

Arlington C-PACE - Lien Recordation Guidance for Participants

(As of July 2022)

Per the Arlington County Land Records Division, four documents related to the C-PACE program will be accepted for recordation. Required information is noted below. Please ensure the required information is included on documents and submit along with the appropriate taxes and fees. Checks and cash are accepted, made payable to Clerk of the Circuit Court. The address is Clerk of the Circuit Court, Land Records Division, Suite 6200, 1425 Courthouse Rd., Arlington, VA 22201. The documents can be submitted via e-recording.

General Information

- Sample documents with highlighted areas to complete are available from the C-PACE Administrator.
- ** It is important to note that the Certificate of Levy and Lien of Special Assessment must be filed and recorded FIRST in Land Records**.**
- Also important to note is that the **Certificate of Levy and the Assignment of Special Assessment must be recorded PRIOR to the Confirmation and Amendment Document** so that document can include the instrument numbers of the first two.
- All related documents must include the instrument number assigned to this first document as a reference.
- All documents require basic recordation information included as highlighted in the sample documents (ex. RPC, loan amount, original signatures, and notarizations)
- Recordation taxes and fees will be collected at the time of filing.
- The recordation documents were approved by the Arlington County Board as part of the C-PACE ordinance. Minor variations, as permitted by the ordinance, were made to the Certificate of Levy, Assignment of Special Assessment and Confirmation and Amendment of Special Assessment Lien to comply with Arlington County and Virginia recording requirements. All blanks on the attached documents must be filled in and highlights deleted. No other modifications may be made to the documents (except for the Mortgage Holder Consent to Special Assessment and Subordination of Lien form, which may be customized).

Certificate of Levy and Lien of Special Assessment

Recorded as a Deed of Trust.

- FILE and RECORD FIRST in Land Records (instrument number assigned will be needed on the other three documents.)
- Borrower and lender name clearly stated on page 1
- Attach a copy of all Mortgage Holder Consents to Special Assessment and Subordination of Lien. Include prior Deed of Trust instrument number/book and page. Exclude the Certificate of Levy and Lien of Special Assessment instrument number.
- NOTE TO CLERK on page 1: May be Recorded as a Deed of Trust.
- Taxes and fees, based on the consideration (amount of loan.). Use the Virginia Circuit Court Deed Calculation website (<http://ccdeedcalc.courts.state.va.us/>) to determine taxes and fees.

Assignment of Special Assessment

Recorded as an Assignment.

- Include instrument number from Certificate of Levy and Lien of Special Assessment on page 1

- This document must be recorded BEFORE the Confirmation and Amendment of Special Assessment Lien and Payment Schedule
- Borrower and lender / assignor and assignee all names on page 1
- Fee: \$31 paper / \$26 e-recording

Confirmation and Amendment of Special Assessment Lien and Payment Schedule

Recorded as a Modification Deed of Trust.

- Include the instrument number of Certificate of Levy and Lien of Special Assessment on page 1
- Include the instrument number of the Assignment of Special Assessment on page 1.
- Borrower and lender names clearly stated on page 1
- State on Page 1 there is no new money or if there is new money, what the previously borrowed amount was and what the new amount is to be borrowed
- Include NOTE TO CLERK on page 1: May be recorded as a Modification Deed of Trust or Modification Agreement
- Fee: \$31 paper / \$26 e-recording, and taxes based on any additional loan amount

Mortgage Holder Consent to Special Assessment and Subordination of Lien

Recorded as Subordination of Lien and Consent to Special Assessment by Mortgage Holder.

- Include prior Deed of Trust instrument number/book and page.
- Include the instrument number from the Certificate of Levy and Special Assessment on page 1.
- Borrower and lender (i.e., the C-PACE capital provider) names stated on page 1
- NOTE TO CLERK: May be recorded as Subordination of Lien and Consent to Special Assessment by Mortgage Holder (if not the title of document)
- Fee: \$31 paper, \$26 e-recording.

Please return a copy of Land Records recording receipts to Rich Dooley (rdooley@arlingtonva.us) and Scott Dicke (scott@waanalytics.com).