FNF FAMILY OF COMPANIES



REMOTE ONLINE NOTARIZATION GUIDELINES

FNF RON GUIDANCE

Remote online notarization will be available as an option for properties located in all states and the District of Columbia with a proposed policy amount of $1,000,000 or less. Transactions in excess of $1,000,000 will be considered on a case-by-case basis. All transaction parties must consent in writing to the use of electronic signatures and the RON process. Any closing instructions must explicitly authorize the use of RON to conduct the closing.

- This includes Seller side transactions, consent from the Buyer and Lender are required.

If the Lender does not use eNotes, the closing instructions must confirm the Lender is responsible for obtaining the borrower's wet ink signature on the note. Notes cannot be electronically signed without lender consent or instruction.

- The operations are not to assist with the process of the signing of the e-note. This is between the lender and the buyer, this needs to be reflected in the lenders instructions.

The online notary public that performs the notarization must be licensed or commissioned by a State with a RON statute currently in effect and the notary must be physically located within that State at the time of notarization. Online notaries must use a remote online notarization platform previously approved by the Company.

- Example: Texas has a current enacted RON Bill, a licensed Texas RON notary can sign in all 50 states as long as they are physically located in Texas and the time and the other requirements are met.

The notarial certificate must indicate that the notarial act was performed online by way of two-way audio and video communication technology.

The County recorder where the land is located must confirm it will accept electronic documents for recording that contain electronic signatures and electronic notarization.

If remote online notarization is utilized in a state without a state-specific RON law, the following title policy exception must be included in any policy issued:

- Any defect, lien, encumbrance, adverse claim, or other matter arising out of the use of remote online notarization.

If you are unable to comply with all of the above requirements, use of RON is not an option.

For general questions contact your agency representative. For questions about closing on a particular transaction, please contact and discuss with your local underwriter. For other inquiries, email FNFeducation@fnf.com.

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