

Recorder of Deeds

Using property records industry standards and best practices, outstanding customer service, and public outreach and education to make property transactions faster, safer, & more convenient for everyone.

—Hon. Eugenia Thornton, Recorder of Deeds



Redaction of Unlawful Covenants & Personal Data

Laws have changed.

Our Kent County public deeds database goes back to 1874. It contains language that is now illegal. We request the public's help to root it out.

Illegal Discriminatory Language

Americans recognize eleven [months](#) that celebrate diverse ethnicities and educate about marginalized communities' contributions to national heritage.

These months also allow us to reflect upon the advances in American society regarding the elimination of discriminatory laws and practices of the past.

Known as "discriminatory restrictive covenants," such language has been unenforceable since 1948 and illegal since 1968. Still, the Federal Government has never mandated a systematic process to eliminate offending language from property ownership documents.

Many states – Delaware included – passed laws preventing the recordation of property documents that discriminate for race, color, creed, religion, sex, sexual orientation, gender identity, disability, age, marital status, familial status, source of

income, national origin, ancestry, or housing status (*see 9 Del C. 41 §9605(b)(1) [here](#)*).

In 2018, Delaware lawmakers, at the suggestion of the New Castle County Recorder of Deeds, allowed Recorders to remove existing discriminatory language from online databases. (*See 9 Del C. 41 §9628 [here](#)*).

Now, not only do we no longer record documents with discriminatory language, but we also have the ability to redact it—at the current owner's request—if we come across it in the course of business.

Until advances in Artificial Intelligence make searching for illegal language practical, our clerks cannot realistically stop recording 1,800 documents per month to seek illegal language amongst 6 million recorded pages.

We request the public's help to bring illegal discriminatory covenants found in their deeds and HOA documents to our attention so we can eliminate them.

Personal Identifying Info

Likewise, in the past documents might contain things like Social

Security Numbers, Passport and Driver's License and Alien Registration Numbers, bank account numbers, etc. Read the full list and the law (9 Del C. 41 §9627 [here](#)). If you find such personal identifying data in your deed or HOA documents, please bring it to our attention for redaction.

We designed a form for this purpose. (*Find the form [here](#) in the Deeds Community Relations Page of the Kent County Website*). A facsimile is on the reverse of this factsheet to help you recognize the form on our website.

Your Help Needed

Illegal discriminatory language and personal identifying information exists in older deeds. If you find it in yours, please point it out to us so we can amend the chain of title on public-facing online databases moving forward.

For more information, visit www.kentcountyde.gov/My-Government/Departments/Deeds-Office/Community-Relations/Unlawful-Restrictive-Covenants-Personal-Information

Illegal Discriminatory Language:

- Race or color
- Religion or creed
- Sex
- Sexual orientation, Gender ID
- Disability
- Age
- Marital or familial status
- Income source
- National origin or ancestry
- Housing status


Personal ID Info:

- SSN #
- Alien Reg #
- Driver's Lic #
- Passport #



[Honorable Eugenia Thornton Kent County Recorder of Deeds](#)

Find a fillable version of this form at <https://www.kentcountyde.gov/My-Government/Departments/Deeds-Office/Community-Relations/Unlawful-Restrictive-Covenants-Personal-Information>. This form is for discriminatory and restrictive language and personal identifying found in Deeds records. For other redactions permitted by State Law, please contact PIO@kentcountyde.gov.

 OFFICE OF THE RECORDER OF DEEDS REQUEST FOR REDACTION OF DISCRIMINATORY RESTRICTIVE COVENANT AND PERSONAL IDENTIFYING INFORMATION <small>Complete this form if you are aware of real property that is subject to an instrument that contains a provision that violates 9 Del. C. § 9605(b) or 9 Del. C. § 9627 such as restrictions based on race, color, creed, religion, sex, national origin, sexual orientation, gender identity, disability, age, marital status, familial status, source of income, national origin, or ancestry or includes too much personally identifiable information. Please submit the form to the Office of the Recorder of Deeds.</small> 1. Property Tax Parcel No. and Address: _____ 2. Type of Instrument, e.g. Deed, Declaration, Easement, HOA/Condominium Declaration: _____ 3. Instrument number or Book and Page number: _____ 4. Location/page within instrument where provision is located: _____ 5. Quote the words claimed that violate 9 Del. C. § 9605(b) or 9 Del. C. § 9627 or attach a copy of the instrument and highlight such provision: _____ _____ _____ _____ Signature: _____ Date: _____ Print Name: _____ Address: _____ Phone Number: _____ Email: _____	<div>For Internal Use Only (Recorder of Deeds) <input type="checkbox"/> Provision pre-approved by County Row Attorney (Jan 30, 2025 memo on Deeds drive) If NO to above, date submitted to the County Row Attorney _____ If YES to above, date of disposition _____</div> <div>For Internal Use Only (County Row Attorney) Date request received: _____ Date of disposition: _____ Approved <input type="checkbox"/> Denied <input type="checkbox"/></div> <div><small>ROD 18-1 Revised 1/31/25 PHONE: 302-744-2321 555 Bay Road, Dover, DE 19901 Recorder@kentcountyde.gov</small></div>
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Information to help you with your search for illegal language in older deeds

If you discover illegal discriminatory or personal identifying language in your own deed or HOA/Condominium documents, please bring it to our attention using the form, above.

If you are not the current owner of the property, still use this form and we will send it to the owner for decision regarding redaction.

You may use any computer hooked to the internet to do this research. If you do not have a computer, you may come to our office at [555 South Bay Road](#) and use one of the public computers. We can show you how to use the computer and help you get started, but this will be your project. Click this link for a guide to [how to search for illegal language](#).

You will be able to research for free, get the data to fill out our form for free, but if you want to download or print, there is a slight charge. View *Welcome to Kent County Real Property Search* [here](#) for details about how to access the database and use the download or print feature from home.

For a deeper dive into doing background on older homes, please see our fact sheet *The Who, Why, Where and How of Property Research* and its informative companion *Workbook*, [here](#).

To learn more about the topic of why it is important for communities to eliminate discriminatory covenants of the past, please visit our webpage [here](#). You will find the form, press coverage of the topic, and more. Or call or visit our office.