

A Review of Home Address Redaction Processes and Real Property Interests

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OPPAGA

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EXECUTIVE SUMMARY

Florida has public record laws that apply to a variety of governmental documents, including those relevant to property transactions. While broad access to public records fulfills an important role, these laws can adversely affect some individuals due to their occupation or other status that puts them at increased risk of harm. As a result, s. 119.071(4)(d), *Florida Statutes*, allows some individuals, largely current or former government judiciary or law enforcement employees, to redact personal identifying information from public records. The spouses and children of most of these government personnel are also eligible for redaction, as are other groups such as members of the military and victims of certain crimes. The redaction ability of eligible individuals under s. 119.071(4)(d), *Florida Statutes*, including their spouses and their children, is applicable to property records throughout their entire lives with no requirement for renewal.

Florida's 67 clerks of the circuit court and county comptrollers are responsible for recording official documents, including those related to property transactions. Clerks are also responsible for redacting certain information in these documents when requested by eligible individuals. Additionally, other governmental entities maintain documents with personal identifying information that qualifies for redaction. Eligible individuals must request redaction from each governmental entity that maintains personal identifying information. Clerks have similar processes for redacting information from property records; however, processes for verifying the redaction eligibility of individuals varies.

While overall redaction numbers are low, a 2019 law change expanded the definition of home address resulting in the ability for qualified individuals to redact legal descriptions of property from counties'

REPORT SCOPE

As directed by the Legislature, OPPAGA examined redaction processes under s. 119.071(4)(d), *F.S.*, and answered six questions.

1. What is the purpose of limiting access to property-identifying information?
2. Who is eligible for redaction of property-identifying information in public records in Florida?
3. What real property instruments do clerks of court record and maintain?
4. What is the process of redacting and unredacting personal identifying information from public records in the custody of clerks of court?
5. How does the redaction of personal identifying information from property records affect eligible individuals and stakeholders involved in real estate transactions?
6. How could the process of redacting information from property records while also protecting real property interests be improved?

official records.¹ Key stakeholders identified several issues related to redaction, including those related to constructive notice, chain of title, potential for fraud, providing a false sense of safety, land surveying, and delays in real property transactions.

Several states have implemented programs to keep eligible individuals' address information confidential while still granting limited access to property records. The Legislature may consider options to reconcile the goal of protecting individuals' privacy with the need to protect the public interest in real property. These options include modifying an existing address confidentiality program to include personnel identified in s. 119.071(4)(d), *Florida Statutes*; requiring qualifying individuals to periodically renew redaction requests; requiring a notarized affidavit for redaction eligibility; and directing the clerks to redact information from internet indexes while making unredacted versions of documents available to the public for inspection and copying in their offices.

QUESTIONS AND ANSWERS

What is the purpose of limiting access to property-identifying information?

Florida has public record laws that allow broad access to governmental records and open access to public meetings. While access to public records fulfills an important role, these laws can adversely affect some individuals due to their occupation or other status. As a result, the Legislature allows some individuals to redact personal identifying information from public records.

Florida has broad open records laws granting the public the right to inspect most public records from state and local governmental entities. Article I, section 24(a) of the Florida Constitution guarantees every person a right to inspect or copy any public record, including records housed within the legislative, executive, and judicial branches of government; counties, municipalities, and districts; and from constitutional officers, boards, and commissions. Section 119.07(1), *Florida Statutes*, also guarantees the right to inspect and copy public records unless the record is exempt. The Legislature provides guidance for creating and maintaining exemptions through s. 119.15, *Florida Statutes*, which is known as the Open Government Sunset Review Act. This act states that a public records exemption may be created or maintained if it serves an identifiable public purpose, and the Legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exemption.²

The Legislature allows some individuals to redact personal identifying information from public records based on the possibility that such release would jeopardize their safety. Section 119.071(4)(d), *Florida Statutes*, allows for the exemption of personal identifying information of individuals whose duties or occupations place them into close contact with individuals who may be a threat to them and potentially subject them to harassment, threats, or other harms. Additionally, statute allows for the exemption of the personal identifying information of individuals who are victims of specified violent crimes.

¹ [Chapter 2019-12, Laws of Florida](#).

² In accordance with [article I, section 24](#) (a) of the Florida Constitution, the Legislature may, by general law, provide for exemption from public records requirements provided the exemption passes by a two-thirds vote of each chamber, states with specificity the public necessity justifying the exemption (public necessity statement), and is no broader than necessary to meet its public purpose.

Who is eligible for redaction of property-identifying information in public records in Florida?

Florida statute has provided exemptions of personal identifying information for many individuals with varying occupations in the areas of judicial duties, investigative personnel, public safety, military, and local government, as well as victims of certain crimes. The redaction ability of eligible individuals, including their spouses and their children, is applicable to property records throughout their entire lives with no requirement for renewal.

More than 30 categories of current or former government personnel and their relatives are eligible for redaction of home addresses and other information. Individuals that qualify for redaction include local, state, and federal employees such as county tax collectors, statewide prosecutors, and federal judges. Other personnel such as law enforcement, firefighters, and state agency investigative personnel are also provided for in Ch. 119, *Florida Statutes*. Other state laws extend redaction eligibility to private investigators and public guardians with fiduciary responsibilities.³ In addition, some individuals are eligible for redaction of personal identifying information regardless of employment history, including victims of domestic violence, mass violence, and other violent crimes.⁴ (See Exhibit 1.) Qualifying personnel and family members are eligible for redactions while they are employed in the protected occupation and after their employment has ended.

Statute provides the various elements of personal identifying information eligible for redaction and identifies family members eligible for redaction.^{5,6} Personal information that may be redacted includes telephone numbers, photographs, and dates of births. Spouses and children can request that their names and the names and locations of schools and day care facilities or places of employment be redacted. (See Appendix A for the complete list of eligible personnel and types of eligible information.)

