

## RECORDING REQUIREMENTS

1. The document must be **dated**.
2. The **acknowledgment** date cannot predate the document date.
3. The execution and acknowledgment must conform with each other.
4. A document submitted for recording must be legible to produce a clear copy can be read without magnification and that can be reproduced from the image.
5. **Realty Transfer Tax or a Statement of Value** must accompany all transfers unless an exemption is clearly state in the deed. (i.e. family transfer). The PA Department of Revenue requires the Statement of Value to be fully completed.
6. The **consideration stated must be total and complete**. The required written amount must match the numerical amount.
  - a. If the consideration is not stated in total on the face of the document, it must be stated on the Statement of Value form.
  - b. If claiming an exemption from realty transfer tax, the reason for the exemption must be stated in the document or on the Statement of Value form.
7. Deeds and mortgages must indicate the **property's municipality, county and state**.
8. The printed dollar **consideration must match the numeric** amount on all deeds and mortgages.
9. **Recording requirements** in Pennsylvania require that all mortgages presented for recording must have the signature of the holder, owner, assignee on any mortgage presented for recording. The document should contain the full name, residence (including street number) and the address of such holder, owner or assignee.
10. In the case of a **conveyance by a corporation, partnership, or any entity** other than the individual, a proper authorized officer is required to execute the document. The authorized officer's title and company name should appear in the acknowledgement.
11. Documents will be **indexed** by the EXACT name that appears on the document.
12. All deeds, mortgages or assignments (or other transfer of real estate) must include a "**Certificate of Residence**" in order to meet Pennsylvania recording requirements.
  - a. The Certificate of Residence must be signed by the grantee or grantees, or someone on their behalf, setting forth the precise residence and the complete post office address of such grantee or grantees.
  - b. The Certificate of Residence will be recorded with the deed.
13. All deed must have a complete **legal description** which must include municipality, county, state, lot number and/or a complete lot description in metes and bounds
14. If a **conveyance is by a corporation**, execution is usually affixed by a president, vice president or treasurer and witnessed by a corporate secretary. When a secretary of other office executes the document, a resolution or power of attorney must accompany the document authorizing the officer to execute on behalf of the corporation.
15. A Statement of Value is now required to be submitted with **Easement** and will count as a page to the document.
16. All taxable deeds presented for recording with **property in more than one municipality** must specify within the document, the percentages and dollar amounts in whole numbers as to the disbursement of Realty Transfer Tax. The document must also be accompanied by a Statement of Value wherein the RTT must be broken down by municipality and actual dollar amounts.

17. A **PIN (parcel identification number) number must be certified** on each parcel contained in a document to be recorded. This number must be certified by the Lackawanna County Assessment office prior to recording. All documents presented through the mail for recording will be forwarded to the Assessment office for PIN certification prior to recording.
18. The document must have a **formal acknowledgment** (not sworn and subscribed) by a notary public, and must include the following: State, County, date, name of individual, corporate or authorized officer appearing, notary signature, notary stamp (when applicable), and expiration date.
  - a. Instead of a notary public, the acknowledging officer may be an Alderman, Attorney at Law who acts as a subscribing witness to the person who executed the document, Judge, Commissioner of Deeds, Justice of the Peace, District Justice, Military Officer (Commissioned), Recorder of Deeds (Deputy).
  - b. The acknowledgment may be made outside the United States before a Commercial Attache or Consular Agent of the United States accredited to the country where the acknowledgment is made or Ambassador, Consulo (Consul General or Vice Consul), Counselor to or Secretary of a Legation, Judge/Clerk of any foreign court, Minister, or Charge D'Affairs.
19. The **notary stamp** must be clear and legible. Writing or typing of information on the stamp is a violation of Chapter 12 of the PA Notary Public Law.
20. When submitting subsequently **related documents** for recording you must properly reference the previously recorded documents. This may include docket numbers, book & page numbers, instrument numbers and /or recording dates.
21. **Multiple documents constituting one transaction** must clearly indicate the order of recording: any re-recording expenses from improper order of recording will be paid by the party submitting the documents.
22. **Mortgage assignments** with previous assignments are required to include an assignment history in the document
23. All documents that **reference a prior recorded document** must reference the original recording information (book & page, instrument number) to enable a proper reference in our indexing.
24. Satisfaction pieces, assignments and release **must include the mortgage books and page/instrument number**, the amount of the original mortgage, recording date, tax parcel number, municipality and address of the property.
25. **Re-recorded documents** must be re-acknowledged and must clearly indicate why the documents require re-recording. Deeds can only be corrected by filing a Corrective Deed.
26. A **Corrective Deed or Confirmatory Deed** must include a Statement of Value and an explanation as to why the deed is being corrected. A complete copy of the old deed being corrected must be attached.
27. If a document is recorded that **recites the incorrect property location** in the legal description of a deed and RTT is collected, it is the responsibility of the submitter to record the deed with the correction location. The submitter must pay the correct RTT to the correct municipality and they would also being responsible for obtaining the refund from the municipality and school district that was paid RTT in error.

28. You must avoid submitting **documents that contain personal information** (Social Security, bank accounts or loan numbers, etc.). Documents containing personal information will be redacted by our office prior to being made available for public review.
29. We do not require separate checks Realty Transfer Taxes and Recording Fees. **One check for the transaction is sufficient.**
30. All checks must include the **submitters address already printed on the check**. This office has the right to request ID to verify the address on any check submitted for recording.
31. We do not accept **credit cards**.
32. All **recording fees must be for the exact amount**. We do not issue refunds. Any overages of \$5.00 or less will be forfeited. If your overages are over \$5.00 your document will be returned. Checks should be made payable to the Lackawanna County Recorder of Deeds.
  - a. One check will be accepted for a maximum of four documents per land transaction (deed, mortgage, assignment, etc.)
  - b. A maximum of three checks will be accepted for one land transaction batch (deed, mortgage, assignment, etc.)
  - c. A check will not be accepted if in the "memo" of the check it refers to another land transfer document.
33. Our **returned check fee is \$20.00**. After the second occurrence of presenting a check with insufficient funds the presenter will be required to submit all future recording with a certified check or money order.
34. Documents are accepted through the **mail for recording** provided they meet all recording requirements and the proper recording fees are included.
35. If you would like your original recorded document returned to you, a **self-addressed stamped envelope must be provided** at the time of recording.
36. All foreign language documents must include a written **English translation** to be recorded along with the original notarized document. The translator would take both documents to the notary who would then compose an affidavit in which the translator swears that the interpretation is a true and correct copy.