Ventura County Clerk-Recorder & Registrar of Voters Office
Restrictive Covenant Modification Program Implementation Plan

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Ventura County Clerk-Recorder
Background
The California Fair Employment and Housing Act prohibits discrimination in housing based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information. 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 person who holds an ownership interest in the property who believes the property is the subject of an unlawfully restrictive covenant 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 1466 (AB1466) and California Government Code Section 12956.3 (GC §12956.3), the Ventura County Clerk-Recorder’s Office has developed the following Restrictive Covenant Modification Program Implementation Plan (Plan). It has been developed on the principle of identifying any unlawful restrictive covenants within our records. Once the restrictive covenants are located, we will record redacted documents consistent with AB1466.

Key Terms
OCR (Optical Character Recognition) – Technology that will recognize text within a digital image for the purpose of recognizing discriminatory language within public records that are recorded in the County of Ventura.

Redaction – The process of obscuring or removing unwanted language, as set forth in AB1466. Words will be redacted on approval and direction by County Counsel.

Records Management Software – Activities in management that include the systematic and efficient control of the creation and maintenance of public records, utilizing software called “Records Management powered by Eagle Recorder.”

Plan
We will be using a multi-phased approach to this program which will more than suffice to meet the requirements within the guidelines of AB1466. There will be a three-phase plan implemented within a span of approximately six years. All three phases will take both a manual and automated approach. The proposed plan will help the Recorder’s office to identify language that has discriminatory content using OCR technology. Because we are still in the beginning stages of this project plan, this documentation may be updated to reflect newer legislation.
**Total Records**

<table>
<thead>
<tr>
<th>Years</th>
<th>Number of Images</th>
<th>Number of Records</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1852 - 2022</td>
<td>41,908,773</td>
<td>11,973,935</td>
<td>Digitized and indexed on the CCR Records Management software and database</td>
</tr>
<tr>
<td>1853 – 1922</td>
<td>3,367,500</td>
<td>1,050,000</td>
<td>Digitized and not indexed on the CCR Records Management Software and database</td>
</tr>
</tbody>
</table>

**Timeline and Plan**

<table>
<thead>
<tr>
<th>Phase</th>
<th>Start Date</th>
<th>End Date</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>July 1, 2022</td>
<td>June 30, 2023</td>
<td>The Recorder’s office will be recording Restrictive Covenant Modification documents with the assistance of the Ventura County Counsel, using a manual approach in the current Records Management System. This approach will allow us to retrieve the documents from County Counsel and add the document into our system. The document will include a Restrictive Covenant Modification coversheet along with a copy of the original recording.</td>
</tr>
<tr>
<td>2</td>
<td>July 1, 2023</td>
<td>June 30, 2025</td>
<td>An automated workflow into enhancement of records currently in the CCR Records Management System powered by Eagle Recorder, to recognize and remove restrictive language by way of OCR and redaction.</td>
</tr>
</tbody>
</table>
Using an automated approach, a third-party system will enhance records currently not digitized and indexed in our records management program. Hard copy photostat records along with microfilm format will be used to digitize and enhance clarity of our current records. This will modernize OCR for public records, which will in turn be redacted.

**Tracking**

Records submitted by either the Public or the County Recorder’s office are tracked using a database management program created by the County Recorder’s Office. Each submitted document is logged by name of submitter, date submitted, and date submitted to County Counsel. Periodically the database will be reviewed to ensure pending documentation is received from County Counsel within the 90-day requirement.

Records approved by County Counsel are then recorded and identified by the departmental records management software using the 13-digit document number as 20XXXXXXXXXXX, which will also include the index of the parties on the original document.

Documents that are not approved are tracked by the Recorders office using an automated rejection letter created by the departmental Records Management System, using a 13-digit document number identified as REJR20XXXXXXXX. Documents that are not approved by County Counsel will be returned and mailed to the submitter along with the rejection letter.

**Public Access**

*Internal Self-Service:*

The newly recorded Redacted Restrictive Covenant Modification document will be given a thirteen-digit recording number. Records will be viewable internally requiring a visit to the County Clerk-Recorder division.

*External Web application:*

An index will be provided within 2 business days of recordation into the Ventura County Recorder’s office database which will translate into the records management web application.
Summary

1. Identifying unlawful wording with the help of our current technology. This allows for a manual approach from staff by redacting unlawful wording after recordation.
2. Providing the public with a form that will allow them to submit documentation to record a Restrictive Covenant Modification document.
3. Modernizing digitized images for use of OCR, to identify records with unlawful language.
4. Submission to County Counsel for review and approval of the Restrictive Covenant Modification and supporting documentation. The review can be up to 90 days.
5. Recording at no cost to the public. A free certified copy will be submitted to the public upon request of recording.
6. Following County Counsel approval, the document will be recorded, scanned, digitized, redacted, and indexed.