

December 19, 2008

Michael Allen  
Clerk, Board of Supervisors  
County of Santa Barbara  
105 E. Anapamu Street  
Santa Barbara, California 9310

#3

Re: Leg. File ID 08-01109  
Recorder's Fee Increases

Dear Mr. Allen:

Enclosed please find copies of letters sent to the Supervisors.

Please make them a part of the record in the above.

We are opposed to the fee increase.

Thank you for your cooperation.

Sincerely,

CALIFORNIA PUBLIC RECORDS  
RESEARCH, INC.

By: 

DONALD W. RICKETTS  
General Counsel

DWR:dar  
Encls.

December 19, 2008

COPY

Supervisor Salud Carbajal  
County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara, California 93101  
Facsimile: (805) 568-2534

*Via Facsimile & First-Class Mail*

Re: Leg. File ID 08-01109  
Recorder's Fee Increases

Dear Supervisor Carbajal:

Our understanding is that, on December 16, the Board placed the above on the agenda for the January 13 Board meeting. We are opposed to a fee increase for paper copies of recorded real estate documents. We ask that the matter be continued until the Recorder has submitted justification for the proposal sufficiently in advance of the hearing so that the Board and the public will have time to consider and respond to it. Mr. Holland's undated memo to the Board advises that studies justifying the proposal have been conducted but will not be presented to the Board until the date of the hearing. That does not allow sufficient time for a reasoned response and due consideration by the Board.

On October 22 we sent a Public Records Act request to Mr. Holland seeking, *inter alia*, all studies conducted regarding copying fees. We received a response on December 18. It did not include the studies referred to in Mr. Holland's memo nor material regarding earlier studies. We have asked the Recorder to reconsider so that an action under the Act to compel production will not be necessary.

Public Records Act requests similar to those sent to Mr. Holland were sent to all of California's 58 recorders and almost all of the Recorders have now responded. The results will be published in late January. It is clear that the fees for paper copies (purchased, typically, by individuals and small businesses) exceed statutorily authorized limits. It is equally clear that they are greatly disproportionate to the fees charged for copies in digital and film formats (purchased, typically, by title and other real-estate-related companies). The Recorder's recoupable costs for producing copies of recorded real estate documents are not fairly distributed between its two classes of customers. Individual consumers subsidize the institutional customers.

Santa Barbara Supervisors  
Re: Leg. File ID 08-01109  
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December 19, 2008  
Page Two

We would like to have the opportunity to more fully explain our position and contentions. We ask that the hearing scheduled for hearing on January 13 be continued to January 27, the date, we understand, which was set for the second reading on the matter.

Thank you for your consideration.

Sincerely,

CALIFORNIA PUBLIC RECORDS  
RESEARCH, INC.

By: \_\_\_\_\_

DONALD W. RICKETTS  
General Counsel

DWR:dar

cc: Michael Allen  
Clerk of the Board  
(for inclusion in the record/"agenda packet")

Celeste Andersen  
Deputy County Counsel

MaryRose Bryson  
Clerk-Recorder Division Manager

A. Clifton Hodges, Esq.

December 19, 2008

COPY

Supervisor Brooks Firestone  
County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara, California 93101  
Facsimile: (805) 568-2534

Via Facsimile & First-Class Mail

Re: Leg. File ID 08-01109  
Recorder's Fee Increases

Dear Supervisor Firestone:

Our understanding is that, on December 16, the Board placed the above on the agenda for the January 13 Board meeting. We are opposed to a fee increase for paper copies of recorded real estate documents. We ask that the matter be continued until the Recorder has submitted justification for the proposal sufficiently in advance of the hearing so that the Board and the public will have time to consider and respond to it. Mr. Holland's undated memo to the Board advises that studies justifying the proposal have been conducted but will not be presented to the Board until the date of the hearing. That does not allow sufficient time for a reasoned response and due consideration by the Board.

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Santa Barbara Supervisors  
Re: Leg. File ID 08-01109  
Recorder's Fee Increases  
December 19, 2008  
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(for inclusion in the record/"agenda packet")

Celeste Andersen  
Deputy County Counsel

MaryRose Bryson  
Clerk-Recorder Division Manager

A. Clifton Hodges, Esq.

December 19, 2008

Supervisor Joseph Centeno  
County of Santa Barbara  
511 East Lakeside Parkway  
Santa Maria, California 93454  
Facsimile: (805) 346-8404

COPY

Re: Leg. File ID 08-01109  
Recorder's Fee Increases

Dear Supervisor Centeno:

Our understanding is that, on December 16, the Board placed the above on the agenda for the January 13 Board meeting. We are opposed to a fee increase for paper copies of recorded real estate documents. We ask that the matter be continued until the Recorder has submitted justification for the proposal sufficiently in advance of the hearing so that the Board and the public will have time to consider and respond to it. Mr. Holland's undated memo to the Board advises that studies justifying the proposal have been conducted but will not be presented to the Board until the date of the hearing. That does not allow sufficient time for a reasoned response and due consideration by the Board.

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Santa Barbara Supervisors  
Re: Leg. File ID 08-01109  
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(for inclusion in the record/"agenda packet")

Celeste Andersen  
Deputy County Counsel

MaryRose Bryson  
Clerk-Recorder Division Manager

A. Clifton Hodges, Esq.

December 19, 2008

Supervisor Joni Gray  
County of Santa Barbara  
401 East Cypress Avenue  
Lompoc, California 93436

COPY

Re: Leg. File ID 08-01109  
Recorder's Fee Increases

Dear Supervisor Gray:

Our understanding is that, on December 16, the Board placed the above on the agenda for the January 13 Board meeting. We are opposed to a fee increase for paper copies of recorded real estate documents. We ask that the matter be continued until the Recorder has submitted justification for the proposal sufficiently in advance of the hearing so that the Board and the public will have time to consider and respond to it. Mr. Holland's undated memo to the Board advises that studies justifying the proposal have been conducted but will not be presented to the Board until the date of the hearing. That does not allow sufficient time for a reasoned response and due consideration by the Board.

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Santa Barbara Supervisors  
Re: Leg. File ID 08-01109  
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Deputy County Counsel

MaryRose Bryson  
Clerk-Recorder Division Manager

A. Clifton Hodges, Esq.

December 19, 2008

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Supervisor Janet Wolf  
County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara, California 93101  
Facsimile: (805) 568-2534

Via Facsimile & First-Class Mail

Re: Leg. File ID 08-01109  
Recorder's Fee Increases

Dear Supervisor Wolf:

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