



## LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK

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# Restrictive Covenant Modification Implementation Plan (Assembly Bill 1466)

## Overview

Restrictive Covenants became common after 1926 when the U.S. Supreme Court validated their use allowing discriminatory language to be placed in recordable instruments. In 1968, Congress passed the Housing Rights Act, finally outlawing discrimination based on race or ethnicity in the sale or rental of housing. Although Congress banned the insertion of this language, some documents after 1968 continue to reference this language in legal descriptions and Covenants, Conditions, and Restrictions (CC&R) documents.

Current law prohibits public documents from being recorded with discriminatory or restrictive covenant language (i.e., age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, or national origin).

[Assembly Bill 1466 \(AB 1466\)](#) expands the current law and will require the Los Angeles County Registrar-Recorder/County Clerk (RR/CC) to develop a plan to identify and redact discriminatory and restrictive covenant language from archived public records. Under AB 1466, the purpose of this document is to outline the RR/CC's implementation plan as required in [Government Code Section 12956.3<sup>1</sup>](#)

## Restrictive Covenant Modification Implementation Plan

The RR/CC will search and review its archive in its entirety dating back to 1850. The process will begin with the most recent documents and work backward until completion.

This is a multiphase project that requires the RR/CC to solicit vendor(s) services. Through an open competitive Request for Proposal (RFP) process the RR/CC will request the following services:

1. Phase 1 (Conversion): vendor to convert hardcopy papers, books, and microfilm rolls into digital images to be compatible with Optical Character Recognition (OCR).
2. Phase 2 (Software): vendor to develop custom workflows and services to implement the RCM project and identify restrictive covenant language captured through an OCR process, backed by Artificial Intelligence and indexed using machine learning technologies. The workflow will include locating, routing, queuing, and redacting restrictive language.

Simultaneously, as the RR/CC currently houses microfilm conversion machines (microfilm to a digital image), we will begin an internal focus on the years 1976 working backward. The RR/CC staff will conduct image conversion and prepare the documents for the OCR process.

Once the RR/CC enters a contractual agreement with a vendor(s), this project will divide into two separate workflows based on the format of the document:

1. Workflow #1 (1850 – 1976) – documents are in paper or microfilm format with no electronic image and no electronic index.
  - a. Needs conversion to digital image
  - b. Needs index OCR
  
2. Workflow #2 (1977 – to the present) – document images and index are both in digital format  
 Once imaged, all documents will go through the RCM workflow steps outlined below:
  - a. Full-page OCR locates the RC and highlights the words for review
  - b. Staff reviews to confirm that it is believed to be RC wording
  - c. Route the highlighted document to Los Angeles County Counsel for review
  - d. Los Angeles County Counsel reviews the highlighted RC document, selects the Approve or Deny box on the RCM form, and signs/dates the form electronically
  - e. The program will automatically mask/redact the restrictive wording on the original document and records/indexes the RCM document

## Document Volumes

The estimated volume of documents from 1850 to 2021 in Los Angeles County.

<b>Est. Docs Total</b>	<b>129,765,044</b>	<b>Est. Pages Total</b>	<b>454,177,654</b>
Total Docs to convert (1850 - 1976):		38,705,799	
Approximately pages to convert:		135,470,297	
Total docs imaged (1977-2021):		91,059,245	
Approximately pages imaged:		318,707,358	

## RFP Timeline

### Restricted Covenant Program Services RFP Timeline

Task	Start Date	End Date
SOLICITATION PREPARATION	4/25/2022	9/30/2022
SOLICITATION RELEASE	10/3/2022	11/21/2022
SOLICITATION EVALUATION	12/2/2022	3/13/2023
CONTRACT NEGOTIATIONS	4/18/2023	4/29/2023
BOARD AGENDA	5/30/2023	9/16/2023
CONTRACT IMPLEMENTATION	9/12/2023	10/31/2023
ESTIMATED SYSTEM LIVE DATE	1/1/2024	

### Progression

The RR/CC will have approximately 475 million pages to send through the final RCM workflow. Beginning in January 2024, the RR/CC anticipates the successful review and completion of approximately 50 million pages per year\*.

\*Further updates to this may be provided after the project is implemented and moves forward.

### **Public Access and Tracking**

AB 1466 requires all counties to title these documents as “Restrictive Covenant Modifications” in their recording systems. All RC documents can be located through the RR/CC Index, which is created using the Grantor/Grantee information Per Government Code 27280.5. All documents are made available for public viewing and purchasing so these titles can be identified and researched further by any interested party.