



March 30, 2020

Derrick Surette
Executive Director
Mississippi Association of Supervisors
793 North President Street
Jackson, Mississippi 39202

Re: Mississippi Land Records Closures Due to COVID-19

Dear Mr. Surette:

May this letter find you all in good health during these unprecedented times. As you are aware, the COVID-19 pandemic has had a significant impact on our country and our way of life in the State of Mississippi. Social distancing and restrictive measures on business practices are leading us headfirst into an economic recession.

For many Mississippians that are unable to work from the safety of their home, this catastrophe has claimed their job and threatened the financial well-being of their families. As of last week, a record 3.28 million American workers filed for unemployment. As this COVID-19 pandemic threatens to unravel our economy, now more than ever, Mississippi citizens and businesses need a means to access their equity in their property. These real estate transactions protect their financial future as our country spirals into recession.

The Land Title Association of Mississippi (LTAMS) is an association dedicated to protecting home ownership and property interests in Mississippi. Its membership consists of real estate professionals, including title insurers, attorneys, abstractors, and leading experts from our legal education institutions in the state. We have been monitoring the actions taken to address the COVID-19 pandemic and its impact on the ability to conduct real estate transactions in the State of Mississippi. LTAMS is currently advocating at all levels for effective solutions to the problems presented by this virus.

As you can imagine, real estate is such a significant economic driver for the State of Mississippi that Governor Reeves deemed it an "essential business." This industry must be able to provide its services to this state's home buyers, developers, builders, and commercial real estate groups.

With that said, it has come to the attention of our membership that multiple courthouse land records have been closed on the authority of their local board of supervisors. Most Mississippi counties have not implemented a remote online land records database or provided a means for electronic recording. This has, in effect, halted real estate transactions in those counties. Without the ability to conduct a title search in the land records and without the ability to record deeds and security instruments, transactions cannot close.

LTAMS asks your association and leadership to advocate for the immediate reopening of land records and for having documents recorded in a timely fashion. Of course, limiting exposure to county employees and citizens is paramount. And LTAMS continues to advocate for the installment of safety protocols at all levels of the real estate transaction process.

Many counties have implemented certain restrictions and practices to protect their employees and citizens. For example, many have closed the courthouse to the public, but have allowed only a limited number of attorneys and abstractors to enter for the purposes of recording documents or conducting a title search. Other counties have begun accepting documents for recording through an electronic recording vendor and have allowed access to their land records online. To learn more about the status of each clerk's office, please visit:

<https://ltams.org/resources/coronavirus/#chancery-clerk-status>

There are reasonable accommodations that can be made short of prohibiting all access to this critical government infrastructure.

All avenues for reducing risk of exposure should be considered. But Mississippi courthouses must remain open in some fashion for the land title industry to fulfill its essential business function of providing liquidity to owners and security to purchasers, lenders, and developers. To remain closed for any extended period of time would upend a major sector of our state's economy and threaten the financial well-being of our state's citizens and businesses. For these reasons, we ask that you urge your members to make reasonable accommodations for allowing access to the land records and for allowing timely recording of documents.

Please distribute this letter to all members of your association and consider joining LTAMS in a joint effort to keep our real estate industry functioning.

Thank you for your assistance.

Sincerely,



Kenneth D. Farmer
Executive Director
Land Title Association of Mississippi