³ Sections [744.21031](#) and [493.6122](#), *F.S.*

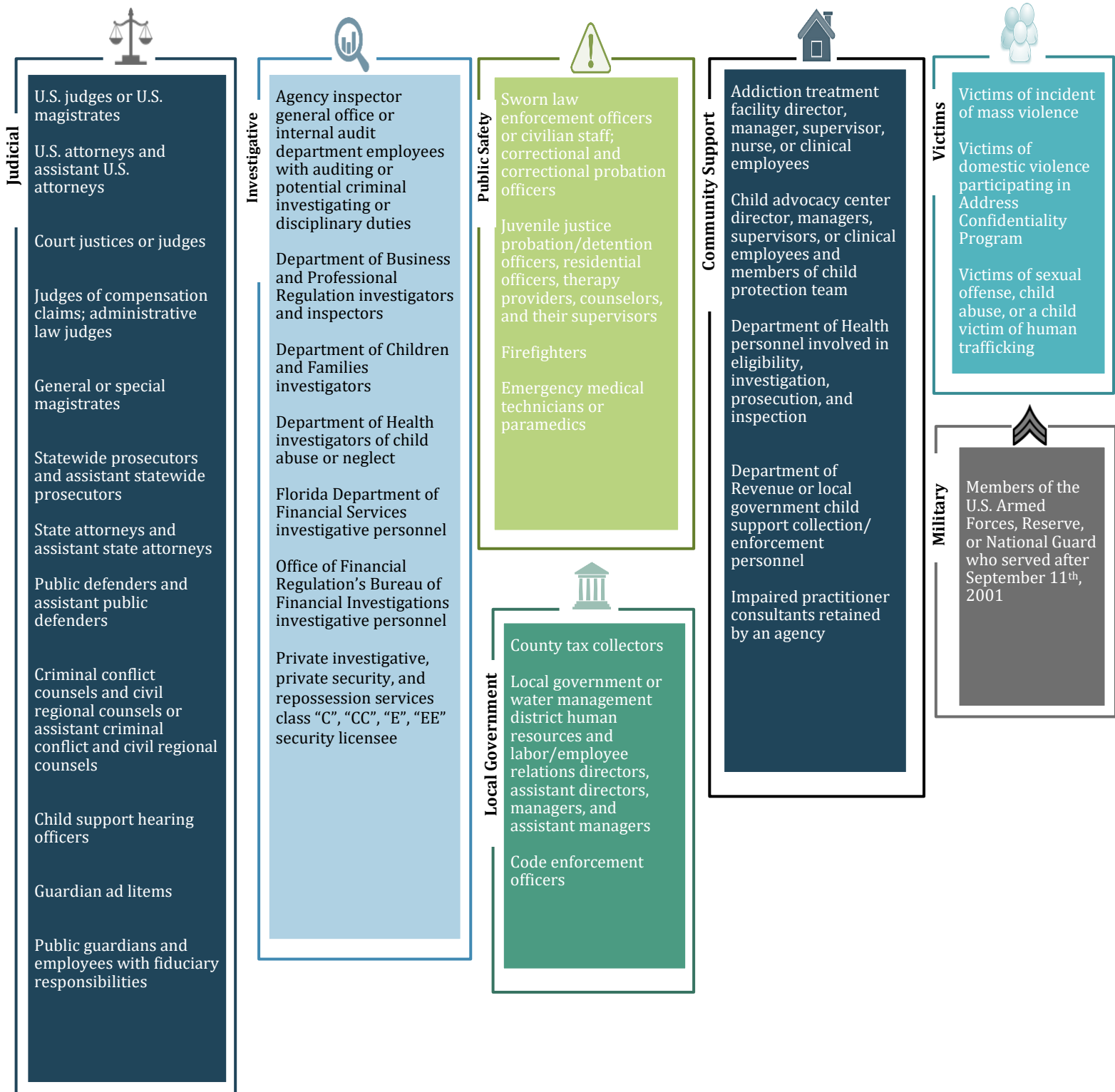
⁴ [Section 741.465](#), *F.S.*

⁵ [Section 119.071](#), *F.S.*

⁶ The statutory definition of “home address” only applies to individuals that are exempt in s. [119.071\(4\)\(d\)](#), *F.S.*, including law enforcement officers, prosecutors, public defenders, and judges. Other statutes (e.g., ss. [493.6122](#), [741.465](#), and [119.071\(2\)\(o\)](#), *F.S.*) that apply to private investigative, private security, repossession services with class “C,” “CC,” “E,” or “EE” security licensee, victims of domestic violence, and victims of mass violence use the terms “residence address” or “address.” These terms are more limited and do not encompass all the components that are included in the definition of home address, such as legal description, parcel ID, or GPS coordinates.

Exhibit 1

Personnel Eligible to Request Redaction of Personal Identifying Information From Public Records



Source: OPPAGA analysis of Florida statutes and Florida Association of Court Clerks and Comptrollers Best Practices.

The redaction ability of eligible personnel, including their spouses and their children, is applicable to property records throughout their entire lives with no requirement for renewal. A qualifying individual can seek redactions of personal identifying information by written request to governmental entities. For example, if an individual wants to request redaction of their home address on a deed, the custodian of the record, such as the clerk of court, processes the request. That specific redaction on the deed will remain redacted with no time limit unless the requestor authorizes its release.

There is currently no requirement for an individual to renew their redactions in property records or their eligibility status except for victims of certain violent crimes.⁷ Florida statutes do not provide an expiration date for when redacted information becomes unredacted, meaning that most eligible individuals will never need to renew their request to keep the information redacted. Again, for victims of certain violent crimes, there is a five-year expiration date for redactions. In addition, because the statute specifies that individuals may be currently or formerly in certain occupations, the redaction extends beyond employment in the eligible occupation. For example, a retired law enforcement officer may maintain or request new home address redactions from property records in the custody of the clerk of court.

Additionally, statute extends the exemption to the children of eligible individuals.⁸ However, the language does not limit the exemption to minor or dependent children, allowing applicability to adult children. Adult children can request redaction of their property records even if they no longer live with their eligible parent. Their exemption status will continue to be valid even if their eligible parent no longer works in the occupation or is deceased. For example, the adult child of a former judge can redact their name and home address from property records in the custody of the clerk of court.

What real property instruments do clerks of court record and maintain?

In Florida, county clerks of court record documents in an indexed set called the official records. Clerks provide public access to these documents through an online portal or by supplying copies to requesters. Official records include a wide variety of documents that could be redacted under s. 119.071, *Florida Statutes*, and clerks are responsible for redacting these documents when requested by eligible individuals. Additionally, while clerks maintain the official record, other governmental entities and private companies maintain documents with information that could be redacted.

Among other duties, the county clerks of court are responsible for maintaining property-related documents and redacting certain information to safeguard redaction-eligible parties. Each of Florida's 67 counties has a clerk of court. The clerks have many functions, including court-related responsibilities such as attending court, processing cases, managing juries, and filing indictments, information, and verdicts. In addition, clerks are required or authorized to record certain documents into the public record through a general series called official records.⁹ Clerks must maintain an index of these instruments filed for the record, and the index must be publicly available. Clerks provide online access to the index with links to images or copies of official records and supply copies of documents to requesters.

⁷ [Section 119.071\(2\)\(j\)](#), *F.S.*, provides that exempt information for victims of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence shall cease to be exempt five years after the receipt of the written request. Any state or federal agency that is authorized to have access to such documents by any provision of law shall be granted such access.

⁸ [Section 119.071\(4\)\(d\)2](#), *F.S.*

⁹ [Section 28.222](#), *F.S.*

Specific to these duties, clerks have responsibilities related to real property, such as conducting mortgage foreclosure sales and recording and maintaining property records in the official record. These records are open to the public to ensure accuracy and provide protections during real estate transactions. Potential buyers and lenders can use these records to assess ownership interests in property offered for purchase or as security for financing. For example, these records are used to determine that the seller owns the property and ensure that there are no outstanding liens or taxes on the property. However, as required by statute, upon request, the clerks can redact some information for eligible individuals.¹⁰ Thus, the clerk has the dual responsibility of making property records publicly available and redacting some information from the public.

Clerks of court record numerous types of documents that are eligible for redaction. There are many different types of documents that contain information that could be redacted under s. 119.071, *Florida Statutes*. (See Exhibit 2.) These documents have a role in real estate transactions and have various purposes, such as showing proof of ownership, transferring ownership, providing legal use of land to a party, and documenting facts or agreements between parties. According to some clerks' staff OPPAGA interviewed, deeds are the most common type of property document requested for redaction. (See Appendix B for a complete list and descriptions of documents that contain information eligible for redaction.)

Exhibit 2

Clerk Records That May Have Personal Identifying Information Eligible for Redaction

Type of Official Record		
<ul style="list-style-type: none">• Affidavit• Agreement• Assignment• Bond• Certificate• Certified Copy of Judgements• Condominium• Death Certificate• Deed• Easement• Financing Statement	<ul style="list-style-type: none">• Government Related• Judgment• Lien• Lis Pendens• Maps• Marriage Record• Mortgage• Military Discharge• Notices• Order	<ul style="list-style-type: none">• Plat Related• Plats• Powers of Attorney• Probate Documents• Releases• Restitution Orders• Restrictions• Satisfaction• Termination• Transfers of Security

Source: Florida Association of Clerks of Court and Comptrollers.

Other governmental entities maintain records that could be redacted under s. 119.071, *Florida Statutes*. Other governmental entities, such as tax collectors, have access to property records and make some of the information publicly available online. Similar to the clerks, Florida has tax collectors in each county with duties that include managing property records. Other duties of the tax collectors include issuing driver licenses and copies of birth certificates, managing applications for title and registration of mobile homes, and collecting taxes and assessments. Property appraisers also provide property information online. For example, a county property appraiser's website may have a property owner name and a legal description of the property. Property appraiser websites can also include courtesy web-links to images of deeds found on clerks' internet-based index of official records.

