

OUTLINE OF CURRICULUM FOR NOTARY COMMISSION EDUCATION

(1) Terms of Notary Commission.

- (a) Five years unless revoked.
- (b) No time limit for attorney.

If revoked by Secretary of State, then ineligible for reinstatement. R.C. 147.03.

(2) Requirements to Update and Renew Commission.

- (a) The renewal is due anytime within three months prior to expiration with a fee of \$45 for the class and \$15 for the Secretary of State application fee.

(b) You must submit the following:

- (i) New criminal records check report, which is not more than six months old.
- (ii) Proof of completion of one-hour renewal class;
- (iii) Fee not greater than \$60.00.
- (iv) Application form approved by the Secretary of State and submitted electronically.

If your Commission expires before renewal, you cannot renew, but you must apply for a new Notary Commission. R.C. 147.031.

(3) Reporting Requirement if a Notary Public is Convicted or Pleads Guilty or No Contest to a Disqualifying Offense.

- (a) A Notary shall inform the Secretary of State of a guilty plea or no contest to a disqualifying offense pursuant to R.C. 147.011.

- (b) A disqualifying offense is defined in R.C. 4776.10 and R.C. 2913.

- (c) A disqualifying offense means a crime of moral turpitude as defined in Section 4776.10 of the Revised Code and a violation a provision in Chapter 2913 of the Revised Code.

(4) Geographic Jurisdiction of a Notary Public.

A notary public may perform his or her duties throughout the State of Ohio. R.C. 147.07.

(5) Maintaining a Notarial Journal.

Notary publics are not required to keep a notarial journal. However, it is considered best practice to do so. The benefits of maintaining a notary journal would include having accurate and complete information at your fingertips as well as an ability to double check your information if a notary service is questioned.

The foregoing is not part of this application process, but ~~it should be known that, pursuant to R.C. 147.65, an on-line Notary Public shall maintain an electronic journal which records in chronological order all on-line notarizations performed by the Notary.~~

The journal must include date and time of notarial act, type of act, title or description of record, electronic signature of each principal, printed name and address of each principal, basis for identification of principal, where performed, description of on-line system used, fee, and jurisdiction of principal at time. R.C. 147.65.

(6) Requirements for a Notary Seal.

- (a) The seal shall consist of the Coat of Arms of the State within a circle.
- (b) The circle shall be at least 3/4 of an inch but not greater than one inch in diameter.
- (c) The words, "Notary Public", "Notarial Seal" or words to that effect, the name of the Notary Public, and the words "State of Ohio" shall appear and surround the circle.
- (d) The name of the Notary may be printed, stamped, or typed near the signature instead of appearing on the seal.

Examples to be shown. See R.C. 147.04.

- (7) What Constitutes a Notarial Act that Complies with Applicable Ohio Law and Administrative Rules.

"Notarial Acts" means acts which the laws and regulations of the State authorize notaries public of the State to perform, including the administration of oaths and affirmations, taking proof of execution, and acknowledgment of instruments, attesting documents, and executing a jurat.

Notarial acts may be performed outside of this State for use in this State with the same effect as if performed by a ~~Notary Public of this State by various authorized persons.~~

R.C. 147.51.

- (8) How to Perform a Compliant Notarial Act, including Examples Involving Commonly Notarized Documents.

(a) Taking an oath or affirmation.

(b) Taking an acknowledgement.

Car titles, powers of attorney, deeds, etc.

- (9) Administration of an oath or affirmation.

Example:

Sworn to and subscribed before me by _____ this
____ day of _____, 20__.

- (10) Verifying the identify of the principal.

(a) Must have or obtain sufficient evidence and confirmation of identity of signer either by personal knowledge or satisfactory evidence of identity.

(b) Best practices include to produce a driver's license, state ID card, passport, or other sufficient photographic means to confirm the identity of the signer.

147.64(E)(2)(b) also provides that the identity of the signer can be verified by one or more credible witnesses who appear before the notary.

(11) Taking of an Acknowledgement.

The purpose of an acknowledgement is to ensure that the signer of the document is who they claim to be and has voluntarily signed the document.

