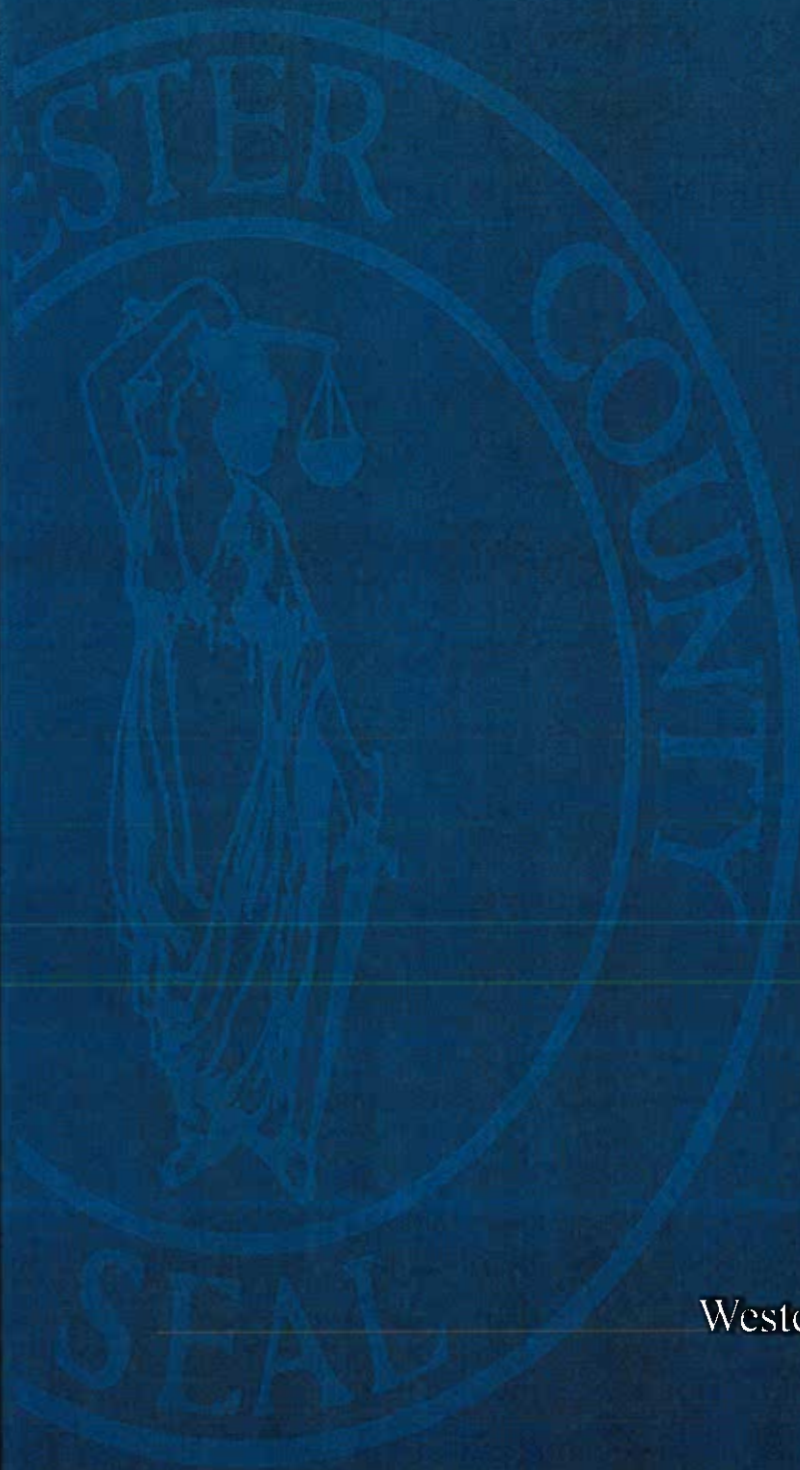


2019 Annual Report

WESTCHESTER COUNTY CLERK



Timothy C. Idoni
Westchester County Clerk



WESTCHESTER COUNTY CLERK

Timothy C. Idoni
County Clerk

January 31, 2020

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 2019. 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 a dedicated staff that works 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 \$209,784,896.33 in revenue in 2019, of which \$27,656,721.17 was turned over to the county. The expenditures for the County Clerk's office in 2019, totaling \$6,462,946.80, are more than offset by the \$8,512,265.00 in departmental fees collected.

Our office collects fees on behalf of numerous federal and state agencies, and paid out the following 2019 revenue:

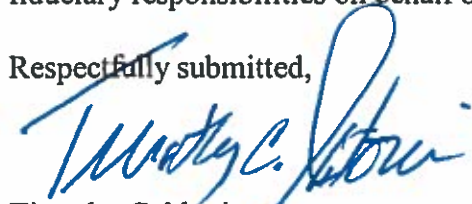
- \$64,837,109.24 to the New York State Department of Taxation and Finance for transfer tax
- \$40,283,801.65 to the Metropolitan Transit Authority for mortgage tax
- \$6,085,232.25 to the Unified Court System for court filing fees
- \$4,969,318.95 to the State of New York Mortgage Agency for mortgage tax
- \$1,996,769.00 to the New York State Office of Real Property Tax Services
- \$1,293,102.00 to the New York State Cultural Education Fund
- \$431,081.50 to the New York State Records Management Improvement Fund
- \$152,840.00 to the New York Department of State for Notary Public renewals

In 2019, 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 seventy-eight 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-five percent of civil cases were commenced electronically, whether pursuant to state mandate or voluntarily in the case of matrimonial cases.