Some local governments may have other local entities that maintain information that can be redacted. For instance, Miami-Dade has a separate redaction request form for address records housed with the Water and Sewer Department. Other entities that have documents with information that could be redacted include state agencies. For example, the Department of State's Division of Corporations maintains business records with information that could be redacted and provides a public records

¹⁰ [Section 119.071, F.S.](#)

request form to the public. Additionally, the Florida Division of Workers' Compensation has records relating to injured individuals that could be redacted and also offers a redaction request form under s. 119.071, *Florida Statutes*.

Moreover, several privately operated database companies collect data from clerks' records, including copies of property records, such as deeds. Some companies use this information to build private property record databases so businesses can conduct title searches and other real property services.¹¹ Other types of databases collect the information to provide to the public via the internet, such as Spokeo. Section 119.071, *Florida Statutes*, only applies to state and local governmental entities, so private entities that are not acting on behalf of a public agency with personal identifying information acquired lawfully from governmental entities are not required to redact the information.¹²

What is the process of redacting and unredacting personal identifying information from public records in the custody of clerks of court?

Redaction, which refers to removing or blacking out specific information from a document in the public record, may occur at any time when the record is in the custody of the clerk.¹³ However, clerks of court reported that most redaction requests occur after a property record has been made publicly available. Eligible individuals must request redaction from each entity that maintains personal identifying information. Clerks have similar processes for redacting personal identifying information from property records, but verification of eligibility varies. Florida law prescribes the process for unredacting personal identifying information from public records.

While redaction requests may occur at any time, clerks of court stated that most redaction requests happen after a property record has been made publicly available. Redaction involves removing or blacking out specific information from a document but leaving the document in the official record index to allow for future authorized access. For example, an individual eligible for redaction could request that their spouse's name and home address, including the legal description, be blacked out on the deed to their home. Thus, when looking up the deed via the clerk's internet index or in person at the clerk's office, the copy of the deed would have the redacted information blacked out. Clerks typically use records management software to redact.¹⁴

Some clerks' staff OPPAGA interviewed stated that requests for redaction typically occur after the property-related documents have been indexed in the clerk's official records and have been made publically available. For example, this could occur if an individual becomes eligible years after they purchased their home. Alternatively, eligible individuals can request redaction when buying a home. Individuals can instruct the title company handling their home purchase to include the request for redaction form with the documents transmitted to the clerk. This allows the redaction to be processed along with the record of sale and before the information is made available to the public.

¹¹ A title search is a review of records usually done for a real estate transaction to determine the condition of the title.

¹² [Section 119.011\(2\)](#), *F.S.*, defines agency as any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, the Commission on Ethics, the Public Service Commission, the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

¹³ [Section 119.011\(13\)](#), *F.S.*, defines redact as "to conceal from a copy of an original public record, or to conceal from an electronic image that is available for public viewing, that portion of the record containing exempt or confidential information."

¹⁴ Clerks redact a variety of additional information from public records, such as information about a victim of a crime, Social Security number, bank account numbers, and debit, credit, or charge card numbers.

Any copies made of a document prior to a redaction request remain unredacted. For example, several privately operated database companies collect data from clerks' official records, including images of property records, such as deeds. Many of these private database companies collect property information prior to when a redaction occurs; thus, the information in the private databases would reflect the original unredacted information. It is important to note that documents related to a qualifying individual may be added to the clerk's official record over time. For example, individuals may add another mortgage to a home, refinance a home, or have a lien filed against them. Even eligible individuals who redact their property record at the time of purchase would need to periodically check the clerk's database to ensure no documents containing identifying information were added and make additional redaction requests as necessary.

Eligible individuals must request redaction from each local governmental entity that maintains personal identifying information. There is no centralized portal for making redaction requests with all custodians of personal identifying information within a county. Instead, individuals seeking redaction must make a request to each entity that maintains records that could be redacted under s. 119.071, *Florida Statutes*. For example, information from property records are typically accessible online at county clerks of court, property appraisers', and tax collectors' websites. These entities may share documents, such as clerks providing a property deed to the property appraiser, but redaction requests are not dispatched between them. However, as previously noted, there may be additional entities that an individual may have to contact to redact records. For example, local public utility offices and county GIS (Geographic Information System) departments may all have public records with individuals' home address information.

Clerks have a similar process for redacting and unredacting personal identifying information from property records, but verification of eligibility varies. The Florida Association of Court Clerks & Comptrollers (FCCC) has identified best practices for redaction requests. These practices include requiring each requestor, even those residing in the same home, to complete a standardized request form. Individuals complete the form by identifying themselves, stating what makes them eligible for redaction, and enumerating the specific documents and identifying pieces of information to be redacted (specific instrument number, book, and page of the document). All of the clerk's offices that OPPAGA interviewed used some version of this form. (See Appendix C for FCCC's model redaction request form.) If an eligible individual seeks additional redactions in the future, they must complete a new redaction request each time.

Most requestors self-attest that they meet the eligibility criteria for redaction. The standardized form requires that requestors provide their name, title, and eligibility status. While several clerks reported that they require individuals to show identification or have the request form notarized to attest to their identity, most clerks OPPAGA interviewed do not further verify eligibility. When asked, staff from multiple clerk's offices stated that they do not have the authority or the ability to investigate or verify that the requestor meets the statutory criteria for redaction.

Florida law prescribes the process for unredacting personal identifying information from public records. When a property record has been redacted, there are established procedures for unredaction and release of documentation. Once a property record has been redacted, the clerk cannot release unredacted documents associated with that property to anyone, including the individual or other property owners, without express permission of the qualifying individual who made the redaction request. Statute requires that individuals with redactions provide the custodial agency a written notarized request, which must specify the information to be released and the party that is

authorized to receive the information.¹⁵ Clerks reported that these transactions are routinely conducted in person at the clerk's office, though one clerk reported accepting the original, notarized form by mail. Once the form is received, clerks then release the document to the individual or mail a copy of the unredacted document to third parties upon request. For example, individuals can request a clerk send an unredacted copy of a mortgage or deed to a title company or financial institution.

Individuals with a redacted record can also request a document be unredacted for public viewing. Those who no longer wish to have their identifying information redacted from public record may request to have it unredacted at any time by following the same process of making a written notarized request. Clerks we interviewed reported that these requests are rare, with some clerk's offices never having received such a request.

How does the redaction of personal identifying information from property records affect eligible individuals and stakeholders involved in real estate transactions?

While redaction of personal identifying information is rare, with a Florida Association of Court Clerks & Comptrollers survey finding that 0.25% of clerks' official records are redacted, a 2019 law change resulted in more property information being eligible for redaction. Key stakeholders identified several issues related to redacting elements of official property records. These include issues related to constructive notice, chain of title, potential for fraud, providing a false sense of safety, land surveying, and delays in real property transactions.

The real estate recording system has a primary goal of providing people with information about property.¹⁶ Recording is the act of putting a real estate document into the official records at the clerk's office in the county where the real estate is located. The purpose of recording a document is to provide a traceable chain of title to the property; chain of title is evidence that a piece of property has validly passed down through the years from one owner to the next. Thus, recording a property interest in the public record gives notice of ownership to the general public.

Recent changes in Florida law allow qualifying individuals to redact all property descriptions from a public record; stakeholders expressed concern that this may limit the ability to determine ownership of or encumbrances on a property. The 2019 Legislature expanded the statutory definition of home address to include all descriptive property information. Specifically, Ch. 2019-12, *Laws of Florida*, defined the term home address as "the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address."¹⁷ In the context of property records in the custody of the clerk of courts, such as land deeds or mortgages, redacting the property descriptions from official records limits the reader's ability to know what property is at issue. Since statute allows for some individuals, such as spouses and children, to redact their name from public records, in certain instances there would be very limited information in the public record.¹⁸

¹⁵ [Section 119.071\(4\)\(d\)4, F.S.](#)

¹⁶ Grant, Jonathan. "Address Confidentiality and Real Property Records: Safeguarding Interests in Land While Protecting Battered Women." *Minnesota Law Review* 100 (2015): 2577.

