

**To:** FLORIDA AGENTS & AGENCY OFFICES OF  
Chicago Title Insurance Company  
Commonwealth Land Title Insurance Company  
Fidelity National Title Insurance Company

**From:** FNF Florida Agency Underwriting Department

**Date:** June 29, 2020

**Re:** Remote Online Notarization Permanent Guidelines

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We previously issued Underwriting Bulletins 2020-10 and 2020-13 setting forth temporary underwriting guidelines applicable to insuring transaction documents notarized using remote online notarization (“RON”) during the pandemic. RON has been a useful tool during the pandemic and is expected to continue to be useful in the new normal work environment. The purpose of this bulletin is to replace our temporary RON guidelines with the following more permanent guidelines:

- Title agents may use RON for residential or commercial transactions involving Florida property without having to obtain authorization from the Company if the transaction amount is within the agent’s authorized limits. If the transaction exceeds the agent’s authorized limits, the agent must obtain specific underwriting authority from the Company before relying on RON.
- The use of RON in transactions that exceed the title agent’s authorized limits must be approved as follows:
  - On residential and commercial transactions with a proposed policy amount up to \$5,000,000, the use of RON may be approved by any company underwriter having authority to approve transactions of that size.
  - On residential transactions with a proposed policy amount in excess of \$5,000,000 up to \$10,000,000, Regional Counsel must approve the use of RON.
  - The use of RON on commercial transactions over \$5,000,000 and residential transactions over \$10,000,000 will be considered case by case and must be approved by a member of the National Staff.
- 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.
- The party whose signature is being notarized must be a U.S. citizen. Typically, the required ID verification process is not successful with non-U.S. identification. However, in limited situations in which a foreign person has a U.S. social security number and credit history, RON may be available. The non-U.S. person must use a Florida online notary who uses a Company-approved RON platform. Company approval is required.
- 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 approved by Fidelity National. They are: Doc Verify, Expedite Close, NexSys, Notarize, NotaryCam and Pvaso. (An abridged form of audio/video technology such as Zoom, FaceTime and Skype cannot be used.)

- The notarial certificate must indicate that the notarial act was performed online by way of two-way audio/video communication technology.
- If an employee of the closing agent is not the online notary, the closing agent must either attend the online notary session or review the audio-video recording prior to closing the transaction.

If you are unable to comply with all of the above requirements, use of RON is not an option. If you have questions about closing on a particular transaction, please contact your local underwriter to discuss.

**THIS BULLETIN SHOULD BE RETAINED AND BECOME PART OF THE POLICIES, PRACTICES AND PROCEDURES WITH WHICH YOU ARE TO COMPLY UNDER THE TERMS OF YOUR AGENCY AGREEMENT WITH FIDELITY NATIONAL FINANCIAL.**