

# The Notary news



The North Carolina Department of  
The Secretary of State, Elaine F. Marshall

STAY SAFE + HEALTHY,  
NC NOTARIES!



## Message from Secretary Elaine Marshall

Happy Holidays Notaries,

The holiday season is in full swing. We just celebrated Thanksgiving this past Thursday, and I am confident that every notary has something we can be grateful for even during these unprecedented times.

Because of COVID-19, our Thanksgiving and other holiday gatherings don't look the same. We have to "stay apart together" in order to protect the health and well-being of our friends and loved ones. There's no getting around this



fact. But that doesn't mean we cannot celebrate the season - and one another - virtually. Let FaceTime and Zoom be your friends.

Notaries, let's not let this global pandemic dampen our holiday spirits. Celebrate the season, but do it with care. Remember friends and family members who live by themselves by sending them a note or giving them a call. Decorate your house as early and as over the top as you want. Support a local restaurant, store, or service provider this season. Buy a gift certificate from them to give to someone else. Try a new holiday dish or dessert. Play loud holiday music in your home or car. Wear your favorite holiday pajamas.

As for me, I love growing and nurturing beautiful plants that I am determined to make sure last past the holiday season. These are plants from last holiday that I had at our office (white and pink). I knew they would not make it after quarantine in March so I brought them home. They were planted in a flower bed, and there they are now. I was able to use some campaign sign wires to protect them from the frost last week.



And while we are celebrating, let's not forget our fellow North Carolinians who are in need. The number of people out of work due to COVID-19 is heartbreaking.



People have always needed help during the holidays, but these numbers have increased tremendously during this pandemic. Every year, our office releases the NC Charitable Solicitation Licensing Annual Report about charities and nonprofit organizations across the state. As part of this report, we highlight a charity that is doing good work.

This year, we're highlighting the [Food Bank of Central & Eastern North Carolina](#), an organization that has provided food for people facing hunger in 34 counties in central and eastern North Carolina for 40 years.

The Food Bank is one of many fabulous organizations lending a hand. There are countless other charities and nonprofits that also are helping our friends and neighbors in NC. If you are in a position to donate, I encourage you to find an organization that speaks to you and do what you can to help.

As we celebrate the spirit of the season over the next month, continue to stay safe and healthy, and be sure to practice social distancing.

Wishing you all a blessed holiday season!

*Claine J. Marshall*



## **eMortgage Closing Conference**

Last week, the Office of the Secretary of State hosted its second annual Electronic Mortgage Closing Conference and our first "virtual" conference. More than 250 attorneys, mortgage lenders, realtors, notaries, and other stakeholders hopped on their computers to participate in the two-day conference to learn from experts in the field of electronic mortgages that was sold out for two years in a row.

Secretary Marshall kicked off the conference by delivering the "State of the Union of eMortgages in NC". Click on the image above to view her remarks.

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## Notarization Explained in Eight Simple Steps

In May, we started the series detailing the Eight Simple Steps to Notarize a Document. Our notaries are asking great questions on social media and through our email account, so we decided to step back and go through the Eight Simple Steps you need to complete for your notarial act. We will address them one at a time in each newsletter.

We have looked at *Require the Personal Appearance of the Principal Signer(s) of the Document, Positively Identify the Principal Signer(s) of the Document, Verify the Signature on the Document, Take the Acknowledgement or Administer the Oath or Affirmation, and Complete the Journal Entry.*

This month tackles the **Sixth Step**:

*Step 6: Complete The Notarial Certification Language*

After you as a notary have taken the principal's acknowledgement or administered an oath or affirmation, it's time for you complete a notarial certificate attesting to the facts of the notarial act.

Let's address two situations where certificates are needed:

**Acknowledgement.** The notary will complete a certificate that must contain:

- the state and county where the notarial act took place
- the name of the person whose signature is being acknowledged



- the date of the acknowledgement
- the legible appearance of the notary's name, typed or printed
- a statement indicating that the signer acknowledged his or her signature to the notary

**Jurat Certificate.** The notary will complete a certificate indicating:

- the signer signed in his or her presence
- took an oath or affirmation swearing or affirming that the statements in the document are true
- the country and state where the notarial act was performed

If you need certificate templates, click here for sample templates:

<https://www.sosnc.gov/divisions/notary/resources>

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If you have additional questions about this topic or other notary subject matters, our office is always available to answer them. Reach out to us at [notary@sosnc.gov](mailto:notary@sosnc.gov)



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## Fast Five Q &A

***Q: From our Facebook group: Can I decide what kind of notarial act or certificate they need if the person did not provide one?***

No. A notary must always ask the signer what type of notarization is needed when a document is presented to a notary for notarization, and there's no notary certificate. Notaries are not authorized to determine which type of certificate should be used.

