I. Authority, Applicability and Purpose

A) Authority: Title 29 Chapter 90C Delaware Code, §9004C – General Powers, duties and functions of DTI “2) Create, implement and enforce statewide and agency technology solutions, policies, standards and guidelines, including as recommended by the Technology Investment Council on an ongoing basis and the CIO”

B) Applicability: Applies to all State of Delaware communications and computing resources. DTI is an Executive Branch Agency and has no authority over the customers in Legislative and Judicial Branches, as well as School Districts, and other Federal and Local Government entities that use these resources. However, all users, including these entities, must agree to abide by all policies, standards promulgated by DTI as a condition of funding, access and continued use of these resources.

C) Purpose: This standard covers the requirements for the electronic recording of real property records. The approach for this standard was heavily borrowed from the Commonwealth of Virginia (see “VIRGINIA REAL PROPERTY ELECTRONIC RECORDING STANDARD” SEC505-00, Effective Date: May 1, 2007)

II. SCOPE

A. State of Delaware – This Standard is for the reporting to the State of land records including deeds, indentures, letters of attorney relating to land, mortgages, releases of lien of mortgages, leases, releases, assignments, conditional sales and leases of railroad and railway equipment and rolling stock, plots and descriptions, and agreements of owners bounding and marking lands.

B. Areas Covered – All counties and all Real Property filings within the counties.

C. Environments – This standard covers all Real Property recordings reported to the State of Delaware.

III. PROCESS
A. **Adoption** – These standards have been adopted by the Department of Technology and Information (DTI) through the Technology and Architecture Standards Committee (TASC) and are applicable to all Information Technology use throughout the State of Delaware.

B. **Revision** – Technology is constantly evolving; therefore the standards will need to be regularly reviewed. It is the intent of the TASC to review each standard annually. The TASC is open to suggestions and comments from knowledgeable individuals within the state, although we ask that they be channeled through your Information Resource Manager (IRM).

C. **Contractors** – Contractors or other third parties are required to comply with these standards when proposing technology solutions to DTI or other state entities. Failure to do so could result in rejection by the Delaware Technology Investment Council. For further guidance, or to seek review of a component that is not rated below, contact the TASC at dti_tasc@state.de.us.

D. **Contact us** – Any questions or comments should be directed to dti_tasc@state.de.us.

IV. **DEFINITIONS / DECLARATIONS**

A. **DEFINITIONS / DESCRIPTIONS**

1. **Document** means information that is:
   a) Inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form; and
   b) Eligible to be recorded in the land records maintained by the recorder.

2. **Electronic document** means a document that is received by the recorder in an electronic form.

3. **Electronic** means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

4. **Electronic recording commission** means the commission established by § 184 of Title 25.

5. **Electronic signature** A traceable e-mail or a biometric identifier applied to a message. The identifier may be based on digitized handwriting or another biometric feature (such as a fingerprint). The electronic signature cannot be removed and applied to other documents to forge a signature.

6. **Paper document** means a document that is received by the recorder in a form that is not electronic.

7. **Person** means an individual, corporation, business trust, estate, trust, partnership, Limited Liability Company, association, joint venture, public corporation, government, or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

These standards are adopted by the Department of Technology and Information (DTI), through the Technology and Architecture Standards Committee (TASC), and are applicable to all Information Technology use throughout the State of Delaware. Any questions or comments should be directed to dti_tasc@state.de.us.
8. **PRIA** The Property Records Industry Association (PRIA) is a not-for-profit 501 (C)(6) corporation. The Association represents a unique partnership of business and government members of the property records industry, with the end goal of facilitating recordation and access to public property records. This goal is accomplished by facilitating the research, development, creation, and implementation of national standards, systems and procedures for the industry.¹

9. **Real Property Records** means land and generally, whatever is erected, growing upon or affixed to it. It also includes rights issuing out of, annexed to, or exercisable within or about the real property.

10. **Recorder** means the recorder of deeds for the county in which a document is received.

11. **State** means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

A. **DECLARATIONS**

1. This standard is not intended to conflict with any existing records retention schedules for local governments as issued by the Delaware Public Archives.

2. This standard brings Delaware in line with the recommendations for a uniform set of laws across the country for the electronic filing of land records, so once a real estate transaction goes to settlement, the attorney or settlement agent can file the documents for recordation directly from their office, streamlining real estate settlement processes for the benefit of the citizens Delaware and users of the electronic filing system.