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.

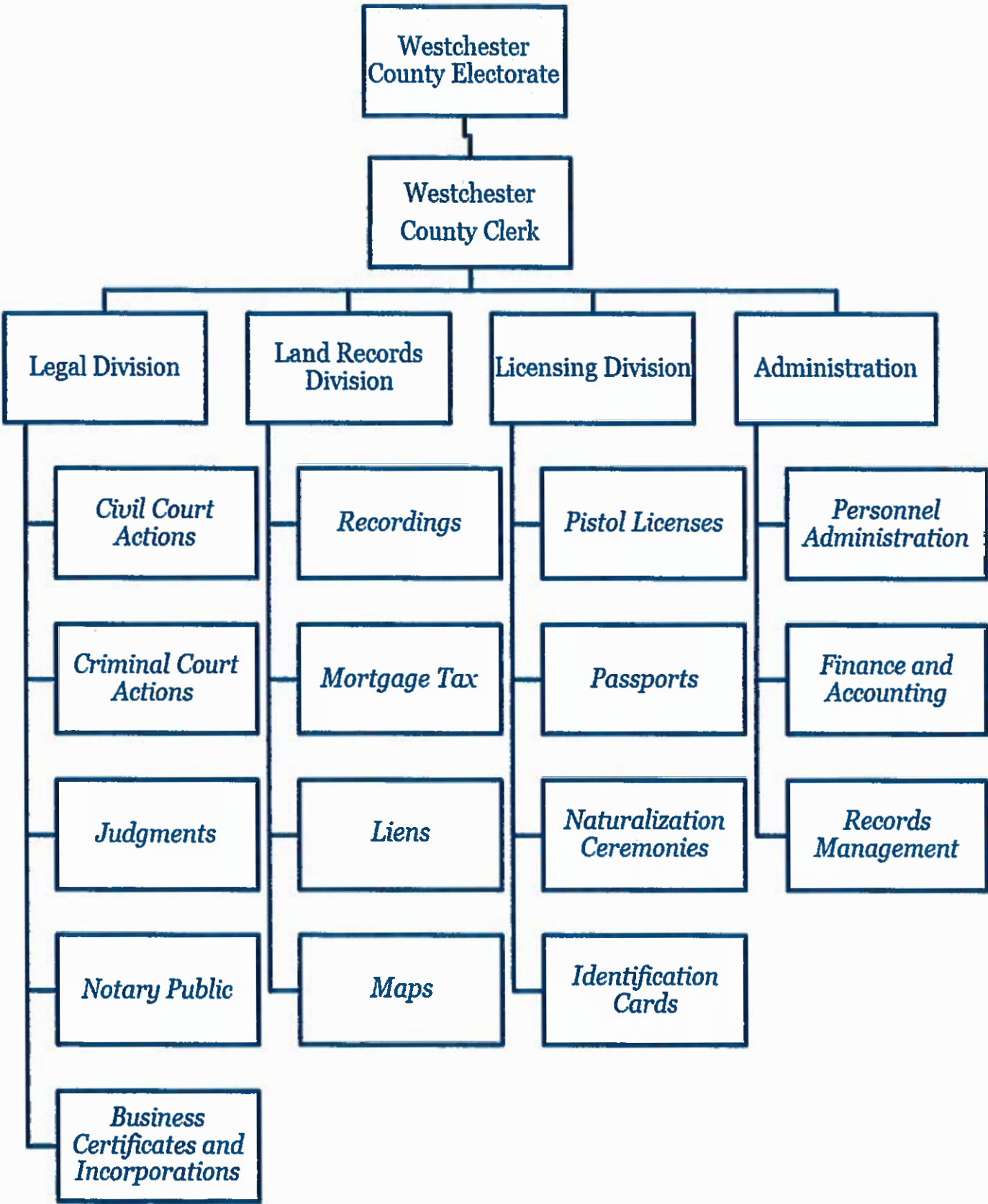
I want to thank the County Executive and the County Legislature for continuing to provide the resources to allow the Office of the County Clerk to meet its mandates and fulfill its fiduciary responsibilities on behalf of the residents of Westchester County and beyond.