The person taking an acknowledgement shall certify:

- (a) The person acknowledging appeared before him and acknowledged that he executed the instrument.

- (b) The person acknowledging was known to the person taking the acknowledgement or that the person had sufficient evidence that the person acknowledging was the person described in and who executed the instrument.
- (c) An acknowledgment certificate shall clearly state that no oath or affirmation was administered to the signer with regard to the notarial act.

Section 147.55 and statutory form of acknowledgement.

(12) Administration of a Jurat.

The purpose is for the signer to swear or affirm that the contents are true.

- (a) Oath or affirmation must be given.
- (b) A jurat certification must clearly state that an oath or affirmation was administered to the signer with respect to the notarial act.

R.C. 147.542.

(13) The Manner of Taking Depositions.

- (a) Shall be taken in written interrogatories pursuant to written notice.

- (b) The notice shall contain the names of the parties, the tribunal name or court, and the name of the witness.
- (c) The notice shall be served on the adverse party with a copy of the interrogatories at least 20 days prior to taking of the deposition.
- (d) If the party served wishes to file cross-interrogatories, they shall be served within six days of being served.
- (e) Neither party, by himself or his agent or attorney, shall be present at the time of the deposition.

R.C. 147.40.

(14) Signatures by Mark.

Valid under Ohio law. See R.C. 1303.41.

Executed or adopted by a person with present intention to indicate so.

(15) Method to Notarize a Document Signed by a Designated Alternative Signer.

If a person's physical characteristics limit the individual's ability to sign, such person may direct a designated signer to sign on his/her behalf if the following conditions are met:

- (a) By clear oral, verbal, physical, electronic or mechanical means of their intent.
- (b) Satisfactory proof of identification has been provided.
- (c) The designated alternate signs in front of a Notary Public.
- (d) The designated alternate signer is not named in the document.
- (e) The notarial certificate states that the document was signed at the direction of the individual.

R.C. 147.59.

(16) Overview and Examples of Prohibited Acts.

A notary shall not:

- (a) Perform a notarial act with regard to a record or document executed by the Notary.
 - (b) Notarize the Notary's own signature.
 - (c) Take the Notary's own deposition.
 - (d) Perform a notarial act if the Notary has a conflict of interest on the transaction.
-
- (e) Certify a document that is either:
 - (i) An original document, or
 - (ii) A true copy of another record.

(17) Explanation of Electronic Notarizations.

- (a) A traditional notary can obtain an electronic seal and electronic signature for purposes of notarizing electronic documents that are signed in the physical presence of the notary.
- (b) On-line notarizations shall be distinguished from electronic notarizations.

(18) What Constitutes Unauthorized Immigration Consultants Acts and the Unauthorized Practice of Law by a Notary.

- (a) a non-attorney Notary Public shall not represent or advertise himself as an immigration consultant or expert in immigration matter.
- (b) Cannot perform services that constitute the unauthorized practice of law.
- (c) Imply that he or she is an attorney.
- (d) Solicit or accept compensation to prepare documents or represent anyone. R.C. 147.142.

(19) Fees a Notary Public is Permitted to Charge.

- (a) Up to \$5.00 for any notarial act that is notarized.
- (b) For on-line notarization, up to \$25.00. Shall not charge on a per signature basis.
- (c) Can arrange a reasonable travel fee as agreed.

(20) Mandatory Reporting that is Required of a Notary.

An Ohio notary public is a mandatory reporter of suspected ~~elder abuse~~. Elder abuse generally refers to the abuse, neglect, or exploitation of a vulnerable adult over the age of 60.

A notary public must immediately report the suspected situation to the County Department of Job and Family Services or the local designated adult protective services.

Failure of mandatory reports to report can result in misdemeanor criminal charges or a fine.

Said reportee is immune from civil liability, except for liability for perjury unless the person has acted in bad faith or with malicious purposes.

R.C. 5101.63 enacted 3/20/19

(21) Conditions Under which a Commission may be revoked.

