



Q & A for Remote Ink Notarization (“RIN”) regarding Underwriting Bulletin 2020-02.4

Q: Is FNTI willing to insure a real estate instrument based on a RIN notarization of a document with a jurat, such as an Affidavit (e.g. an affidavit of heirship)?

A: Yes.

Q: In the notary block when a RIN is used – if the notary is in one county and the signatory is in a different county – which county is inserted into the notary block?

A: The County where the notary is located should be used.

Q: What date is to be used in the clause that has to be added to the acknowledgment when doing a RIN?

A: Please note that a revised bulletin was issued which utilizes the date of April 27, 2020. (“This notarization involved the use of two-way audio-video communication pursuant to the suspension granted by the Office of the Governor on April 27, 2020, under Section 418.016 of the Texas Government Code.”)

Q: When the notary block on document recites the wrong state or wrong county and escrow fails to catch the error prior to delivery to the customer – who corrects that?

A: The notary would correct it upon return of documents from the customer.

Q: What are some other helpful hints to ensure the process is handled correctly?

A: Obtaining a hard copy of ID ahead of time to compare to the ID held up by customer during RIN would help avoid any issues that could arise during the ID verification. The customer and notary should both verbally attest to being in Texas. The customer should verbally identify each document they are about to sign prior to signing. When using RIN for a jurat, the notary must administer the oath.

Q: A recording of the two-way audio-video communication of the notarial act is required to be kept by the notary public for two years from the date of the notarial act. Should the title agent maintain a copy?

A: Best practice would be for the notary and the title agent to maintain a copy of the recording.

Q: If the required language is not initially included in the notarial certificate, what are some options for adding the language?

A: 1) Use a separate attachment with the correct language (obtain lender's consent); 2) rubber stamp (with use of asterisk to connect to acknowledgment; 3) use a typewriter to add the required language.

TLTA recently held a complimentary RIN Webinar that discussed many of these issues. A link to the recording can be accessed via the following website:

https://www.tlta.com/TLTA/Resources/Coronavirus_Resources/TLTA/Resources/Coronavirus.aspx?utm_source=Real%20Magnet&utm_medium=email&utm_campaign=153929749#RIN

Fannie Mae Guidance on "Remote Ink Notarization" (RIN) can also be accessed via the following website: <https://singlefamily.fanniemae.com/media/22666/display>

If you have any questions or comments, please do not hesitate to contact an underwriter for assistance