

2022 Annual Report

WESTCHESTER COUNTY CLERK



Timothy C. Idoni
Westchester County Clerk



WESTCHESTER COUNTY CLERK

Timothy C. Idoni
County Clerk

January 30, 2023

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:

In compliance with County Law §406, I hereby submit the Annual Report of the Westchester County Clerk for the fiscal year 2022. 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 \$276,776,087.35 in 2022, of which \$35,432,914.03 was turned over to the county. The expenditures for the County Clerk's office in 2022, totaling \$6,288,068.90 are offset by the \$9,212,155.87 in revenue collected.

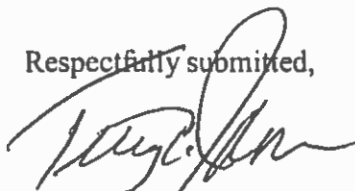
Our office collects fees on behalf of numerous federal and state agencies, and paid out the following 2022 revenue:

- \$108,504,967.67 to the New York State Department of Taxation and Finance for transfer tax
- \$56,076,643.94 to the Metropolitan Transit Authority for mortgage tax
- \$4,797,234.00 to the Unified Court System for court filing fees
- \$6,230,337.52 to the State of New York Mortgage Agency for mortgage tax
- \$2,173,966.00 to the New York State Office of Real Property Tax Services
- \$1,317,569.25 to the New York State Cultural Education Fund
- \$439,213.50 to the New York State Records Management Improvement Fund
- \$233,800.00 to the New York Department of State for Notary Public renewals

In 2022, over eighty-four percent of land records such as deeds and mortgages were being submitted to the office electronically as part of a voluntary e-Recording initiative and over eighty-five percent of civil cases were commenced electronically 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 remain committed to improving our services while reducing costs to our residents.

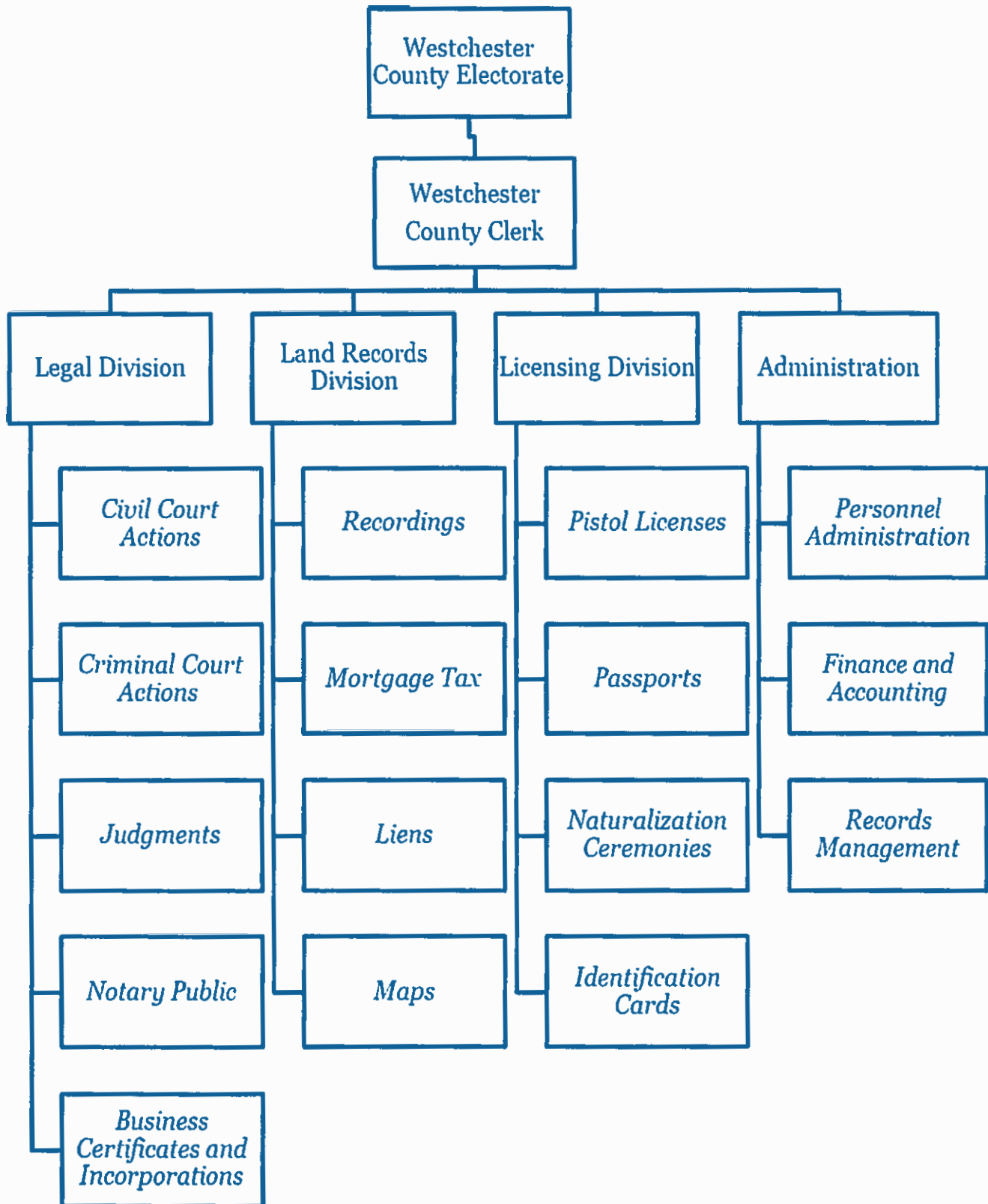
I want to thank the County Executive and the County Legislature for continuing to provide the resources to allow the Office of the County Clerk to meet its mandates and fulfill its fiduciary responsibilities on behalf of the residents of Westchester County and beyond.