¹⁷ [Section 119.071\(4\)\(d\)1a, F.S.](#)

¹⁸ [Section 119.071\(4\)\(d\), F.S.](#)

Stakeholders asserted that redacting this information limits the effectiveness of the public record to give notice of property ownership to interested parties, which may

- create potential issues related to constructive notice and chain of title;
- increase the possibility of fraud;
- provide protected parties a false sense of safety;
- cause problems accurately surveying property; and
- delay real property transactions.

Constructive notice

Redacting names or property addresses from official records limits the public notice function of recording documents. Florida law relating to real property is premised upon the recording of documents that establish the transfer of interest in real property. Section 695.01, *Florida Statutes*, provides that “[n]o conveyance, transfer, or mortgage of real property, or of any interest therein, nor any lease for a term of 1 year or longer, shall be good and effectual in law or equity against creditors or subsequent purchasers for a valuable consideration and without notice, unless the same be recorded according to law...” In other words, the act of recording a document, such as a deed or mortgage, with the clerk of court secures a valid claim to property. Moreover, a recorded document gives constructive notice to anyone who might later be interested in a property, whether or not the interested party actually knows about or finds the record. Redacting names or legal descriptions of property on recorded real estate documents can create a problem for constructive notice because an interested party could not have found the information about a property through a reasonable search of the public records. While this has been expressed as a potential concern, we have not found and stakeholders have not reported any pending cases or court rulings related to s. 119.071(4)(d), *Florida Statutes*, which discusses redaction of property records and claims of ineffective constructive notice.

Chain of title

Redactions may create uncertainty on title if information remains redacted after a qualifying individual sells or transfers a property. The redaction of a protected individual’s name or address can have negative impacts on future property transactions because redaction may create broken links in a chain of title. The real estate recording system depends on the ability to find all records that convey interests in any particular parcel of real estate. Title researchers link current and historical owner names found in the recorded instruments of conveyance, known as the chain of title.¹⁹ A complete and accurate indexing system is essential for finding all of the pertinent documents to build a chain of title. Redacted property records may create gaps in the chain of title of a property. As discussed earlier, currently the only mechanism for unredacting a property record is for the qualifying individual to provide a written request. If the qualified individual is unable or unwilling to unredact their personal information from documents in the official record, there is currently no statutory mechanism to restore these documents to their original state. For example, redactions would exist in property records used to create a chain of title long after a qualified individual has left their home address. Our research and interviews with key stakeholders did not identify examples of this occurring. However, under the current system of redaction, it could occur.

¹⁹ Roscoe, Emily, and Charles Szypszak. "Privacy and Public Real Estate Records: Preserving Legacy System Reliability Against Modern Threats." *The Urban Lawyer* 49, no. 3 (2017): 355-391.

Potential for fraud

The practice of allowing the requestor to select which documents to redact creates an opportunity for bad actors to commit fraud. By specifying what claim parties may have to a property, Florida's county recording systems help to decrease fraud and increase the marketability of properties. However, under the current redaction practices, bad actors could cherry pick which property records to redact. For example, an individual could leave deeds unaltered but redact names and addresses from notices or claims of lien or mortgages, concealing prior claims on a property from subsequent parties. Thus, bad actors may find it easier to fraudulently sell a property or obtain a mortgage by misrepresenting ownership of property under the current system of redaction. Furthermore, since most clerk offices lack the resources or ability to investigate the eligibility of a requester for redaction, bad actors who may not qualify for a redaction might still be able to obtain it. However, this concern is a hypothetical weakness of the current system, and stakeholders could not report an instance of this occurring in Florida.

Providing a false sense of safety

Personal identifying information resides in many searchable databases; once an individual's information is made publicly available, it is difficult to effectively limit access to that information. Redacting personal identifying information from public records aims to protect higher-risk individuals from harm. While removing names and home addresses from publically available records may make it more difficult to find the home addresses of individuals, personal identifying information resides in many public and private databases available via the internet. For example, home address information can be found in official court records, voter registration databases, municipal utility databases, and pet registration databases. While redacting address information from county official records can provide some degree of protection, OPPAGA interviewed address confidentiality program administrators from other states who reported that once an address is recorded, the data is unsecure. Requests for redaction often occur once a document has been recorded and placed on the internet index of official documents by the clerks of court; thus, private databases may have already captured the personal information of the requestor.

Furthermore, under Florida's current system, some qualifying individuals may redact their home address but not their name. Thus, someone seeking to locate a redacted individual's residence could find a deed with a redacted address but with the prior owner's name. A simple search of clerk records would produce an earlier deed with the prior owners name and an unreacted property address. Thus, with relative ease, a determined bad actor could find a protected individual's home address using the unredacted elements of a deed.

Land surveying

Redacting property descriptions from land records hinders surveyors from accurately identifying property boundaries. When a boundary survey is conducted, a surveyor locates the boundaries of the property on the ground as described in the deed. The survey also examines the property description of adjacent properties, using their deeds to search for conflicting elements, such as overlapping boundary lines or gaps. The redaction of a legal description on a deed may impair land surveyors from accurately conducting boundary surveys, which are critical to the rights of property owners. For example, many land-use laws, such as construction and development codes, are dependent

on having clear and accurate boundary surveys to avoid violations of encroachment, setback, and buffering requirements.

Delays in real property transactions

Some qualifying individuals reported that redactions of property records resulted in complications or delays in real estate transactions. A small number of individuals who redacted personal information from property records expressed frustration with delays in real estate transactions, such as selling and refinancing their homes. One individual indicated that home address redaction resulted in a delay in notification by the property appraisers regarding tax-assessed home values. The blue text boxes on this page are selected excerpts of written responses we received from a protected individual who experienced problems in real property transaction resulting from redactions.

"I decided to take advantage of the lower interest rates recently and did a [refinance] with the same credit union. This time with a blocked address, the application ended up sitting on a waiting list for two weeks and the appraiser had a hard time coming up with [comparables] for a value. All in all, the delay pushed back the process and was one of the reasons I ended up with an interest rate at 3.25% instead of 2.8%..."

-Government attorney with redacted property

"Having a confidential address is just inconvenient. I probably should not have bothered – if someone really wanted to find me, they can.... But there's been a few times it actually cost me a little. First, just after I bought my house, the property tax appraiser disallowed the sale (because I bought it from a woman who ultimately died mid-sale, it went through probate and a trust to individual sale flags the value). When they re-assessed the value, I did not receive notice since it was not sent to my blocked address. Months after the deadline to appeal the valuation, I decided to go online and check the tax records because it looked like the mortgage company was collecting too much in escrow as if they did not apply the homestead exemption, and learned that I could not get into my own records online due to the blocked address. So it took time to go over to the tax appraiser and show [identification] to get my info. As it turns out, they did apply the exemption.... The good news is that my house immediately appraised at \$30,000 more than I paid, but the bad news was that I pay more property tax because I could not appeal the valuation."

-Government attorney with redacted land records

How could the process of redacting information from property records while also protecting real property interests be improved?

