

# **OFFICE OF THE PUBLIC TRUSTEE**

## **E-FILE POLICY FOR QUALIFIED HOLDERS FOR RELEASE OF DEED OF TRUST WITHOUT PRODUCTION OF EVIDENCE OF DEBT COUNTY OF TELLER STATE OF COLORADO**

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

The purpose of the Public Trustee's eFile policy with regards to Release of Deed of Trust documents submitted by Qualified Holders is to establish guidelines for submitting, accepting, processing and recording the documents. The policy applies to all Qualified Holder, pursuant to CRS § 38-38-100.3(20), as revised, that submit a Release of Deed of Trust and necessary documentation to the Teller County Public Trustee's Office.

### **II. eFile Objectives**

The primary objectives of the required eFile program shall be:

- The electronic submission, acceptance, processing and recording of Release of Deed of Trust documents by Qualified Holders. Excluding those instances of a Release of Deed of Trust by a non-qualified holder, where the original evidence of debt, along with a recorded copy of the Deed of Trust being released, a check for the appropriate amount and a return label for the original evidence of debt is submitted to the Public Trustee's office.
- The secondary objective shall be the achievement of the most efficient, cost effective system to handle Release of Deed of Trust documents pursuant to the Colorado statutes that govern releases by the Public Trustee.

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

The Public Trustee shall establish a method of electronic submission, acceptance, processing and recording (by the Clerk & Recorder) of documents:

**A. SUBMISSION:** All Release of Deed of Trust documents WITHOUT production of evidence of debt submitted by Qualified Holders pursuant to CRS § 38-38-100.3(20) will be **required** to be submitted via CSC/Simplifile as of October 1, 2022. Submissions of a Release of Deed of Trust document WITH production of evidence of debt documents from a non-Qualified Holder, will still be required to be a paper submission.

**B. ACCEPTANCE:** WITHOUT Production Releases will be accepted electronically if they correctly reference the Deed of Trust being released and are properly executed,

signed and notarized. Any documents to be recorded must be in the required format for CSC/Simplifile and placed correctly within the margins of the eFiling system selected.

**C. PROCESSING:** All eFile Release documents will be reviewed and processed via the eFile system selected by the Qualified Holder. Copies will be retained in electronic format in accordance with the Colorado State Archivist recommendations. In the case of a WITH Production document, any original Evidence of Debt or Deed of Trust will be returned via a tracking label provided by the submitter.

**D. RECORDATION:** All eFile Release documents will be transmitted electronically from the Public Trustee to the County Clerk and Recorder's Office for recording. Either the Public Trustee or the eFiling System selected, will remit the total amount due for this recording to the County Clerk and Recorder.

#### **IV. Effective Date**

The effective date of this policy is October 1, 2022.