


2020 Annual Report

WESTCHESTER COUNTY CLERK



Timothy C. Idoni
Westchester County Clerk



WESTCHESTER COUNTY CLERK

Timothy C. Idoni
County Clerk

January 28, 2021

Honorable George Latimer
County Executive
148 Martine Avenue
White Plains, New York 10601

Honorable Members of the
Westchester County Legislature
148 Martine Avenue
White Plains, New York 10601

Honorable Colleagues:

I hereby submit the Annual Report of the Westchester County Clerk for the fiscal year 2020. The duties of the County Clerk are mandated by the New York State Constitution and by federal, state and local law. These duties are carried out by dedicated staff who work diligently to serve the public.

Each service provided by the County Clerk's office impacts the lives of residents and businesses throughout the county and the nation. Each deed, mortgage, court record, judgment, business certification or incorporation and pistol license is filed and recorded in the Office of the Westchester County Clerk.

The Office of the Westchester County Clerk collected \$225,340,988.31 in revenue in 2020, of which \$29,879,288.65 was turned over to the county. The expenditures for the County Clerk's office in 2020, totaling \$6,379,740.20, are more than offset by the \$9,107,035.05 in departmental fees collected.

Our office collects fees on behalf of numerous federal and state agencies, and paid out the following 2020 revenue:

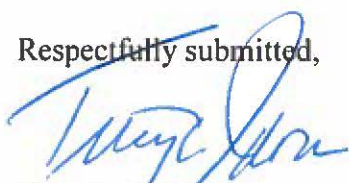
- \$72,669,919.55 to the New York State Department of Taxation and Finance for transfer tax
- \$46,619,319.65 to the Metropolitan Transit Authority for mortgage tax
- \$4,607,168.00 to the Unified Court System for court filing fees
- \$2,690,773.29 to the State of New York Mortgage Agency for mortgage tax
- \$1,868,965.00 to the New York State Office of Real Property Tax Services
- \$1,374,369.75 to the New York State Cultural Education Fund
- \$458,132.75 to the New York State Records Management Improvement Fund
- \$74,720.00 to the New York Department of State for Notary Public renewals

In 2020, the Office of the Westchester County Clerk saw continuing growth in the electronic submission of records throughout the office. By the end of the year, over eighty-three percent of land records such as deeds and mortgages were being submitted to the office electronically as part of a voluntary e-Recording initiative. In addition, over eighty-six percent of civil cases were commenced electronically, whether pursuant to state mandate or voluntarily.

As we enter the new year, my goals for the Office of the Westchester County Clerk continue to include service through technology, increasing productivity through professional management and a customer friendly environment for those who need to visit our office, and facilitating commerce throughout the county through cooperation and effectiveness. We will continue to face the financial challenges all local governments face head on and remain committed to improving our services while reducing costs to our residents.

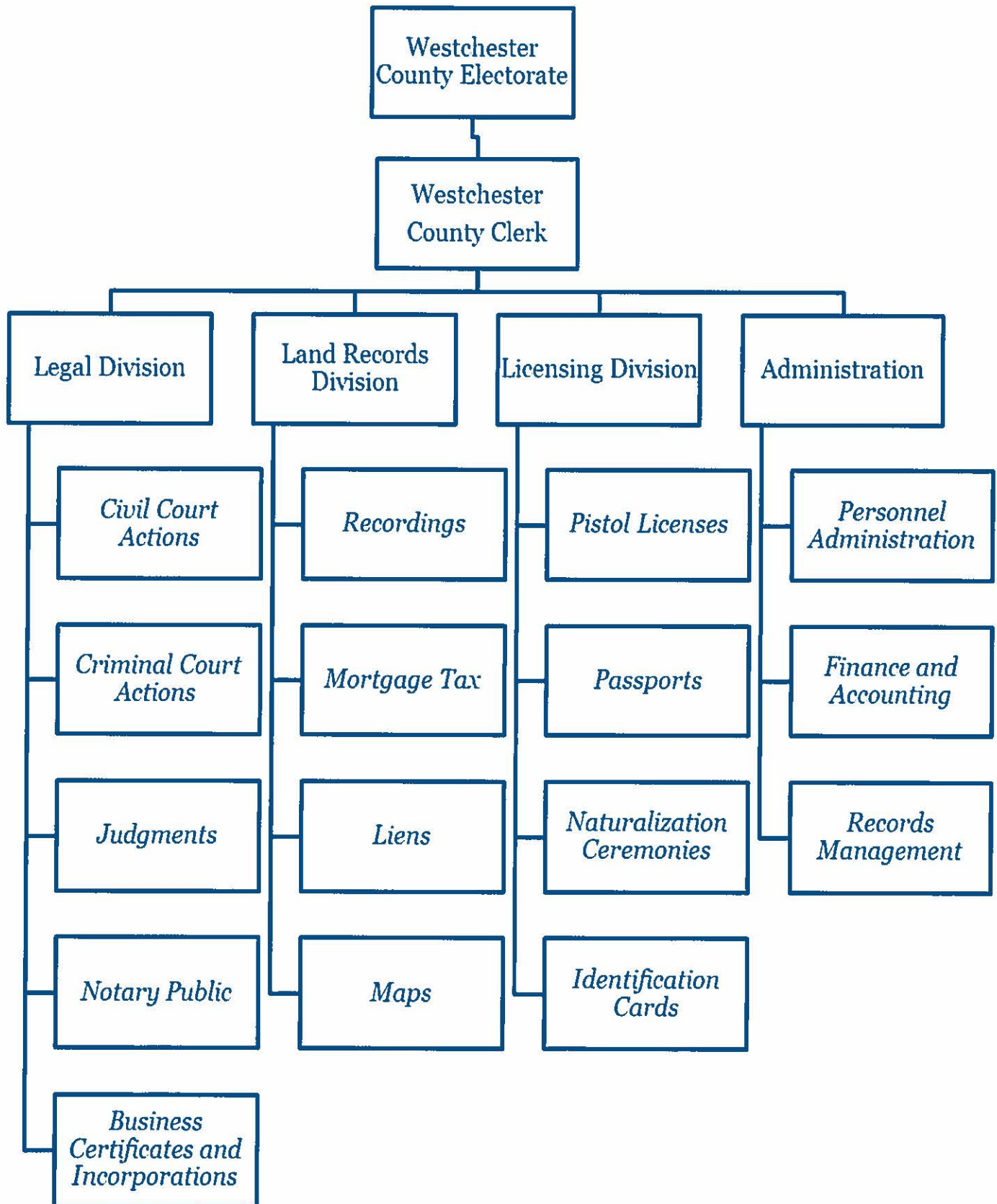
I want to thank the County Executive and the County Legislature for continuing to provide the resources to allow the Office of the County Clerk to meet its mandates and fulfill its fiduciary responsibilities on behalf of the residents of Westchester County and beyond.