Respectfully submitted,



Timothy C. 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

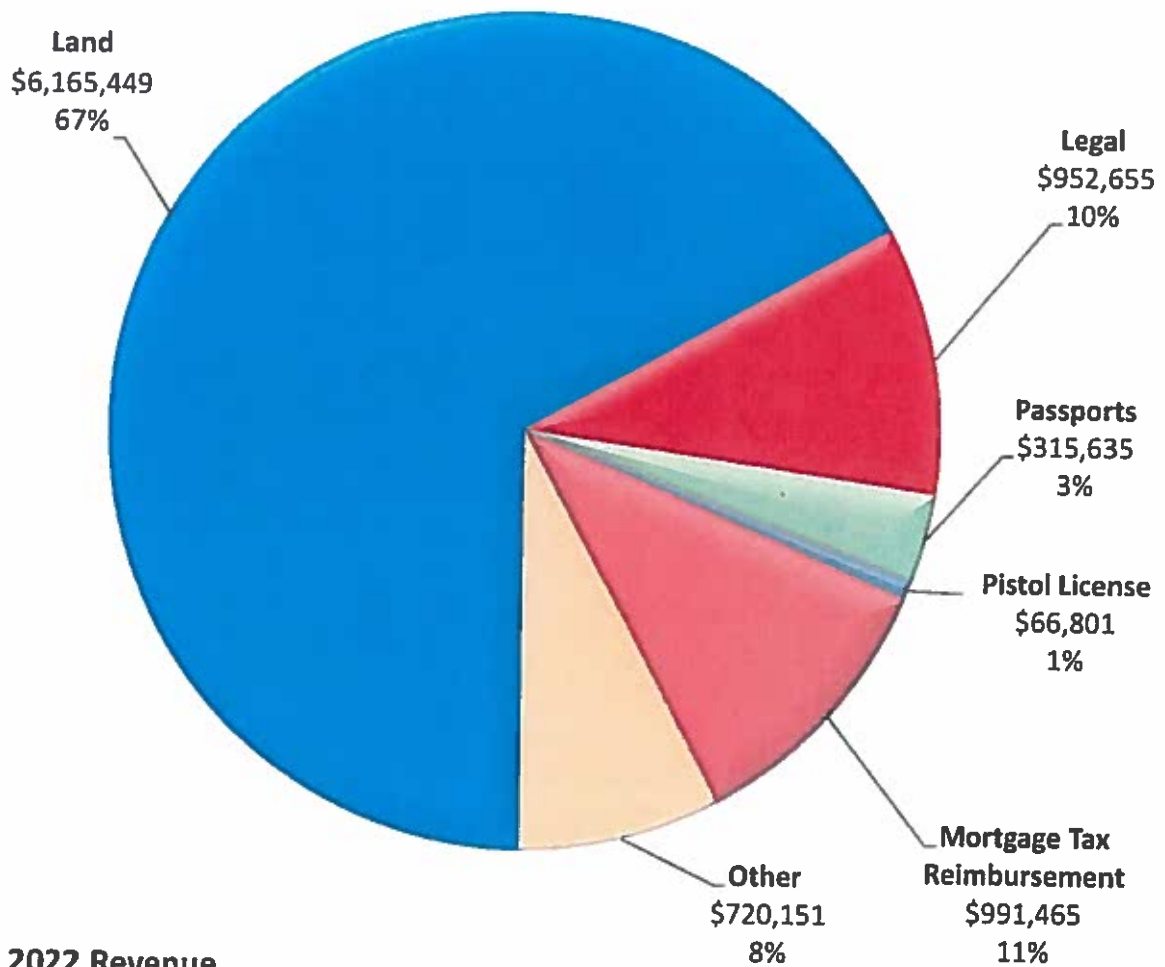
Licensing Division

- 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 online access to land and legal records, foreclosure lists, judgments, and other records ("WRO")
- 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

