

# OFFICE OF THE COUNTY CLERK

2024 Executive Proposed Budget

# CORE PROGRAMS & FUNCTIONS

## Land Records Division

- Recording land records, including deeds, mortgages, assignments, and satisfactions
- Collection and processing of New York State mortgage and transfer taxes
- Filing of maps, UCC statements, Federal tax liens, Notices of Common Charges, and other federal liens

## Legal Division

- Fee collection and filing of court records for Supreme and Westchester County courts
- Administration of Notary Public and Commissioner of Deeds licenses
- Administration of the Domestic Partnership Registry
- Filing of Business Certificates and Incorporation records from New York State
- Filing of Small Claims Assessment Review petitions
- Filing of Veterans Military Discharge papers

## Licensing Division

- Processing of United States Passport applications
- Administration of Pistol Licenses
- Issuance of Westchester County Identification Cards
- Host and Administration of Oath of Allegiance to newly naturalized United States citizens
- Operation of Mobile Passport Office to bring services to municipalities and events throughout the County

## Administration

- Subscription Service for WRO access to land and legal records, foreclosure lists, judgments, and other records
- Financial Reporting to partners in federal, state and county government
- Administering and Filing of Oaths of Office
- Provision of certified copies of all recordings and filings

**Office of the Westchester County Clerk**

*Total Funds Collected and Distributed for Fiscal Year Ending December 31, 2023 (as of September 30, 2023)*

<b>County Clerk Fees Collected</b>		
Land Records Division		
Recording Fees	\$2,807,453.75	
Real Property Transfer Report Fee	\$93,006.00	
Administrative Fee, Refund Processing	\$2,285.70	
Legal Division		
Filing Fees	\$675,356.53	
DWI Surcharges	\$50,165.00	
Criminal Fines	\$28,663.00	
Licensing Division		
Filing Fees	\$325,101.88	
Interest	\$861.64	
Other (online access, copiers, workstation/phone, unclaimed funds)	\$389,198.85	<b>\$4,372,092.55</b>
<b>Mortgage Tax Collected</b>		
Paid to Westchester County		
Westchester County Mortgage Tax	\$11,980,433.04	
Local Mortgage Tax	\$23,904,887.97	
Yonkers Mortgage Tax	\$2,656,303.23	
Reimbursement for Processing Costs	\$743,598.93	
Interest, County Portion	\$ 21,944.64	
Paid to Metropolitan Transit Authority	\$24,871,004.60	
Paid to State of New York Mortgage Agency	\$2,303,213.00	<b>\$66,481,385.41</b>
<b>New York State Real Estate Transfer Tax</b>		
Paid to Westchester County		
Recording Officer's Fee	\$8,763.00	
Interest, County Portion	\$ 37,020.27	
Paid to the Department of Taxation and Finance	\$61,639,249.33	<b>\$61,685,032.60</b>
<b>Court Revenue Paid to NYS Unified Court System</b>	\$3,888,984.00	<b>\$3,888,984.00</b>
<b>Notary Revenue Paid to NYS Department of State</b>	\$101,120.00	<b>\$101,120.00</b>
<b>Records Management Improvement Fund</b>	\$239,780	<b>\$239,780</b>
<b>Cultural Education Fund</b>	\$719,268.75	<b>\$719,268.75</b>
<b>Equalization and Assessment Paid to NYS Office of Real Property Services</b>	\$1,313,994.00	<b>\$1,313,994.00</b>
<b>Total Collected and Disbursed:</b>		<b>\$138,801,657.31</b>

# Budget Summary

ITEM	2023	2024
Operating Positions	62	61
Trust Positions	0	0
<b>TOTAL POSITIONS</b>	<b>62</b>	<b>61</b>
Personal Service	\$4,707,078	\$4,721,467
Equipment	\$6,565	\$27,275
Materials & Supplies	\$141,600	\$121,600
Contractual Expenses	\$146,989	\$99,254
Inter-Departmental Charges	\$1,875,756	\$1,888,570
<b>TOTAL EXPENDITURES</b>	<b>\$6,877,988</b>	<b>\$6,858,166</b>