Respectfully submitted,



Timothy C. Idoni
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

2019/2020 Comparison

	<u>Actual</u>	<u>2019</u>	<u>Adopted</u>	<u>2020</u>
Positions				
Operating Budget		68		67
Operating Budget Expenditures				
Personal Services	\$4,528,590.58		\$4,769,114.00	
Equipment	\$1,173.04		\$4,979.00	
Materials & Supplies	\$93,041.97		\$101,600.00	
Expenses	\$173,882.65		\$241,621.00	
Inter-Departmental Charges	<u>\$1,666,258.56</u>		<u>\$1,758,686.00</u>	
	\$6,462,946.80		\$6,876,000.00	
Operating Budget Revenues				
Departmental	<u>\$8,512,265.00</u>		<u>\$8,387,425.00</u>	
Department Tax Levy		(\$2,049,318.20)		(\$1,511,425.00)

Office of the Westchester County Clerk*Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2019***County Clerk Fees Collected****Land Records Division**

Recording Fees	\$5,250,339.99
Real Property Transfer Report Fee	\$140,481.00
Administrative Fee, Refund Processing	\$5,385.90

Legal Division

Filing Fees	\$1,006,932.45
DWI Surcharges	\$80,340.00
Criminal Fines	\$24,706.50

Licensing Division

Filing Fees	\$406,695.72
Interest	\$3,430.78

Other (Online Access, Copiers)

Public Copiers	\$525,340.00
Workstation/phone	\$11,327.35
Unclaimed funds	\$1,405.00
	\$80.62

\$7,456,465.31**Mortgage Tax Collected****Paid to Westchester County**

Westchester County Mortgage Tax	\$20,135,933.66
Local Mortgage Tax	\$56,064,901.78
Yonkers Mortgage Tax	\$5,022,553.46
Reimbursement for Processing Costs	\$991,465.33
Interest, County Portion	\$27,520.33

Paid to Metropolitan Transit Authority

\$40,283,801.65

Paid to State of New York Mortgage Agency

\$4,969,318.95

\$127,495,495.16**New York State Real Estate Transfer Tax****Paid to Westchester County**

Recording Officer's Fee	\$13,532.75
Interest, County Portion	\$23,269.12

Paid to NYS Department of Taxation & Finance

\$64,837,109.24

\$64,873,911.11**Court Revenue****Paid to the Unified Court System****\$6,085,232.25****Notary Revenue****Paid to NYS Department of State****\$152,840.00****Records Management Improvement Fund**

Collected from Court Filings	\$107,088.75
Collected from Land Records Filings	\$323,992.75

Cultural Education Fund

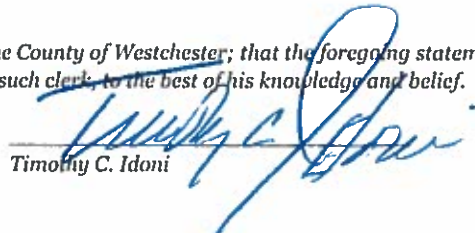
Collected from Court Filings	\$321,123.75
Collected from Land Records Filings	\$971,978.25

\$1,724,183.50**Equalization and Assessment****Paid to NYS Office of Real Property Services****\$1,996,769.00****Total Collected and Disbursed:****\$209,784,896.33****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 31st day of January, 2020


CAROL FUMANTI ARCURI
 Notary Public, State of New York
 No. 02AR4665201
 Qualified in Westchester County
 Commission Expires 09/30/2022


 Timothy C. Idoni

Legal Division

Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2019

	<u>Cost</u>	<u>Fee</u>	<u>No Fee</u>	<u>State Share</u>	<u>County Share</u>
Business Filings					
Business Certificates	\$25.00	1,797	237	-	44,925.00
Incorporations from NYS	Varies	8,805	33	-	62,150.00
Religious Corporations	\$25.00	37	0	-	925.00
Certified Papers					
Certified Copies	varies	15,052	0	-	98,321.35
Commissions	varies	557	0	-	2,785.00
Executions	\$5.00	286	0	-	1,430.00
Exemplifications	\$10.00	820	0	-	8,200.00
Matrimonial Dissolutions	\$5.00	2,466	33	-	12,330.00
Transcripts Issued	\$5.00	253	0	-	1,265.00
Veteran's Permits	\$0.00	0	3	-	-
Court Fees					
Commencements (Index Numbers)	\$210.00	20,647	525	3,799,048.00	536,822.00
Foreclosure Surcharge	\$190.00	1,018	0	193,420.00	-
Judgment Transcripts Filed	\$10.00	1,908	4,316	-	19,080.00
Judgments Entered	\$45.00	3,935	204	177,075.00	-
Jury Demand	\$65.00	1,306	2	84,890.00	-
Liens/Small Liens	Varies	2,866	30	35,872.00	46,263.00
Motion	\$45.00	7,388	84	332,460.00	-
Note of Issue	\$30.00	5,509	57	165,270.00	-
Notice of Appeal	\$65.00	943	20	61,295.00	-
Order to Show Cause	\$45.00	2,857	28	128,565.00	-
Request for Judicial Intervention	\$95.00	9,947	607	944,965.00	-
Separation Agreement	\$5.00	37	0	-	185.00
Small Claims Assessment Review	\$30.00	6,412	0	160,300.00	32,060.00
Stipulation	\$35.00	8,997	14	314,895.00	-
Subpoenas	\$20.00	888	14	-	700.00
Trial De Novo	\$75.00	0	2	-	-
Criminal Fines and Civil Sanctions:					
Criminal Fines	Varies	32	0	-	24,706.50
Felony Surcharge	Varies	168	0	48,276.00	-
Misdemeanor Surcharge	Varies	64	0	11,128.00	-
Violation Surcharge	Varies	69	0	6,973.00	-
Sex Offender Registration	\$50.00	15	0	750.00	-
DNA Data Bank Registration	\$50.00	231	0	11,550.00	-
Crime Victims Assistance Fee	Varies	278	0	7,290.00	-
Supplemental Sex Offender	\$0.00	11	0	11,000.00	-
Criminal Penalty for DWI	Varies	94	0	17,916.00	-
Criminal Fine for DWI	Varies	74	0	-	80,340.00
Sanctions	Varies	0	0	-	-
	<u>Cost</u>	<u>Fee</u>	<u>No Fee</u>	<u>State Share</u>	<u>County Share</u>
Domestic Partnership Registry					
New Filings	\$25.00	228	0	-	5,700.00
Amendments	\$25.00	4	0	-	100.00
Terminations	\$25.00	27	0	-	675.00
Notary Public Administration					
Authentication of Notaries Public	\$3.00	8,503	0	-	25,509.00
Character Cards Filed	\$10.00	108	0	-	1,080.00
Character Cards Issued	\$5.00	446	0	-	2,230.00
Notary Public Renewals	\$60.00	3,975	0	152,840.00	88,920.00
Reports					
Business Filing Report	\$20.00	0	0	-	-
Foreclosure Filing Report	\$20.00	80	0	-	1,600.00
Judgment/Lien Report	\$30.00	0	0	-	-
Other Filings and Services	Varies	1,816	0	142.75	14,420.60
Adjustments					- \$743.50
2019 Total Legal Division:				\$6,665,920.75	\$1,111,978.95

