and try to be helpful but are not allowed by law to provide specific directions.

The Kings County Assessor/Clerk/Recorders office uses a manual entitled "Recorders' Document Reference and Indexing Manual" (DRIM) for reference and training of its staff. This manual is much too large for every county and city department to have a copy. Departments should use parts of the DRIM to develop their own in-house working manual. It should contain examples of documents that the department uses on a regular basis and the requirements associated with recording those documents.

## Methodology

Numerous people associated with Kings County and the cities of Avenal, Corcoran, Hanford, and Lemoore were interviewed.

Research was done on the internet.

Several examples of websites that include sample documents are as follows:

San Francisco Assessors Office

[www.sfassessor.org/recorder-information/recording-document](http://www.sfassessor.org/recorder-information/recording-document)

Sacramento Assessors Office

<https://ccr.sacramento.gov/documentrecording/pages/rulesforrecordedddocuments.aspx>

Government Code § 27320 Article 4 Recording 2007

<https://law.justia.com/codes/california/2007/gov/27320-27337.html>

Kings County Assessor/Clerk/Recorder <https://www.countyofkings.com/departments/general-services/assessor-clerk-recorder/clerk-recorder>

## Discussion

California Law establishes what documents may be filed with a County's Assessor/Clerk/Recorder. Government Code § 27320 Article 4 Recording 2007 (sections 27320-27337).

In Kings County the Assessor/Clerk/Recorder has the duty to record real property documents and is the custodian of all non-judicial public records. Their responsibilities also include the issuance and registration of the following:

- 1) Marriage Licenses.
- 2) Birth, death and marriage certificates.
- 3) Fictitious Business Names.
- 4) Photocopier and Unlawful Detainer Licenses.
- 5) Notary Bond Filings and Oaths.
- 6) Licensing of Process Servers.
- 7) Legal Document Assistants.

Once a document is recorded it becomes a public record. The public has the ability to search for Birth, Death, Marriage, Real Estate and Fictitious Business names for free in Kings County. The Assessor/Clerk/Recorder also provides applications for Fictitious Business names and marriage licenses online. The Assessor/Clerk/Recorder is also the local commissioner of Civil Marriages by appointment.

The following information and forms were found on the Kings County Assessor's website:

---

### **Assessor Forms - Standard Forms for the Assessor's Office**

Welcome to the online forms section of the Kings County Assessor's website containing blank forms for printing. A brief description of each form may be found below. The forms are in an Adobe Acrobat format. If you do not have Adobe Acrobat, you may download the free application by clicking here: [Download Adobe Acrobat Reader](#).

All Forms submitted must be originals with original signatures. If you have questions, wish additional information, or need forms that are not listed below please call the office at (559) 852-2486.

**PROPOSITION 19 INFORMATION:** Forms impacted by the passage of Prop. 19, including those for Parent to Child, Grandparent to Grandchild, Base Year Transfers, and Base Year Transfers due to Natural Disasters, can be found on our [Proposition 19 Information page](#).

Note: Some forms are interactive, this allows you to either complete the form on the web then print the completed form, or just print the blank form and complete it later. Interactive forms are designated with an (I) for interactive, (PI) for partially Interactive. If not designated the form is not interactive.

- [Change of Address Request \(I\)](#)
- [BOE 571-L: Business Property Statement \(PI\)](#)
- [BOE 571-F: Agricultural Property Statement \(PI\)](#)
- [Supplemental Form for Moved, Sold, or Closed Businesses \(I\)](#)
- [Supplemental form for Moved or Sold Aircraft or Vessels](#)
- [BOE 571-LA: Alternate Schedule A for Banks, Insurance Co., or Financial Corporation Fixtures \(PI\)](#)
- [BOE 571-R: Apartment House Property Statement \(PI\)](#)
- [BOE 571-D: Supplemental Schedule for Reporting Monthly Acquisitions and Disposals of Property Reported on Schedule B of the Business Property Statement \(I\)](#)
- [BOE 100-B: Statement for Change in Control and Ownership of Legal Entities](#)
- [BOE 266: Claim For Homeowners Property Tax Exemption \(I\)](#)
- [Disaster Relief Claim Form \(I\)](#)
- [BOE 502-A: Preliminary Change of Ownership Form \(PI\)](#)
- [BOE 502-D: Change in Ownership Statement Death of Real Property Owner](#)
- [BOE 68: Claim for Base Year Value Transfer - Acquisition by Public Entity \(I\)](#)
- [Claim For New Construction Exclusion From Supplemental Assessment \(I\)](#)
- [BOE 64-SES: Initial Purchaser Claim for Solar Energy System New Construction Exclusion \(I\)](#)