Respectfully submitted,



Timothy C. Jdoni
Westchester County Clerk

Office of the Westchester County Clerk Organizational Chart



Services Provided by the Office of the County Clerk

Land Records Division

- Recording land records, including deeds, mortgages, assignments, and satisfactions
- Collection and processing of New York State mortgage and transfer taxes
- Filing of maps, UCC statements, Federal tax liens, Notices of Common Charges, and other federal liens

Legal Division

- Fee collection and filing of court records for Supreme and Westchester County courts
- Administration of Notary Public and Commissioner of Deeds licenses
- Administration of the Domestic Partnership Registry
- Filing of Business Certificates and Incorporation records from New York State
- Filing of Small Claims Assessment Review petitions
- Filing of Veterans Military Discharge papers

Licensing Division

- Processing of United States Passport applications
- Administration of Pistol Licenses
- Issuance of Westchester County Identification Cards
- Host and Administration of Oath of Allegiance to newly naturalized United States citizens
- Operation of Mobile Passport Office to bring services to municipalities and events throughout the County

Administration

- Subscription Service for WRO access to land and legal records, foreclosure lists, judgments, and other records
- Financial Reporting to partners in federal, state and county government
- Administering and Filing of Oaths of Office
- Provision of certified copies of all recordings and filings

OPERATING BUDGET

2020/2021 Comparison

	<u>Actual</u> 2020	<u>Adopted</u> 2021
Positions		
Operating Budget	67	64
Operating Budget Expenditures		
Personal Services	\$4,559,962.81	\$4,606,504.00
Equipment	\$1,349.00	\$2,410.00
Materials & Supplies	\$61,129.84	\$101,600.00
Expenses	\$66,321.43	\$155,865.00
Inter-Departmental Charges	<u>\$1,690,977.12</u>	<u>\$1,783,300.00</u>
	\$6,379,740.20	\$6,649,679.00
Operating Budget Revenues		
Departmental	<u>\$9,107,035.05</u>	<u>\$8,500,854.00</u>
Department Tax Levy	(\$2,727,294.05)	(\$1,851,175.00)

Office of the Westchester County Clerk

Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2020

County Clerk Fees Collected

Land Records Division

Recording Fees \$6,457,818.45
Real Property Transfer Report Fee \$133,785.00
Administrative Fee, Refund Processing \$3,806.15

Legal Division

Filing Fees \$760,427.52
DWI Surcharges \$58,840.00
Criminal Fines \$48,195.00

Licensing Division

Filing Fees \$146,286.08
Interest \$5,030.74

Other (Online Access, Copiers)

Public Copiers \$4,391.00
Workstation/phone \$1,087.50
Unclaimed funds \$0.00

\$8,070,758.34

Mortgage Tax Collected

Paid to Westchester County

Westchester County Mortgage Tax \$21,763,718.89
Local Mortgage Tax \$59,701,326.04
Yonkers Mortgage Tax \$4,405,540.34
Reimbursement for Processing Costs \$991,465.29
Interest, County Portion \$17,338.54

Paid to Metropolitan Transit Authority

\$46,619,319.65

Paid to State of New York Mortgage Agency

\$2,690,773.29

\$136,189,482.04

New York State Real Estate Transfer Tax

Paid to Westchester County

Recording Officer's Fee \$12,858.50
Interest, County Portion \$14,614.38

Paid to NYS Department of Taxation & Finance

\$72,669,919.55

\$72,697,392.43

Court Revenue

Paid to the Unified Court System

\$4,607,168.00

Notary Revenue

Paid to NYS Department of State

\$74,720.00

Records Management Improvement Fund

Collected from Court Filings \$82,735.50
Collected from Land Records Filings \$375,397.25

Cultural Education Fund

Collected from Court Filings \$248,178.00
Collected from Land Records Filings \$1,126,191.75

\$1,832,502.50

Equalization and Assessment

Paid to NYS Office of Real Property Services

\$1,868,965.00

Total Collected and Disbursed:

\$225,340,988.31

State of New York

County of Westchester

Timothy C. Idoni, being duly sworn, says he is the County Clerk of the County of Westchester; that the foregoing statement is in all respects a full and true statement of moneys received by him as such clerk, to the best of his knowledge and belief.