Land Records Division

Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2019

Conveyances:	<u>Fee</u>	<u>No Fee</u>	<u>Rec. Mgmt</u>	<u>County Share</u>
Assignment of Lease and Rents	824	0	15,656.00	65,014.00
Contract	23	0	437.00	1,443.00
Declaration	204	11	3,876.00	17,231.00
Dedication	2	0	38.00	92.00
Deed	15,464	16	293,816.00	656,310.50
Deed Agreement	210	4	3,990.00	14,246.00
Deed, Correction	144	0	2,736.00	6,101.00
Easement	295	7	5,605.00	21,421.50
Lease Agreement	1,207	2	22,933.00	56,795.00
Letters of Patent	1	0	19.00	51.00
Release of Lien of Estate Tax	68	1	1,292.00	2,813.00
Release of Mortgage	385	0	7,315.00	18,259.50
Mortgages:				
Assignment of Mortgage	7,200	16	136,800.00	278,391.00
Mortgage	16,525	33	313,975.00	1,811,215.00
Mortgage Agreement	390	9	7,410.00	26,547.00
Mortgage, Correction	92	0	1,748.00	10,667.00
Registered Agreement	3,675	0	69,825.00	628,305.50
Satisfactions of Mortgage:				
Satisfactions of Mortgage	16,836	33	319,884.00	837,626.00
Miscellaneous:				
Affidavit	1	0	19.00	41.00
Agreement	4	0	76.00	299.00
Certificate	0	0	-	-
Commitment	0	0	-	-
Judgment	4	0	76.00	369.00
Negative Pledge Agreement	1	0	19.00	31.00
Notice of Appropriation	0	0	-	-
Order	108	0	2,052.00	5,213.00
Power of Attorney	4,532	0	86,108.00	255,207.00
Power of Attorney, Revocation	3	0	57.00	103.00
Statement Identifying Property	10	0	190.00	370.00
Waiver	1	0	19.00	76.00
Other:				
Cross-References Entered	71,269	0	-	35,634.50
Transfer Tax Return Filing Fee	16,335	0	-	81,670.00
Mortgage Tax Affidavit Filing Fee	5,933	0	-	29,665.00
Customer Service:				
Certified Copies, Copies, Searches	4,294	0	-	52,058.99
Map Copies	404	0	-	3,137.00
Administrative Fee, Refund Processing		0		5,466.52
Adjustments		0		(10.00)
Liens:				
Ucc Filed	25,855	0	-	228,680.00
Federal tax liens filed	2,556	0	-	102,240.00
Other Federal Liens	75	0	-	483.00
Notices of Common Charges	305	0	-	1,525.00
Certified Copies, Copies, Searches	50	0	-	1,018.50

