

NEW HAMPSHIRE
REAL ESTATE COMMISSION

DECLARATORY RULING
ON THE APPLICABILITY OF
THE USE OF ELECTRONIC RECORDKEEPING OF REAL ESTATE RECORDS

A request for Declaratory Ruling was submitted by Stephen Patriquin as to whether documents and files for active/currently listed properties, as well as properties with an accepted contract/agreement, that are kept in an electronic media format rather than in a paper format in the real estate office complies with RSA 331-A:26.

The Commission rules that the use of electronic recordkeeping for real estate records is permissible and issues the following Commission Policy on electronic records:

POLICY ON ELECTRONIC RECORDS

Real estate licensees may utilize electronic recordkeeping methods to comply with the recordkeeping requirements of RSA 331-A:26 provided that the following conditions are met:

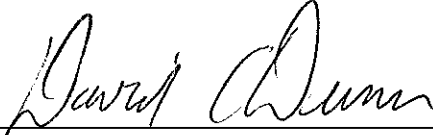
1. All documents required to be retained must be readily accessible and reproducible in an organized format providing ease in document identification.
2. In order to ensure proper document retention, the principal broker of all real estate firms which use electronic recordkeeping methods must develop and utilize a retention process which safeguards the security, authenticity, and accuracy of the records for the entire required retention period and which also provides for the use of technology and hardware which ensures the accessibility of records in a readable format.



Daniel S. Jones, Commissioner

1/15/13

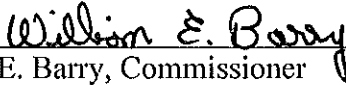
Date



David C. Dunn, Commissioner

1/15/2013

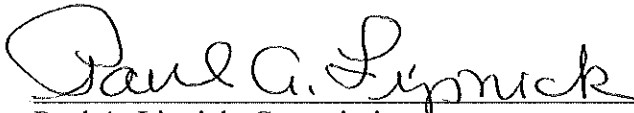
Date



William E. Barry, Commissioner

1-15-2013

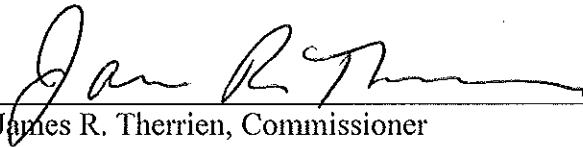
Date



Paul A. Lipnick, Commissioner

01-15-2013

Date



James R. Therrien, Commissioner

01-15-2013

Date