

CORRECTING A RECORDED DOCUMENT: HOW TO FIX IT

Once a document has been recorded, there is no way for the Recorder to “amend” the record. If you notice or are made aware of an error or omission on your document, you have several options:

Option 1: Record a ‘new’ document.

Prepare a whole new document with the same parties signing and obtain new notary certificates AND make the necessary corrections or additions. Legal assistance may be needed to determine the necessary corrections to remedy certain circumstances.

Include the following notation: “This document is being recorded to correct document # XXXX to fix” and briefly explain what is being corrected. *Example: “This deed is being recorded to correct doc. #2020012345 to add the missing legal description.”*

Include the word “Correction” in the title of your document. Example: “Correction Grant Deed”

Option 2. Re-Record the original document with a Correction Affidavit.

If the correction being made is one of the following “minor” corrections, a Correction Affidavit may be prepared and attached to the original document.

Minor corrections are:

- Incorrect/missing return addresses
- Adding clarification of illegible text
- Incorrect/missing printed/typed name(s) of signing parties.
- Incorrect/missing documentary transfer tax amount

The Correction Affidavit must be attached to the original document; include the corrected information; be

certified under penalty of perjury by the submitting party; and be acknowledged by a notary.

Option 3. Re-Record the original with new signatures.

If making any other corrections other than a “minor” correction, you can make the corrections directly on the original document, however, the original document MUST include new dated signatures of ALL signing parties AND new notary certificates.

You must also include a recording cover sheet and include the reason for rerecording on the cover sheet, example, “*This document is being re-recorded to correct the lot # in the legal description.*” Legal assistance may be needed to determine the necessary corrections to remedy certain circumstances.

For more assistance, please consult with your legal advisor, title company or legal document preparer. Government Code 20201(c)(1) – 27202(c)(2) provides detailed information related to re-recording requirements. The County Recorder may not provide any legal advice or assistance. Recording fees are due when rerecording or recording a correction document – Recorder staff are not liable for errors or omissions in documents submitted for recording.