2019 Land Records Division Total:

1,295,971.00

5,255,806.51

Licensing Division

Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2019

	<u>Fee Count</u>	<u>No Fee</u>	<u>Cost</u>	<u>Total</u>	
Passport Fees Collected:					
Processing Fees	6,166	0	\$35.00	\$215,810.00	
Photo Fees	5,361	0	\$10.00	\$53,610.00	
Photo Fees (Senior)	1,006	0	\$7.00	\$7,042.00	
Miscellaneous	4	0		\$8.00	\$276,470.00
Pistol License Administration:					
New Applications	563	42	\$10.00	\$5,630.00	
Amendments	3,622	0	\$3.00	\$10,860.00	
Recertifications	5,817	917	\$10.00	\$58,170.00	
Dealer/Gunsmith	5	0	\$10.00	\$50.00	
Transfers	153	0	\$5.00	\$765.00	
Photo Fees	659	0	\$10.00	\$6,590.00	
Replacement	69	0	\$5.00	\$345.00	
Photo Fees (Senior)	1	0	\$7.00	\$7.00	
Miscellaneous	13			\$39.00	\$82,456.00
Naturalization Ceremony Administration:					
Ceremony Administration Fees				\$36,078.72	
Certified Petitions	78	0	\$5.00	\$390.00	
Certified Letters	14	0	\$5.00	\$70.00	\$36,538.72
Westchester County Identification Cards:					
Cards Issued	644	0	\$8.00	\$5,152.00	
Photo Fees (Senior)	48	0	\$7.00	\$438.00	
Photo Fees	582	0	\$10.00	<u>\$5,820.00</u>	<u>\$11,410.00</u>
Adjustments					-\$179.00
2019 Licensing Division Total:					<u>\$406,695.72</u>

