

OFFICE OF THE NASSAU COUNTY CLERK 2013 ANNUAL REPORT

**MAUREEN
O'CONNELL
NASSAU COUNTY CLERK**



MAUREEN O'CONNELL, RN, JD
NASSAU COUNTY CLERK



OFFICE OF THE COUNTY CLERK
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Dear Fellow Residents:

I am pleased to provide the Annual Report of the Nassau County Clerk's Office for fiscal year 2013.

Created by the New York State Constitution, the Nassau County Clerk's Office acts as agent for the state and is part of the New York State Unified Court System serving as the Clerk of Supreme and County Courts. The office has unique duties dictated by legal statutes pertaining to processing and indexing all real property ownership records dating back to 1899, as well as filing and maintaining court records. Every record must be reviewed for statutory compliance and is required to be retained in perpetuity. In addition, the County Clerk is responsible for safeguarding vital historic records of the County including the storage and retrieval of records belonging to many county departments.

While one of the most public offices in Nassau County government, the matters handled by the Clerk's Office are of a personal nature to the hundreds of residents who utilize our services daily. My dedicated staff assists residents, legal professionals, other governmental agencies, court staff and the judiciary with numerous services including: court filings, name change orders, small claims assessment review petitions (SCAR), deeds, mortgages, mortgage satisfactions, real property maps, judgments and liens, business certificates, notary public requests, passports, and veteran's discharge filings. Accordingly, the County Clerk exercises a non-delegable fiduciary duty as collection agent for the funds generated by these services on behalf of other taxing jurisdictions, including New York State and the Unified Court System.

Over 565,000 transactions were filed equating to more than 2,100 transactions processed on the public's behalf each business day. 2013 also saw the implementation of e-recording of land documents, expanded e-filing of court records and continued expansion of other electronic filing interfaces, creating greater efficiencies and streamlined services.

The Clerk's Office provides real time recording of documents. In addition, an ongoing goal of the Clerk's Office is to preserve older records maintained on dated media by converting them to a singular electronic format. The ongoing objectives of the Clerk's Office include the implementation of new technology, responsive constituent services, operational efficiency, and personal privacy protection.

Through the assistance of numerous grants awarded to the Clerk's Office by the New York State Department of Education State Archives, improvements continue to be made throughout the office to better serve the public and accommodate the continually increasing volume of archived records.

During my tenure as County Clerk, I consistently perform my prescribed Constitutional, fiduciary and statutory obligations to the residents of Nassau County and New York State through the efficient allocation of the resources provided by the County. My office remains committed to providing the optimum level of service the residents of Nassau County deserve.

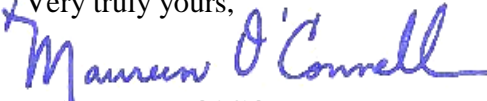
Very truly yours,

MAUREEN O'CONNELL
Nassau County Clerk

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FEES & TAXES

STATUTORY AUTHORITY

Fees and taxes collected by the Office of the County Clerk are remitted to various Federal, State and local municipalities as follows:

MORTGAGE TAX

In accordance with Article 11 of the New York State Tax Law assessed on mortgages for single and multi family dwellings, commercial property and vacant land through private lenders, natural persons or Federal Credit Unions.

REAL ESTATE TRANSFER TAX

In accordance with Article 31 of the New York State Tax Law assessed on conveyances of real property.

SUPREME AND COUNTY COURT FEES

In accordance with Article 12 of Nassau County Laws and Article 80 of the New York State Civil Practice Law (CPLR) for County Clerk services as Clerk of the Supreme and County Courts.

RECORD MANAGEMENT

In accordance with §8018 and §8021 of the New York State Civil Practice Law, Records Management Surcharge for document processing.

EQUALIZATION AND ASSESSMENT

In accordance with §333(3) and §574 of the New York State Real Property Law (RPL), assessed on each RP-5217 form filed with the Clerk's Office.