A few states have implemented programs to keep eligible individuals' address information confidential while still granting limited access to property records. The Legislature may consider some options to reconcile the goal of protecting individuals' privacy with the need to protect the public interest in real property and the ability to conduct real estate transactions. These options include modifying an existing address confidentiality program to include personnel identified in s. 119.071(4)(d), *Florida Statutes*, and providing greater protections in real property transactions; requiring qualifying individuals to periodically renew their request for redactions; requiring a notarized affidavit for

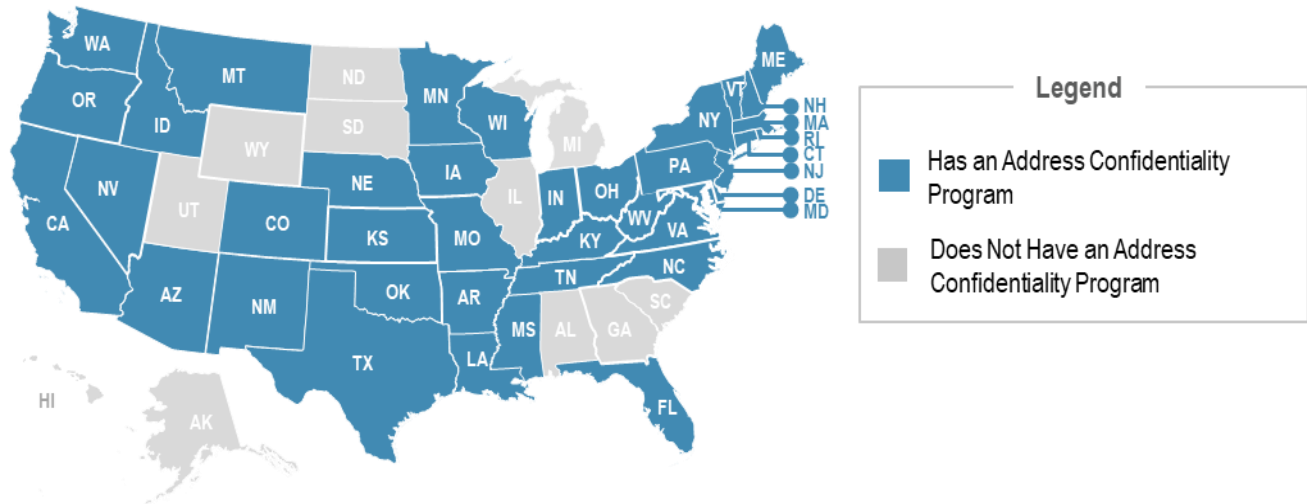
redaction eligibility; and directing clerks to redact information from the internet index but make unredacted versions of documents available to the public for inspection and copying in their offices.

Several states have implemented programs to keep eligible individuals' address information confidential while granting limited access to property records. The ease with which real property records can be found and viewed poses a unique set of risks and challenges for vulnerable individuals. The intersection of protection for vulnerable persons and freedom of information is an issue many states grapple with, and for some, this led them to establish ways of purchasing property through Address Confidentiality Programs (ACP). These programs, particularly in Maryland and Minnesota, mitigate challenges associated with protecting the confidentiality of an individual's home address by requiring enrollment prior to the purchase of real estate. Challenges with maintaining the integrity of the chain of title in clerk databases are addressed by requiring a renewal of confidentiality status. Maryland and Minnesota also grant limited access to redacted property records to qualifying parties, such as those conducting a title search.

Also known as Safe at Home programs, ACPs were created to protect victims of stalking, domestic violence, and sexual assault with the purpose of preventing offenders from using public records to locate their victims. Dating back to at least the 1990s, these programs primarily function as a mail forwarding service, with a couple including a real property feature. Enrolled participants are assigned substitute addresses to be used for voting records, driver licenses, and other public records rather than using their real addresses. Typically housed in secretary of state offices, ACPs forward mail so that participants receive items sent to their actual home address. As of 2020, at least 39 states, including Florida, have implemented an ACP, with two others administering their ACPs in 2021. (See Exhibit 3.)

Exhibit 3

Most States Have an Address Confidentiality Program



Note: The 2019 Michigan Legislature approved the implementation of an Address Confidentiality Program to go into effect in February 2021 under the state's attorney general. The Illinois Legislature has also enacted an Address Confidentiality Program that will begin in January 2021 under the state's attorney general.

Source: OPPAGA analysis of Victims Connect Resource Center and other state statutes.

Florida's address confidentiality program is operated by the Florida Attorney General's Office of Victim Services. The program currently serves individuals who are victims of domestic violence and stalking. As of October 2020, there were 1,700 participants. The program provides participants with a proxy address where a post office box in Tallahassee can be used as a home address on official documents, and program staff forward mail to participants.

However, while the program does not provide a specified process for keeping real property records confidential, participants are included in s. 741.465, *Florida Statutes*, which provides that they are eligible for their address to be redacted and can apply for their telephone numbers and social security numbers to be redacted from any public record through the same process as those eligible under Ch. 119, *Florida Statutes*.

Maryland and Minnesota, whose programs are housed in their secretaries of state offices, have modified their ACP programs to include processes related to real property transactions. These transactions are monitored by the secretary of state in collaboration with clerk's offices and other relevant government agencies (e.g., Maryland Department of Assessments and Taxation). The programs have three key features related to shielding property-related documents from public view, which are enrollment prior to transactions, placeholder documents, and required renewal. (See Exhibit 4.)

Exhibit 4

Address Confidentiality Programs in Maryland and Minnesota Have Key Features to Help Ensure Confidentiality of Program Participants' Property Information

Program Features

Enrollment Prior to Property Transaction



Program participants must be enrolled in the program before completing a property transaction in order to have the transaction shielded from public view. All stakeholders in real estate transactions are notified of the required confidentiality measures, which subsequently keeps all records confidential at the onset of recording. Any real property records maintained by the county recorder can be shielded from the public upon a submission of a Real Property Notice to the county recorder.



Participants must be enrolled in the program prior to purchasing a property in order for property transactions to be shielded from public view.

Placeholder Document

When an enrolled individual purchases a property, the associated deed is recorded in the clerk's database with information intact. In Maryland, clerks insert a placeholder that shields the records. A placeholder document covers the property record and instructs the viewer to request access from the secretary of state. The secretary of state will vet the requestor before affirming or denying the request for access.



Required Renewal

Participants must renew program membership every 4 years.



If a participant does not renew their program membership with the secretary of state, the clerks will be notified and the original document that was shielded will be restored in the clerk's records.



Participants in Maryland can continue to renew as long as they feel they are in danger.

Source: OPPAGA interviews with the secretaries of state in Minnesota and Maryland and analysis of their laws and address confidentiality websites.

While these programs have limited eligibility criteria compared to the categories of property redaction-eligible individuals in s. 199.071, *Florida Statutes*, the key features provide examples of how other states have mitigated challenges related to shielding information from public view.²⁰ For example, requiring program participants to be enrolled prior to a property transaction keeps all records shielded from the time they are recorded, which helps ensure that a participant's home address has not been data scraped and is already available publicly. Additionally, the use of a placeholder document serves as constructive notice that there is a recorded document associated with the searched property. The secretary of state vets requestors before affirming or denying requests for access. For example, for a title examination in Maryland, the secretary of state verifies the requestor is in fact a title agent prior to processing the request. The participant can also authorize the title agent to view the document upon written request to the clerk. Finally, requiring program enrollees to renew program membership creates a mechanism for record release and could help keep the clerk's records database updated. If a participant does not renew program membership, clerks are notified, and the original document that was shielded is restored. Furthermore, the unshielding mechanism ensures the original document remains in its entirety, which provides a clear chain of title upon examination for future transactions.

The Legislature may consider options to reconcile the goal of protecting individuals' privacy with the need to protect the public interest in real property and the ability to conduct real estate transactions. These options are described below.

Modify Florida's address confidentiality program to incorporate features from other states. The Legislature could consider modifying the address confidentiality program in the Attorney General's Office of Victim Services to include individuals that currently qualify for the redaction of personal identifying information under s.119.071(4)(d), *Florida Statutes*. This modification could also include a notification system for missing documents in the official records, a process for requesting unredacted documents, and a method of vetting requestors. These changes would significantly increase the workload of the attorney general's address confidentiality program and the workload of the clerks of court, and it would require significant statutory changes and additional funding. The advantage of this approach would be that it could provide greater security for qualifying individuals by limiting access to an individual's home address while allowing a mechanism to facilitate real property transactions. However, it would not provide protection to individuals whose home address has already been in the public record; thus, it is a program largely aimed at protecting future participants.

