



*State of North Carolina
Department of the Secretary of State*

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SECRETARY OF STATE

OZIE H. STALLWORTH
Electronic Notarization and
Notary Enforcement Director

N. C. Electronic Recording Council
BEST PRACTICES FOR ELECTRONIC RECORDING
Approved March 2018

These best practices are not intended to replace statute or contradict any laws. The goal is to make electronic recording the same as paper recording.

- ❖ IMAGES – Images submitted for recording should be clean, without any “noise”/lines and must accurately represent the original documents. Notary seals should be ink stamped or darkened and legible for verification requirements.
- ❖ RECORDING TIMES – County should post on County website and/or on any other website available to the public the recording times of that County. The recording times for electronic recording should be consistent with the recording times for paper recordings. It is the responsibility of the Submitter that all local requirements are met prior to submission of documents, i.e., any certifications that may be required. Recording times are based upon the document being processed, accepted, and recorded pursuant to applicable state law. No document is deemed registered automatically upon transmission or receipt.
- ❖ DOCUMENT TYPES – County should post on County website and/or on any other website available to the public any restrictions on the types of documents it will accept for recording from approved Submitters.
- ❖ INDEXING – The Register is responsible for indexing all documents according to the North Carolina Indexing Standards and not rely on the submission of indexed entries of these documents.
- ❖ MULTIPLE PACKAGES – Submitter should only package together documents that need consecutive instrument numbers.

- ❖ RETURN OF DOCUMENTS – It is understood that the recording confirmation is returned to the Submitter, regardless of how it is stated on the document.
- ❖ NAME CHANGE OF SUBMITTERS - In the event of a reorganization of Submitter's company structure of any kind such that Submitter would be known by a new name (including but not limited to acquisition, merger, addition of new partner to a partnership), Submitter must execute a new electronic recording agreement in its new identity before it may continue to submit documents for electronic recording.
- ❖ NOTARY and/or eNOTARY – Should contact the Secretary of State's office regarding any questions at notary@sosnc.gov.
- ❖ RE-RECORDING DOCUMENTS – If re-recording a document with **NO** changes or to record in another County, you should obtain a certified copy. If recording a document to make changes or correct errors, Submitter must have the document re-signed and re-acknowledged or submit a corrective or curative affidavit (G.S. 47-36.1 and 47-36.2, as amended), if such an affidavit is deemed necessary by the Submitter.
- ❖ SUBMITTER AGREEMENT (between the Register of Deeds and the Submitter, such as law firm, bank, surveyor, title company, etc.) – County should use the standard (Electronic Recording Council approved) Submitter Agreement without alterations.
- ❖ QUESTIONS – Should refer back to the electronic recording standards as posted on the Secretary of State's website:
https://sosnc.gov/documents/forms/notary/North_Carolina_Electronic_Record.pdf.