NOTARY LICENSING

In accordance with New York State Executive Law §131, for the processing of Notary Public Commissions.

SCOPE OF SERVICES PROVIDED

- Recording all deeds, mortgages, mortgage satisfactions and other real property related filings
- Filing and maintaining county land and subdivision maps
- Issuing civil case index numbers, requests for judicial intervention, notes of issue and jury demands
- Indexing all Supreme Court files and related documents
- Maintaining Supreme and County Court case files
- Processing name change applications
- Receiving and processing Notices of Appeal to the Appellate Division
- Processing Small Claims Assessment Review (SCAR) matters
- Processing Tax Certiorari cases
- Recording Powers of Attorney
- Indexing judgments, judgment dispositions and satisfactions
- Providing certificates of disposition of judgments
- Filing transcripts of judgments from other courts
- Indexing all liens, lien satisfactions and discharges
- Filing New York State warrants and federal tax liens
- Filing Broker Affidavit of Entitlement to Commission
- Registering and filing business names
- Notary Public licensing and renewals; maintaining signature cards of all notary publics qualified in Nassau County; authenticating notary signatures
- Maintaining Oaths of Office registry
- Recording and maintaining Veteran's Discharge (DD-214) documents
- Issuing Veteran's Peddlers licenses
- Passport Acceptance Agent
- Recording Uniform Commercial Code filings
- Recording Firefighter's Exemption Certificates
- Maintaining naturalization records from 1899 to 1997
- Conduct title, judgment and lien searches
- Providing certified copies of all filed and recorded documents
- Recording various documents for other municipalities and agencies

COUNTY CLERK DEPARTMENTS

ADMINISTRATION

The Administration is responsible for planning and directing all phases of the Clerk's Office operations. It processes and maintains all personnel and payroll records, prepares the budget, effectuates purchases and expenditures, provides public information, community outreach, constituent services and acts as liaison for inter-governmental affairs.

ACCOUNTING

The Accounting Department is responsible for all accounting operations, including daily reconciliation of all accounts and maintenance of general ledgers and journals. It is responsible for depositing and remitting all fees and taxes collected by the County Clerk. This department verifies that accurate mortgage tax is collected and remitted to the appropriate entity on every mortgage recorded in accordance with Tax Law, Article II, §§250-267. Court related filing fees, business and other filings fees are collected and remitted to the proper entities in accordance with applicable law.

COURT DOCUMENT ROOM

The County Clerk is the Clerk of the Supreme and County Courts and maintains all court files for civil and criminal matters including matrimonial files, tax certioraris and Criminal Court minutes received from attorneys, parties, courts, and process servers. The Clerk's Minutes, a listing of various documents filed by index number, is available on the public access database. The public is able to view on-site most Supreme Court documents. Court requisitions, subpoena responses, requests by mail, are also processed by this department.

COURT RECORDING

In accordance with the CPLR, this department indexes and maintains all court actions received from Supreme and County Courts. It also processes all subsequent pleadings and papers, including decisions, Judgments of Divorce, stipulations, orders, judgments, transfer orders, commissions to committee, and other court documents.

LAND RECORDING DEPARTMENT

This Department's operations are in compliance with numerous sections of the Real Property Law. Its functions include recording deeds, mortgages, mortgage assignments, mortgage satisfactions, easements, covenants, powers of attorneys, etc. This department also records liens, lis pendens, notices of violation, and real estate broker affidavits of entitlement to commission to be filed against real property. Recording fees and taxes are collected as required by law.

LAND RECORDS

The County Clerk is responsible for maintaining a Land Records registry, including the archival records of mortgages, deeds and maps dating back to 1899. Over the years, this registry was maintained in various media formats, and since 1992, on the Clerk's electronic database. Public access computer terminals allow access to the electronic database for searching and printing of land records. All media document a property's genealogy and all instruments are available for public viewing. This department is also responsible for maintaining real property subdivision and highway maps, which currently total in excess of 12,000 maps. As the Clerk's Office most publicly visited department, it handles hundreds of inquiries daily assisting residents, professionals, other county agencies and municipalities in locating documents.

