



Document Recording Fees

We propose an increase to the existing state imposed Document Recording Fee (ORS 205.323 – see below) of an additional \$15 per document to be paid to Oregon Housing and Community Services. These funds will create an **ongoing dedicated revenue stream** to increase housing opportunity for hard working families, seniors, people with disabilities, and others left behind by the housing market.

Our proposal will increase the total state imposed fee to \$26 per document. There are additional locally imposed and per page fees that would not be affected. (Typical cost to record a one page document with state and local fees would rise to \$41).

This is not a real estate transfer tax! The Document Recording Fee applies to a broader set of documents and is not assessed based on the value of the property. Current estimates (as of August 2008) show that our proposal to raise the fee by an additional \$15 per document would generate \$19.6 million in new funds for affordable housing in the 2009-2011 biennium. This is a marginal increase in cost per transaction that will have a profound impact on the lives of Oregonians struggling to afford their homes.

CURRENT STATUTES RE: recording fees:

- **ORS 205.323 currently imposes an \$11 state fee.** This is distributed as follows:
 1. \$1 must be deposited in the state's Oregon Land Information System Fund for the Department of Revenue to use for a base map system for the property tax system (ORS 306.132).
 2. Remaining \$10 distributed as follows:
 - a. 5% (.50 cents) goes to the county for any use
 - b. 5% (.50 cents) is retained by the clerk to cover expense of recording
 - c. 90% (\$9) placed in the County Assessment and Taxation Fund (CATF) (ORS 294.187). This money is for use by the DOR and counties. DOR may use up to 10% (.90 cents) of the balance of this account, and the remainder goes back to counties for assistance in performing the assessment and taxation function.

This fee would be increased to \$26 under our proposal, with the additional \$15 to be transferred quarterly to Housing and Community Services.

- **Up to \$10 in local fees may also be charged by a county for each document filed. These fees would not be affected by our proposal.** ORS 203.148 (2) allows counties to impose a \$10 public land corner restoration fee to support county surveyor operations. Clerks may retain 5 percent of this amount, or 50 cents, to cover their operations, as provided in ORS 205.320 (18).
- **In addition, there is a \$5 per page charge** authorized in ORS 205.320 (4)(b) for each page filed. These fees are for the general "benefit of the county." These fees would not be affected by our proposal.

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