

REMOTE ONLINE NOTARIZATION



UNDERSTANDING RON

During the 85th Texas Legislative Session, statutory changes were made to allow Remote Online Notarization (RON) in Texas. Rules adopted by the Secretary of State to implement the statute uncovered certain ambiguities and potential conflicts, calling into question the best mechanism to “paper out” a RON transaction and file it in a county that does not allow for e-filing.

What Does a Signer Need to Get Started?

- Is the buyer getting a loan to purchase the property? If so, you will need to check with the lender to see if RON is a possibility.
- Most cash and seller side transactions can be completed through RON. Check with your escrow team to determine if your transaction can be closed using RON.
- A reliable laptop or desktop computer is recommended; tablet or smart phone can also be used.
- A reliable internet connection is required
- A camera, microphone and speakers are required. They can be built in to the computer or can be external devices.

How Will the Closing Work?

- Once the session is ordered, an invitation from the notary company will be sent to the signers, which will guide them through the set-up and ID verification processes along with verifying the compatibility of their computer and technological components.
- The signers must review the documents and contact the closing team with any questions on the documents during normal business hours and PRIOR to setting an appointment with the online notary. At this time, there is not a way to answer the questions and perform a ‘closing’ at the same time the notary session is occurring. The notary session will resemble someone meeting with a mobile notary.
- The signers may connect with a notary 24 hours a day, 5 days a week, but the technical support is only available 8am - 7pm on Saturdays.
- Once the online session is complete, the signers will receive a copy of the online session.

WARNING: Do not use video platforms such as Skype, Zoom or FaceTime for remote online notarization. The Texas Statute provides specific requirements for a proper RON transaction. Additionally, the national GSEs such as Fannie Mae and Freddie Mac have their own requirements and approved vendors and platforms. See ALTA's article, [GSEs Issue New Guidance on RON, Powers of Attorney](#). As always, check with your underwriter when considering a nontraditional approach to closing in response to the current challenges.

What's Required of the Signer?

- All signers must have a Social Security number.
- All signers must have a valid ID
- Communication with the Notary will be in English, so signers will need to be able to communicate proficiently in English.
- There are identity challenge questions that the signers must answer in order to move forward in the session. These questions are created by a 3rd party ID verification platform and are generated from information contained in various databases (driver's license records, IRS records, county public records, utility records, school records, etc.). Per our State's statutory notary requirement, the signers will have only 2 minutes to answer 4 of the 5 questions correctly and will be given only 2 attempts. After the 2nd attempt fails, they will be locked out of trying again for 24

