

721—30.4(554) Filing and data entry procedures.

30.4(1) Policy statement. This rule describes the filing procedures of the filing officer upon and after receipt of a UCC document. Except as provided in these rules, data are transferred from a UCC document to the information management system exactly as the data are set forth in the document. Personnel who create reports in response to search requests type search criteria exactly as set forth on the search request. No effort is made to detect or correct errors of any kind.

30.4(2) Document indexing and other procedures before archiving.

a. Date and time stamp. The date and time of receipt are noted on the document or otherwise permanently associated with the record maintained for a UCC document in the UCC information management system.

b. Cash management. Transactions necessary to payment of the filing fee are performed.

c. Document review. The filing office determines whether a ground exists to refuse the document under 30.2(2).

d. File stamp. If there is no ground for refusal of the document, the document is stamped or deemed filed and a unique identification number and the filing date are stamped on the document or permanently associated with the record of the document maintained in the UCC information management system. The sequence of the identification number is not an indication of the order in which the document was received.

e. Correspondence.

(1) Acknowledgment of filing. If there is no ground for refusal of the document, an acknowledgment of filing is prepared as provided in 30.2(6) and communicated as follows:

1. UCC document tendered in person. Acknowledgment of filing is given to the remitter by personal delivery or sent by regular mail to the remitter or the secured party (or the first secured party if there is more than one) named on the UCC document.

2. UCC document tendered by courier or postal service delivery. Acknowledgment of filing is sent by regular mail to the remitter or to the secured party (or the first secured party if there is more than one).

3. UCC document tendered by telefacsimile delivery. Acknowledgment of filing is sent by regular mail (or, if requested, by telefacsimile) to the remitter or to the secured party (or the first secured party if there is more than one).

4. UCC document transmitted electronically using XML standard. Acknowledgment of filing is returned electronically.

5. UCC document transmitted by online entry. Acknowledgment of filing is returned electronically.

(2) Notice of refusal. If there is a ground for refusal of the document, notification of refusal to accept the document is prepared as provided in 30.2(5) and communicated as follows:

1. UCC document tendered in person. Notice of refusal is given to the remitter by personal delivery or sent by regular mail to the remitter or the secured party (or the first secured party if there is more than one) named on the UCC document.

2. UCC document tendered by courier or postal service delivery. Notice of refusal is sent by regular mail to the remitter or to the secured party (or the first secured party if there is more than one).

3. UCC document tendered by telefacsimile delivery. Notice of refusal is sent by regular mail (or, if requested, by telefacsimile) to the remitter or to the secured party (or the first secured party if there is more than one).

4. UCC document transmitted electronically using XML standard. Notice of refusal is returned electronically.

5. UCC document transmitted by online entry. Notice of refusal is returned electronically.

f. Data entry. Data entry and indexing functions are performed as described in this rule.

30.4(3) Filing date. The filing date of a UCC document is the date the UCC document is received with the proper filing fee if the filing office is open to the public on that date or, if the filing office is not open on that date, the filing date is the next date the filing office is open, except that, in each case, UCC documents received after 4:30 p.m. shall be deemed received on the next date the filing office is open.

The filing officer may perform any duty relating to the document on the filing date or on a date after the filing date.

30.4(4) *Filing time.* The filing time of a UCC document is determined as provided in 30.1(7).

30.4(5) *Lapse date and time.* A lapse date is calculated for each initial financing statement (unless the debtor is indicated to be a transmitting utility). The lapse date is the same date of the same month as the filing date in the fifth year after the filing date or relevant subsequent fifth anniversary thereof if a timely continuation statement is filed, but if the initial financing statement indicates that it is filed with respect to a public-finance transaction or a manufactured-home transaction, the lapse date is the same date of the same month as the filing date in the thirtieth year after the filing date. The lapse takes effect at midnight at the end of the lapse date. The relevant anniversary for a February 29 filing date shall be March 1 in the fifth year following the year of the filing date.

30.4(6) *Errors of the filing officer.* The filing office may correct the errors of filing officer personnel in the UCC information management system at any time. If the correction is made after the filing officer has issued a UCC search report with a certification date that includes the filing date of a corrected document, the filing officer shall place a record relating to the relevant initial financing statement in the UCC information management system stating the date of the correction and explaining the nature of the corrective action taken. The record shall be preserved for so long as the record of the initial financing statement is preserved in the UCC information management system.