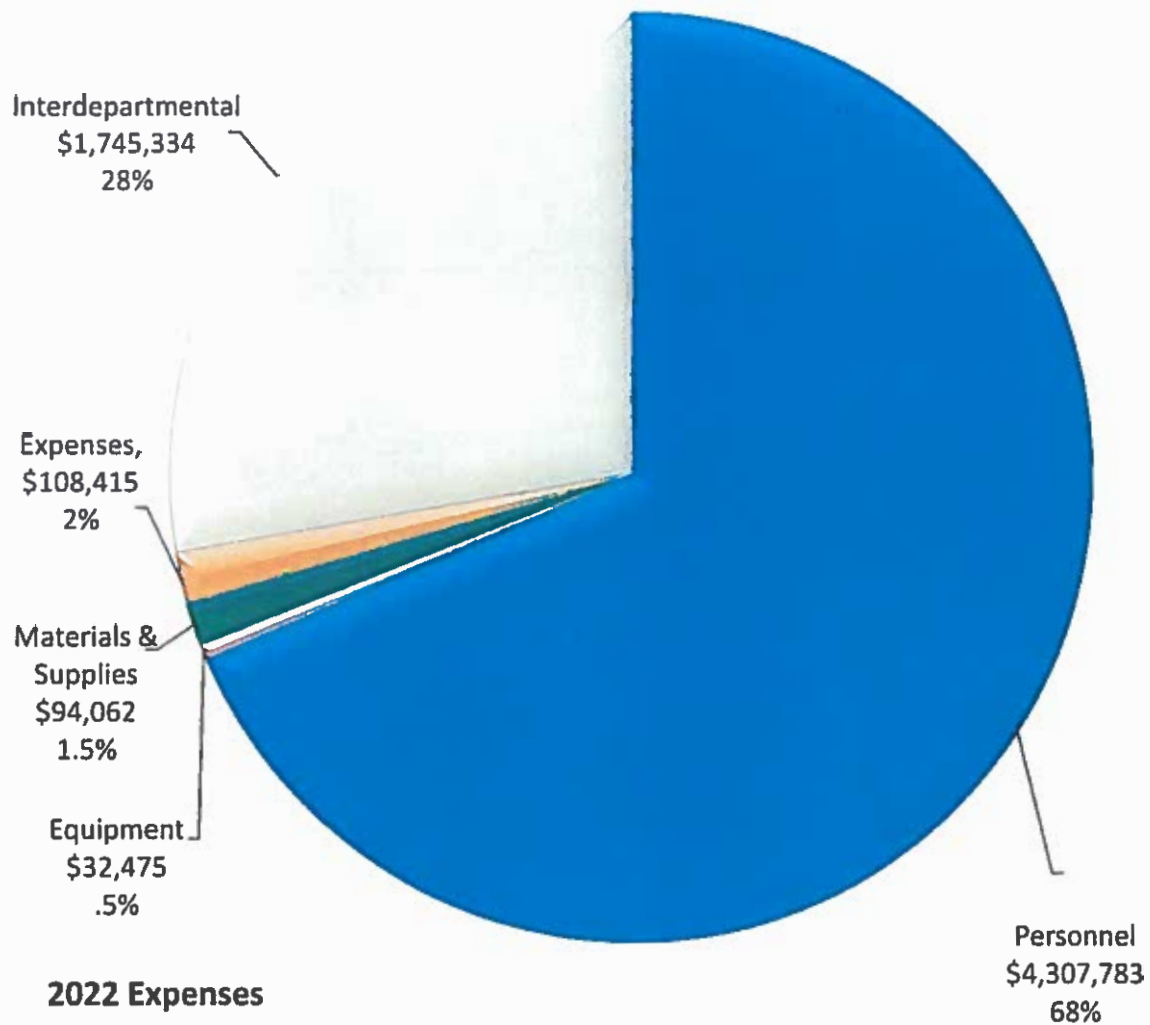
2022 REVENUE \$9,212,156



2022 Revenue

Fees paid in connection with the recording of land records such as deeds and mortgages make up the majority (67%) of our revenue. Court and legal fees provide an additional 10% of the revenue collected by our office. New York State reimburses us for expenses in connection with the processing of mortgage tax and this accounts for 11% of our revenue. Passports and pistol licenses make up 4%. The remaining 8% is comprised of equalization and assessment fees, interest income, table rentals, online access to records, transfer tax revenue, public copier and overpayment of fees.

2022 EXPENSES \$6,288,069



2022 Expenses

Our largest expenses, by far, are our personnel costs which represent 68% of our proposed expenses for 2022 and include salaries and overtime. Interdepartmental charges represent the next largest portion of our expense budget, with 28% of our budget funding items such as our DoIT support team, the Archives, Department of Public Works and Transportation, and the Law Department. Our general expenses, which make up 2% of our expense budget, include items such as scanning and equipment rental. Our materials and supplies budget continues to remain modest as our e-initiatives expand, coming in at 1.5% of our budget. Additional and replacement equipment continue to make up .5% of our budgeted expenses.

OPERATING BUDGET*2022/2023 Comparison*

	<u>Actual</u> <u>2022</u>	<u>Adopted</u> <u>2023</u>
Positions		
Operating Budget	64	62
Operating Budget Expenditures		
Personal Services	\$4,307,783	\$4,707,078
Equipment	\$32,475	\$6,565
Materials & Supplies	\$94,062	\$141,600
Expenses	\$108,415	\$146,938
Inter-Departmental Charges	\$1,745,334	\$1,875,756
TOTAL	\$6,288,069	\$6,877,937
Operating Budget Revenues		
Departmental	<u>\$9,212,156</u>	<u>\$9,670,262</u>
Department Tax Levy	(\$2,924,087)	(\$2,792,325)

Office of the Westchester County Clerk**Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2022****County Clerk Fees Collected**

Land Records Division		
Recording Fees	\$6,165,448.03	
Real Property Transfer Report Fee	\$153,909.00	
Administrative Fee, Refund Processing	\$3,157.00	
Legal Division		
Filing Fees	\$850,642.70	
DWI Surcharges	\$44,070.00	
Criminal Fines	\$57,943.00	
Licensing Division		
Filing Fees	\$382,436.00	
Interest	\$1,542.27	
Other (Online Access, Copiers)		
Public Copiers	\$1,998.80	
Workstation/phone	\$1,405.00	
Unclaimed funds	\$0.00	
		\$8,193,191.80

Mortgage Tax Collected

Paid to Westchester County		
Westchester County Mortgage Tax	\$27,212,223.32	
Local Mortgage Tax	\$54,394,412.23	
Yonkers Mortgage Tax	\$6,183,564.05	
Reimbursement for Processing Costs	\$991,465.16	
Interest, County Portion	\$6,741.71	
Paid to Metropolitan Transit Authority	\$56,076,643.94	
Paid to State of New York Mortgage Agency	\$6,230,337.52	
		\$151,095,387.93

New York State Real Estate Transfer Tax

Paid to Westchester County		
Recording Officer's Fee	\$14,573.75	
Interest, County Portion	\$6,183.45	
Paid to the Department of Taxation and Finance	\$108,504,967.67	
		\$108,525,724.87

Court Revenue

Paid to the Unified Court System	\$4,797,234.00
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Notary Revenue

Paid to the New York State Department of State	\$233,800.00
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Records Management Improvement Fund

Collected from Court Filings	\$80,156.25
Collected from Land Records Filings	\$359,057.25

Cultural Education Fund

Collected from Court Filings	\$240,397.50
Collected from Land Records Filings	\$1,077,171.75
	\$1,756,782.75

Equalization and Assessment

NYS Office of Real Property Services	\$2,173,966.00
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Total Collected and Disbursed:**\$276,776,087.35****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 30th day of January, 2023