- (a) A Notary Public may be removed for charging an excessive fee.
- (b) For dishonesty or unfaithfully discharging his/her official duties.
- (c) Person cannot be reinstated.

R.C. 147.13.

- (d) Shall also be removed if certifying an Affidavit of a person without administering the appropriate oath or affirmation.

- (e) A removal on this ground shall render the person ineligible to be reappointed for a period of three years after removal.

R.C. 147.14.

(22) Investigation and Disciplinary Processes.

- (a) If the Secretary of State believes that a solicitation has occurred, it may investigate said violation.
- (b) The Secretary of State can investigate upon a signed complaint from any person.
- (c) The Secretary of State can hold a disciplinary hearing if appropriate.
- (d) After hearing, the Secretary of State can do the following:
 - (i) Revoke the commission.
 - (ii) Suspend for a period or until fulfillment of conditions or both.
- (e) Admonish by letter in file.
- (f) If revoke, cannot re-apply.
- (g) Secretary of State may adopt rules and regulations.

23. On-line Notary Public.

If you are granted a notary commission, it does not permit you to be an on-line notary public unless you have completed all steps to receive additional authorization from the Secretary of State.

- (c) Secretary of State shall adopt rules and standards for on-line notarization and on-line notaries public.
- (d) Who may apply?

- (i) A person already appointed and commissioned as a Notary Public pursuant to R.C. 147.01.
- (e) How?
 - (i) Pay additional fee and submit form application.
- (f) What to do?
 - (i) Successfully complete a course of instruction approved by the Secretary of State on on-line notarization procedures.
- (g) Person must submit:
 - (i) ~~Name, description of technology to be used, an electronic mail address, decrypting instructions, proof of completion of course, and disclosure of disciplinary action.~~
- (h) Electronic Documents:
 - R.C. 147.591.
- (i) On-line Notary Fees:
 - (i) Secretary of State shall establish fees but shall not exceed 4x the fee (\$150.00) for regular notary.
 - R.C. 147.631.
- (j) Authority of on-line notary public.
 - R.C. 147.14.
- (k) Steps to ensure security.
 - R.C. 147.66.

Ohio Notarial Certificates

For an individual acting in his own right:

State of Ohio
County of _____

The foregoing instrument was acknowledged before me this _____ (date) by
_____ (name of person acknowledged.)

(seal)

Signature of person taking acknowledgment
(Title or rank)
(Serial number, if any)

For a corporation:

State of Ohio
County of _____

The foregoing instrument was acknowledged before me this _____ (date) by
_____ (name of officer or agent) _____ (title of officer or agent) of
_____ (name of corporation acknowledging) a _____ (state or place of
incorporation) corporation on behalf of the corporation.

(seal)

Signature of person taking acknowledgment
(Title or rank)
(Serial number, if any)

For a partnership:

State of Ohio
County of _____

The foregoing instrument was acknowledged before me this _____ (date) by
_____ (name of acknowledging partner or agent), partner (or agent) on behalf
of _____ (name of partnership), a partnership.

(seal)

Signature of person taking acknowledgment
(Title or rank)
(Serial number, if any)

For an individual acting as principal by an attorney in fact:

State of Ohio
County of _____

The foregoing instrument was acknowledged before me this _____ (date) by
_____ (name of attorney in fact) as attorney in fact on behalf of
_____ (name of principal).

(seal)

Signature of person taking acknowledgment
(Title or rank)
(Serial number, if any)

By any public officer, trustee or personal representative:

State of Ohio
County of _____

The foregoing instrument was acknowledged before me this _____ (date) by
_____ (name and title of position).

(seal)

Signature of person taking acknowledgment
(Title or rank)
(Serial number, if any)

Acknowledgment of a Mark

His Mark
John X Doe

John Doe

Witness:

Signature

Signature

Address

Address

State of Ohio

County of _____

The foregoing instrument was acknowledged before me this _____ (date) by _____ (name of person acknowledged) to be the person whose mark is made on the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(seal)

Signature of person taking acknowledgment
(Title or rank)
(Serial number, if any)

Affidavit

State of Ohio

County of _____

Being duly sworn, Jane Doe says as follows:

- 1.
- 2.
- 3.

