

Overview

- Who is RON?
- How to get a RON License
- Selecting a 3rd Party Vendor
- Going it Alone
- Conducting a RON Closing
- Filing the Docs with the County Clerk





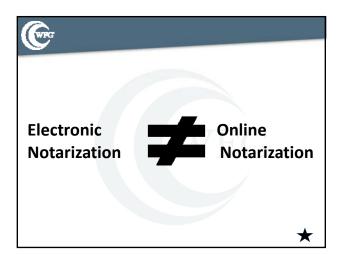


"Any Texas notary may perform an electronic notarization. An electronic notarization must meet all of the requirements of any other notarization, such as the requirement that the signer personally appear before the notary to acknowledge the document. In addition, the notary's electronic seal must reproduce the required elements of the notary seal." - [SOS web site]



"An online notarization is a notarial act performed by an online notary by means of two-way video and audio conference technology that meets the standards adopted by the Secretary of State for such actions including credential analysis and identity proofing." [SOS web site]







This Looks Like A Lot of Work!

- •But not all of it is YOUR work.
- •You need a 3rd party vendor who will handle the legwork of establishing the 2 way audio and visual communications.
- •The vendor must provide the "Online notarization system"



Online Notarization System

- Audio visual system.
- Captured image resolution, for "credential analysis".
- Must be a closed electronic system.
- •Storage issues. 3rd party vendor stores it.
- •Not the same as a SKYPE connection or Facetime.





🕞 Identity Proofing

- •You've done this for a long time already.
- •It's the "system" by which you conclude that the person sitting across your table is really the person they claim to be.
- •But they aren't sitting across your table . . .



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Identity Proofing Via Knowledge Based Authentication

- •The 3rd party vendor will have access to questions which should only be answerable by the ACTUAL person.
- •Which address did you live at, what car did you drive, where did you work
- •5 questions, each with 5 answer choices.
- •Must get 4 of 5 correct in 2 minutes.
- One do-over with at least 3 new questions.



"Credential Analysis"

- •Verifying the type of ID presented.
- Does not change the law as to what is or is not a valid ID in Texas.
- •Format, style, layout, size, barcode scanning, etc.
- Allows the RON to visually compare the ID with the appearance of the principal.







Contracting With a 3rd Party Vendor...or Not

- •RON Service Use their notaries
 - •Examples: NotaryCam®, Notarize
 - •What state issued their RON?
- •RON Platform Use their software
 - DocVerify
 - •Nexsys® Clear Sign
 - Notarize
 - NotaryCam®
 - Pavaso[®]
- •Does your lender have a say in it?



🖟 I Can Do This Myself!

- Prepare your documents
- Most platforms will require "flagging" signature lines. Expect each platform to be different.
- Prepare your signer (buyer or seller) for the process
- Prepare for the signer to change their mind or have technical difficulties
- Prepare your script remember, the entire RON transaction is *recorded*.





The Process

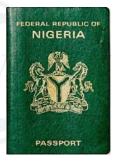
- •The Texas RON must be IN Texas.
- Non-Texas RON acceptable, except for VA
- •The principal can be anywhere in the United States
- •The principal can be outside the US if they are a US citizen or a foreign national with a SSN.





Required Identification

- Verification of ID through the 3rd party vendor's systems.
- •A problem if the principal has a non-US ID?
 - Foreign passports
- •The certificate shall state that it is an online notarization.



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Short Form Acknowledgment

State of Texas County of

This instrument was acknowledged before me on (date) by (name or names of person or persons acknowledging). This notarial act was an online notarization.

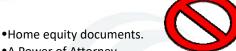
Notary Seal

Digital Certificate

[SOS web site]



Prohibited Transactions



- •A Power of Attorney.
- •A will, codicil or a document "regarding" a testamentary trust.
 - OK for a Certification of Trust.
- •On a reverse mortgage, first obtain the lender's consent to deletions in coverage required by Procedural Rule 45.



Watch Out for These!

- •When you are not comfortable unless the principal comes to your office.
- You cannot verify the identity of the principal.
- •The system does not seem secure.
- •You question the capacity of the principal.
- · Coaching.
- System malfunction.





Filing With the County Clerk

- The end product of the RON process is an electronic document.
- Filing **should** be less of a problem in counties that accept electronic filing.
 - There are 254 counties in Texas
 - Only 61 counties record electronically
- There are unresolved questions about the other counties.



Non-Texas RON WFG accepts RON documents if the RON holds a valid RON license, **EXCEPT Virginia.***

•See WFG Bulletin # NB 2020-04 Temporary **Underwriting Standards for** RON; COVID-19







we Is this the End of Mobile Notaries?

- •Mobile notaries may be less expensive in some situations than using a RON.
- •Some Texas counties may not accept RON docs for filing.
- •Sometimes you will want your "own person" to see the principal in person.