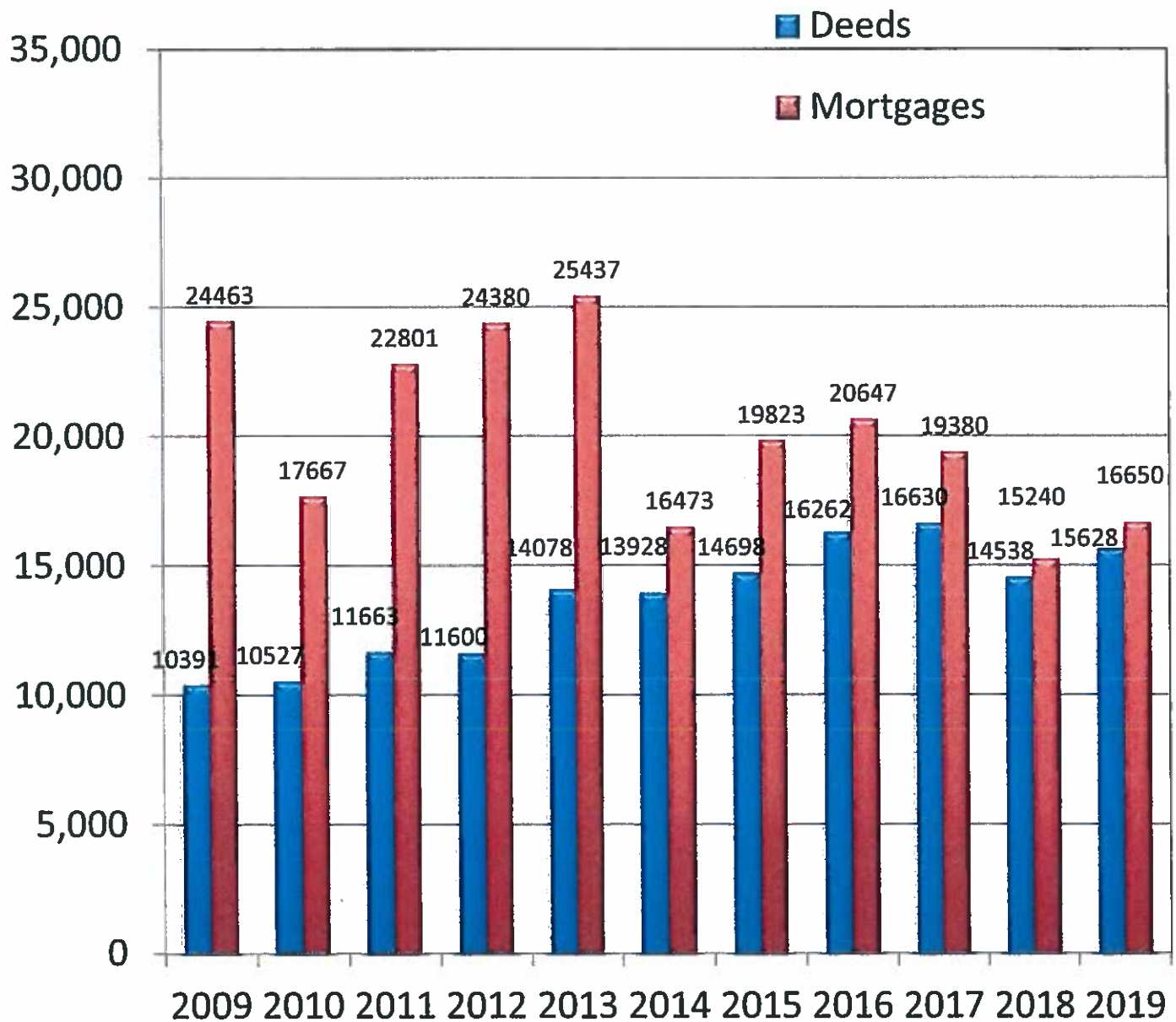
Highlights and Initiatives

- **E-Filing and E-recording:** Approximately 85% of civil actions are commenced electronically through the NYS electronic filing system and approximately 78% 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. It is anticipated that e-filing of election law cases will be authorized by the Chief Administrative Judge in 2020 which will result in a further reduction in paper.
- **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.
- **Language Assistance Services:** In 2017, the County Clerk installed the Google Translate module to enable the translation of the text of the County Clerk's website in over 100 languages. Language assistance is provided by the NYS court system in the provision of court-related services rendered by the County Clerk. In furtherance of the County Clerk's commitment to providing services to individuals of limited English proficiency, the County Clerk has expanded the language assistance services to include interpretation services to meet the needs of individuals utilizing the County Clerk's *non-court* related services in the Clerk's legal, licensing, and land records divisions.
- **Notary Test Sites:** In an effort to accommodate the residents of Westchester County, the County Clerk requested the expansion of the notary examination test sites to include a location within Westchester County. The Secretary of State agreed, and the notary examination was administered in 2019 at the WCC campus to approximately 250-300 applicants at each of the 4 annual sessions. The County Emergency Services Department has agreed to host the exam in 2020 at the fire training center.
- **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. The state of disrepair of the current mobile outreach vehicle necessitated the County Clerk's request for an amendment to the 2019 Capital Budget to purchase a new more efficient, ADA compliant vehicle which should be in operation for the 2020 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 will 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

