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The Honorable Roy Cooper
North Carolina Attorney General
9001 Mail Service Center
Raleigh, NC 27699-9001

Attorney General Cooper,

As an elected officer responsible for the public integrity of land records, a matter of pressing importance has come to my attention. As a result, I am respectfully requesting that your office investigate the business and pricing practices of the National Deed Service, Inc.

A National Deed Service, Inc. solicitation letter has generated a great deal of confusion and concerns from Guilford County citizens in the past month. The company has offered to provide certified copies of a citizen's property deed through a deceptive albeit official looking letter. As a consequence my office recently received a request from the National Deed Service, Inc. to obtain certified copies for 47 homeowners in Guilford County. Based on the Uniform Fee Schedule established through NC General Statute 161.10, certified copies can be obtained from the Register of Deeds for \$5 first page, and \$2 each additional page in all 100 counties. The average cost to obtain a certified copy is around \$7 to \$9. The collective cost to taxpayers for the 47 requests is \$369 from our office. The National Deeds Service is charging \$59.50 per request and should make over \$2000 on these 47 requests for public records. This is certainly a bad deal for consumers through a misleading business practice.

The business practices of the National Deeds Service have been questioned in Illinois, Indiana, Florida, Nevada and California and consumer alerts are being issued in these states. Most recently, Carl Block, County Clerk in Ocean County New Jersey and Allen County Clerk John McGauley in Indiana have asked their Attorneys General to investigate the company.

Public concerns from Guilford County citizens include the following:

- Language in the solicitation advises that the US Government Federal Information Center recommends citizens obtain an official or certified copy of their deed. The letter does not mention this US government website recommends it be obtained from a government office.
- Inaccurate property deed document information was provided in several inquiries;

- The “order for certified copy” format of the solicitation to property owners creates the appearance of an official certifying entity for the document;
- The solicitation letter uses a Washington D.C. address though their included return envelope uses an Illinois address, reinforcing a deceptive appearance as a certifying entity;
- The \$59.50 fee for the service that represents a 750% increase over the cost of obtaining the document from a Register of Deeds office;
- The elderly, new homeowners, and citizens with limited proficiency in English are especially vulnerable to this solicitation.
- Citizens do not know how to obtain a certified copy affordably.

The most alarming realization is that the National Deed Service Inc. may not be breaking any laws. Their letter points out certified copies of deeds can be obtained from most government agencies “at a nominal cost.” In addition, the company aggressively defends its business practices as legitimate. However, based on my understanding of North Carolina's Unfair and Deceptive Trade Practices Act, N.C. General Statute § 75, the spirit of the law seeks to prohibit deception in commercial practices. This solicitation is clearly deceptive and simply a bad deal for citizens.

I respectfully ask you to consider several initiatives to protect consumers who receive solicitations from this kind of commercial deed service through the following:

- The North Carolina Attorney General’s office investigate the business practices and pricing of National Deed Service Inc.;
- Urge the General Assembly to create stronger consumer protection through mandatory disclosure of the Uniform Fee Schedule established under NC General Statute 161.10 for certified copies in Register of Deeds offices in all 100 counties;
- The Attorney General, NC Secretary of State, and the NC Register of Deeds Association create a statewide public awareness campaign to better educate consumers on where and how to obtain the property deed information.

I appreciate the strong efforts the Attorney General’s office has made to protect North Carolina citizens through the Consumer Affairs Division. I have no doubt you will look into this matter and act in the citizens’ best interest. I am also forwarding this letter to our Guilford County legislative delegation, Secretary of State Elaine Marshall, and the NC Register of Deeds Association.

In closing, I have included a copy of a letter from the National Deed Service, Inc., sent to several of my constituents. In addition, I have enclosed a letter from Carl W. Block, Clerk in Ocean County, New Jersey to Attorney General Rabner along with Consumer Alerts from Clerks in several states.

I appreciate your commitment to protecting consumers and am available to meet with you to discuss this matter further.

Sincerely,



Jeff L. Thigpen
Guilford County Register of Deeds

Enclosures