# Budget Summary

ITEM	2023	2024
Inter-Departmental Revenue	\$0	\$0
Departmental Revenue	\$9,670,262	\$6,955,397
State & Federal Aid	\$0	\$0
<b>TOTAL REVENUE</b>	<b>\$9,670,262</b>	<b>\$6,955,397</b>
<b>DEPARTMENT TAX LEVY</b>	<b>(\$2,792,274)</b>	<b>(\$97,231)</b>

## Initiatives & Highlights

- **Facilitating E-filing in New York State:** As co-chair of the New York State Association of County Clerks' Court Committee, member of its Legislative Committee, and first ever Chair of the Supreme Court Steering Committee for Supreme Court E-filing, the County Clerk remains committed to advancing e-filing throughout the State. The committees coordinate responses from the county clerks and legal community leaders and make recommendations to the State Chief Administrative Judge on the creation or expansion of mandatory electronic filing programs. The committees' initiatives have resulted in 61 of the 62 counties in the State now providing e-filing. Working with dedicated and diverse legal community leaders has enhanced the ability of the Clerk's Office to serve pro se litigants and attorneys.
- **E-Filing and E-recording:** Approximately 90% of civil actions are commenced electronically through the NYS electronic filing system and approximately 72% of the land record documents are currently e-recorded. Electronic recording has significantly increased the efficiency of the filing and recording and reducing manual labor. Further reduction in paper filings is anticipated with the recent authorization of e-filing of election law cases, special proceedings under the Mental Hygiene Law, and name change applications.
- **Renovation in Office Space:** The renovation of the 32,000 square feet of office space that was occupied by the Clerk's office is underway, with an expected completion date in Spring 2024. With the automation of department functions and the resultant reduction in staffing needs, space has been opened up for adaptive reuse by the County Public Safety department and the Westchester County District Attorney. The renovation not only generates a savings in rental costs incurred by other County departments, it also enhances the efficiency and the environment for an improved staff and visitor experience.
- **Westchester County Personal Identification Card Expansion:** Due to the recent influx of migrants, there has been a significant increase in the number of applications for County Identification cards. The number of cards issued rose from 807 for the entire year of 2022 to 941 for the seven-month period of January through July 2023. These ID cards have opened doors to benefits by providing an option to Westchester residents who, due to citizenship status, poverty, or other circumstances, cannot obtain state-issued photo IDs. Obtaining "a certified copy of a birth certificate" as required by subdivision 2 of section 265.181 of the Laws of Westchester County had been a major obstacle in qualifying for the ID card. Accordingly, this Office proposed an amendment to eliminate the birth certificate requirement to allow other proofs of birth and identity and in March 2022, the amendment was adopted by the Board of Legislators and approved by the County Executive. To further assist in providing this service, the application and guidelines to obtain the County ID card have been translated into Spanish, Haitian Creole, Portuguese, Italian, Chinese, French, Arabic, Tagalog, Japanese, and Albanian.
- **Foreclosure Data Captured and Shared to Assist Homeowners in Need:** The Clerk's Office continues to capture information from foreclosure cases to provide Westchester County residents with the data needed to secure funds to assist persons impacted by the foreclosure crisis. There has been an increase in new foreclosure filings from 503 in 2022 to 561 for the partial 2023 year from January through July. There were 269 foreclosure judgments in 2022 and 141 for the period of January through July 2023.
- **Mobile Community Outreach Vehicle:** The County Clerk's mobile Community Outreach truck stops in every County town and city from April through November. The mobile office staff is authorized to accept passport applications and answer questions about passport applications and renewals, and take passport photos. Notary, veterans, and business licensing services are also available.
- **Pistol Licensing:** Pursuant to a 1997 amendment to the NYS Penal Law, Westchester County licenses were required to be certified by April 1, 2000, and recertified every 5 years thereafter. On 6/23/2022, the US Supreme Court struck down that portion of the NYS firearm licensing law requiring the showing of a special need to carry a concealed handgun outside of the home. NYS enacted revisions to the firearm licensing laws, effective 9/1/2022 expanding background checks and shortening the recertification period to 3 years. As a result of the decision and revisions to the licensing laws, there is a significant increase in applications to amend and delete restrictions on licenses and timely recertify current licenses. The number of initial applications rose from 1,307 in 2022 to 702 for the seven-month period of January through July 2023; amendment applications rose from 6,181 in 2022 to 3,602 for the months of January through July 2023; and recertifications rose from 2,346 in 2022 to 3,492 for the seven months of January through July 2023.