Jane Doe

Sworn to and subscribed in my presence this _____ day of _____, 20____ by _____ (name of signer).

(Seal)

Notary Public
State of Ohio

My commission expires: _____



OHIO BUREAU OF MOTOR VEHICLES

AFFIDAVIT FOR DESIGNATION OF BENEFICIARY OR BENEFICIARIES BY THE SOLE OWNER FOR A MOTOR VEHICLE, WATERCRAFT OR OUTBOARD MOTOR CERTIFICATE OF TITLE. O.R.C. 2131.13(A)

I being first duly sworn, state as follows:

_____ being the sole owner of the vehicle, watercraft or outboard motor described, Year _____ Make _____ VIN/VININ _____ Title Number _____

Do designate this vehicle, watercraft or outboard motor to:

BENEFICIARY FULL LEGAL NAME	SSN	DATE OF BIRTH
STREET ADDRESS	CITY	STATE
		ZIP CODE
BENEFICIARY FULL LEGAL NAME	SSN	DATE OF BIRTH
STREET ADDRESS	CITY	STATE
		ZIP CODE
BENEFICIARY FULL LEGAL NAME	SSN	DATE OF BIRTH
STREET ADDRESS	CITY	STATE
		ZIP CODE

Sworn to before me in the State of _____ and county of _____ on this _____ day of _____ 20 _____

X APPLICANT/OWNER SIGNATURE

X NOTARY DEPUTY SIGNATURE

My Commission Expires on _____

BMV 2811 702

State of Ohio - Seller's Affidavit

Erasures or Alterations Void This Statement

ODOMETER READING DISCLOSURE STATEMENT

Notice to Transfer: You are required by law to enter all information required here including the odometer reading of the motor vehicle in the affidavit immediately following. The making of a false statement under oath or affirmation in violation Section 2921.13 of the Revised Code and is punishable by six months imprisonment and a fine of up to one thousand dollars, or both.

• TYPE OR PRINT IN INK

State of Ohio, _____ County SS: Date _____, 20____
Year _____ Mfr's Serial No. _____

Make _____

Purchaser's Name _____

I (we) certify that the mileage registered on this vehicle at the time of assignment is _____ miles.

• CHECK ONE OF THE FOLLOWING STATEMENTS. I (WE) CERTIFY THAT:

- I: To the best of my (our) knowledge, the Odometer reading reflects the actual mileage of 99,999 miles.
- I: The Odometer reading reflects mileage in excess of the designed mechanical limit of 99,999 miles.
- I: To the best of my (our) knowledge, the Odometer reading is not the actual mileage and should not be relied upon.

• CHECK ONE OF THE FOLLOWING. I (WE) CERTIFY THAT, WHILE IN MY (OUR) POSSESSION

- I: The Odometer of this vehicle was not altered, set back, or disconnected;
- I: The Odometer of this vehicle was repaired or replaced.

X

TRANSFEROR'S SIGNATURE

Sworn to before me and subscribed in my presence this _____ day of _____, 20____. My commission expires, _____ 20____

SEAL

All information must be entered before notarization.

(CLERK, DEPUTY CLERK OF COURTS - NOTARY)

Power of Attorney Form

- Power of attorney forms for certificates of titles must be notarized
- A power of attorney form must always accompany the title and becomes part of the permanent title record
- A power of attorney form may only be used for one transaction
- An executor of an estate or trustee cannot give power of attorney to someone else to sign on their behalf

*Please contact your local Clerk of Courts' Title Office
if you have additional inquiries.*



Ohio Bureau of Motor Vehicles

POWER OF ATTORNEY

Know all men by these presents, that the undersigned does hereby make, constitute and appoint

LAST NAME	FIRST NAME	MI
STREET ADDRESS	CITY	STATE
	ZIP CODE	

My true and lawful attorney-in-fact for me and in my name, place and stead, to make and execute assignment of or application for my Certificate of Title covering the following described motor vehicle, to-wit:

MAKE	YEAR	SERIAL NO.
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And granting to my said attorney-in-fact full authority to do and perform all and every act and thing whatsoever requisite, necessary and proper to be done in and about the premises as fully and to all intents and purposes as the undersigned might or could do with full power of substitution and revocation hereby ratifying and confirming all that said attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

In Witness whereof, the undersigned has caused his name to be subscribed hereto this _____ day of _____, 20____.