Require qualifying individuals to periodically renew their request for redactions. Currently, the only statutory mechanism for unredacting a property record is for the qualifying individual to provide a notarized release request to the record custodian.²¹ Requiring qualifying individuals to periodically renew their redaction requests could allow for the automatic unredaction of records when an individual does not renew, making that information publicly accessible. This process could be similar to Florida's address confidentiality program, which requires a recertification every four years.²² Similarly, Arizona allows for redaction of property identifying information of eligible individuals for five years. After five years, the redaction no longer applies unless the individual renews the redaction. However, requiring renewals would increase record custodian workload, both in tracking the time of redactions and unredacting records. In addition, requiring renewals would help address the long-term impact of redactions on chain of title research but would not address other concerns related to constructive notice and potential fraud. Moreover, there may be concerns of inadvertently placing

²⁰ As of 2020, Maryland had 1,830 participants enrolled and has had 15 individuals purchase property through their ACP. Minnesota's Safe at Home Address Confidentiality Program offers enrollment to anyone with safety concerns, in addition to victims of stalking, harassment, domestic violence, and sexual assault. Minnesota's ACP program has 3,426 participants as of November 2020, and at least 180 participants have purchased or sold property through their ACP.

²¹ [Section 119.071\(4\)\(d\)4, F.S.](#)

²² [Section 741.403\(3\), F.S.](#)

protected individuals at risk by releasing personal identifying information if they fail to renew a redaction request.

Require a statewide notarized statement or affidavit for redaction eligibility. The majority of clerks do not require verification that an individual is a member of a protected class and is therefore entitled to a public records exemption. Most clerks of court we spoke with indicated that they did not have the resources or ability to investigate an individual's qualifications for redaction. Requiring individuals to sign a notarized statement attesting to both their identity and their eligibility status may mitigate actions of bad actors and standardize the process across counties while clarifying the clerk's responsibility related to verification. Including the notarization requirement in s. 119.071, *Florida Statutes*, would require a similar verification process for all custodians of public records and expand the number of entities that would have to comply. For example, a supervisor of elections would have to require a notarized affidavit of eligibility before removing a home address from the publically available voter registration rolls.

Direct clerks to redact information from the internet index but make unredacted versions available to the public for inspection and copying. Florida law requires clerks of court to maintain an index of official documents on a publicly available internet website with links to images of official records.²³ However, s. 28.2221(5)(a), *Florida Statutes*, prohibits the public display of images of some document types, including military discharges, death certificates, or a court file, record, or papers relating to matters or cases governed by the Florida Rules of Family Law, Florida Rules of Juvenile Procedure, or Florida Probate Rules. Documents excluded from online access are available directly from the clerk's office for inspection and copying. The Legislature could consider limiting access to images with redactions under s. 119.071(4)(d), *Florida Statutes*, from the clerk's internet website but allow for the documents to be inspected and copied in clerk's offices. This could serve as a modest deterrent for potential offenders who seek to harm individuals with redacted records by gathering address information from the internet, but it would allow for public access to official records, thus helping preserve one of the key functions of our county recording system—constructive notice.

²³ [Section 28.2221, F.S.](#)

APPENDIX A

Eligible Personnel

Many personnel, current or former, are eligible for redaction, along with their spouses and children. Eligible individuals can request redaction of personal information, such as home address, phone number, date of birth, and photographs. For spouses and children, their names and locations of schools or employment can be requested for redaction in public records. Exhibit A-1 displays the specific individuals eligible for redaction and a corresponding check mark to indicate the specific personal information that an individual can request for redaction.

Exhibit A-1

Individuals and their relatives are eligible for redaction of varying information in addition to home address

	Eligible Personnel and Relatives	Name	Home Address	Phone Number	Date of Birth	Photos	Name and Location of School/Workplace
Victims	Victims of an incident of mass violence		✓				
	Victims of sexual offense, child abuse, or child victim of human trafficking		✓	✓			
	Victims of domestic violence participating in the Address Confidentiality Program		✓	✓			
Community Support	Child advocacy center directors, managers, supervisors, or clinical employees and members of child protection team		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓	✓	✓
	Addiction treatment facility directors, managers, supervisors, nurses, or clinical employees		✓	✓	✓	✓	
	Spouses and children		✓	✓	✓	✓	✓
	Impaired practitioner consultants retained by an agency		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	Department of Health personnel involved in eligibility, investigation, prosecution, and inspection		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	Department of Revenue or local government child support collection/enforcement personnel		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓	✓	✓

	Eligible Personnel and Relatives	Name	Home Address	Phone Number	Date of Birth	Photos	Name and Location of School/Workplace
Public Safety	Firefighters		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓	✓	✓
	Law enforcement sworn officers or civilian staff; correctional and correctional probation officers		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓	✓	✓
	Juvenile justice probation/detention officers, residential officers, therapy providers, counselors, and their supervisors		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	Emergency medical technicians or paramedics		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
Judicial	Court justices or judges		✓	✓	✓		
	Spouses and children	✓	✓	✓	✓		✓
	State attorneys and assistant state attorneys		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓	✓	✓
	Statewide prosecutors and assistant statewide prosecutors		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓	✓	✓
	General or special magistrates		✓	✓	✓		
	Spouses and children	✓	✓	✓	✓		✓
	Judges of compensation claims; administrative law judges		✓	✓	✓		
	Spouses and children	✓	✓	✓	✓		✓
	Child support hearing officers		✓	✓	✓		
	Spouses and children	✓	✓	✓	✓		✓
	Public guardians and employees with fiduciary responsibilities		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	Criminal conflict counsel and civil regional counsels or assistant criminal conflict counsel and civil regional counsels		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	Guardian ad litem		✓	✓	✓	✓	✓
	Spouses and children	✓	✓	✓	✓		✓
	U.S. attorneys and assistant U.S. attorneys		✓	✓		✓	
	Spouses and children		✓	✓		✓	✓
	U.S. judges or U.S. magistrates		✓	✓		✓	
	Spouses and children		✓	✓		✓	✓

	Eligible Personnel and Relatives	Name	Home Address	Phone Number	Date of Birth	Photos	Name and Location of School/Workplace
	Public defenders and assistant public defenders		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
Local Government	Code enforcement officers		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	County tax collectors		✓	✓	✓		
	Spouses and children	✓	✓	✓	✓		✓
	Local government or water management district human resources and labor/employee relations directors, assistant directors, managers, and assistant managers		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
Investigative	Private investigative, private security, and repossession services—Class “C,” “CC,” “E,” or “EE” security licensee		✓	✓			
	Office of Financial Regulation’s Bureau of Financial Investigations investigative personnel		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	Department of Children and Families investigators		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓	✓	✓
	Department of Health investigators of child abuse or neglect		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓	✓	✓
	Florida Department of Financial Services investigative personnel		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	Agency inspector general office or internal audit department employees with auditing or potential criminal investigating or disciplinary duties		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
	Department of Business and Professional Regulation investigators and inspectors		✓	✓	✓	✓	
	Spouses and children	✓	✓	✓	✓		✓
Military	Member of U.S. Armed Forces, Reserve, or National Guard who served after September 11 th , 2001		✓	✓	✓		
	Spouses and children		✓	✓	✓		✓

Source: OPPAGA analysis of statute and the Florida’s Attorney General Government-in-the-Sunshine Manual, 2020 Edition.

APPENDIX B

Records

There are many different types of documents that contain information that could be redacted under Florida statute. While all these documents are not specifically property records, they could relate to the ownership of, transfer of, encumbrance of, or claims against real estate.

