



County Technical Assistance Service

Published on e-Li (<http://ctas-eli.ctas.tennessee.edu>)

October 15, 2021

Sources of Assistance for Register of Deeds

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Table of Contents

Sources of Assistance for Register of Deeds	3
---------------------------------------------------	---

Sources of Assistance for Register of Deeds

Reference Number: CTAS-822

The legal issues which face the register day-to-day almost always may be solved by reference to statutory law, whether the issue is whether or not to accept an instrument, what fee is due, whether state tax is due, where to record or file the instrument, how to index the instrument, or any number of other questions involving personnel and responsibilities toward other officials or the public. Therefore, the register should obtain and maintain in current form the most relevant volumes of Tennessee Code Annotated. These are Volumes 3, 3A, 8A, 8B (UCC), 8D (Corporations), 11A (Property), and 12 (Taxes).

If the register is unable to solve a problem after reference to the statutes, there are sources of assistance available.

Local Level. At the local level, the county attorney may be able to offer assistance. This will vary from county to county, as not all county attorneys are obligated to assist the register. The local District Attorney General is obligated by law to respond to questions posed regarding the register's official duties. T.C.A. § 8-7-103(4).

State Level. At the state level, the University of Tennessee's County Technical Assistance Service provides assistance through the regional county government consultants, who are supported by lawyers and other professionals. The County Technical Assistance Service (CTAS) publishes information and emails these items to the register in the form of technical bulletins and "spotlight" memoranda throughout the year.

Tax Matters. The Department of Revenue, located in Nashville, can assist the register in administering the state transfer and mortgage taxes. The Department offers memoranda on this subject.

Financial Reporting. Division of County Audit, Office of the Comptroller, and its field agents, may be of assistance to the register in financial reporting matters.

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