LICENSING & RECEIVING

This department files judgments and several types of court documents including liens, separation agreements, Family Court Orders and Notices of Violations, lis pendens, confessions of judgment, and judgments of foreclosure. All judgments and liens are verified and quality controlled to ensure the accuracy of the public record.

- **Licensing** - This division accepts for filing several federal, state and county licenses and certificates, records Certificates of Release or Discharges from Active Duty (DD-214), provides certified copies thereof, issues Veterans Peddler's Licenses, records Firefighter Exemption certificates, and maintains Naturalization records from 1899 to 1987.
- **Business Names** - This division records and maintains all filings relative to business certificates, corporations, assumed business names (DBA), and religious corporations.
- **Notary** - The Notary division handles notary renewals on behalf of New York State, maintains notary signature cards for every notary qualified in Nassau County and authenticates notary signatures. On-site notaries are also available to notarize signatures.
- **Passports** - The County Clerk acts as an agent for the United States Passport Service and processes passports.

MICROGRAPHICS & IMAGING

Microfilms and digitizes paper records that become permanent instruments and part of Nassau County's history. The records include: land instruments, judgments, Uniform Commercial Code filings, Business Name filings and other Receiving Department documents.

RECORD MANAGEMENT CENTER

The Records Management Center for Nassau County is located in Westbury, and is under the purview of the County Clerk's Office. The department maintains millions of inactive Court files and county records from 54 county agencies. The goal of this Department is to provide a secure storage facility for County Government and Court records, while ensuring the timely retrieval of those records and proper disposal of records that reach the end of their legally prescribed retention period.

SUMMARY OF RECEIPTS & DISBURSEMENTS

FOR YEAR ENDING DECEMBER 31, 2013

RECEIPTS

COUNTY FEES (SCHEDULE 1)	\$ 37,431,010	
NYS OFFICE OF COURT ADMINISTRATION FEES (SCHEDULE 1 & 2)	9,378,315	
STATE FEES (SCHEDULE 1)	3,957,572	
SURCHARGE FEES (SCHEDULE 1)	2,960,250	
REAL ESTATE TRANSFER TAX (RETT) (SCHEDULE 1)	42,167,483	
MORTGAGE TAX (SCHEDULE 1)	93,588,056	
	<hr/>	\$ 189,482,686
INTEREST EARNED (SCHEDULE 1)	23,725	
	<hr/>	23,725
		<hr/>
TOTAL RECEIPTS		\$ 189,506,411

DISBURSEMENTS

NASSAU COUNTY TREASURER:

LOCAL MORTGAGE TAX DISTRIBUTION (SCHEDULE 3 & 4)	\$ 45,127,610	
FEES & INTEREST (SCHEDULE 5)	37,838,574	
MORTGAGE TAX RECORDING ADMINISTRATIVE FEES & INTEREST (SCHEDULE 5)	1,363,293	
	<hr/>	\$ 84,329,477

TOTAL TO NASSAU COUNTY TREASURER

NEW YORK STATE:

NYS OFFICE OF COURT ADMINISTRATION (SCHEDULE 2)	\$ 9,378,315	
METROPOLITAN TRANSIT AUTHORITY - MORTGAGE TAX (SCHEDULE 3)	43,403,365	
STATE OF NEW YORK MORTGAGE AUTHORITY (SONYMA) - MORTGAGE TAX (SCHEDULE 3)	2,823,427	
NEW YORK STATE TAX COMMISSION - REAL ESTATE TRANSFER TAX (RETT) (SCHEDULE 6)	42,151,165	
NEW YORK STATE TAX COMMISSION - EQUALIZATION & ASSESSMENT (SCHEDULE 7)	2,759,244	
NEW YORK STATE TAX COMMISSION - RECORD MANAGEMENT FUND (SCHEDULE 8)	869,170	
NEW YORK STATE TAX COMMISSION - CULTURAL EDUCATION FUND (SCHEDULE 8)	2,608,220	
NEW YORK STATE TAX COMMISSION - NOTARY DIVISION (SCHEDULE 1)	297,480	
	<hr/>	\$ 104,290,386