Carol Fumanti Arcuri

CAROL FUMANTI ARCURI

Notary Public, State of New York
No. 02AR4665201

Qualified in Westchester County
Commission Expires 09/30/2026

Timothy C. Idoni

Land Division: Total Funds Collected & Distributed-Fiscal Year Ending 12/31/2022

Conveyances:	<u>Fee</u>	<u>No Fee</u>	<u>State Share</u>	<u>County Share</u>
Assignment of Lease and Rents	1,083	0	\$20,577.00	\$88,084.00
Contract	15	0	\$285.00	\$875.00
Declaration	177	10	\$3,363.00	\$16,653.00
Dedication	0	0	\$0.00	\$0.00
Deed	16,942	9	\$321,898.00	\$721,495.50
Deed Agreement	206	0	\$3,914.00	\$13,392.50
Deed, Correction	159	0	\$3,021.00	\$6,885.00
Easement	221	1	\$4,199.00	\$18,559.00
Lease Agreement	1,090	0	\$20,710.00	\$47,968.50
Letters of Patent	0	0	\$0.00	\$0.00
Release of Lien of Estate Tax	57	0	\$1,083.00	\$2,038.00
Release of Mortgage	205	0	\$3,895.00	\$9,832.00
Real Property Law 291 Notice	25,155	0	\$0.00	\$154,800.00
Mortgages:				
Assignment of Mortgage	7,077	37	\$134,463.00	\$279,474.50
Mortgage	20,148	41	\$382,812.00	\$2,195,800.50
Mortgage Agreement	732	11	\$13,908.00	\$42,341.00
Mortgage, Correction	124	0	\$2,356.00	\$15,654.00
Registered Agreement	5,430	2	\$103,170.00	\$924,748.00
Satisfactions of Mortgage:	17,019	14	\$323,361.00	\$840,369.00
Miscellaneous:				
Affidavit	0	17	\$0.00	\$0.00
Agreement	10	0	\$190.00	\$570.00
Certificate	0	0	\$0.00	\$0.00
Commitment	0	0	\$0.00	\$0.00
Judgment	7	0	\$133.00	\$322.00
Negative Pledge Agreement	2	3	\$38.00	\$92.00
Notice of Appropriation	1	19	\$19.00	\$31.00
Order	99	1	\$1,881.00	\$5,184.00
Power of Attorney	4,765	0	\$90,535.00	\$270,525.00
Power of Attorney, Revocation	11	0	\$209.00	\$351.00
Statement Identifying Property	11	0	\$209.00	\$416.00
Cross-References Entered	82,889	0	\$0.00	\$41,444.50
Transfer Tax Return Filing Fee	17,740	0	\$0.00	\$88,700.00
Mortgage Tax Affidavit Filing Fee	9,166	0	\$0.00	\$45,830.00
Certified Copies, Copies, Searches	2,901	0	\$0.00	\$26,232.23
Map Copies	313	0	\$0.00	\$2,644.00
Administrative Fee, Refund Process	0	0	\$0.00	\$3,157.00
Adjustments	0	0	\$0.00	\$517.05
Ucc Filed	9,167	0	\$0.00	\$256,240.00
Federal tax liens filed	1,116	0	\$0.00	\$44,940.00
Other Federal Liens	64	0	\$0.00	\$448.00
Notices of Common Charges	259	0	\$0.00	\$1,275.00
Certified Copies, Copies, Searches	45	0	\$0.00	\$716.75
2022 Land Records Division Total:			<u>\$1,436,229.00</u>	<u>\$6,168,605.03</u>

Legal Division: Funds Collected & Distributed- Fiscal Year Ending 12/31/2022

	<u>Cost</u>	<u>Fee</u>	<u>No Fee</u>	<u>State Share</u>	<u>County Share</u>
Business Certificates	\$25.00	1,364	118	\$0.00	\$34,100.00
Incorporations from NYS	Varies	5,681	14	\$0.00	\$48,239.00
Religious Corporations	\$25.00	20	0	\$0.00	\$500.00
Certified Copies	varies	9,403	0	\$0.00	\$76,503.85
Commissions	varies	465	0	\$0.00	\$2,325.00
Executions	\$5.00	227	0	\$0.00	\$1,135.00
Exemplifications	\$10.00	325	0	\$0.00	\$3,250.00
Matrimonial Dissolutions	\$5.00	2,926	4	\$0.00	\$14,630.00
Transcripts Issued	\$5.00	178	0	\$0.00	\$890.00
Commencements (Index Numbers)	\$210.00	15,726	426	\$2,893,584.00	\$408,876.00
Foreclosure Surcharge	\$190.00	526	0	\$99,940.00	\$0.00
Judgment Transcripts Filed	\$10.00	1,541	5,650	\$0.00	\$15,410.00
Judgments Entered	\$45.00	2,622	133	\$117,990.00	\$0.00
Jury Demand	\$65.00	828	0	\$53,820.00	\$0.00
Liens/Small Liens	Varies	1,963	80	\$21,736.00	\$33,924.00
Motion	\$45.00	5,789	18	\$260,505.00	\$0.00
Note of Issue	\$30.00	4,899	20	\$146,970.00	\$0.00
Notice of Appeal	\$65.00	767	9	\$49,855.00	\$0.00
Order to Show Cause	\$45.00	1,916	17	\$86,220.00	\$0.00
Request for Judicial Intervention	\$95.00	9,175	240	\$871,625.00	\$0.00
Separation Agreement	\$5.00	19	0	\$0.00	\$95.00
Small Claims Assessment Review	\$30.00	3,649	0	\$91,225.00	\$18,245.00
Stipulation	\$35.00	8,843	25	\$309,505.00	\$0.00
Subpoenas	\$20.00	26	2	\$0.00	\$520.00
Criminal Fines	Varies	63	0	\$0.00	\$57,943.00
Felony Surcharge	Varies	165	0	\$46,511.00	\$0.00
Misdemeanor Surcharge	Varies	67	0	\$11,690.00	\$0.00
Violation Surcharge	Varies	60	0	\$9,533.00	\$0.00
Sex Offender Registration	\$50.00	15	0	\$750.00	\$0.00
DNA Data Bank Registration	\$50.00	200	0	\$10,000.00	\$0.00
Crime Victims Assistance Fee	Varies	266	0	\$7,775.00	\$0.00
Supplemental Sex Offender	\$0.00	15	0	\$15,000.00	\$0.00
Criminal Penalty for DWI	Varies	68	0	\$13,460.00	\$0.00
Criminal Fine for DWI	Varies	64	0	\$0.00	\$44,070.00
New Filings- Domestic Partnership	\$25.00	209	0	\$0.00	\$5,225.00
Amendments-Domestic Partnership	\$25.00	2	0	\$0.00	\$50.00
Terminations-Domestic Partnership	\$25.00	24	0	\$0.00	\$600.00
Authentication of Notaries Public	\$3.00	11,025	0	\$0.00	\$33,075.00
Character Cards Filed	\$10.00	100	0	\$0.00	\$1,000.00
Character Cards Issued	\$5.00	608	0	\$0.00	\$3,040.00
Notary Public Renewals	\$60.00	6,914	0	\$233,800.00	\$138,280.00
Foreclosure Filing Report	\$20.00	30	0	\$0.00	\$600.00
Judgment/Lien Report	\$30.00	0	0	\$0.00	\$0.00
Other Filings & Services	Varies	1,514	4	\$93.75	\$10,727.85
Adjustments					-\$598.00
2022 Legal Division Total:				<u>\$5,351,587.75</u>	<u>\$952,655.70</u>

Licensing Division: Total Funds Collected & Distributed-Fiscal Year Ending 12/31/2022