30.4(7) *Errors other than filing office errors.* An error by a filer is the responsibility of such filer. It can be corrected by filing an amendment or it can be disclosed by a correction statement.

30.4(8) *Data entry of names—designated fields.* A filing should designate whether a name is that of an individual or an organization and, if an individual, also designate the first, middle and last names and any suffix. With regard to designated fields, the following shall apply.

a. Organization names. Organization names are entered into the UCC information management system exactly as set forth in the UCC document, even if it appears that multiple names are set forth in the document or if it appears that the name of an individual has been included in the field designated for an organization name.

b. Individual names. On the form that designates separate fields for first, middle, and last names and any suffix, the filing officer enters the names into the first, middle, and last name and suffix fields in the UCC information management system exactly as set forth on the form.

c. Designated fields required. The filing office specifies in 30.1(9) the use of forms that designate separate fields for individual and organization names and separate fields for first, middle, and last names and any suffix. Such forms diminish the possibility of filing office error and help ensure that filers' expectations are met. However, filers should be aware that the inclusion of names in an incorrect field or failures to transmit names accurately to the filing office may cause filings to be ineffective. All documents submitted through direct data entry or through XML will be required to use designated name fields.

30.4(9) *Data entry of names—no designated fields.* A UCC document that is an initial financing statement or an amendment that adds a debtor to a financing statement and that fails to specify whether the debtor is an individual or an organization will be refused by the filing office.

30.4(10) *Verification of data entry.* The filing officer uses the following procedures to verify the accuracy of data entry tasks. Double key entry is employed for data entered in the following fields.

1. Time and date of filing.
2. Document identification number.
3. Document type.
4. Debtor name fields.
5. City address of debtor.

30.4(11) *Initial financing statement.* A new record bearing the file number of the financing statement and the date and time of filing is opened in the UCC information management system for each initial financing statement.

a. The name and address of each debtor that are legibly set forth in the financing statement are entered into the record of the financing statement. Each debtor name and city are included in the searchable index and not removed until one year after the financing statement lapses.

b. The name and address of each secured party that are legibly set forth in the financing statement are entered into the record of the financing statement.

c. The record is indexed according to the name of the debtor(s) and is maintained for public inspection.

d. A lapse date is established for the financing statement and the lapse date is maintained as part of the record, unless the initial financing statement indicates that it is filed against a transmitting utility.

30.4(12) Amendment. A record is created for the amendment that bears the file number for the amendment and the date and time of filing.

a. The record of the amendment is associated with the record of the related initial financing statement in a manner that causes the amendment to be retrievable each time a record of the financing statement is retrieved.

b. The name and address of each additional debtor and secured party are entered into the UCC information management system in the record of the financing statement. Each additional debtor name and city are added to the searchable index and not removed until one year after the financing statement lapses.

c. If the amendment is a continuation, a new lapse date is established for the financing statement and maintained as part of its record.

30.4(13) Correction statement. A record is created for the correction statement that bears the file number for the correction statement and the date and time of filing. The record of the correction statement is associated with the record of the related initial financing statement in a manner that causes the correction statement to be retrievable each time a record of the financing statement is retrieved.

30.4(14) Affidavit of wrongful filing. Assessment is made, notices are sent, and records determined to be wrongful are terminated and reinstated in accordance with Iowa Code section 554.9513A.

30.4(15) Archives—general. This subrule relates to the maintenance of inactive financing statements and the ability of those archives to be searched.

a. Paper UCC documents.

(1) Storage. Paper UCC documents are scanned into the UCC information management system.

(2) Retention. Paper is not retained.

b. Databases. The UCC information management system is backed up every business day.

30.4(16) Archives—data retention. Data in the UCC information management system relating to financing statements that have lapsed is retained for at least five years from the date of lapse.

30.4(17) Archival searches. Archival searches may be available through arrangements with the filing office in its sole discretion.

30.4(18) Notice of bankruptcy. The filing officer takes no action upon receipt of a notification, formal or informal, of a bankruptcy proceeding involving a debtor named in the UCC information management system. Accordingly, financing statements will lapse as scheduled unless properly continued.

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