TOTAL TO NEW YORK STATE

OTHER STATE ORDERED DISBURSEMENTS:

MORTGAGE TAX APPORTIONMENTS TO OTHER COUNTIES	\$ 73,226	
MORTGAGE TAX OTHER REFUNDS	42,909	
MORTGAGE TAX ADJUSTMENTS OF YEAR END HOLDS FOR APPORTIONMENT	770,413	
	<hr/>	\$ 886,548

TOTAL TO OTHER JURISDICTIONS & HOLDS

TOTAL DISBURSEMENTS **\$ 189,506,411**

TOTAL RECEIPTS BY TYPE

FOR YEAR ENDING DECEMBER 31, 2013

SCHEDULE 1

Services & Filings	Number of Filings	Nassau County Receipts	NYS Receipts	RETT Receipts	Surcharge Receipts	Court Receipts	Mortgage Tax Receipts	Total Receipts
BUSINESS NAMES & CORPORATIONS	15,489	\$ 201,853						\$ 201,853
COURT FILINGS	253,657	724,555	\$ 523,260			\$ 9,378,315		10,626,130
DEEDS—FEES & REAL ESTATE TRANSFER TAXES	23,538	4,586,456	468,240	\$ 42,167,483	\$ 2,960,250			50,182,429
JUDGMENTS	26,098	127,565						127,565
LIENS	35,122	354,400	2,260					356,660
MORTGAGES—FEES & TAXES	123,626	27,290,407	2,448,307				\$ 93,588,056	123,326,770
UNIFORM COMMERCIAL CODE	4,935	1,000,540						1,000,540
NOTARY LICENSES	17,384	206,980	297,480					504,460
SEARCHES & CERTIFICATIONS	16,368	176,755						176,755
DESK & LOCKER RENTAL	45	57,750						57,750
IMAGES & COPIES	25,142	183,668						183,668
MISCELLANEOUS FEES	20,095	2,445,820	218,025					2,663,845
OTHER RECEIPTS	3,766	74,261						74,261
NET RECEIPTS		37,431,010	3,957,572	42,167,483	2,960,250	9,378,315	93,588,056	189,482,686
INTEREST EARNED		2,689	654	4,197			16,185	23,725
TOTAL RECEIPTS	565,265	\$37,433,699	\$3,958,226	\$42,171,680	\$2,960,250	\$9,378,315	\$93,604,241	\$189,506,411

NEW YORK STATE
OFFICE OF COURT ADMINISTRATION
FOR YEAR ENDING DECEMBER 31, 2013
SCHEDULE 2

INDEX NUMBERS:

<i>CIVIL</i>	\$ 3,074,625
<i>MATRIMONIAL</i>	553,970
<i>TAX CERTIORARIS</i>	688,380
NOTES OF ISSUE	263,520
JURY DEMAND	179,140
REQUEST FOR JUDICIAL INTERVENTION (RJI)	1,945,790
NOTICE OF APPEAL	98,150
MOTIONS	844,740
STIPULATIONS OF SETTLEMENT OR VOLUNTARY DISCONTINUANCE	378,070
ASSESSMENT REVIEW PETITIONS (SCAR)	350,650
DEFAULT JUDGMENTS	39,690
FORECLOSURES	<u>961,590</u>
TOTAL	<u>\$ 9,378,315</u>