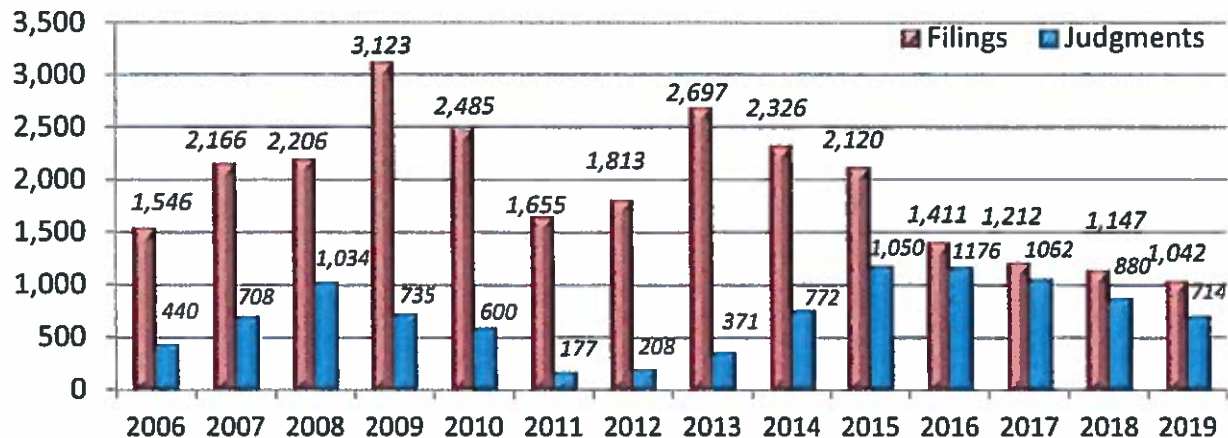
Deeds and Mortgages Recorded



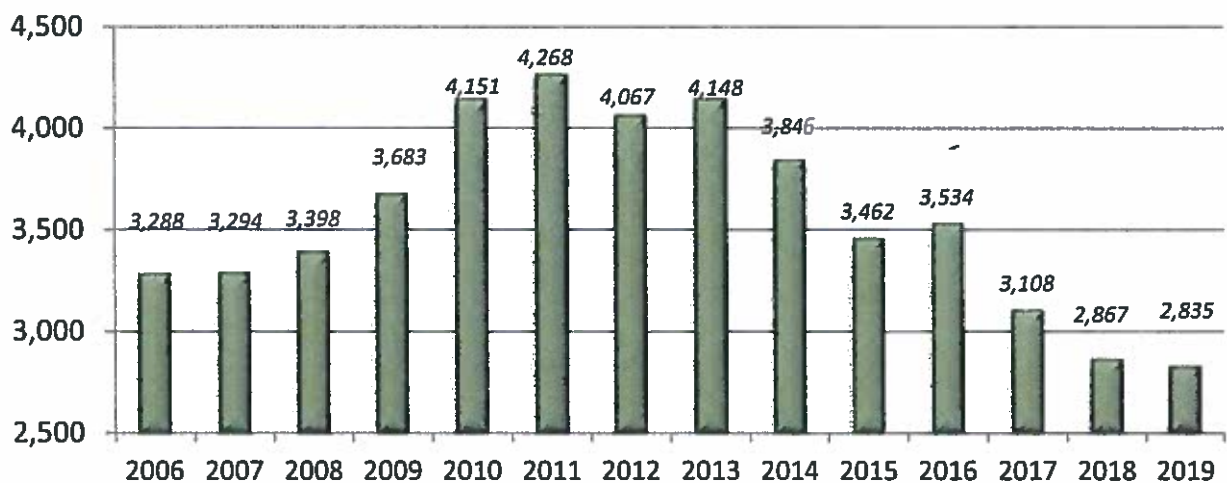
Statistics of Interest

Indicators from our Legal Division

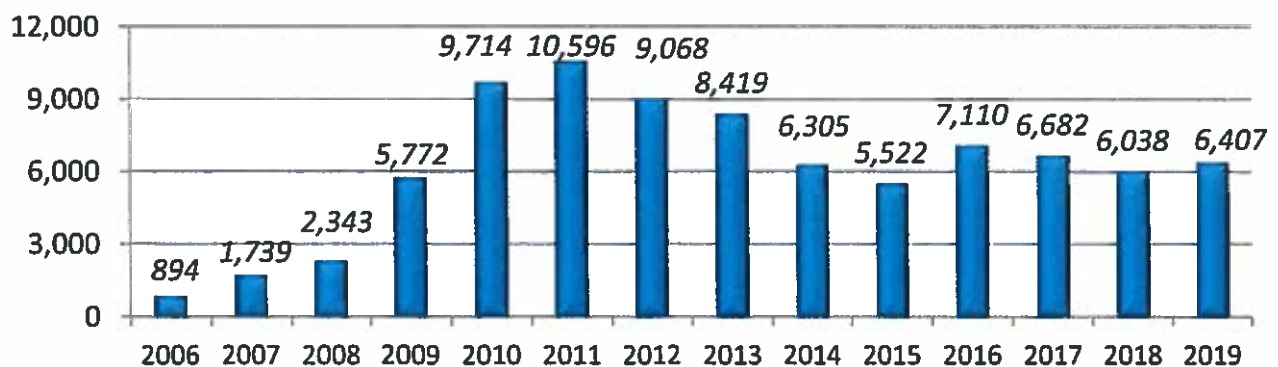
Foreclosure Filings and Judgments



Tax Certiorari Proceedings Commenced

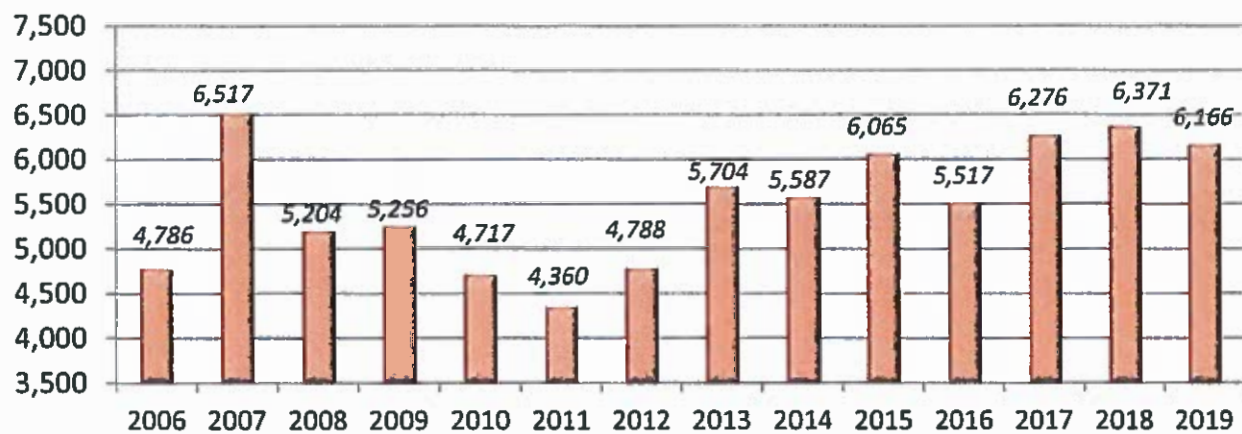


Small Claims Assessment Review Petitions Filed

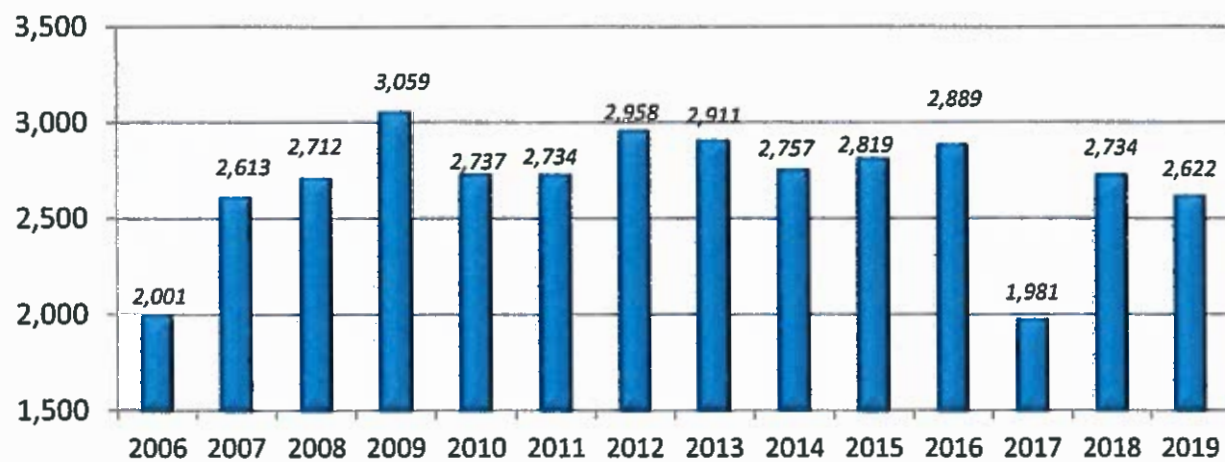


Statistics of Interest *Indicators from our Licensing Division*

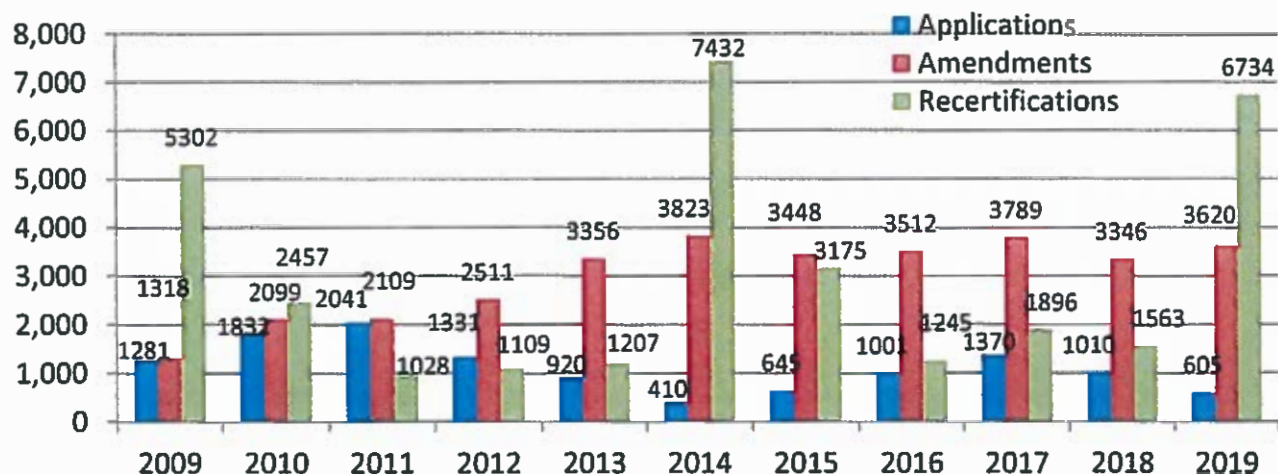
Passport Applications



Naturalizations



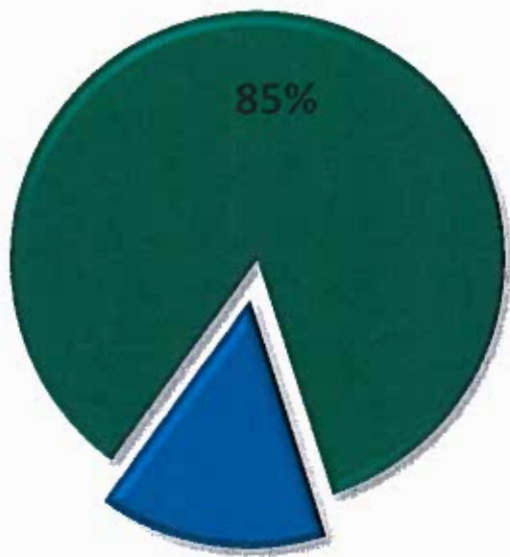
Pistol License Applications, Amendments, Recertifications



Electronic Filing and Recording

