

Land Records Division of the Fairfax Circuit Court

Document Recordation Requirements

All documents presented for recordation must meet the requirements listed below.

Cover Sheet:

- Cover sheets are required for documents recorded at the Land Records counter or through the mail. (VA Code §17.1-227.1)
- The cover sheet is designed so that indexing information entered on the cover sheet form is translated into a 2-D barcode. The cover sheet and its 2-D barcode are then attached as the first page of the document to be recorded and the indexing information is automatically read when scanned into the system. The cover sheet can be found on our website:
www.fairfaxcounty.gov/circuit/land-records/cover-sheet
- Each cover sheet must include the following information (§17.1-227.1):
 - The name of each party to be indexed as grantor or grantee.
 - For deeds and other instruments described in §§58.1-801 or 58.1-807, the amount of the consideration and the actual value of the property conveyed.
 - The Virginia or federal law under which any exemption from recordation taxes is claimed.
 - If required by §17.1-252, the tax map identification number(s) or the parcel identification number of the affected property or properties.
 - The name and current address of the person (or the box number) to whom the instrument should be returned to after recordation.

Description of the Property Transferred: A **land description** (also known as a "legal description") consists of the written words which delineate a specific piece of real property. In the written transfer of real property, it is universally required that the instrument of conveyance include a written description of the property.

Exemptions: When claiming exemptions from recordation taxes, appropriate references to the Code of Virginia or the federal statute are required on the first page of each document. Virginia code sections relating to recordation taxes and exemptions begin at §58.1-800. Pursuant to §17.1-227.1 such exemption codes must also be listed on the cover sheet.

Jurisdiction: The property must be located in Fairfax County or Fairfax City and must state which jurisdiction. (VA Code § 55.1-300)

Legibility:

- Any instrument that is typed, handwritten, signed or notarized in “red” or “yellow” ink will not be accepted. Reds and yellows are not photographically reproducible; therefore, those portions of the images are not visible as the public record in the Court Public Access Network. (VA Code §47.1-16(C))
- All writings must be an original or first generation printed form or legible copy thereof. (VA Code § 55.1-606) and 55.1-604)
- Names of all persons under which the document is to be indexed must be legible. (VA Code §55.1-604)
- A clerk may refuse any document in which the name or names of the person under which the document is to be indexed is not legible or not provided. (VA Code §55.1-604)

Names of Grantors & Grantees:

- All deeds etc. shall be prepared according to the requirements set forth in (VA Code § 55.1-300 and 55.1-316).
- All names to be indexed must be identified as grantor, grantee, trustee or beneficiary. There must be an indication as to which names are the grantors and which names are the grantees (VA Code §17.1-249).
- All deeds require a grantee’s current business or residence address in the **left-hand** margin of the **first page** of the document.
- All deeds must include the consideration and the assumption balance (if applicable) in the **left margin** of the **first page**.
- All trusts must include the full residence or business address of the trustee or trustees, including the street address and zip code. (VA Code § 55.1-317).
- Pages must be numbered sequentially on all documents.

Original Signatures: All documents to be recorded or docketed must be an original or first generation printed form, or **legible** copy thereof. (VA Code § 55.1-606 and 55.1-600)

Paper:

- Paper size may be 8½ x 11 inches to 8½ x 14 inches.
- Paper must be white and unglazed. Print must be black, solid and uniform. The print size must be 9 point or larger. The typing size may be elite (12 characters per inch) or pica (10 characters per inch).
- Paper margins must be a minimum of one inch (1") on the top, left and bottom, and a minimum of one half inch (½) on the right.
- Dot matrix and facsimile paper will **not** be accepted.

Plats: Plats must have a clear white background with dark blue or black inscriptions. Plat or map sizes must be between 8½ x 11 inches to 18 x 24 inches.

Properly Acknowledged or Proved as Provided by Law:

- All signatures must be original, signed in dark blue or black ink. Names must be typed or printed under the signature. All signatures must be notarized. Court certified copies are acceptable with the appropriate clerk signature and seal. (VA Code §§8.01-389, 17.1-227, 55.1-600, 55.1-606, 55.1-651, 55.1-652)
- Notarized documents must include the notarial statement of acknowledgment, the date of the notarial act, the location of the notarial act (i.e. Commonwealth of Virginia; County of Fairfax), the expiration date of the notary's commission, the notary's signature, a photographically reproducible notary seal/stamp and if applicable by the state, the notary's registration number. (VA Code § 55.1-612) 47.1-2, 47.1-16)

Refinance Deeds of Trust: All Refinance Deeds of Trust must include the refinancing statement on the **first page** of the trust. The instrument shall certify the deed book and page number of the recorded instrument on which the tax for the original debt was paid. (VA Code §58.1-803(E))

Modification of Trusts: All Modification of Trusts must include the original loan amount and the deed book and page number of the recorded instrument on which the tax for the original debt was paid. (VA Code §58.1-803(D))

Tax Map Reference or Parcel Identification Number: A tax map number is required on all deeds or other instruments conveying or relating to an interest in real property. The tax map number **must** be included on the cover sheet in order to properly designate Fairfax County properties from Fairfax City properties. (VA Code §17.1-252)

Return of Documents after Recordation:

- All documents recorded in the Land Records Division will be returned upon completion of the verification process. A self-addressed, stamped envelope must be included with the recordation. The name and address of where the document should be returned to must be located on the cover sheet.
- If your office has a mailbox located in the Land Records Division, you may simply write the appropriate mailbox number on the cover sheet. The original document(s) will be returned to your mailbox upon completion of the verification process.

Top Reasons for the Rejection of Documents:

- Cover sheet is not submitted or is filled out incorrectly.
- The document has been sent to Fairfax in error; the property is located in another county or city.
- Insufficient fees.
- The names of the grantors and/or grantees on the cover sheet do not match the names in the instrument.
- Signatures are not original.
- A clerk may refuse any document in which the name or names of the person under which the document is to be indexed is not legible or not provided. (VA Code § 55.1-604)
- The deed book and page number is missing or incorrect.
- Instrument contains a social security number.
- Use of red ink.