MORTGAGE TAX DISTRIBUTION

FOR YEAR ENDING DECEMBER 31, 2013

SCHEDULE 3

	Total Fees Disbursed*	Remitted to Nassau County Treasurer	Remitted to NYS MTA	Remitted to SONYMA
JANUARY	\$ 6,082,457	\$ 3,005,835	\$ 2,927,456	\$ 149,167
FEBRUARY	8,280,265	4,058,952	3,612,560	608,753
MARCH	6,553,238	3,235,961	3,102,768	214,509
APRIL	7,617,872	3,769,917	3,605,922	242,033
MAY	8,000,911	3,963,768	3,865,865	171,277
JUNE	6,908,528	3,407,241	3,299,529	201,759
JULY	8,075,473	3,990,017	3,932,739	152,718
AUGUST	10,104,769	4,994,548	4,885,401	224,819
SEPTEMBER	8,514,521	4,210,960	4,102,228	201,333
OCTOBER	7,971,007	3,952,883	3,757,685	260,439
NOVEMBER	5,998,772	2,968,537	2,866,060	164,175
DECEMBER	<u>7,246,589</u>	<u>3,568,991</u>	<u>3,445,152</u>	<u>232,445</u>
TOTAL	<u>\$ 91,354,402</u>	<u>\$ 45,127,610</u>	<u>\$ 43,403,365</u>	<u>\$ 2,823,427</u>

* Total Fees not inclusive of Mortgage Tax Recording Administrative Fees & County interest portion of \$1,364,377 and State ordered disbursements of \$195,697, calculated in accordance with New York State statutes.

LOCAL MORTGAGE TAX DISTRIBUTION

FOR YEAR ENDING DECEMBER 31, 2013

SCHEDULE 4

TOWN OF HEMPSTEAD	\$ 21,367,635
TOWN OF NORTH HEMPSTEAD	10,605,271
TOWN OF OYSTER BAY	11,838,649
CITY OF GLEN COVE	647,812
CITY OF LONG BEACH	<u>668,243</u>
TOTAL DISTRIBUTIONS	<u><u>\$ 45,127,610</u></u>

COUNTY DISBURSEMENT

FOR YEAR ENDING DECEMBER 31, 2013

SCHEDULE 5

SUMMARY OF RECEIPT SOURCES DISBURSED TO THE NASSAU COUNTY TREASURER

COUNTY FEES (SEE SCHEDULE 1)	\$ 37,431,010	
BANK INTEREST EARNINGS (SEE SCHEDULE 1)	<u>2,689</u>	
SUBTOTAL COUNTY FEES & INTEREST		\$ 37,433,699
NEW YORK STATE REAL ESTATE TRANSFER TAX (SEE SCHEDULE 6)	\$ 20,514	
NEW YORK STATE DIVISION OF EQUALIZATION & ASSESSMENT (SURCHARGE) (SEE SCHEDULE 7)	201,006	
NEW YORK STATE COMMISSION OF TAXATION & FINANCE - RECORDS MANAGEMENT (SEE SCHEDULE 8)	<u>183,355</u>	
SUBTOTAL COUNTY PORTION NYS FEES, TAXES & INTEREST		\$ 404,875
MORTGAGE TAX: ADMINISTRATION FEE ALLOWED BY NEW YORK STATE	\$ 1,359,199	
MORTGAGE TAX INTEREST: COUNTY PORTION	<u>4,094</u>	
SUBTOTAL COUNTY PORTION MORTGAGE TAX & INTEREST		<u>\$ 1,363,293</u>
TOTAL RECEIPTS DISBURSED TO NASSAU COUNTY *		<u><u>\$ 39,201,867</u></u>

* Total Disbursed not inclusive of Local Mortgage Tax Distribution (See Schedule 4).

