



YOLO COUNTY

RESTRICTIVE COVENANT MODIFICATION PROGRAM

IMPLEMENTATION PLAN



BACKGROUND

(Government Code §12955 - §12957)

The California Fair Employment and Housing Act prohibits discrimination in housing based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry. Government Code section 12956.2(a) provides that any deed or other recorded instrument that contains unlawfully discriminatory language forbidding or restricting the right of any person to sell, buy, lease, rent, use or occupy the property on account of any of the characteristics specified above, may be revised to remove such unlawful language. A title company, escrow company, county recorder, real estate broker, real estate agent, or other person also may submit for recordation a Restrictive Covenant Modification document. If the existence of unlawfully restrictive language is confirmed by County Counsel, the modification document is recorded with the unlawful restrictive covenant redacted.

Pursuant to the 2021 legislation set forth in Assembly Bill (AB) 1466 and California Government Code Section 12956.3 (GC §12956.3), the Yolo County Clerk-Recorder's Office has developed the following Restrictive Covenant Modification Implementation Plan. The initial facet of this plan is to identify potential unlawful language contained within the records of our county. This will be done upon manual review by office staff, or by Optical Character Recognition (OCR) automation. Yolo County Official Records dated prior to 1970 must first be digitized to utilize the OCR automation; therefore, the digitization of 810,606 total records is included in this plan. Once unlawful language is identified redactions consistent with AB1466 will be recorded.

IMPLEMENTATION PLAN - 3 Phases, 4-Year Plan

PHASE	FISCAL YEAR	OFFICIAL RECORDS	SERVICE	VENDOR
PHASE 1	FY22-FY23	1985 - Present (1,523,930 documents)	OCR	First American Title Company
PHASE 2	FY23-FY24	September 1, 1970 - 1984 (307,796 documents)	Digitization	US Imaging
			OCR	First American Title Company
PHASE 3	FY24-FY26	1850 – August 31, 1970 (502,810 documents)	Digitization & OCR	US Imaging

PROCESS

Step 1: Locating the document with unlawful language will be initiated by office staff upon manual review or through Optical Character Recognition (OCR) automation.

Step 2: Preparation of Redacted Restrictive Covenant Modification Document including coversheet with a copy of the original document containing the unlawful language.

Step 3: Submission to County Counsel for review/approval. The review process may take up to 90 days.

Step 4: Upon County Counsel's approval, the Yolo County Recorder will record and index the Redacted Restrictive Covenant Modification.

REQUESTS & SUBMISSIONS FROM THE PUBLIC

In cases where a member of the public notifies our office of a potential restrictive covenant containing unlawful language, this [template coversheet](#) is to be completed and submitted to the Yolo County Recorder with a copy of the original document containing the unlawful language marked for redaction. Upon County Counsel's review and determination, the Restrictive Covenant Modification will be recorded at no fee. For further details, contact our office at 530-666-8130, clerk-recorder@yolocounty.org.