	<u>Fee Count</u>	<u>No Fee</u>	<u>Cost</u>	<u>Total</u>	
Passport Fees Collected:					
Processing Fees	7,076	0	\$35.00	\$247,660.00	
Photo Fees	4,351	0	\$10.00	\$43,510.00	
Photo Fees (Senior)	371	0	\$7.00	\$2,597.00	
Miscellaneous	2	0		\$34.00	\$293,801.00
Pistol License Administration:					
New Applications	1,255	52	\$10.00	\$12,550.00	
Amendments	6,181	0	\$3.00	\$18,543.00	
Recertifications	2,042	304	\$10.00	\$20,420.00	
Dealer/Gunsmith	9	0	\$10.00	\$90.00	
Transfers	166	0	\$5.00	\$830.00	
Photo Fees	1,382	0	\$10.00	\$13,820.00	
Replacement	48	0	\$5.00	\$240.00	
Photo Fees (Senior)	1	0	\$7.00	\$7.00	
Miscellaneous	134			\$301.00	\$66,801.00
Naturalization Ceremony Administration:					
Ceremony Administration Fees				\$6,880.00	
Certified Petitions	88	0	\$5.00	\$440.00	
Certified Letters	95	0	\$5.00	\$475.00	\$7,795.00
Westchester County Identification Cards:					
Cards Issued	807	0	\$8.00	\$6,456.00	
Photo Fees (Senior)	31	0	\$7.00	\$217.00	
Photo Fees	764	0	\$10.00	\$7,640.00	\$14,313.00
Adjustments					-\$274.00
2022 Licensing Division Total:				<u>\$382,436.00</u>	

HIGHLIGHTS

Facilitating E-filing in New York State: As co-chair of the New York State Association of County Clerks' Court Committee, member of its Legislative Committee, and first ever Chair of the Supreme Court Steering Committee for Supreme Court E-filing, the County Clerk remains committed to advancing e-filing throughout the State. The committees coordinate responses from the county clerks and legal community leaders and make recommendations to the State Chief Administrative Judge on the creation or expansion of mandatory electronic filing programs. The committees' initiatives have resulted in 61 of the 62 counties in the State now providing e-filing. Working with dedicated and diverse legal community leaders has enhanced the ability of the Clerk's Office to serve pro se litigants and attorneys.

E-Filing and E-recording: Approximately 85% of civil actions are commenced electronically through the NYS electronic filing system and approximately 84% of the land record documents are currently e-recorded. Electronic recording has significantly increased the efficiency of the filing and recording and reducing manual labor. Further reduction in paper filings is anticipated with the recent authorization of e-filing of election law cases, special proceedings under the Mental Hygiene Law, and name change applications. Once developed in coordination with the DA's Office and the courts, e-filing of criminal cases could lead to a further estimated 5% reduction.

Renovation in Office Space: Plans are being implemented under the leadership of the County Executive and Department of Public Works and Transportation 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 has been opened up for adaptive reuse by the County Public Safety department and the Westchester County District Attorney. The renovation will generate a savings in rental costs incurred by other County departments and enhance the efficiency and the environment for an improved staff and visitor experience. Changes made to the Office physical layout in response to the COVID-19 pandemic to ensure distancing between staffers and the public have been carried over into the renovation plans to ensure continued office preparedness.

Westchester County Personal Identification Card Expansion: The Licensing Division experienced a significant increase in the number of County Identification cards issued, with 30 issued in 2014 to 807 in 2022. These ID cards have opened doors to benefits by providing an option to Westchester residents who, due to citizenship status, poverty, or other circumstances, cannot obtain state-issued photo IDs.

Foreclosure Data Captured and Shared to Assist Homeowners in Need: The Clerk's Office continues to capture information from foreclosure cases to provide Westchester County residents with the data needed to secure funds to assist persons impacted by the foreclosure crisis. There has been a significant reduction in the number of new foreclosure filings from 1041 in 2019 to 502 in 2022. Foreclosure judgments also fell from 715 in 2019 to 268 in 2022.

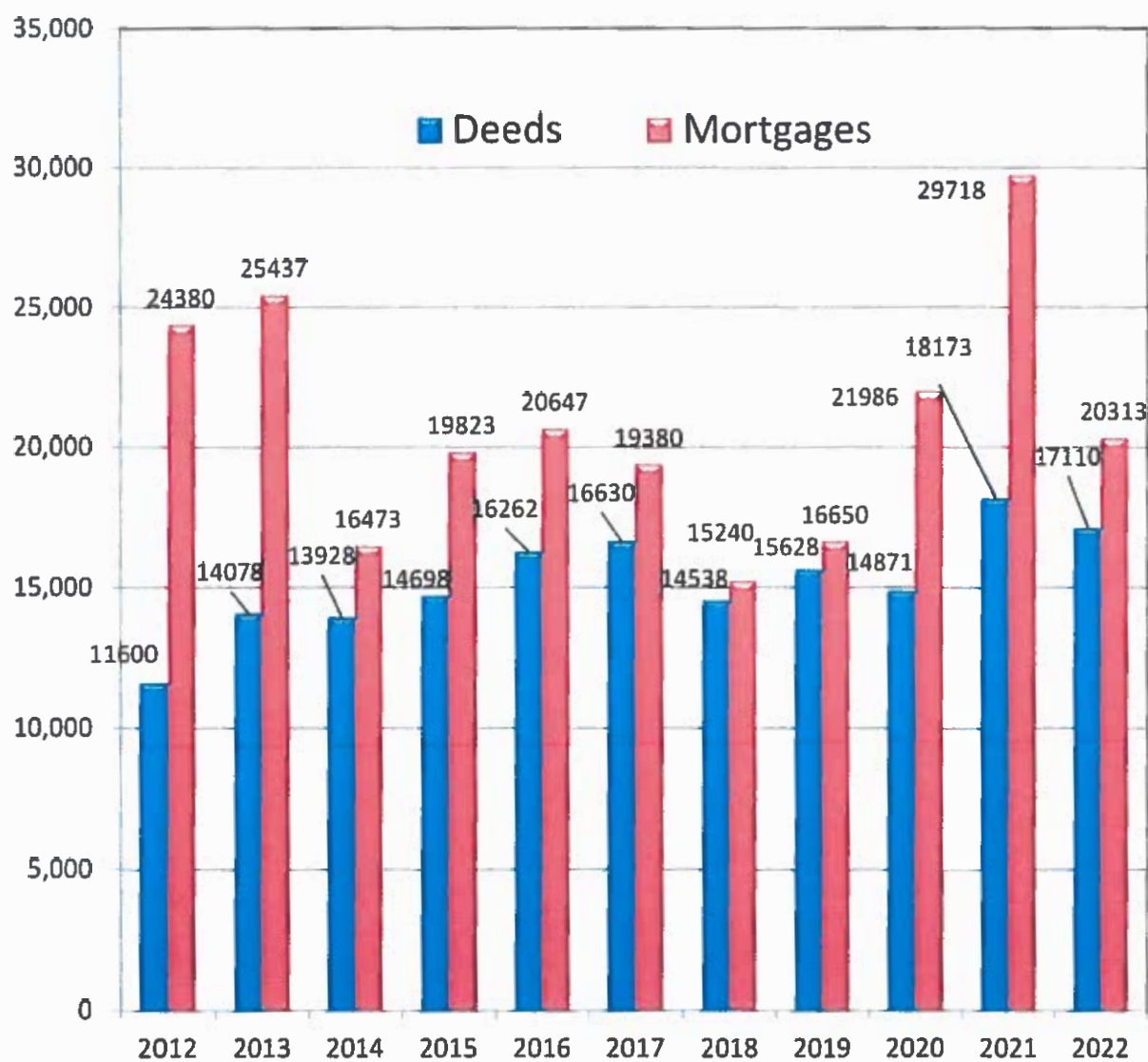
Mobile Community Outreach Vehicle: The County Clerk's Community Outreach program featuring a custom built truck stops in every town and city in the County. The mobile office staff is authorized to accept passport applications and answer questions about passport applications and renewals. In addition, the mobile office staff is available to take passport photos. In 2021 the program expanded to include notary, veterans, and business licensing services. There has been a significant increase in the number of passport applications submitted through the mobile as well as the physical office.

