



**CLERK – RECORDER – REGISTRAR
COUNTY OF MONO**

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MEMORANDUM

To: All Recording Customers
From: Shannon Kendall, Mono County Clerk-Recorder
RE: Building Homes and Jobs Act Fee (Senate Bill 2) – New Recording Fee
Date: January 1, 2018; Updated October 26, 2018

In September 2017, the California State Legislature enacted SB2, also known as the Building Homes and Jobs Act, which requires all county recorders to collect a \$75 fee for the recording of “every real estate instrument, paper, or notice...per each single transaction per parcel of real property.” (Gov. Code, § 27388.1(a)(1).) The new fee also applies to the recording of documents related to mining claims. Fee amounts will vary depending on the number of instruments, papers, and notices requested for recording for each parcel of real property involved each real property transaction. In certain limited situations, a “cap” may apply to limit the total amount of the fee. The fee requirement became effective January 1, 2018 and is in addition to all other applicable recording fees. (Gov. Code, § 27388.1(a)(1).)

Payment of the fee is required unless the recording of an instrument, paper, or notice is expressly excepted by SB2. (Gov. Code, § 27388.1(a)(1), (2).) Under SB2, the recording of an instrument, paper, or notice is excepted from the fee requirement if it is (1) recorded “in connection with” a transfer subject to the imposition of a documentary transfer tax; (2) recorded “in connection with” a transfer of real property that is a residential dwelling to an owner-occupier; (3) requested by an agency or agent of the federal government; or (4) requested by an agency or agent of the state or any county, municipality, or other political subdivision of the state. (Gov. Code, § 27388.1(a)(2).)

It is the responsibility of the customer to calculate the proper amount of the fee; whether any exception applies to exempt the customer from the requirement to pay the fee; whether the statutory “cap” applies to the real property transaction; and to pay the fee. The Mono County Recorder’s Office requires all recording requests to include on the face of each instrument, paper, or notice, or as a separate cover sheet, a statement declaring the amount of the fee paid and whether an exemption or the “cap” applies. Instruments, papers, and notice that do not include the statement or cover sheet will be rejected and returned to the customer.

The Mono County Recorder’s Office has prepared and will make available upon request a sample cover sheet for use by customers. For more information regarding the implementation of SB2 and collection of the new fee, please contact the Mono County Clerk-Recorder-Registrar’s Office at 74 School Street, Annex 1, P.O. Box 237, Bridgeport, CA 93517 or (760) 932-5530.