Sworn to before me this 28th day of January, 2021


CAROL FUMANTI ARCURI
Notary Public, State of New York
No. 02AR4665201

Qualified in Westchester County
Commission Expires 09/30/2021


Timothy C. Idoni

Land Records Division

Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2020

	<u>Fee</u>	<u>No Fee</u>	<u>Rec. Mgmt</u>	<u>County Share</u>
Conveyances:				
Assignment of Lease and Rents	710	0	13,490.00	55,816.50
Contract	22	0	418.00	1,327.00
Declaration	150	6	2,850.00	14,181.50
Dedication	0	0	-	-
Deed	14,750	7	280,250.00	624,233.00
Deed Agreement	148	2	2,812.00	9,778.50
Deed, Correction	114	0	2,166.00	4,979.50
Easement	210	1	3,990.00	15,690.50
Lease Agreement	953	2	18,107.00	43,795.50
Letters of Patent	1	0	19.00	56.00
Release of Lien of Estate Tax	47	0	893.00	2,092.00
Release of Mortgage	248	0	4,712.00	12,717.50
Mortgages:				
Assignment of Mortgage	8,423	13	160,037.00	318,616.00
Mortgage	21,870	46	415,530.00	2,421,577.00
Mortgage Agreement	584	12	11,096.00	35,118.00
Mortgage, Correction	68	2	1,292.00	7,988.50
Registered Agreement	6,768	0	128,592.00	1,208,086.50
Satisfactions of Mortgage:				
Satisfactions of Mortgage	19,005	7	361,095.00	912,620.00
Miscellaneous:				
Affidavit	0	0	-	-
Agreement	6	0	114.00	306.00
Certificate	0	0	-	-
Commitment	0	0	-	-
Judgment	5	0	95.00	315.00
Negative Pledge Agreement	1	0	19.00	41.00
Notice of Appropriation	0	66	-	-
Order	67	0	1,273.00	4,757.00
Power of Attorney	4,868	0	92,492.00	282,833.00
Power of Attorney, Revocation	2	0	38.00	62.00
Statement Identifying Property	11	0	209.00	376.00
Waiver	0	0	-	-
Other:				
Cross-References Entered	85,987	0	-	42,993.50
Transfer Tax Return Filing Fee	15,406	0	-	77,030.00
Mortgage Tax Affidavit Filing Fee	9,095	0	-	45,475.00
Customer Service:				
Certified Copies, Copies, Searches	2,639	0	-	38,155.00
Map Copies	358	0	-	2,996.00
Administrative Fee, Refund Processing		0		3,806.15
Adjustments		0		-
Liens:				
Ucc Filed	7,501	0	-	219,940.00
Federal tax liens filed	1,311	0	-	52,440.00
Other Federal Liens	1	0	-	7.00
Notices of Common Charges	196	0	-	980.00
Certified Copies, Copies, Searches	31	0	-	438.45

