



The Brave New World of RON


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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




RON: Who Is He?


- Remote Online Notary
- Texas RON Rules:
 - Title 1, Part 4, Ch. 87, TX Administrative Code;
 - Subchapter C, Ch. 406, TX Govt. Code;
 - Ch. 121, TX Civil Practice & Remedies Code
- Must be a "traditional" Texas notary first*



<https://www.sos.state.tx.us/statdoc/gettingstarted.shtml>

 **Is This Really New?**

“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]



 **Electronic Notarization**  **Online Notarization**

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WPG 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”

WPG 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.




WPG 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 . . .




WFG 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.



WFG "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.



WFG 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?


WRC 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**.

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WRC 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.



WRC 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.




 **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**



- Home equity documents.
- 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.

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WFG 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.



WFG 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




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WFG 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.




 **What is the Cost? And Who Pays?**

- Typically this is a flat fee
- Comparable to a mobile notary in cost.
- Notary fee itself is \$25.00 per document.
- Most services have a package – that is for recorded documents – all other affidavits signed and notarized at closing cost extra



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 **Thank You!!!!**

The WFG Southwest Region family **THANK YOU** for being our agent, for trusting WFG, and for attending this presentation.

Please send questions to:
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