However, if the document does not have a pre-printed notary certificate, the notary may allow the signer to choose from all of the certificates available and select the one that he or she would like the notary to execute.

***Q: What are the four items included within the border of your notary***

**seal?**

You need to be sure that the following items are on any seal you will use to notarize:

- The notary's name
- The words "Notary Public"
- The county of commission
- Either NC, N.C. or North Carolina

***Q: What are the three most important reasons for a notary to refuse to notarize a document?***

- The signer does not appear in person before the notary at the time of the notarization
- The principal (signer) does not possess satisfactory evidence of identification
- The notary suspects that the document is fraudulent or will be used for fraudulent purposes

***Q: Another North Carolina notary asked on our Facebook group: Are notaries allowed to accept a monetary tip. He said he understands the fees that notaries are allowed to charge is for the service. Since a tip is a gift, is it okay for him to accept it?***

**Notaries are "public officials" and tips are inappropriate.** It is NOT permissible for notaries to accept tips for notarial acts. NC General Statute 10B-31 says the maximum fees that may be charged by a notary for notarial acts are as follows:

For acknowledgements, jurats, verifications or proofs, \$5 per principal signature. For oaths or affirmations without a signature, \$5 per person, except for an oath or affirmation administered to a credible witness to vouch for the identity of a principal or subscribing witness.

***Q: A question from a new notary on Facebook and a reminder to everyone else: When I am writing out the county on the county line on an oath, do I put the county I live in, or the county where I am performing the act?***

One of our notaries suggested a way to remember what to do is that you complete the certificate and sign the document in the county where your feet are planted on the day of signing.

Therefore, if you are notarizing a document for a principal at a place in Caldwell County, but you were commissioned in Burke County, you will still write Caldwell County.

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Do you have a question that you'd like for us to answer for the **Fast Five?** Please send in your tips, practice ideas, and questions for us at [notarynews@sosnc.gov](mailto:notarynews@sosnc.gov).





## **eNotary Classes Available at Community Colleges**

Notaries, many of you have inquired about opportunities to become electronic notaries. Here's a list of the educational institutions in North Carolina currently offering eNotary classes:

AB Tech CC  
Alamance CC  
Beaufort CC  
Blue Ridge CC  
Brunswick CC  
Cape Fear CC  
Catawba CC  
Central Carolina CC  
Central Piedmont CC  
Coastal Carolina CC  
Craven CC  
Davidson County CC  
Fayetteville CC  
Forsyth Tech CC  
Gaston CC  
Guilford CC  
Johnston Tech CC  
Lenoir CC  
Mitchell CC  
Pitt CC

Rockingham CC  
Rowan Cabarrus CC  
Sandhills CC  
Surry CC  
Wake Tech CC



## **COVID-19 + Notaries**

### **Sunset for Emergency Video Notarizations Has Been Extended:**

The sunset date for conducting emergency video notarizations is now March 1, 2021.

### **Notary Oath Extensions:**

Notaries still have 90 days to take their oaths at the Register of Deeds Office in their county of residence. This length of time was extended from the traditional 45 days that notaries typically have to appear before the Register of Deeds. The 90 day period starts on the issue date found at the top of the oath notification letter that you receive from our office. The 90-day extension deadline is also March 1, 2021.

### **Register of Deeds Offices:**

Notaries must contact the Register of Deeds Office in their county of residence about their hours of operation during the coronavirus pandemic. Some of these



offices are accepting walk-ins while others are requiring appointments.



## NC Notary Facebook Group

Have you joined our notary Facebook group ***The North Carolina Notary Network*** yet?

Well, what are you waiting for? More than 6,813 notaries around the state are in the group. If you haven't joined yet, click the link and come on in!

The purpose of the group is to connect NC notaries as well as give notaries an opportunity to share information, tips and ideas with one another.

Click [here](#) to join today!



***In the October newsletter, we shared an AARP quiz titled "How much do you know about elections?" .***

Thanks to all of you who flooded our email box with your guesses. Here are the correct answers:



## Why do we vote on a Tuesday in early November?

- To ensure the election occurs before Thanksgiving
- To ensure that voters can take their summer vacations
- To ensure that farmers could vote (correct)

## What was the first year women across the United States were allowed to vote?

- 1918
- 1925
- 1920 (correct)

## Which of these age groups vote the most?

- 18- to 29-year-olds
- 30- to 44-year-olds
- 45- to 64-year-olds
- 65 years and older (correct)

## When was the voting age lowered from 21 to 18?

- 1952
- 1971 (correct)
- 1983