2020 Land Records Division Total:

1,501,589.00

6,461,624.60

Legal Division

Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2020

	<u>Cost</u>	<u>Fee</u>	<u>No Fee</u>	<u>State Share</u>	<u>County Share</u>
Business Filings					
Business Certificates	\$25.00	1,548	153	0	38,700.00
Incorporations from NYS	Varies	5,585	0	0	47,042.00
Religious Corporations	\$25.00	25	0	0	625.00
Certified Papers					
Certified Copies	varies	9,876	0	0	66,583.20
Commissions	varies	355	0	0	1,790.00
Executions	\$5.00	150	0	0	750.00
Exemplifications	\$10.00	305	0	0	3,050.00
Matrimonial Dissolutions	\$5.00	1,997	12	0	9,985.00
Transcripts Issued	\$5.00	150	0	0	750.00
Veteran's Permits	\$0.00	0	5	0	-
Court Fees					
Commencements (Index Numbers)	\$210.00	16,604	241	3,055,136.00	431,704.00
Foreclosure Surcharge	\$190.00	367	0	69,730.00	-
Judgment Transcripts Filed	\$10.00	1,018	1,859	-	10,180.00
Judgments Entered	\$45.00	1,770	92	79,650.00	-
Jury Demand	\$65.00	565	0	36,725.00	-
Liens/Small Liens	Varies	1,557	152	15,428.00	26,312.00
Motion	\$45.00	4,747	19	213,615.00	-
Note of Issue	\$30.00	3,623	27	108,690.00	-
Notice of Appeal	\$65.00	821	10	53,365.00	-
Order to Show Cause	\$45.00	1,599	22	71,955.00	-
Request for Judicial Intervention	\$95.00	7,971	333	757,245.00	-
Separation Agreement	\$5.00	18	0	-	90.00
Small Claims Assessment Review	\$30.00	6,378	0	159,450.00	31,890.00
Stipulation	\$35.00	6,729	2	235,515.00	-
Subpoenas	\$20.00	20	1	-	400.00
Trial De Novo	\$75.00	1	0	75.00	-
Criminal Fines and Civil Sanctions:					
Criminal Fines	Varies	36	0	-	48,195.00
Felony Surcharge	Varies	111	0	32,091.00	-
Misdemeanor Surcharge	Varies	60	0	10,705.00	-
Violation Surcharge	Varies	34	0	3,488.00	-
Sex Offender Registration	\$50.00	9	0	450.00	-
DNA Data Bank Registration	\$50.00	152	0	7,600.00	-
Crime Victims Assistance Fee	Varies	198	0	4,885.00	-
Supplemental Sex Offender	\$0.00	8	0	8,000.00	-
Criminal Penalty for DWI	Varies	71	0	13,845.00	-
Criminal Fine for DWI	Varies	64	0	-	58,840.00
Sanctions	Varies	0	0	-	-
Domestic Partnership Registry					
New Filings	\$25.00	190	0	-	4,750.00
Amendments	\$25.00	1	0	-	25.00
Terminations	\$25.00	20	0	-	500.00
Notary Public Administration					
Authentication of Notaries Public	\$3.00	6,603	0	-	19,809.00
Character Cards Filed	\$10.00	65	0	-	650.00
Character Cards Issued	\$5.00	210	0	-	1,050.00
Notary Public Renewals	\$60.00	2,119	0	74,720.00	51,680.00
Reports					
Business Filing Report	\$20.00	2,119	0	-	-
Foreclosure Filing Report	\$20.00	14	0	-	280.00
Judgment/Lien Report	\$30.00	0	0	-	-
Other Filings and Services Adjustments					
	Varies	1,505	4	24.50	11,932.92 (100.60)
2020 Total Legal Division:				<u>\$5,012,387.50</u>	<u>867,462.52</u>

Licensing Division

Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2020

	<u>Fee Count</u>	<u>No Fee</u>	<u>Cost</u>	<u>Total</u>	
Passport Fees Collected:					
Processing Fees	1,917	0	\$35.00	\$67,095.00	
Photo Fees	1,578	0	\$10.00	\$15,780.00	
Photo Fees (Senior)	120	0	\$7.00	\$840.00	
Miscellaneous	29	0		\$95.00	\$83,810.00
Pistol License Administration:					
New Applications	491	8	\$10.00	\$4,910.00	
Amendments	3,019	0	\$3.00	\$9,057.00	
Recertifications	2,477	449	\$10.00	\$24,770.00	
Dealer/Gunsmith	12	0	\$10.00	\$120.00	
Transfers	140	0	\$5.00	\$700.00	
Photo Fees	595	0	\$10.00	\$5,950.00	
Replacement	69	0	\$5.00	\$345.00	
Photo Fees (Senior)	3	0	\$7.00	\$21.00	
Miscellaneous	0			\$0.00	\$45,873.00
Naturalization Ceremony Administration:					
Ceremony Administration Fees				\$4,926.08	
Certified Petitions	106	0	\$5.00	\$530.00	
Certified Letters	17	0	\$5.00	\$85.00	\$5,541.08
Westchester County Identification Cards:					
Cards Issued	611	0	\$8.00	\$4,888.00	
Photo Fees (Senior)	4	0	\$7.00	\$28.00	
Photo Fees	621	0	\$10.00	\$6,210.00	\$11,126.00
Adjustments					-\$64.00
2020 Licensing Division Total:					<u>\$146,286.08</u>

