

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF FINANCIAL ASSISTANCE**

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September 1, 2020

**MEMORANDUM FOR:** Stakeholders and Interested Parties**FROM:** Jennifer Seeger, Acting Deputy Director**SUBJECT:** Division of Financial Assistance  
Electronic Signature Policy

Generally, the Department of Housing and Community Development (“**HCD**”) will accept electronic copies of signatures (“e-signatures”) instead of wet or original signature. This includes application submittal documents, organizational documents (e.g. articles of incorporation, bylaws, etc.), authorizing resolutions, grant fund disbursement requests, monitoring and compliance reports, etc. The requirements for the e-signature may vary slightly depending on the document.

For example, for Standard Agreements (i.e. STD 213/STD 213A, STD 215) parties must strictly ensure the e-signature meets the requirements set forth in the State Administrative Manual (“**SAM**”), promulgated by the Department of General Services (“**DGS**”), which sets out a comprehensive policy for electronic signatures, transactions, and record management in the conduct of state business operations. A link to those requirements are set forth here: [https://www.documents.dgs.ca.gov/sam/SamPrint/new/sam\\_master/sam\\_master\\_file/chap1200/1240.pdf](https://www.documents.dgs.ca.gov/sam/SamPrint/new/sam_master/sam_master_file/chap1200/1240.pdf)

HCD’s “Electronic Signature Use Policy,” issued on August 2, 2019, verifies that HCD accepts electronic signatures on standard agreements and related documents and can be found [here](#).

For other documents not covered by the above, the Department will generally accept any document that materially meets the above standard, which means it must at least:

1. Include the date the document was signed.
2. Include a digitized image of a handwritten signature of the party signing (e.g., a PDF copy of a signed Microsoft Word document).

3. Clearly and unambiguously show the chain of approval of all parties required to sign the document. For example, to show that all signatories signed the same document, a PDF copy of that document could be e-mailed to the agency with a legally binding signature from each signatory attached, and all signatories would be copied on the e-mail. (*Ibid.*)
4. The e-signature must be blue in color.

Due to legal requirements some documents still require some form of original wet signatures as detailed below.

**Promissory Notes:** While the Department will accept an electronic copy of a signature as proof of execution for the purposes of authorizing an escrow company to close escrow, a copy of the handwritten original must be returned to HCD with the escrow closing materials.

**Recorded Documents:** Currently most, if not all County recorders, are still requiring notarized and originally “wet-signed” documents for recorded documents, generally these include Deeds of Trust, Regulatory Agreements, Covenants, Liens, Easements and some Leases. HCD does not control this requirement.

**Note Regarding Recorders Use of Electronic Signatures:** HCD is aware that some recorders have been testing the ability to use electronic signatures for recorded documents. If you are providing documents and your recorder allows for this, HCD will accept these documents electronically as well, provided that HCD is provided sufficient proof that the document was recorded, and provided that HCD is able to obtain title insurance on the same terms as if the document had been conventionally recorded. Below are links to recorders and their various statements on accepting electronic copies of documents for recordation:

San Diego: <https://arcc.sdcounty.ca.gov/Pages/document-general.aspx>

Los Angeles: <https://lavote.net/home/records/property-document-recording/recording-requirements>

Sacramento: <https://ccr.saccounty.net/DocumentRecording/Pages/RulesforRecordedDocuments.aspx>

San Francisco: <https://sfassessor.org/assessor-recorder-chu-announces-beginning-e-recording>

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