Pistol Licensing: Pursuant to a 1997 amendment to the NYS Penal Law, Westchester County licenses were required to be certified by April 1, 2000, and recertified every 5 years thereafter. On 6/23/2022, the US Supreme Court struck down that portion of the NYS firearm licensing law requiring the showing of a special need to carry a concealed handgun outside of the home. NYS enacted revisions to the firearm licensing laws, effective 9/1/2022 expanding background checks and shortening the recertification period to 3 years. As a result of the decision and revisions to the licensing laws, there is a significant increase in applications to amend and delete restrictions on licenses and timely recertify current licenses.

Statistics of Interest

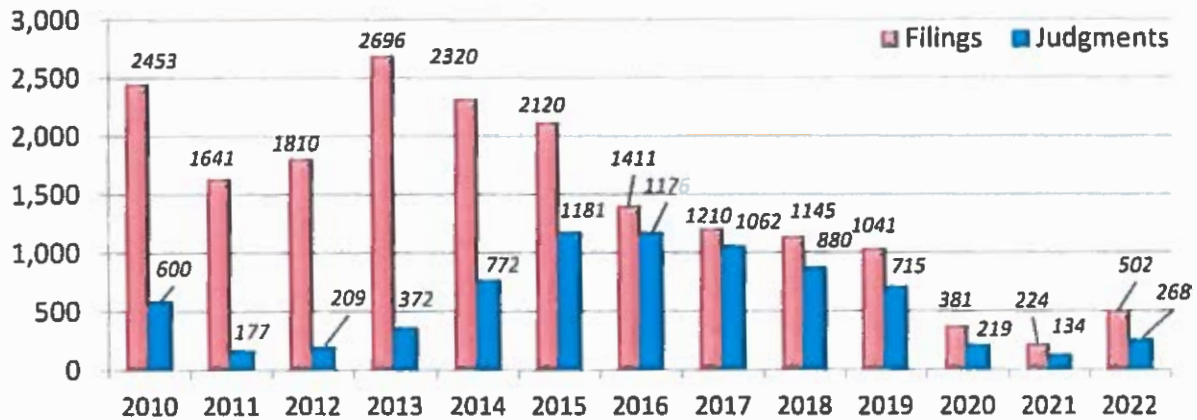
Indicators from our Land Records Division

Deeds and Mortgages Recorded

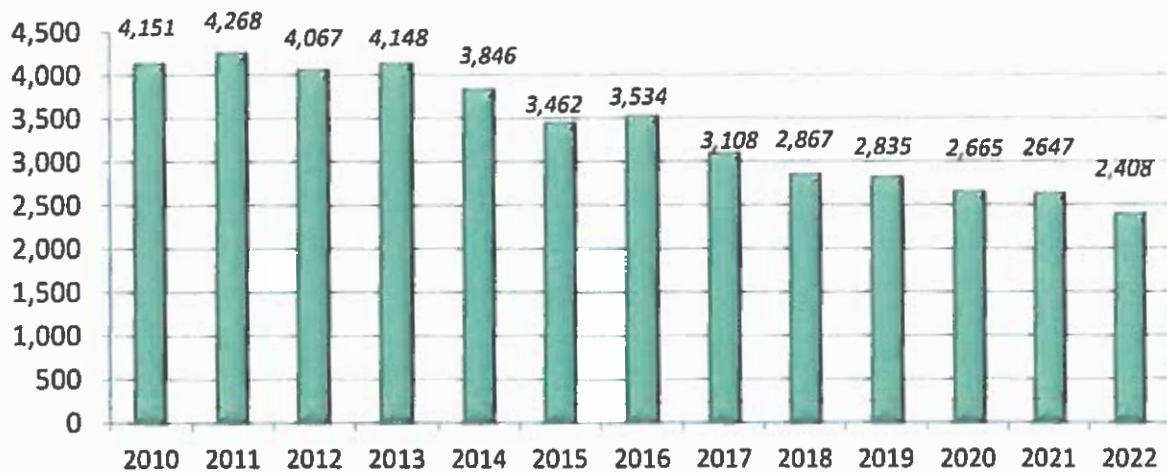


Statistics of Interest

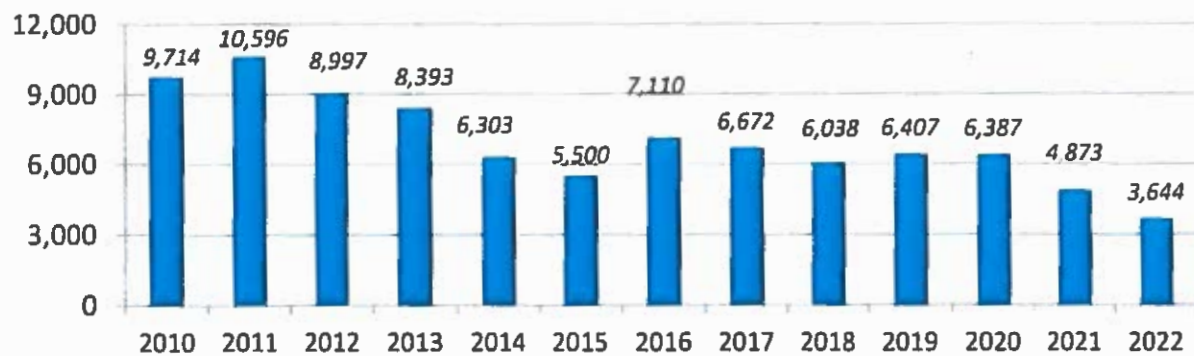
Indicators from our Legal Division
Foreclosure Filings and Judgments