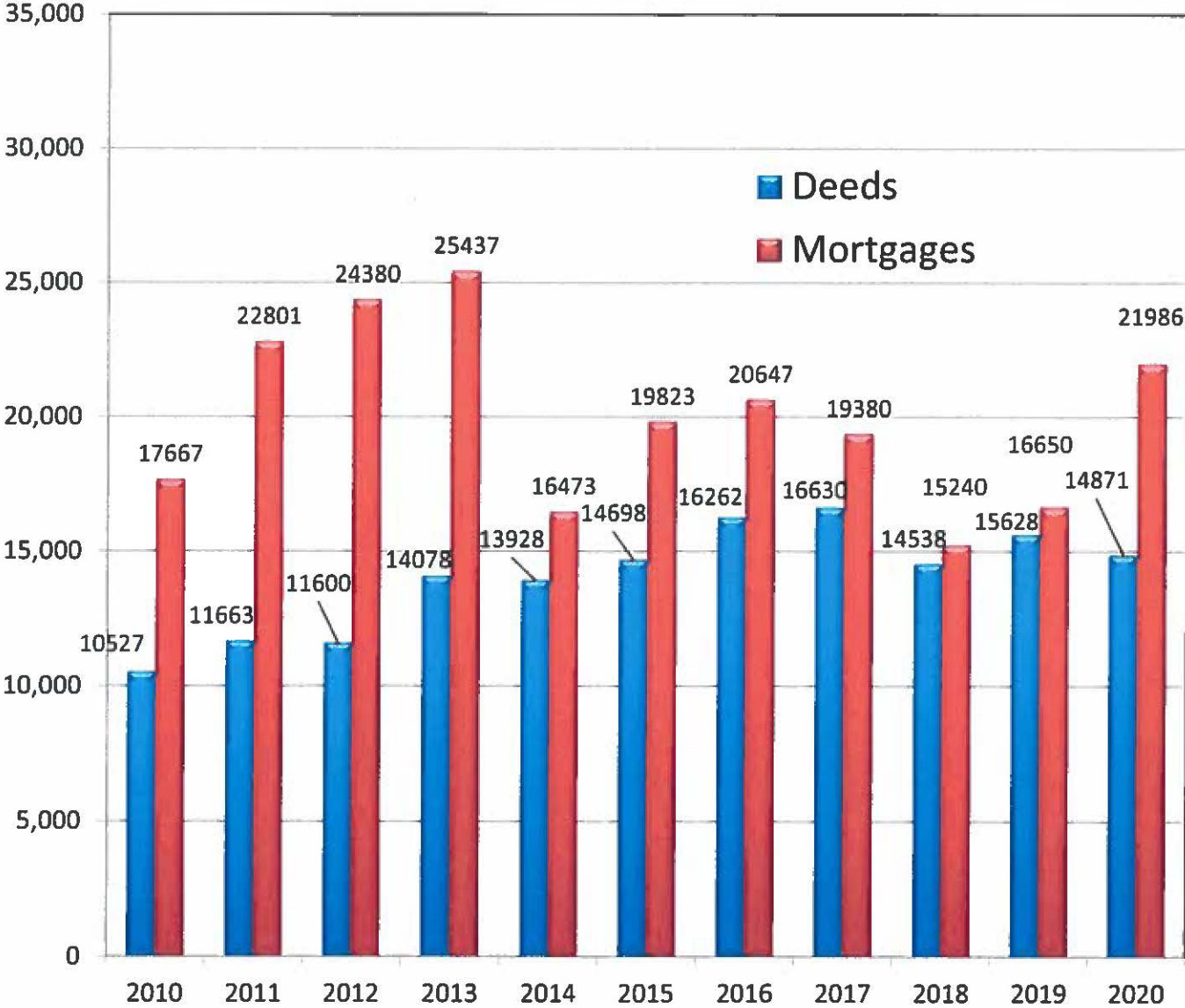
Highlights and Initiatives

- **COVID-19 Initiatives:** In accordance with the Governor's guidelines for Reopening New York, the County Clerk's office developed a plan for adherence to and the provision for safety of our staff and the general public. In facing the challenges of maintaining administrative efficiency and effectiveness while handling all public interaction with the Supreme and County courts, the county's entire real estate transactional business and licensing-type functions of pistols, passports and business licenses, changes were made to the Office physical layout to allow for distancing of six feet between each staffer; and to ensure distancing between staffers and the public, the passport counter was moved to the Land Records division and Plexiglas shields were installed at all public counters; the telework program was implemented allowing approximately two-thirds of the Land Records Division to process real estate transactions through our Property Records Electronic Portal (PREP) system; appointments through the County Clerk's scheduling software program are requested of visitors, and a locked dropbox was placed in the courthouse lobby for document delivery other than USPS, FedEx, and UPS.
- **Commission Appointment:** In June, 2020, Chief Judge Janet DiFiore appointed the County Clerk to a new commission charged with examining the enhanced use of technology and online platforms, and other innovations, to improve the delivery and quality of justice services by the New York State court system. The County Clerk joins a distinguished group of judges, lawyers, academics and technology experts, as a member of the "Commission to Reimagine the Future of New York's Courts", in the exploration and recommendation of regulatory, structural, and technological innovations in the Commission's development of a blueprint for the court system of tomorrow.
- **Notice of Conveyance of Residential Real Property:** Due to the rise in real estate and mortgage fraud, NYS Real Property Law Section 291 was amended, effective March 11, 2020, requiring the County Clerk, upon the recording of a conveyance of residential real property, to mail a notice of any such conveyance to the owner of record. The intent is to prevent others from posing as new owners of a home with the ability to obtain a home equity line of credit. The County Clerk has alerted the public to this new law and continues to mail notices to the record owners of the real property with details of the recording of any such conveyance.
- **E-Filing and E-recording:** Approximately 86% of civil actions are commenced electronically through the NYS electronic filing system and approximately 83% of the land record documents are currently e-recorded. Electronic recording has been a tremendous success, significantly increasing the efficiency of the filing and recording and reducing manual labor. Programs and procedures are now being developed in coordination with the DA's Office and the courts to allow for e-filing of criminal cases which could lead to an additional estimated 5% reduction in paper. Further reduction in paper filings is anticipated with the recent authorization of e-filing of election law cases and special proceedings under the Mental Hygiene Law.
- **Renovation in Office Space:** Plans are being redeveloped under the leadership of the County Executive and DPWTR for the complete renovation of the 32,000 square feet of office space currently occupied by the Clerk's office. With the automation of department functions and the resultant reduction in staffing needs, space may be opened up for adaptive reuse by another County department. This will bring about efficiency in dealing with the daily visitors to the office and also generate savings in rental costs for the County.
- **Mobile Community Outreach Vehicle:** The County Clerk's office has been running a very successful Community Outreach program featuring a custom built truck throughout Westchester since 2002. The program features 35-40 stops per year to every town and city in the county. Over 1,000 passport applications and photos are processed through the mobile office on an annual basis. Due to a significant increase in public usage of the mobile office services, the County Clerk increased the number of passport agents working in the outreach unit from 2 in 2018 to 4 in 2019, serving an average of 40 residents per visit. A new more efficient and ADA compliant vehicle has been purchased which is expected to be in operation for the 2021 mobile office community outreach cycle.
- **Access to the County Clerk's Land and Legal Public Viewer - Westchester Records Online ("WRO"):** In an effort to assist the municipalities in meeting the needs of their constituents and in preventing neighborhood blight, the County Clerk requested and received approval to enter into no cost license agreements with local municipalities, on an as needed basis, for remote access to *WRO*. The municipalities have free remote online access to weekly foreclosure reports in the *WRO* that contain data from recently commenced actions including the mortgagor, mortgagee, property location, and a reference to the pending court action.