SIGNATURE OF PERSON GIVING POWER OF ATTORNEY _____ SOCIAL SECURITY NUMBER OF BUYER/OWNER _____

ACKNOWLEDGEMENT

State of Ohio, County of _____, Subscribed and sworn to before me a Notary Public and for said County personally appeared _____ who acknowledged the signing of the foregoing instrument and that such signing is his free act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20____ in the county of _____ State of Ohio

NOTARY PUBLIC

My commission expires _____

BHV 3714 484

APPLICATION(S) FOR CERTIFICATE OF TITLE TO A MOTOR VEHICLE

CHECK TYPE OF APPLICATION(S). Fee of \$5.00 for failure to apply for title within 30 days of assignment.

PRIMARY APPLICANT'S NAME _____ SSN/EIN _____
 PRIMARY APPLICANT'S ADDRESS _____
 SECONDARY APPLICANT'S NAME _____ SSN/EIN _____
 SECONDARY APPLICANT'S ADDRESS _____

hereby declares under penalty of perjury that he/she is the lawful owner/purchaser/lessor/lien holder of the following described motor vehicle and hereby moves application for the following:

ORIGINAL CERTIFICATE OF TITLE Evidence of ownership _____
 Applicant acquired said motor vehicle by (circle how acquired) _____
 from: Name of Previous Owner _____
 Address of Previous Owner _____
 The following is a full statement of all liens on said motor vehicle. If no lien, state "none". If more than one lien, attach statement of all additional liens.
 Lien Holder _____ Address _____

DUPLICATE CERTIFICATE OF TITLE
 Applicant states that Certificate of Title Number _____ has been _____
 lost; said motor vehicle has not been sold or disposed of except as stated below:
 The vehicle is on the possession of _____ has been _____
 residing at _____ and that if said Certificate of Title be hereby
 recovered by this applicant he will deliver same to the Clerk of Courts for cancellation.
 The following is a full statement of all liens on said motor vehicle. If no lien, state "none". If more than one lien, attach statement of all additional liens.
 Lien Holder _____ Address _____

REPLACEMENT CERTIFICATE OF TITLE for Certificate of Title Number _____
 MEMORANDUM CERTIFICATE OF TITLE for Certificate of Title Number _____
 SALVAGE CERTIFICATE OF TITLE

Applicant states that the original Certificate of Title Number _____
 has been surrendered to the Clerk of Courts.

YEAR	VIN	MODEL
BODY TYPE	MAKE	CONVERSION
PURCHASE PRICE \$	TRADE IN AMOUNT \$	SALESUSE TAX \$
VENDOR'S NUMBER	PERMIT NUMBER	SALES CREDIT AMOUNT \$
CONDITION OF VEHICLE (check only one)	<input type="checkbox"/> GOOD	<input type="checkbox"/> FAIR
TAX EXEMPTION:	<input type="checkbox"/> YES	<input type="checkbox"/> REASON
		<input type="checkbox"/> POOR
		<input type="checkbox"/> WRECKED

Warning: You are required by law to state the true selling price. A false statement in violation of section 3921.13 of the Ohio Revised Code and is punishable by six-months imprisonment and a fine of up to one thousand dollars. All transfers are coded by the Department of Taxation. The seller and buyer must provide any information requested by the Department of Taxation. The buyer may be assessed any additional tax found to be due.

Applicant's signature _____
 Sworn to and subscribed in my presence by _____
 this _____ day of _____ 20 _____
 Clerk, Deputy of Clerk of Courts - Notary

BNV 3774 1105



State of Ohio
 County of _____

MINOR CONSENT FORM
 4505.031 O.R.C.

Consent of parent, guardian, or other person having custody for a minor to acquire or dispose of a motor vehicle in a minor's name.

