

508A.76 REGISTRAR'S LIABILITY.

Subdivision 1. **Damages through erroneous registration.** Any person who, without negligence on that person's part, sustains any loss or damage by reason of any omission, mistake or misfeasance of the registrar or the registrar's deputy, or of any examiner or of any court administrator, or of a deputy of the court administrator or examiner, in the performance of their respective duties under sections 508A.01 to 508A.85, and any person who, without negligence on that person's part, is wrongfully deprived of any land or of any interest in it by the registration of it, or by reason of the registration of any other person, as the owner of the land, or by reason of any mistake, omission, or misdescription in any CPT, or in any entry or memorial, or by any cancellation, in the register of titles, and who, by the provisions of sections 508A.01 to 508A.85, is precluded from bringing an action for the recovery of the land, or of any interest in it, or from enforcing any claim or lien upon the same, may institute an action in the district court to recover compensation out of the general fund for the loss or damage.

Subd. 2. **Documents misfiled.** The registrar may reasonably rely on the affirmative representation of the party presenting instruments for filing as to whether the land described in the instruments or any part of it is registered or unregistered. A party requesting that misfiled instruments be refiled with the registrar is responsible for paying any additional fees required to properly file any instrument misfiled because of an incorrect representation and, if applicable, to enter a new CPT.

History: 1982 c 396 s 67; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 1Sp1989 c 1 art 11 s 10; 1999 c 11 art 1 s 67