REAL ESTATE TRANSFER TAX (RETT)

FOR YEAR ENDING DECEMBER 31, 2013

SCHEDULE 6

	Total Transfer Tax Disbursed	NYS Share Interest on Deposits	Remitted to NYS Tax Commission	Recording Officer's Fees *	Nassau County Share Interest on Deposits	Remitted to Nassau County Treasurer
JANUARY	\$ 2,422,028	\$ 298	\$ 2,421,138	\$ 1,189	\$ 298	\$ 1,487
FEBRUARY	2,096,328	110	2,095,364	1,075	110	1,185
MARCH	2,522,660	92	2,521,512	1,240	92	1,333
APRIL	3,041,653	152	3,040,485	1,320	152	1,472
MAY	2,945,193	110	2,943,884	1,419	110	1,529
JUNE	2,871,487	157	2,870,372	1,272	158	1,429
JULY	4,180,655	153	4,179,248	1,559	153	1,712
AUGUST	5,527,564	235	5,525,395	2,404	235	2,639
SEPTEMBER	4,422,824	214	4,420,933	2,105	214	2,319
OCTOBER	4,162,691	207	4,161,105	1,793	207	2,000
NOVEMBER	3,979,089	174	3,977,930	1,333	174	1,507
DECEMBER	<u>3,995,311</u>	<u>195</u>	<u>3,993,799</u>	<u>1,707</u>	<u>195</u>	<u>1,902</u>
TOTAL	<u>\$ 42,167,483</u>	<u>\$ 2,097</u>	<u>\$ 42,151,165</u>	<u>\$ 18,416</u>	<u>\$ 2,098</u>	<u>\$ 20,514</u>

* Recording Officer's Fees, in accordance with New York State statute, retained by the County Clerk and remitted to the Nassau County Treasurer based on the number of documents recorded.

EQUALIZATION AND ASSESSMENT

FOR YEAR ENDING DECEMBER 31, 2013

SCHEDULE 7

	Total Fees Disbursed	Remitted to New York State	Remitted to Nassau County Treasurer
JANUARY	\$ 208,125	\$ 194,175	\$ 13,950
FEBRUARY	185,500	172,927	12,573
MARCH	213,375	198,930	14,445
APRIL	228,375	212,841	15,534
MAY	243,750	227,379	16,371
JUNE	219,375	204,489	14,886
JULY	270,250	251,908	18,342
AUGUST	311,500	290,161	21,339
SEPTEMBER	270,250	251,647	18,603
OCTOBER	283,625	264,293	19,332
NOVEMBER	228,250	212,545	15,705
DECEMBER	<u>297,875</u>	<u>277,949</u>	<u>19,926</u>
TOTAL	<u>\$ 2,960,250</u>	<u>\$ 2,759,244</u>	<u>\$ 201,006</u>

RECORD MANAGEMENT

FOR YEAR ENDING DECEMBER 31, 2013

SCHEDULE 8

	Total Fees Disbursed	Interest Earned	Remitted to NYS Record Management Fund	Remitted to NYS Cultural Education Fund	Remitted to Nassau County Treasurer
JANUARY	\$ 264,760	\$ 68	\$ 62,889	\$ 188,667	\$ 13,272
FEBRUARY	263,038	58	62,474	187,410	13,211
MARCH	319,294	50	75,688	227,685	15,972
APRIL	353,360	48	83,929	251,787	17,692
MAY	382,300	53	90,803	272,408	19,141
JUNE	285,740	64	67,857	203,631	14,316
JULY	303,220	56	72,022	216,065	15,189
AUGUST	385,480	61	91,559	274,677	19,304
SEPTEMBER	295,920	55	70,288	210,864	14,824
OCTOBER	314,120	55	74,596	223,831	15,748
NOVEMBER	223,140	47	53,002	159,005	11,180
DECEMBER	<u>269,720</u>	<u>39</u>	<u>64,063</u>	<u>192,190</u>	<u>13,506</u>
TOTAL	<u>\$ 3,660,092</u>	<u>\$ 654</u>	<u>\$ 869,170</u>	<u>\$ 2,608,220</u>	<u>\$ 183,355</u>