



1. First American temporarily authorized use of remote online notarization (RON) on residential or commercial transactions, subject to the criteria set forth in underwriting bulletin, NA-2020-001
2. Lenders may not be able to support a RON transaction due to limitations with eNote/eVault capabilities as the promissory note may need to be wet signed.

RON CONSIDERATIONS CHECKLIST

- ☐ You must confirm that the county recorder in the state and county where the property is located will accept electronic documents for recording.
 - The best source for this information is the [eClosing Insurability Matrix](#)
- ☐ The closing instructions provided by parties must expressly authorize the use of RON to conduct the closing.
- ☐ Confirm new mortgage lender(s) agrees to the policy exceptions as outlined in the NA-2020-001
- ☐ Each person whose signature will be notarized must be a US citizen or permanent resident.
- ☐ Each person whose signature will be notarized must successfully pass the multi-factor authentication administered by the RON vendor platform.
- ☐ The RON vendor platform must be on the following [list](#).
- ☐ When using a jurat during a RON session, the RON must ensure that the oath is administered, and a verbal confirmation is captured as part of the video/audio recording
- ☐ Use the recommended RON script located on the [Professional RON Practice Guide](#)

TITLE INSURANCE POLICY PREPARATION TIPS

If a state has papering-out provisions, First American recommends the use of a RON notary commissioned within that same state as the property.

1. **“Papering-Out”** may be helpful in the event the eRecording is unavailable, to allow the notary to use the papering-out provisions to record in the state and county where the property is located.
 - A. If the property **IS** located in a papering-out state and you cannot electronically record in the county where the property is located, the documents may be papered-out based on the state rules and recorded by mail-a-way or in-person. No policy exception is required.
 - B. If the property state is **NOT** in a papering-out state, you must include the policy exception set forth in NA-2020-001.
 - 1) Owner policy exception - “Any defect, lien, encumbrance, adverse claim, or other matter created by or arising out of the recording of copies of electronic original documents in the Public Records.”
 - 2) Loan policy exception - “Any invalidity, unenforceability, lack of priority, adverse claim, or other matter created by or arising out of the recording of copies of electronic original documents in the Public Records.”



2. “Same State RON”:

- A. If the notary performing the RON **IS** licensed by and acting under the state laws of the same state where the property is located, no policy exception is required.
 - 1) **Example:** Texas property with a Texas RON, no policy exception required.
- B. If the notary performing the RON is **NOT** licensed by and acting under the state laws of the same state where the property is located, a policy exception is required.
 - 1) **Example:** Louisiana property with a Virginia RON, policy exception required as outlined in NA-2020-001 (Owner and/or Loan exception).
 - a. Owner policy exception - “Any defect, lien, encumbrance, adverse claim, or other matter created by or arising out of the use of remote online notarization [and/or remote witnessing] in the transaction vesting the Title.”
 - b. Loan policy exception - “Any invalidity, unenforceability, lack of priority, adverse claim, or other matter created by or arising out of the use of remote online notarization [and/or remote witnessing] in the transaction vesting the Title or creating the lien of the Insured Mortgage.”

You will find additional resources in the eClosing Toolkit located in [AgentNet](#) under the Agent Resources Tab.