3. Additional authority for this standard is provided by Title 25, Delaware Code, Chapter 1, § 180-184 regarding Electronic Recording, [http://delcode.delaware.gov/title25/c001/sc05/index.shtml](http://delcode.delaware.gov/title25/c001/sc05/index.shtml)

4. For additional guidance, refer to Model Guidelines for Electronic Records as issued by the Delaware Public Archives, available at [https://archives.delaware.gov/govsvcs/records_policies/](https://archives.delaware.gov/govsvcs/records_policies/)

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¹ [https://www.pria.us](https://www.pria.us)
5. PRIA XML Examples

These are only 2 examples of the official standards. The complete and latest standards adopted by the State of Delaware as well as supporting documentation can be found at http://dti.delaware.gov/information/standards-policies.shtml

<!ELEMENT PRIA_DOCUMENT (GRANTOR+, GRANTEE+, PROPERTY*, PARTIES, EXECUTION, MORTGAGE_CONSIDERATION?, CONSIDERATION*, RECORDABLE_DOCUMENT*, SIGNATORY*, NOTARY*, RECORDING_ENDORSEMENT?, EMBEDDED_FILE*)>
<!ATTLIST PRIA_DOCUMENT
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_Code CDATA #IMPLIED
DocumentNonRecordableIndicator (Y | N) #IMPLIED
PRIAVersionIdentifier CDATA #IMPLIED
_UniqueIdentifier CDATA #IMPLIED
RecordableDocumentSequenceIdentifier CDATA #IMPLIED
RecordableDocumentTypeOtherDescription CDATA #IMPLIED
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_StreetAddress CDATA #IMPLIED
_StreetAddress2 CDATA #IMPLIED
_City CDATA #IMPLIED
_State CDATA #IMPLIED
_PostalCode CDATA #IMPLIED
_County CDATA #IMPLIED
_Country CDATA #IMPLIED
_FName CDATA #IMPLIED
_MName CDATA #IMPLIED
_LName CDATA #IMPLIED
_NameSuffix CDATA #IMPLIED
_UnparsedName CDATA #IMPLIED
_CapacityDescription CDATA #IMPLIED
_MaritalStatusType (Married | NotProvided | Divorced | Separated | Unknown | Unmarried) #IMPLIED
_NonPersonEntityIndicator (Y | N) #IMPLIED
_SequenceIdentifier CDATA #IMPLIED
>

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2 http://www.pria.us

These standards are adopted by the Department of Technology and Information (DTI), through the Technology and Architecture Standards Committee (TASC), and are applicable to all Information Technology use throughout the State of Delaware. Any questions or comments should be directed to dti_tasc@state.de.us.

Real Property Electronic Recording Standard
These standards are adopted by the Department of Technology and Information (DTI), through the Technology and Architecture Standards Committee (TASC), and are applicable to all Information Technology use throughout the State of Delaware. Any questions or comments should be directed to dti_tasc@state.de.us.
### III. **DEFINITION of RATINGS**

<table>
<thead>
<tr>
<th>COMPONENT RATING</th>
<th>USAGE NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STANDARD</strong> – DTI offers internal support and/or has arranged for external vendor support as well (where applicable). DTI believes the component is robust and solidly positioned in its product life cycle.</td>
<td>These components can be used without explicit DTI approval for both <strong>new projects</strong> and <strong>enhancement</strong> of existing systems.</td>
</tr>
<tr>
<td><strong>DECLINING</strong> – Deprecated - DTI considers the component to be a likely candidate to have support discontinued in the near future. A deprecated element is one becoming invalid or obsolete.</td>
<td>Via the State’s waiver process, these components must be explicitly approved by DTI for all projects. They must not be used for <strong>minor enhancement</strong> and <strong>system maintenance</strong> without explicit DTI approval via the State’s waiver process.</td>
</tr>
<tr>
<td><strong>DISALLOWED</strong> – DTI declares the component to be unacceptable for use and will actively intervene to disallow its use when discovered.</td>
<td>No waiver requests for new solutions with this component rating will be considered.</td>
</tr>
</tbody>
</table>

#### A. Missing Components – No conclusions should be inferred if a specific component is not listed. Instead, contact the TASC to obtain further information.

### IV. **Component Assessments**

<table>
<thead>
<tr>
<th>#</th>
<th>Component</th>
<th>Rating</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Format</td>
<td>Emerging</td>
<td>Real property records should be maintained in, or be exportable to, either PDF or TIFF formats.</td>
</tr>
<tr>
<td></td>
<td>PDF</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TIFF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>XML Indexing Format</td>
<td>Emerging</td>
<td>Indexes should be in XML format and, at a minimum, should include Names, Document Type, Instrument Number, Volume/Page, and Recording Date. The full requirements are currently established by the Property Recording Industry Association (PRIA), PRIA eRecording XML Standard v2.4.1 (see <a href="http://www.pria.us">www.pria.us</a> ) and they are made a part of this Real Property Electronic Recording Standard by this reference.</td>
</tr>
</tbody>
</table>