Statistics of Interest

Indicators from our Land Records Division

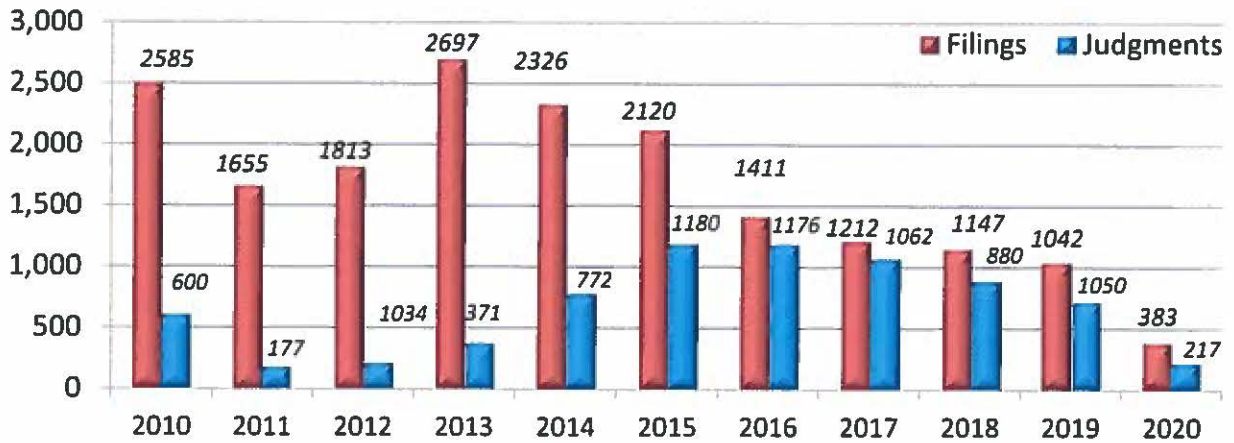
Deeds and Mortgages Recorded



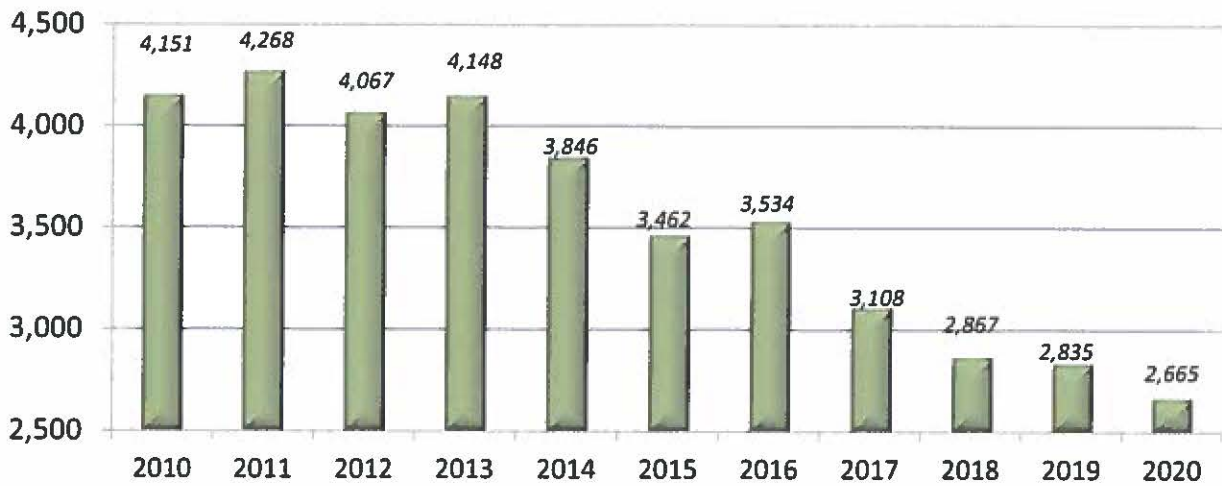
Statistics of Interest

Indicators from our Legal Division

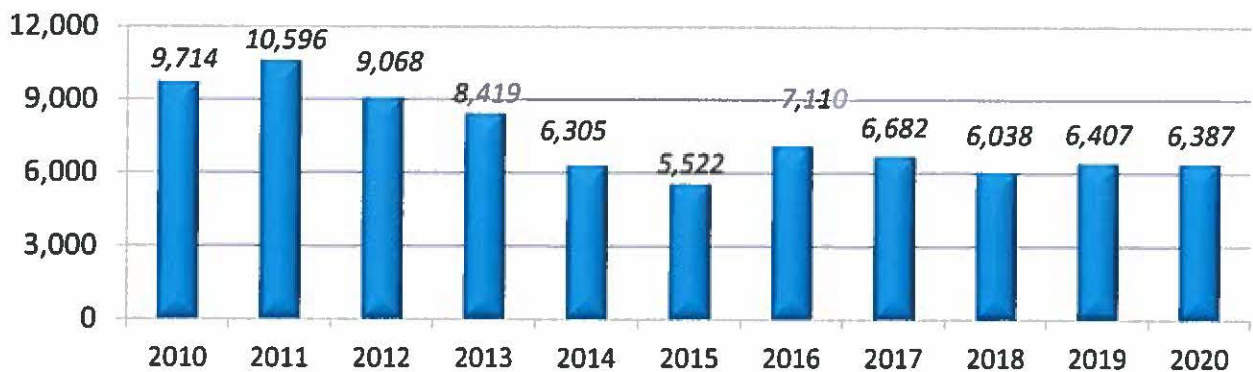
Foreclosure Filings and Judgments



Tax Certiorari Proceedings Commenced

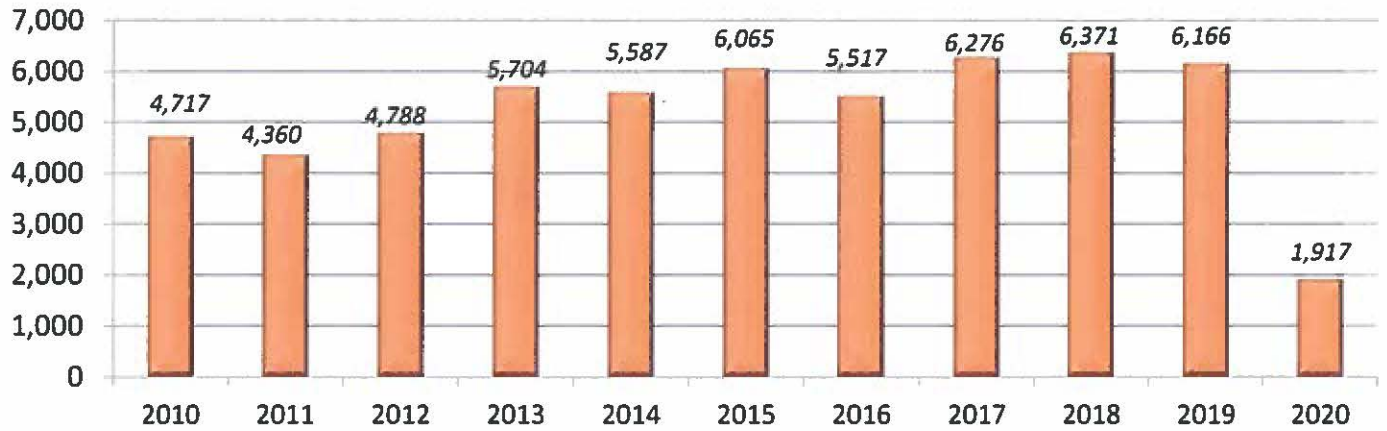


Small Claims Assessment Review Petitions Filed

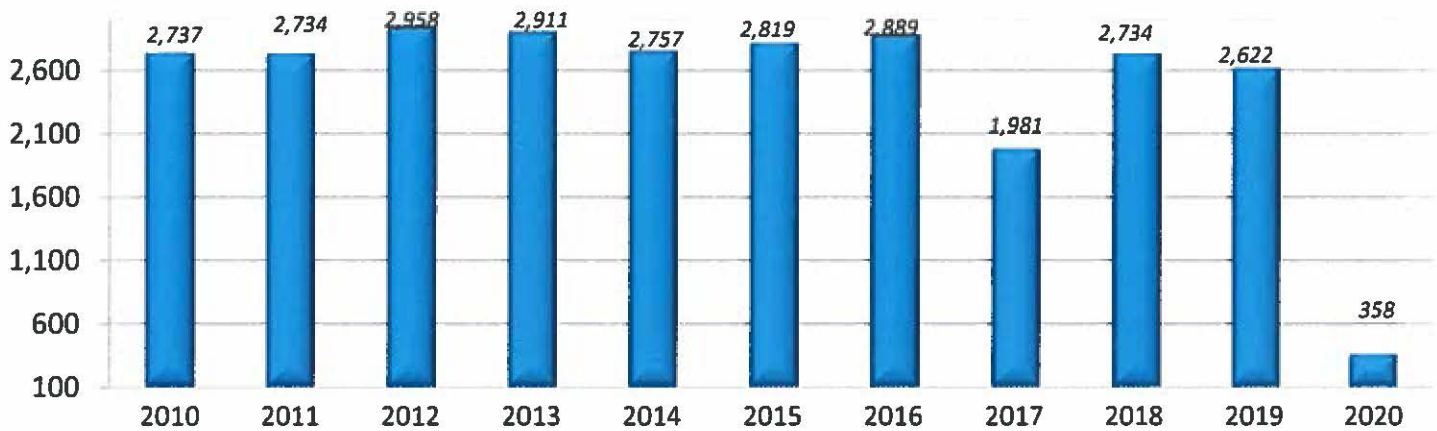


