

Tyrae Woodson-Samuels
Legislator, 13th District
Chair, Committee on Budget & Appropriations



Committee Assignments:
Infrastructure & Housing
Public Safety & Veterans
Intergovernmental Affairs
Small Business

MEMORANDUM OF LEGISLATION

DATE: March 31, 2026

TITLE: Property Record Notification & Deed Theft Prevention Law

SPONSOR: Legislator Tyrae Woodson-Samuels

PURPOSE OR GENERAL IDEA OF BILL: To protect homeowners—particularly seniors and vulnerable residents—from deed theft, fraudulent transfers, and unauthorized encumbrances by establishing a County-operated notification system, in coordination with the Westchester County Clerk, that alerts registered individuals when documents are recorded against their property.

JUSTIFICATION: Deed theft and real estate fraud are increasing across New York State, with seniors and long-time homeowners disproportionately targeted.

Criminal actors often:

- File fraudulent deeds or transfers
- Record unauthorized liens
- Exploit delays in homeowner awareness

The **Westchester County Clerk's Office** is the official custodian of recorded property documents, making it the **central and most appropriate partner** in developing a notification system tied directly to real-time recording activity.

This legislation:

- Leverages the Clerk's existing authority and systems
- Provides homeowners with immediate awareness of filings
- Creates a critical early-warning mechanism to combat fraud

New York City has successfully implemented a similar model through its ACRIS system.

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SUMMARY OF PROVISIONS:

This Local Law establishes a **Property Record Notification Program**, developed and administered in partnership with the **Westchester County Clerk's Office**, with the following provisions:

1. Establishment of Notification System (County Clerk Collaboration)

- The County, **in coordination with the Westchester County Clerk**, shall create and maintain a **free electronic notification system**
- The system shall be integrated, where feasible, with the Clerk's existing recording and indexing systems

2. Real-Time Document Alerts

- The system shall notify registrants when documents are recorded affecting a property, including:
 - Deeds
 - Mortgages
 - Liens
 - Judgments
 - Any recorded instrument affecting ownership interest

3. Eligible Registrants

The following individuals/entities may register:

- Property owners
- Authorized agents (including family members or caregivers)
- Attorneys representing the owner

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- Lienholders
- Executors or administrators of estates

4. Notification Delivery

- Notifications shall be delivered via:
 - Email
 - Optional SMS/text alerts (subject to system capability)
- Alerts shall be triggered upon **recording and indexing** by the County Clerk

5. Registration Process

- Registrants may enroll using:
 - Property address
 - Tax parcel identifier (Section/Block/Lot or equivalent)
- The County Clerk's Office shall assist in ensuring:
 - Accurate property identification
 - Seamless linkage to recorded documents

6. Public Education & Outreach (Joint Effort)

- The County, **in partnership with the County Clerk**, shall conduct a public awareness campaign, including:
 - Targeted outreach to seniors (Dept. of Seniors)
 - Informational materials distributed through Clerk's Office transactions
 - Website, social media promotion and e-blasts
 - Coordination with municipalities and community organizations

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7. Disclaimer and Limitation of Liability

- The system shall include appropriate disclaimers that:
 - Notifications are **supplemental and informational only**
 - Failure to receive notice does not affect the validity of any recorded document
 - The County and County Clerk assume no liability for missed or delayed notifications

FISCAL IMPACT:

- **Initial implementation cost for system development or integration with the County Clerk's systems**
 - **Potential use of:**
 - Existing Clerk technology infrastructure
 - State or federal grant funding
- **Minimal ongoing operational costs**

Long-term savings:

- **Reduced fraud-related litigation**
- **Lower enforcement and investigative costs**