

**RIVERSIDE COUNTY
ASSESSOR-COUNTY CLERK-RECORDER**



**RESTRICTIVE COVENANT MODIFICATION PROGRAM
IMPLEMENTATION PLAN**

VERSION 2.0 | Last Revised 9/5/2025

Introduction

This implementation plan establishes the timeline & methodology in which Riverside County Assessor-Clerk-Recorder will execute the legislative requirements of Assembly Bill (AB) 1466, which includes the identification and redaction of unlawful discriminatory restrictive language.

Restrictive Covenants

A restrictive covenant imposes a restriction on the use of land so that its value and enjoyment as well as that of the adjoining land will be preserved.

An unlawful restrictive covenant is a provision in a conveyance that limits the sale, rental, and financing of real property based on race, religion, national origin, sex, disability, familial status, age, color, gender, gender identity, gender expression, sexual orientation, marital status, veteran or military status, genetic information, national origin, and source of income.

History of Restrictive Covenants

1926 – U.S. Supreme Court validated the use of racially restrictive covenants. Restrictions were an enforceable contract that could result in a forfeiture of property should an owner be found non-compliant.

1948 – U.S. Supreme Court held that racially restrictive covenants could not be enforced but including them in real property documents remained common.

1968 – Congress passed the Fair Housing Act that outlawed the use and enforceability of discriminatory restrictive covenants.

2009 – AB 985 was signed into law and provided a means for a person who holds or is acquiring an ownership interest of record in property that they believe is the subject of an unlawfully restrictive covenant in violation of subdivision (l) of Section 12955 to submit for review and possible recording a document titled Restrictive Covenant Modification (RCM). The bill also required that a county recorder, title insurance company, escrow company, real estate broker, real estate agent, or association that provides a copy of a declaration, governing document, or deed to any person place a cover page or stamp on the first page of the previously recorded document or documents with information regarding the restricted classes and the ability to record a Restrictive Covenant Modification document.

2021 – AB 1466 McCarty "Real Property: Discriminatory Restrictions" was signed into law. This bill requires each county recorder to establish a restrictive covenant program to facilitate the redaction of unlawfully restrictive covenants. The bill also requires each county recorder to prepare an implementation plan by July 1, 2022, as specified, to identify unlawfully restrictive covenants in the records of their office and to redact unlawfully restrictive covenants, as specified.

Note: Original records will remain available to the public and at no time will be altered or redacted.

AB 1466 – Implementation Plan

With over 28 million documents in our repository, it is the goal of Riverside County to complete the review of our records, both current and historical, using the most efficient and effective technology available. The Recorder will approach the task of identifying discriminatory restrictive covenants using Optical Character Recognition (OCR) software and a proof-of-concept application called CovenantGuard provided by First American Title Company. The application will allow both the Recorder and County Counsel to review and process documents using a seamless electronic workflow. The OCR functionality within the Covenant Guard application includes the ability to read both typed and handwritten documents. We anticipate a small portion of the documents will be unreadable and may require manual review by our subject matter experts.

Automated Process

- *Records in electronic format will be scanned using OCR technology to identify any potential unlawful restrictive language.*
- *Once identified, Recorder staff will perform a quality control review of identified documents using the Covenant Guard application.*
- *Upon verification, a redacted Restrictive Covenant Modification document will be automatically generated within the Covenant Guard application and placed in County Counsel's queue for review.*
- *County Counsel will receive an alert that there are records pending their review.*
- *Upon County Counsel's approval or rejection of a record, the Recorder will receive an alert that records are ready to be recorded or filed as rejected.*
- *Approved redacted Restrictive Covenant Modification documents will be recorded and made available in our public official records.*

Semi - Automated Process

- *Documents that cannot be read using OCR functionality will be held in a separate queue within Covenant Guard, where recorder staff will manually review each page to determine if unlawful restrictive language is present.*
- *Records that are identified manually will continue through the process outlined above.*

Implementation Timeline

Below you will find a tentative timeline for each phase of the project. Dates and Phases are subject to change and will be updated periodically as required.

PHASE	YEARS	REQUIRED TASKS	Estimated TARGET DATES
Phase 1 - Proof of Concept	1937 1945 1953 1963 (237,581 documents)	<ul style="list-style-type: none"> • Transfer Images to First American • OCR records • Verify records • County Counsel Approve/Reject • Record/Reject 	Completed Completed In Process – 9/2022 12/2022 12/2022
<p><i>During Fourth Quarter 2021 Riverside ACR and First American Title Company began working on a Proof of Concept (POC) that would allow the electronic OCR, review and delivery of documents identified to have contained unlawful restrictive language. To better understand the complexity and effort of the process we identified four years surrounding major historical events to be included in the POC.</i></p>			
Phase 2 – Electronic images Exist	1966 – Present* (Approx. 26M Records)	<ul style="list-style-type: none"> • OCR records • Verify records • County Counsel Approve/Reject • Record/Reject 	2022 - 2023
Phase 3 – In process of creating and finalizing electronic images	1931 – 1965 (Approx. 1.9M Records)	<ul style="list-style-type: none"> • Upload Converted Images to Recorder Repository • Quality Control Review of Converted Records • Transfer Images to First American • OCR records • Verify records • County Counsel Approve/Reject • Record/Reject 	2023 - 2026
Phase 4 – Images currently do not exist in electronic format	1893 – 1930 (Approx. 477K Records)	<ul style="list-style-type: none"> • Request for Price (RFP) to convert historical images • Convert books/film to an electronic format • Review converted images • Complete steps 1- as outlined in Phase II 	2025 - 2027

****All future recordings will be scanned daily using OCR technology to immediately identify any new potential discriminatory restrictive language for which a redacted Restrictive Covenant Modification document will be processed.***

Tracking

Members of the public may review all records identified with restrictive language by searching our indices for documents titled Restrictive Covenant Modification (RCM). In addition, the Recorder will maintain a comprehensive list of all document numbers (original and new recordings) processed through this program, which will be available to the public upon request.

Public Reporting of Documents Containing Restrictive Covenants

To report a document containing restrictive covenant language [Click here](#) and select the "Restrictive Covenant Program" category. Complete the necessary fields to provide the document number or other identifying information. Our staff will review the information and submit the document for processing through our application.

If a member of the public would like to prepare and submit an RCM individually, please click on "Restrictive Covenant Modification Information" under the Helpful Links section for the instructions and the RCM (Racial or Otherwise Unlawful) document template.

Helpful Links

[Assembly Bill 1466](#)

[Restrictive Covenant Modification Information](#)