



Solano County Recorder

Restrictive Covenant Modification Program Implementation Plan

BACKGROUND

(Government Code §12955 - §12957)

The California Fair Employment and Housing Act prohibits discrimination in housing based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry. Government Code section 12956.2(a) provides that any deed or other recorded instrument that contains unlawfully discriminatory language forbidding or restricting the right of any person to sell, buy, lease, rent, use or occupy the property on account of any of the characteristics specified above, may be revised to remove such unlawful language. A title company, escrow company, county recorder, real estate broker, real estate agent, or other person also may submit for recordation a Restrictive Covenant Modification document. If the existence of unlawfully restrictive language is confirmed by County Counsel, the modification document is recorded with the unlawful restrictive covenant redacted.

Pursuant to the 2021 legislation set forth in Assembly Bill (AB) 1466 and California Government Code Section 12956.3 (GC §12956.3), the Solano County Assessor/Recorder's Office has developed the following Restrictive Covenant Modification Implementation Plan. The initial facet of this plan is to identify potential unlawful language contained within documents submitted for recordation on or after July 1, 2022. Those documents recorded prior to July 1, 2022 must first be examined to determine the extent of resources needed to implement a fully functional plan. The following is the initial plan set forth by the Solano Recorder's Office and is subject to change.

IMPLEMENTATION PLAN

July 1, 2022- current documents

- Provide Restrictive Covenant Modification forms on website and in the office for the public and Recorder Office use.
- Identify documents with unlawful language that were submitted for recordation.
- Prepare Restrictive Covenant Modification Document, including coversheet.
- Submit the prepared redacted Restrictive Covenant Modification document to County Counsel for review and approval. Review period is up to 90 days.
- Upon County Counsel's approval, Recorder staff will record and index the redacted Restrictive Covenant Modification document.
- The newly recorded Redacted Restrictive Covenant Modification document will be tracked and available for review in our Official Records Index. It is identified in the index as "Restrictive Covenant Modification".

1845-June 30, 2022 Documents: The Solano County Recorder must first gather information and requirements needed to implement the Restrictive Covenant Modification plan across two sets of official records: Records dated 1845-1954 which are imaged but not integrated into the Solano Records Management System and records dated 1955-Current which are accessible through the Solano Records Management System.



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1955-June 30, 2022

- Identify class of documents that may contain restrictive language as defined by AB 1466 and GC §12956.3.
- Locate and enumerate the number of documents that may contain restrictive language using Optical Character Recognition (OCR) within the Solano Records Management System.
- Assess identified documents to determine the functional requirements, resources, staffing, and trainings needed to plan and implement a redaction process.

1845-1954 Document:

- Upload digitized images of historic official records into Solano Records Management System.
- Develop an indexing method to integrate images and information into the Solano Records Management Systems searchable database.
- Locate and enumerate the number of documents that may contain restrictive language using Optical Character Recognition (OCR) software within the Solano Records Management System.
- Assess identified documents to determine the functional requirements, resources, staffing, and trainings needed to plan and implement a redaction process.

Public Requests

The Restrictive Covenant Modification form is available on our website or in person during the hours of 9:00 a.m. to 4:00 p.m. at 675 Texas Street, Fairfield CA 94533.

- Complete Restrictive Covenant Modification form with a signature
- Attach a copy of the document with recommended redaction to the signed Restrictive Covenant Modification
- Submission Options:
 - In-person: Drop off document to the Records Office
 - Email (only forms signed digitally) to Recorder@solanocounty.com
 - Mail document to: Solano County Assessor/Recorder
675 Texas Street Ste. 2700
Fairfield CA 94533

Processing

Documents submitted to remove discriminatory or restrictive covenant language will be reviewed by Solano County Counsel. Once approved Solano County Counsel will sign the form and return it to the Recorder's Office to complete the recording and indexing process. The document will be recorded as a Restrictive Covenant Modification. There will be no charge to record. The document will be indexed as a Restrictive Covenant Modification and the original document title, referencing the original book/page or instrument number. The original document will be returned to the name and address in the "When Recorded Return to" section of the document.



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Timeline Note: Dates are subject to change

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| July 1, 2022 | Begin identifying documents with unlawful language manually |
| 2022/2023 | Begin re-recording Restrictive Covenant Modifications approved by County Counsel |
| December 31, 2027 | Complete recording of redacted Restrictive Covenant Modifications |