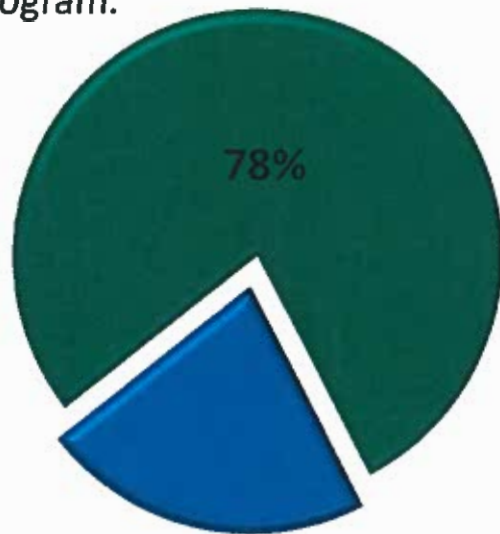
Civil Actions

Approximately **85%** of our civil actions are commenced electronically through the NYS Courts electronic filing system.



Land Records

Approximately **78%** 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, 2019 through December 31, 2019, **3,410,297** 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.

State Local Government Records Management Improvement Fund ("LGRMIF") Grant.

The County Clerk was awarded an LGRMIF grant of **\$47,600** to further digitally image court record books, oaths of office and oath cards of notaries and commissioners of deeds in WRO, which was completed June 30, 2019.

2019 Community Outreach

