

From: [Clark, Phil](#)
To: [SoS Rulemaking](#)
Subject: [EXTERNAL] Rulemaking hearing RE: Proposed Notary Rules DRAFT
Date: Friday, December 22, 2023 10:05:41 AM

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Thank you for allowing me to respond to the Proposed Notary Rules changes discussed at your Public Hearing on Tuesday, December 19, 2023. As a representative of Fidelity National Title, we would echo the comments and concerns expressed by Robert Howe of Title Company of the Rockies and on behalf of the Land Title Association of Colorado during the hearing. As he stated, the requirements of this change will be nearly impossible for any title company to help enforce and implement. As Mr. Howe mentioned, we are obligated under CFPB regulations to disclose all charges three days prior to closing. However, what Mr. Howe didn't mention is that we often don't know how many documents are being Notarized when the CFPB required Closing Disclosure is issued three days prior. For this reason, to require a breakdown of notarial acts on an invoice is almost logistically impossible as it pertains to services provide in conjunction with the business of title insurance.

We certainly appreciate the efforts of the Secretary of State to protect the consumer. However, as this proposed change is written, we fear it will cause undue hardship, delays and likely increased fees and charges for them. This proposed change will require Lenders, Title Companies, Realtors, and other ancillary services tied into real estate transactions to have to predict the unpredictable. To therefore require a Notary Public to properly disclose fees associated with notarial acts and any additional charges associated with the performance of a loan signing/closing becomes a burden that is in direct conflict with the requirements of the federally mandated CFPB regulations.

For these reasons, we would respectfully request that the Secretary of State add a carve out to this proposed change that exempts any notarial services provided in conjunction with the business of title insurance.

Thank you for your consideration.



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See what people are saying about us: <http://reach150.com/fidelity-national-title-colorado/review>



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