I, _____ hereby certify that I am the parent, guardian, or other person having custody of _____ and hereby grant consent to said minor to acquire, dispose of the following described motor vehicle.

YEAR _____ MFG'S SERIAL # _____
 MAKE _____ MODEL _____
 BODY TYPE _____

Signature of parent, guardian, or other person having custody _____

Sworn to and subscribed in my presence on this _____ of _____

Clerk of Deputy Clerk of Courts - Notary Public

My commission expires on _____

BNV 3751 619D

My commission expires _____
MONTH YEAR
Sworn to before me and subscribed in my presence this _____ day of _____

OWNERS SIGNATURE _____
State of Ohio, County of _____
NAME OF USER HOLDER _____
If none, state here: _____

The following is a full statement of all liens, mortgages, or encumbrances on said boat or motor.
How, when and from whom was the above acquired?
Horsepower _____
Make of Motor(s) _____
Motor Serial Number(s) _____
Manufacturers Hull Identification Number (Serial Number) _____
Make of Watercraft _____
Year _____
Model _____
Length _____

The above named individual being first duly sworn, says that he or she is the lawful owner or purchaser of the following described watercraft or outboard motor.
City _____ State _____ Zip Code _____
Street Address _____
Owner Name _____
FIRST LAST

Please print or type:
This form must be surrendered to the Clerk of Courts if watercraft is titled.

WATERCRAFT OR OUTBOARD MOTOR AFFIDAVIT OF OWNERSHIP

State of Ohio
Department of Natural Resources
DIVISION OF WATERCRAFT
4435 Fountain Square Drive
Columbus, Ohio 43224-1300



ORC Ann. 147.542

Current with Legislation passed by the 133rd General Assembly and filed with the Secretary of State through file 14 with the exception of file 10.

Page's Ohio Revised Code Annotated > Title 1: State Government (Chs. 101 — 195) > Chapter 147: Notaries Public and Commissioners (§§ 147.01 — 147.99) > Uniform Recognition of Acknowledgments Act (§§ 147.51 — 147.66)

§ 147.542 Notarial certificate requirement.

- (A) A notary public shall provide a completed notarial certificate for every notarial act the notary public performs.
- (B) For an acknowledgment and a jurat, the corresponding notarial certificate shall indicate the type of notarization being performed.
- (C) If a notarial certificate incorrectly indicates the type of notarization performed, the notary public shall provide a correct certificate at no charge to the person signing in question.
- (D)
- (1) An acknowledgment certificate shall clearly state that no oath or affirmation was administered to the signer with regard to the notarial act.
 - (2) A jurat certificate shall clearly state that an oath or affirmation was administered to the signer with regard to the notarial act.
- (E)
- (1) A notary public shall not use an acknowledgment certificate with regard to a notarial act in which an oath or affirmation has been administered.
 - (2) A notary public shall not use a jurat certificate with regard to a notarial act in which an oath or affirmation has not been administered.
- (F) A certificate required under this section may be provided through any of the following means:
- (1) Preprinting on a notarial document;
 - (2) Ink stamp;
 - (3) Handwritten note;
 - (4) A separate, attached document.
- (G) A notarial certificate shall show all of the following information:
- (1) The state and county venue where the notarization is being performed;
 - (2) The wording of the acknowledgment or jurat in question;
 - (3) The date on which the notarial act was performed;
 - (4) The signature of the notary, exactly as shown on the notary's commission;
 - (5) The notary's printed name, displayed below the notary's signature or inked stamp;
 - (6) The notary's notarial seal and commission expiration date;

(7) If an electronic document was signed in the physical presence of a notary and notarized pursuant to *section 147.591 of the Revised Code*, or if an online notarization was performed pursuant to sections 147.60 to 147.66 of the Revised Code, the certificate shall include a statement to that effect.

(H) A notary public may explain to a signer the difference between an acknowledgment and a jurat, but shall not, unless that notary is an attorney, advise the person on the type of notarial act that best suits a situation.

History

2018 sb263, § 1, effective September 20, 2019.

Page's Ohio Revised Code Annotated

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