Tax Certiorari Proceedings Commenced

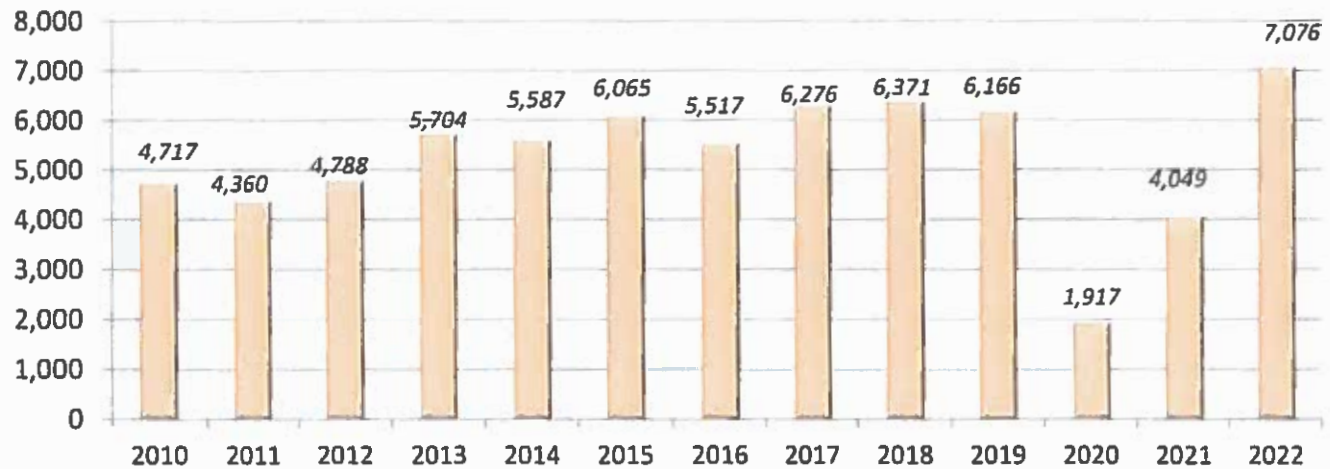


Small Claims Assessment Review Petitions Filed

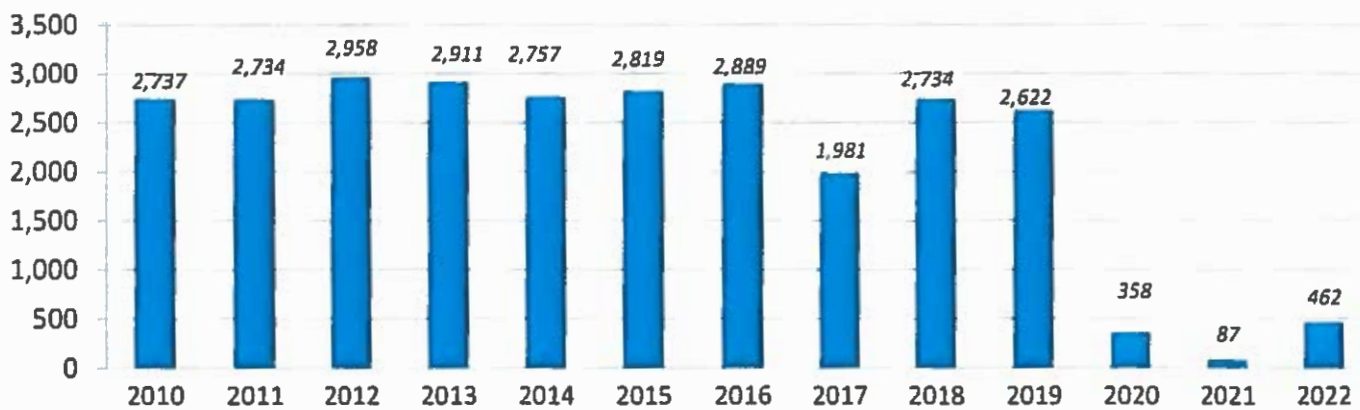


Statistics of Interest *Indicators from our Licensing Division*

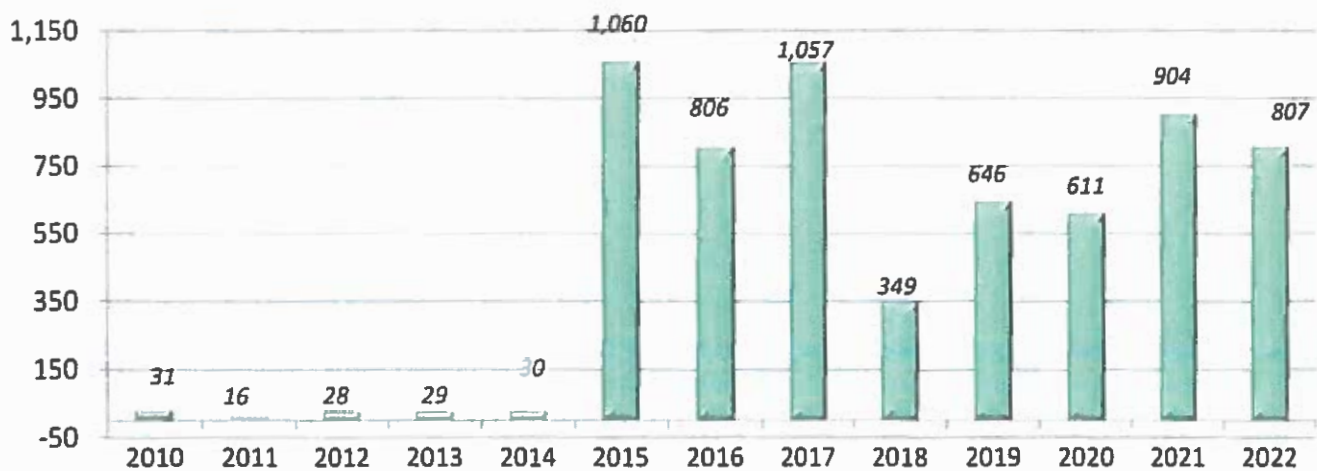
Passport Applications



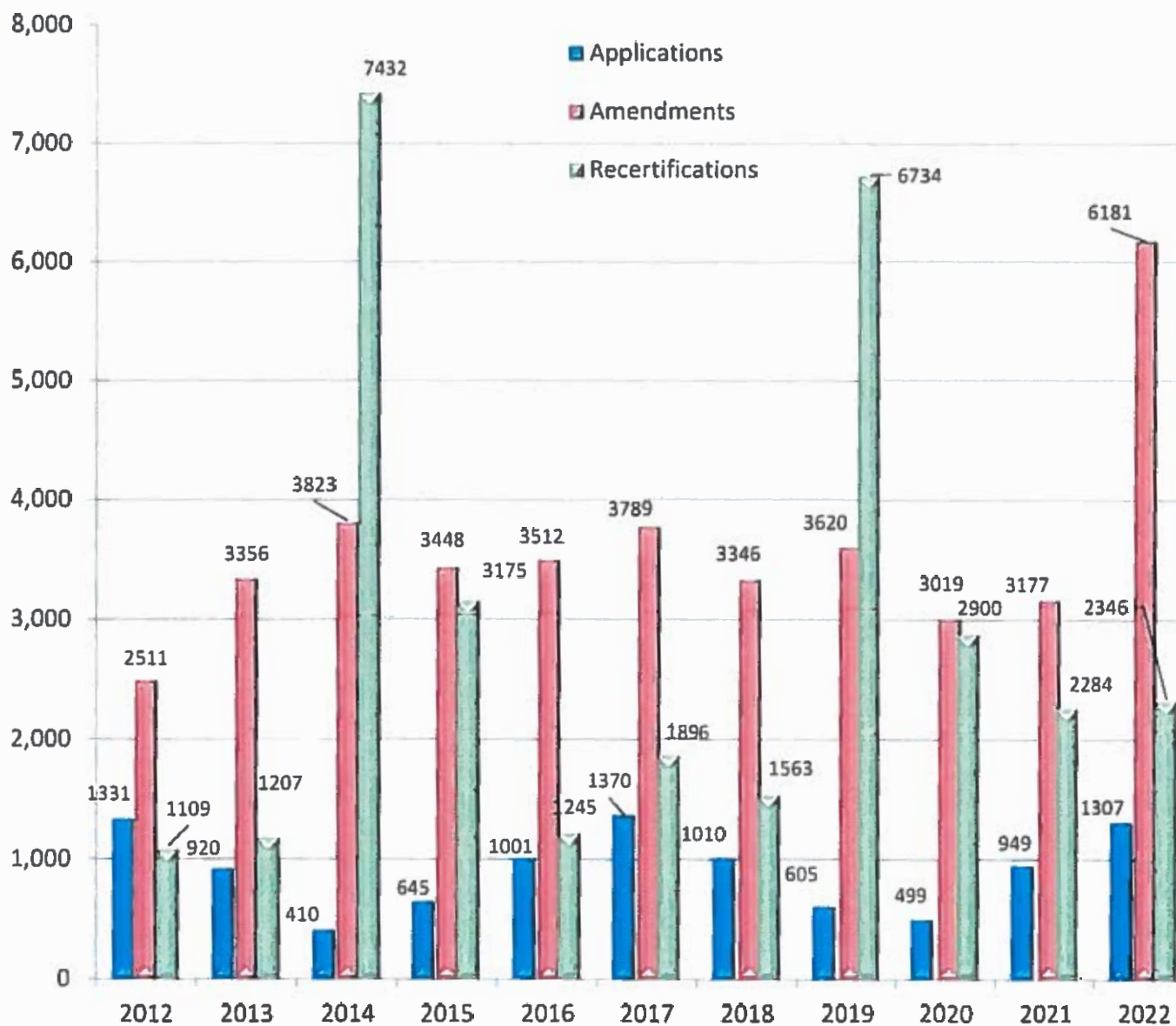
Naturalizations



County Residence Personal IDs



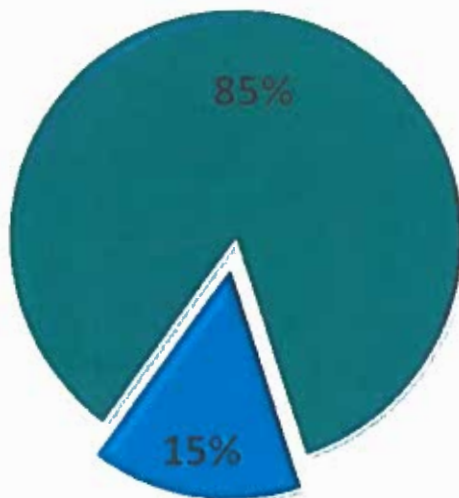
PISTOL LICENSE APPLICATIONS, AMENDMENTS AND RECERTIFICATIONS



Electronic Filing and Recording

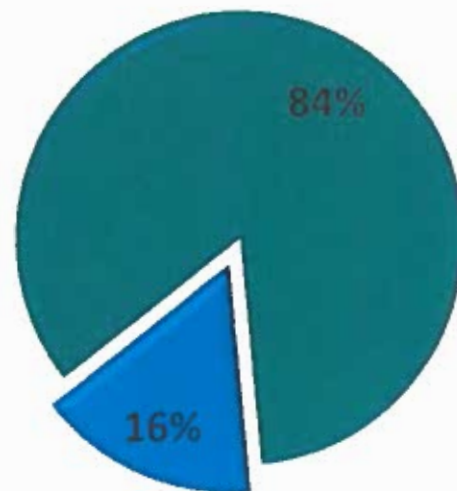
Civil Actions

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



Land Records

Approximately **84%** 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, 2022 through December 31, 2022, **3,486,392** searches were conducted in WRO. Local municipalities and federal and state agencies are granted free remote access to WRO through "no cost" agreements. Free access to local municipalities has been expanded to include access to WRO reports of foreclosure filings and judgments as a "shared service" to assist in preventing zombie homes.