Exhibit B-1

Records That Contain Information Eligible for Redaction

Record Type	Description	Examples
Affidavit	A written and sworn statement of fact.	Affidavit relating to a property interest; Declaration of Domicile; Mobile Home Retirement; Continuous Marriage Affidavit; Affidavit of Non-Homestead; Affidavit of No Florida Estate Tax Due; Same Name Affidavit; Title Affidavit; Power of Attorney Affidavit
Agreement	A written agreement that is between two parties.	Agreement if related to real or personal property; Assumption Agreement; Bill of Sale; Consent; Future Advance Agreement; Merger; Promissory Note; Subordination; Lease; Contracts if related to property interest; Memorandum of Lease; Interagency Agreements
Assignment	A process where an individual (the assignor) transfers rights or benefits to another individual (the assignee).	Assignment of mortgages; Liens; Contracts; Judgments; Certificates of Sale; Assignment of Bid; and the assignment of other, recordable instruments
Bond	Used to finance projects or operations by companies, municipalities, and state government.	Performance Bonds; Appearance or Bail Bonds secured by real property identified in the bond; Power of Attorney from surety company to bail bond agent
Certificate	Certificates relating to ownership of a property.	Articles of Incorporation; Certificate relating to ownership or encumbrance on real or personal property; Federal Final Certificate for Estate Tax (for very large estates); Certificate of Trust
Certified Copy of Judgments	A certified copy of a final decision by a court.	Certified copy of: judgment, order for costs or fees, order for court costs, criminal judgment with fees, family judgment
Condominium	Documents that create a condominium or show change to the original document.	Declaration of Condominium; Declaration of Condominium Amended
Death Certificate	A certificate that contains information about the death of an individual.	Death Certificate (image not available on clerks' websites)

Record Type	Description	Examples
Deed	A document that provides proof of ownership of a property.	Certificate of title; deed; personal representative deed or release; quitclaim deed; timeshare deed; Tax Deed; Trustee Deed; Warranty Deed; Fee Simple Deed; Special Warranty Deed; Cemetery Deed; Indenture; Lady Bird Deed; Mineral Rights Deed; Timber Rights Deed
Easement	Provides an individual with a legal or equitable right to use the land of another individual for a specific reason.	Easement; Right-of-Way; Conservation Easement
Financing Statement	Provides notice that a party claims a security interest in certain described goods and other personal property owned by another individual (the debtor).	Financing Statement (UCC-1, UCC-3) including: Continuation, Termination, Release, Satisfaction, Cancellation, Assignment, Modification, Partial Release, Supplemental, and Amendment
Government Related	Documents relating to government.	Ordinance; Resolution; Notice of Encumbrment/Annexation; Vacation of Road; Administrative Order
Judgment	Final decision by a court.	Court Judgment; Bankruptcy; Default Judgment; Quiet Title Judgment; Summary Judgment; Order Vacating or Setting Aside Judgment; Final Decree; Final Judgment
Lien	A claim against assets.	Assessments; Claim of Lien; Code Enforcement Board Lien; Federal Tax Lien; Lien; Hospital Lien; Tax Lien; Tax Warrant including liens relating to family cases; modification of Lien
Lis Pendens	An official notice to inform the public that a claim on a property was filed through a lawsuit.	Lis Pendens; Amended Lis Pendens; Notice of Lis Pendens
Maps	Documents graphically showing property features.	Condominium Map; Maintenance or Road Map; Minor Subdivision Map; Right of Way Map
Marriage Record	The combination of marriage application, license, and certificate.	Marriage license; Amended marriage license; Replacement marriage license
Mortgage	Any conveyance, obligation conditioned or defeasible, bill of sale, or other instrument of writing conveying or selling real property for the purpose or with the intention of securing the payment of money, whether such instrument is from the debtor to the creditor or from the debtor to some third person in trust for the creditor.	Mortgage; Chattel Mortgage; Mortgage Modification Agreement; Deed of Trust (assigning power of sale); Bail Bond Mortgage
Military Discharge	Official proof of military service.	Military Discharge or Separation/DD-214
Order	A signed and written decision of a judge that contains a decision on part of an individual's case.	Court Orders, including: Final Order, Order of Taking, Order of Dismissal, Order for Attorney Fees, Criminal Cost Order, Restitution Order, Authorizing Sale of Real Property, Determining Homestead

Record Type	Description	Examples
Plat Related	A record that can show an error on a plat and is signed by a surveyor.	Surveyor's Certificate/Affidavits; Certificate of Correction to Plat Surveys; Lot Split Surveys; Vacations of Plat
Plats	Shows how a tract of land is split by showing land size, boundaries, and other features.	Plat Mylar Drawing
Powers of Attorney	A document that assigns the ability for an individual to act on behalf of another individual.	Durable, Non-durable, and Financial Power of Attorneys if related to ownership, transfer, or encumbrance of property.
Probate Documents	Documents relating to probate matters.	Letters of Guardianship; Letters of Administration; Wills or Codicils admitted to probate; Non-taxable Certificate or Estate Tax Closing Letter; Affidavit of No Florida Estate Tax Due; Order Authorizing Sale of Real Property; Order Determining Homestead
Notices	A document used to provide notice.	State Attorney Appointment and Oath; Designation of Homestead; Certification of Trust; Notice of Bond; Notice of Dismissal; Sewer Assessments; Notice of Appeal; Memorandum of Trust; Notice of Contest of Lien; Notice of Bond; Notice of Homestead; Notice of Interest in Land; Notice of Commencement
Releases	Shows that a mortgage or lien is partially paid by a homeowner.	Release of any encumbrance on property (mortgages, liens) including Partial Releases; Notice of Dismissal and Release of Lis Pendens filed in foreclosure case
Restitution Orders	Part of a judgement that orders restitution for a victim.	Civil restitution lien
Restrictions	Creates standards for what homeowners can and cannot do in a homeowner association.	Subdivision Restrictions; Covenants; Homeowners Association Bylaws; Declaration of Covenant and Restriction
Satisfaction	Shows that a mortgage or lien is paid by a homeowner.	Satisfaction of any encumbrance on property, such as mortgages, liens, or of final judgments or orders
Termination	Allows an individual, such as an owner or contractor, to terminate a previous document.	Termination of Power of Attorney; Termination of Notice of Commencement; Revocation; Cancellations
Transfers of Security	A document that permits an individual (owner or any interested party) whose property is encumbered by a claim, lien, or judgment to transfer the lien from the property to a different type of security.	Transfer of Lien to Cash Bond; Transfer of Lien to Surety Bond

Source: Palm Beach County Clerk of Court, Florida Association of Court Clerks and Comptrollers, and OPPAGA analysis of statute and information from other agencies.

APPENDIX C

Redaction Request Form

The Florida Court Clerks & Comptrollers Association created a standardized form that clerks can use for redaction requests. The four-page form includes a checklist of eligible individuals and space for notarization.²⁴

Exhibit C-1

Standardized Redaction Request Form for Clerks

BP Requests to Redact Exempt Personal Information

**REQUEST FOR REDACTION OF EXEMPT PERSONAL INFORMATION
FROM NON-JUDICIAL PUBLIC RECORDS**

I request to have exempt personal information removed from records maintained by the _____ County Clerk's/Comptroller's Office.

