

# OFFICE OF THE PUBLIC TRUSTEE

## eFORECLOSURE POLICY FOR THE PUBLIC TRUSTEE OF THE COUNTY OF JEFFERSON STATE OF COLORADO

### **I. Purpose and Scope**

The purpose of the Public Trustee's eForeclosure policy is to establish program guidelines for submitting, accepting, transmitting, and retaining eForeclosure documents. The policy applies to all foreclosure documents which come into the possession of the Public Trustee pursuant to CRS § 38-38-112 (a), as revised.

### **II. eForeclosure Objectives**

The primary objectives of the eForeclosure program shall be the electronic submission, acceptance, transmission, and retention of all foreclosure documents. The secondary objective shall be the achievement of the most efficient, cost effective system to handle foreclosures pursuant to the Colorado statutes that govern foreclosures by the Public Trustee.

### **III. Authorized Foreclosure Documentation**

The Public Trustee shall establish a method of electronic submission, acceptance, transmission, recording, and retention of documents:

**A. SUBMISSION:** All documents will be accepted electronically. Any documents to be recorded must be in Tag Image File Format (TIFF) format. This includes the Notice of Election and Demand, and any Withdrawal of Notice of Election and Demand. All other documents may be in TIFF format, Microsoft Office Word (Word) format or Portable Document Format (PDF) format. Documents can be submitted through the Public Trustee's approved software database vendor, emailed with the appropriately formatted attachments, or delivered in a paper packet.

For any documents with attachments submitted electronically but not through the approved Public Trustee's software database vendor, the foreclosure documents will be manually entered by the Public Trustee.

For any documents delivered in paper (hard-copy) format, the foreclosure will be manually entered into the database by the Public Trustee, and all documents will be scanned into the database and be deemed electronic.

**B. TRANSMISSION:** At the time a foreclosure is started by the Public Trustee, all documents will be scanned in and be deemed electronic documents. All transmissions concerning documents received by the Public Trustee through Electronic Submission will be via email.

**C. RECORDATION:** All foreclosure documents will be transmitted electronically to the County Clerk and Recorder's Office for recording. The Public Trustee will remit the total amount due for this recording to the County Clerk and Recorder. The County Clerk and Recorder will return the recorded documents to the Public Trustee electronically.

**D. RETENTION:** All foreclosure documents will be retained in electronic format in accordance with the Colorado State Archivist recommendations.

#### **IV. Safekeeping**

All foreclosures shall be retained in an electronic format as designated and approved by the Colorado State Archivist.

#### **V. Effective Date**

The effective date of this policy is April 16, 2007, with implementation upon installation of a permanent electronic database.