**For any additional BOE forms (*over 110*) please follow the following**

**link:** <https://www.capropeforms.org/counties/kings> (These are all general public documents).

---

All the documents listed above are geared toward residents and the general public. There are no forms or examples of documents online in Kings County that are used daily by county departments and cities. There are no printed examples or explanations to show what examiners look for. For instance, there is no example of Notice of Completion or Notice of Exemption.

There have been instances where a document is submitted and rejected but the same document when resubmitted another day (with no changes being made to said document) and it is accepted. This information was shared with the Grand Jury by multiple people associated with County and City departments.

During online research the Grand Jury found that two useful examples of an online presence are The Sacramento County Assessor's Office and the San Francisco Assessor's Office. The online presence of the Sacramento County Assessor's Office can be found at:

<https://ccr.sacramento.gov/documentrecording/pages/rulesforrecordedddocuments.aspx>.

The San Francisco Assessor's Office may be found at: [www.sfassessor.org/recorder-information/recording-document](http://www.sfassessor.org/recorder-information/recording-document) and is shown as follows.

Both websites are good examples of what other counties have available online.

The San Francisco Assessor's Office shows as follows:

---

### **Assessor's Parcel Number (APN) and Situs**

In accordance with [San Francisco Business & Tax Regulations Code, Article 12-C, Section 1102.1](#), **valid Assessor's Parcel Number(s) (APN) are required on the face of every document pertaining to real property that is submitted for recordation in San Francisco.**

The current Assessor's parcel number, or numbers, and the commonly known situs (street name and number) of the real property described therein are required, *on the face of the 1<sup>st</sup> page of the document*. If these elements are missing, the document will not be recorded.

#### **1) Recording Jurisdiction**

Instruments entitled to be recorded must be recorded in the county in which the real property affected is located ([Civil Code 1169](#)).

#### **2) Form Standardization**

Document must contain black or blue ink on white paper. All pages must be 8 ½" by 11". There is a surcharge of \$3 *per page for every page* of a document in which any portion of the document is not 8 ½" by 11". Any page over 8 ½" by 14" will not be accepted for recording. ([Gov. Code 27361.5](#)).

#### **3) Requesting Party and Return Address**

The left-hand 3 ½" of the top 2 ½" of the first page shall be used for the name of person requesting recordation and the name and mailing address where the document should be mailed after recording ([Gov. Code 27361.6](#)).

#### **4) Reservation of Space**

Document must have at least a ½" margin on the two vertical sides; the right-hand 5" of the top 2 ½" shall be reserved for the recorder label. In the event the first page of the document does not contain sufficient space, a separate page shall be attached by the requesting party to the front of the document. This separate page is now considered the first page of the document ([Gov. Code 27361.6](#)).

#### **5) Legibility/Photographability**

Document must be legible and capable of producing a readable photographic record. Whenever a document, or portion of a document, is not sufficiently legible to produce a readable photographic record, a legible copy may be attached and shall be certified by the party creating the copy to be a true copy of the original. Legible copy also pertains to notary seals, certificates and other appendages thereto ([Gov. Code 27361.7](#)).

#### **6) Document Titles**

All document titles must be identified *on the first page*, immediately below the space reserved for the recorder label ([Gov. Code 27324](#)).

#### **7) Exhibits**

Exhibits must be clearly marked as such and submitted with the respective document ([Gov. Code 27361.1](#)).

**8) Signatures**

Document must contain original signatures OR be a certified copy of the original; certified copies must be unaltered ([Gov. Code 27201\(b\)](#)).

**9) Legible Names of Party(ies) to be Indexed**

Names of party(ies) to be indexed must be legibly printed or typed near all signatures and be consistent throughout the entire document ([Gov. Code 27280.5](#)).

**10) Modifying or Releasing Interest**

Any document which modifies or releases a previously recorded document shall state the names of all parties affected and being released, the county of recordation, the document number (or book and page), and the date of the recordation of the document being modified or released ([Gov. Code 27361.6](#)).