Statistics of Interest *Indicators from our Licensing Division*

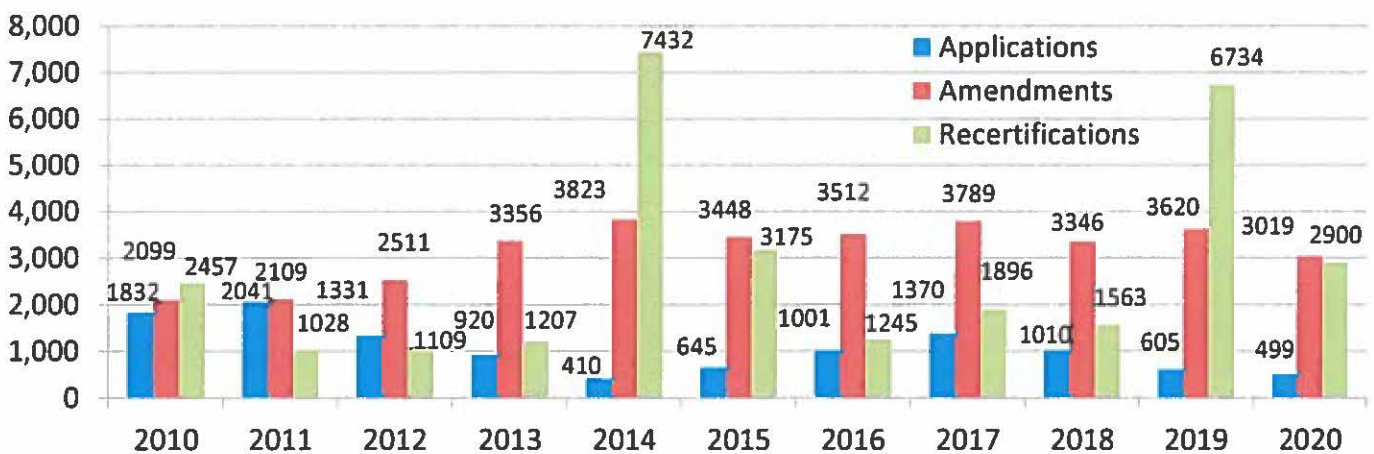
Passport Applications



Naturalizations



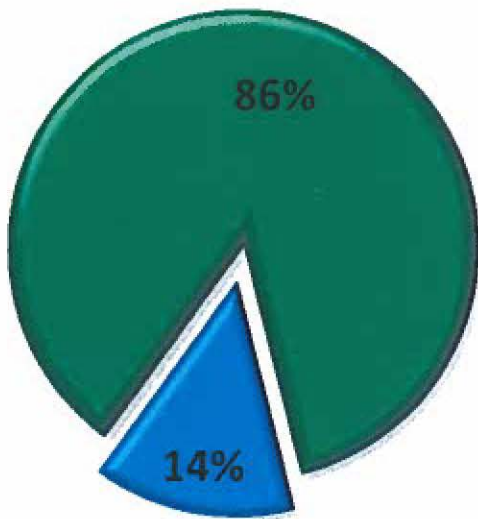
Pistol License Applications, Amendments, Recertifications



Electronic Filing and Recording

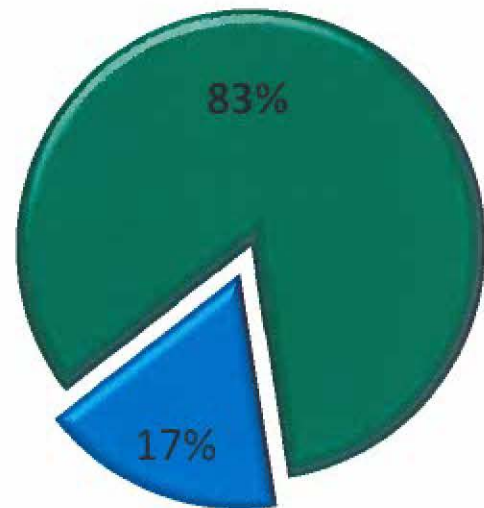
Civil Actions

Approximately **86%** of our civil actions are commenced electronically through the NYS Courts electronic filing system.



Land Records

Approximately **83%** of the documents submitted to the Land Records Division are submitted electronically as part of a **voluntary eRecording program**.



County Clerk's Westchester Records Online Program ("WRO").

For the period of January 1, 2020 through December 31, 2020, **3,454,172** searches were conducted in WRO. Online reports of foreclosure filings and judgments have been made available to local municipalities as a "shared service" to assist in preventing zombie homes.