Exempt information held under FS 119.071 or FS 493.6122 or FS 741.465 as (select all that apply):

- ☐ Current/former government agency employee in the category checked below
- ☐ Spouse of a current/former government agency employee in the category checked below
- ☐ Child of a current/former government agency employee in the category checked below

Check the appropriate item:

<input type="checkbox"/> Victim of violent crime [FS 119.071(2)(h)1]	<input type="checkbox"/> Code enforcement officer [FS 119.071(4)(d)2.i.]
<input type="checkbox"/> Victim of an incident of mass violence [FS 119.071(2)(o)]	<input type="checkbox"/> Guardian ad litem [FS 119.071(4)(d)2.j.]
<input type="checkbox"/> Child advocacy center director, manager, supervisor, clinical employee of [FS 119.071(4)(d)2.t.] (eff. 7/1/18)	<input type="checkbox"/> Juvenile probation/detention officer, house parent, therapy provider, counselor and their supervisors [FS 119.071(4)(d)2.k.]
<input type="checkbox"/> Law enforcement officers or civilian staff, correctional and correctional probation officers [FS 119.071(4)(d)2.a.]	<input type="checkbox"/> Public Defender and APDs [FS 119.071(4)(d)2.l.]
<input type="checkbox"/> Dept of Children and Family investigator [FS 119.071(4)(d)2.a.]	<input type="checkbox"/> Criminal conflict counsel and civil regional counsel [FS 119.071(4)(d)2.l.]
<input type="checkbox"/> Dept of Health investigator of child abuse or neglect [FS 119.071(4)(d)2.a.]	<input type="checkbox"/> Dept of Business Regulation investigators and inspectors [FS 119.071(4)(d)2.m.]
<input type="checkbox"/> Dept of Revenue or local government child support collection/enforcement personnel [FS 119.071(4)(d)2.a.]	<input type="checkbox"/> Tax collectors (current only) [FS 119.071(4)(d)2.n.]
<input type="checkbox"/> Florida Department of Financial Services investigative personnel [FS 119.071(4)(d)2.b.]	<input type="checkbox"/> Dept of Health personnel involved in eligibility, investigation, prosecution, and inspection [FS 119.071(4)(d)2.o.]
<input type="checkbox"/> Office of Financial Regulation's Bureau of Financial Investigations investigative personnel [F.S. 119.071(4)(d)2.c.]	<input type="checkbox"/> Impaired practitioner consultants retained by an agency [F.S. 119.071(4)(d)2.p.]
<input type="checkbox"/> Firefighter [FS 119.071(4)(d)2.d.]	<input type="checkbox"/> Emergency medical technician or paramedic [FS 119.071(4)(d)2.q.]
<input type="checkbox"/> Justice or judge [FS 119.071(4)(d)2.e.]	<input type="checkbox"/> Agency inspector general office or internal audit department employees with auditing or potential criminal investigating or disciplinary duties [FS 119.071(4)(d)2.r.]
<input type="checkbox"/> State attorney and ASAs [FS 119.071(4)(d)2.f.]	<input type="checkbox"/> Addiction treatment facility director, manager, supervisor, nurse, or clinical employee [FS 119.071(4)(d)2.s.] (eff. 7/1/18)
<input type="checkbox"/> Statewide prosecutor and asst. statewide prosecutors [FS 119.071(4)(d)2.f.]	<input type="checkbox"/> U.S. Attorney and AUSAs [FS 119.071(5)(i)1.]
<input type="checkbox"/> General or Special Magistrate [FS 119.071(4)(d)2.g.]	<input type="checkbox"/> U.S. Judge or U.S. Magistrate [FS 119.071(5)(i)1.]
<input type="checkbox"/> Judge of Compensation Claims, Administrative Law Judge [FS 119.071(4)(d)2.g.]	<input type="checkbox"/> Member of US Armed Forces, reserve, or National Guard, who served after 9/11/01 [FS 119.071(5)(k)1.]
<input type="checkbox"/> Child Support Hearing Officer [FS 119.071(4)(d)2.g.]	<input type="checkbox"/> Private Investigative, Private Security, and Repossession Services- Class "C", "CC", "E", "EE" Security Licensee [FS 493.6122]
<input type="checkbox"/> Local Govt. or Water Mgt. District Human resources manager/assistant manager [FS 119.071(4)(d)2.h.]	<input type="checkbox"/> Victim of Domestic Violence participating in the Address Confidentiality Program [FS 741.465]
<input type="checkbox"/> Local Govt. or Water Mgt. District Labor or employee relations manager/assistant manager [FS 119.071(4)(d)2.h.]	

BP Redaction Request Procedure 6-24-19

Page 6 of 9

²⁴ The Florida Court Clerks and Comptrollers Association is currently in the process of updating this redaction request form.

BP Requests to Redact Exempt Personal Information

- ☐ Public Guardians and employees with fiduciary responsibilities [FS 744.21031] (eff. 7/1/18)

REQUESTOR CONTACT INFORMATION

Printed Name: _____

Telephone Number: _____ Email address: _____

INFORMATION TO BE REDACTED

Home address(es) (including physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, other descriptive property information that may reveal home address)

Telephone Number(s) _____ Date of Birth: _____

Social Security Number(s) found at (DO NOT LIST THE SOCIAL SECURITY NUMBER): _____

Place(s) of Employment/Location: _____

Telephone #: _____ Photo of Requestor (as identified in comparable photo attached to this request)

Name and Location of School/Daycare Facility of child: _____

Personal assets (crime victim): _____

AGREEMENT

I understand that this form itself is a public record. If a copy of it is requested, all exempt information contained herein will be redacted.

I agree to indemnify and hold harmless the _____ County Clerk's/Comptroller's Office and its staff for any direct or indirect claims or damages that may arise in connection with this request for confidentiality. Further, I agree to personally identify those documents of record pertaining to me, my spouse, or my child(ren).

DOCUMENTS TO BE REDACTED

The following section is to be completed during or after a visit to the _____ County Clerk's/Comptroller's Office at Provide your Clerk's/Comptroller's Website or the office, address, and zip code of office.

As a result of my review of the Official Records of the _____ County Clerk's/Comptroller's Office, I hereby agree that the _____ County Clerk's/Comptroller's Office staff has my permission to modify a copy of the following documents in accordance with FS 119.071. I understand that only the modified copy will be made available to the public, unless otherwise ordered by a court of competent jurisdiction.

Instrument Number	Book	Page	Document Title
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

BP Requests to Redact Exempt Personal Information

Documents Other Than Official Records: _____

Signature: _____ Date: _____

Name of Eligible Government Employee (if not requestor): _____

Job Title of Eligible Government Employee

Employing agency

BP Requests to Redact Exempt Personal Information

REQUEST TO THE _____ COUNTY CLERK OF COURT
TO RELEASE REDACTED INFORMATION ON RECORDED DOCUMENTS

This request is made by

Printed Name: _____

I request that the _____ County Clerk of Court release an unredacted copy of the following redacted, recorded document:

Date of Request: _____

Document Title: _____

Book and Page of Document: Book _____ Page _____

Instrument Number: _____

A copy of the redacted document is attached to this request.

I request that the clerk release a copy of the unredacted referenced document to:

Signature

STATE OF FLORIDA
COUNTY OF _____

Signed on _____

Sworn to (or affirmed) and subscribed before me on (date) _____, 20____ by

(affiant name)_____.

NOTARY PUBLIC-STATE OF FLORIDA

{Print, type, or stamp commissioned name of notary}

____ Personally known, OR
____ Produced identification
Type of identification produced/ID# _____

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OPPAGA

Office of Program Policy Analysis and Government Accountability

OPPAGA provides performance and accountability information about Florida government in several ways.

- [Reports](#) deliver program evaluation and policy analysis to assist the Legislature in overseeing government operations, developing policy choices, and making Florida government more efficient and effective.
- [Government Program Summaries](#) (GPS), an online encyclopedia, provides descriptive, evaluative, and performance information on more than 200 Florida state government programs.
- [PolicyNotes](#), an electronic newsletter, delivers brief announcements of research reports, conferences, and other resources of interest for Florida's policy research and program evaluation community.
- Visit [OPPAGA's website](#).

OPPAGA supports the Florida Legislature by providing data, evaluative research, and objective analyses that assist legislative budget and policy deliberations. This project was conducted in accordance with applicable evaluation standards. Copies of this report in print or alternate accessible format may be obtained by telephone (850/488-0021), by FAX (850/487-3804), in person, or by mail (OPPAGA Report Production, Claude Pepper Building, Room 312, 111 W. Madison St., Tallahassee, FL 32399-1475).

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