**11) Other**

Depending on the type of document, additional requirements apply.

**Reminder:** Although we would like to give you as much information as possible, under California law, our document examiners are PROHIBITED from providing legal advice or assisting in document preparation. ([Section 6125 of the Business and Professions Code](#)).

The Kings County Assessor/Clerk/Recorders Office only lists online the following minimum requirements for recordable documents:

- 8 ½” by 11” paper, 16-pound bond or heavier (there is a \$3.00 additional charge for every page that is larger than 8 ½” x 11” (8 ½” x 14” is the largest size document allowed)).
- The top right-hand side of the document must have a 2 ½” x 5” space reserved for Recorders Use Only.
- The top left-hand side of the document must have a 2 ½” x 3 ½” space reserved for a return address.
- The document must have ½” margins on all pages.
- Must have a tax statement mailing address at the bottom of the first page.
- The title of the document must appear on the first page immediately below the spaces reserved for the return address and the Recorder.

Documents that do not meet this minimum requirement may not be recordable or may require additional fees.

---

The Kings County Assessor/Clerk/Recorders office uses a manual entitled “Recorders’ Document Reference and Indexing Manual” (DRIM) for reference and training of staff. This 356-page manual (16 pages are a glossary) is an official publication of the County Recorders’ Association of California - 2023. The manual is updated every December and is expensive to obtain. It contains:

- 1) Document requirements.
- 2) Uniform recording rules.
- 3) Documentary transfer tax (recording fees) requirements,

- 4) Senate Bills (SB2-Housing Fee) and Assembly Bill (AB110 amendments) that cover Housing Fees and recording fees. Government code § 27388.1 Section 11911 of the Revenue and Taxation Code.
- 5) Samples of Cover Page.
- 6) Refund Request.
- 7) Legal Opinions.
- 8) Rules of Indexing.
- 9) 340+ pages of sample documents.

## Findings

F1. The Kings County Assessor/Clerk/Recorders Office online presence lacks examples of documents used by County and City departments, and the requirements to record those legal documents are not available.

F2. County departments in Kings County and cities in Kings County do not have a physical in-house manual of examples and requirements showing how to record legal documents specific to their particular department.

F3. Communication between the Kings County Assessor/Clerk/Recorders Office, County departments, and the departments of the four incorporated cities in Kings County could be improved as to the recording of documents because the requirements seemingly change frequently.

F4. Documents presented for recording are treated inconsistently.

## Recommendations

R1. Include on the Kings County Assessor/Clerk/Recorders Office website, templates and examples of documents frequently used by City and County departments and the requirements that need to be met to record those legal documents.

R2. Each department should produce its own manual of commonly used documents, templates, examples of those documents, what information is required, and how it should be presented to be acceptable for recording in the Kings County Assessor/Clerk/Recorders Office.

R3. An emphasis should be placed on the importance of frequent communication by both County of Kings departments, City departments, and the Assessor/Clerk/Recorders Office.

R4. The Kings County Assessor/Clerk/Recorders Office should conduct more frequent training of personnel to provide consistent, uniform information and service to County and City departments in Kings County.

## REQUIRED RESPONSE

Pursuant to Penal Code Section § 914.1 provided in part: “No later than *60* days after the Grand Jury Submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county officer or agency head for which the Grand Jury had responsibility...” pursuant to Section § 914.1 shall comment within 60 days to the presiding judge of the superior court...”

Kings County Assessor/Clerk/Recorder  
1400 W. Lacey Blvd.  
Hanford, CA 93230

Pursuant to Penal Code Section § 933 (c), provided in part: “No later than *90* days after the Grand Jury Submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county officer or agency head for which the Grand Jury had responsibility pursuant to Section § 914.1 shall comment within 90 days to the presiding judge of the superior court...”

Kings County Board of Supervisors  
1400 West Lacey Boulevard  
Hanford, CA 93230

**Respond with Original to:**

Judge Jennifer Giuliani, Presiding Judge  
Kings County Superior Court  
1640 Kings Court Drive  
Hanford, CA 93230

**Respond with Copy to:**

Kings County Civil Grand Jury  
P O Box #1562  
Hanford, CA 93230