

**OFFICE OF THE SECRETARY
OF THE
DISTRICT OF COLUMBIA**

**NOTARY COMMISSIONS
AND
AUTHENTICATIONS**

NOTARY PUBLIC HANDBOOK

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I. Introduction

The Office of Notary Commissions and Authentications (ONCA) is a division of the Office of the Secretary of the District of Columbia. ONCA commissions notaries public for a renewable term of five years. This Handbook provides information you will need to learn about the requirements to become a notary, the process to apply, and the responsibilities and restrictions in being a notary public along with other helpful information. Please note there are many changes in this Handbook as the code for notaries public has been amended as of December, 2018 and the ONCA is now automated allowing applications and notifications to be done in a much more efficient and professional manner. After reading the Handbook, if you have any questions, please feel free to contact the ONCA office at: 202 727-3117, notary@dc.gov.

A District of Columbia (District) notary public is a public officer whose function is to notarize documents, administer oaths and attestations and witness the signature of the person(s) **personally appearing** before him or her. Notaries public protect against fraud and forgery by acting as an official, unbiased witness to the identity of the person who is signing a document. A notary is only certifying that the person in front of you is in fact that person. You are **NOT** notarizing the actual document or taking part in a deposition or other actions. It is therefore critical that you always require valid identification and that the individual be present.

Official acts of a notary public are recognized in the District and throughout the United States. As District public officers, notaries public are held to the same high standard of public trust in the exercise of their duties as are other appointed and elected District officials.

The ONCA office is open for walk-in customers from 9AM-1PM; staff is available by phone and email from 8:15AM-4:45PM, Monday-Friday.

II. Requirements to Become a Notary Public

To become a notary public in the District of Columbia you must:

- Be a resident of the District of Columbia to hold a residential commission.
- Have a primary place of business or employment with a physical DC address to hold a business or government commission.
- Be a resident **and** have a primary place of business or employment to hold a dual commission.
- Be at least 18 years of age.
- Be a citizen or legal or permanent legal resident of the United States.
- Complete the application found on our website: www.os.dc.gov/ Notary & Authentications/Notary Commissions. Please note that we are no longer accepting the PDF form; you must use the online application. ***Be sure to read the instructions before completing the application. The application cannot be saved so please have all the necessary information before beginning.***
- When you take the oath of office you will fill out a form stating that the applicant is able to read and write in the language of any record on which the applicant performs a notarial act. Existing notaries may continue to notarize documents in any language regardless of whether they can read or write in that language, ***but when they renew their commission*** they will be required to read and write in any language they will be performing notarial services.

III. Types of Notaries Public

You may apply for a new commission or to renew your existing commission.

New:

An individual applying to become a notary public in the District of Columbia for the first time.

Renewal:

An individual applying to renew a commission as a notary public in the District of Columbia. The applicant must include the expiration date of the current commission. **NOTE:** If the commission has expired over twelve (12) months from the expiration date of the current commission, the individual must apply as a new applicant.

ONCA does not send out emails to existing notaries to remind them that their commission is about to expire. To determine if you will have any lapse in your commission please visit our website: www.os.dc.gov, Notary & Authentications, Notary Commissions. There is a link to a timeline showing when your sufficient application must be processed in order to not have a lapse in your commission.

The definitions below are for the categories of commissions.

Business Notary:

A business notary public is an individual whose primary place of business or employment is within the District; a person applying for only a business commission need not live in Washington, DC. The information on the application must include a physical DC address for the place of business and a DC phone number for the place of business. The applicant's supervisor must make the request for appointment in writing on official company letterhead that displays a physical District of Columbia address that matches the physical DC address on the application and a DC phone number. If the business does not have letterhead with this information, then the letter of request must include the information and an explanation as to why the letterhead does not include the same physical address as the application or a DC phone number. The letter must include the name of the applicant and the justification for the notary commission. The justifications must indicate how service and convenience to members of the public and/or their business will be improved. This must be a letter of request; *not* a character reference. The letter must have an original or valid electronic signature and the typed name and title of the supervisor. Please note that the supervisor writing the letter of request may not serve as a reference on the application. The application fee is required and the surety bond is required.

Residential Notary:

A residential notary public must live in Washington, DC with a physical address in DC. The applicant must submit a residential letter of request describing the need for the commission to be used; this cannot be work related. This letter must be on letterhead with a physical address in the District of Columbia that matches the address on the application. The letter of request must state why the individual wishes to be a notary for residential purposes only, for example to serve the community; it may not make any reference to notarial acts in a job. The application fee is required and the surety bond will be required.

DC Government Notary:

A DC government notary is an individual applying only on behalf of an agency of the District of Columbia. You will only be allowed to perform notarial acts only on behalf of the District of Columbia.

A letter of request from the supervisor on the agency/department letterhead with the physical DC address that matches the address on the application, and a DC phone number must be included. An original or valid electronic signature is required along with the typed name and title of the supervisor. The letter must state why notarial services are needed for the applicant. Please note that the supervisor writing the letter of request may not serve as a reference on the application. No application fee is required and **no surety bond will be required. *You may not charge for your notarial services.***

Federal Government Notary:

A federal government notary is an individual applying only on behalf of a federal government agency with a physical address within the District of Columbia and a DC phone number. You will only be allowed to perform notarial acts on behalf of the federal government. A letter of request from the supervisor on the agency/department letterhead with the physical DC address that matches the address on the application, and a DC phone number must be included. An original or valid electronic signature is required along with the typed name and title of the supervisor. The letter must state why notarial services are needed for the applicant. Please note that the supervisor writing the letter of request may not serve as a reference on the application. No application fee is required, **but a surety bond will be required. *You may not charge for your notarial services.***

Dual – Business:

If an individual would like to be commissioned as both a residential and business notary, the application is submitted as Dual-Business. The home and primary place of employment must both be in the District of Columbia. You will then be allowed to perform notarial acts on your own behalf (for the community) and for your employer. A letter from you **and** from your supervisor at the business must be submitted with the application but only one fee is required. **Those who apply for a dual commission will be listed with the home contact information.** The letters of request must each be on letterhead with a physical DC address that matches the address on the application and the business letter must include a DC phone number. They must each have an original or valid electronic signature and for the business the typed name and title of the supervisor. The application fee is required and the surety bond will be required.

Dual – Gov/DC:

If an individual would like to be commissioned as a residential and DC government notary, the application is submitted as Dual-Gov/DC. Both the physical residence and DC government addresses must be in DC. You will then be allowed to perform notarial acts on your own behalf (for the community) as well as for the District government. A letter from you **and** from your Agency/Department Head supervisor must be submitted with the application **and you must pay the application fee. Those who apply for a dual commission will be listed with the home contact information.** The letters of request must each be on letterhead with a physical DC address that matches the address on the application and the government letter must include a DC phone number. They must each have an original or valid electronic signature and for the government the typed name and title of the supervisor. **You must pay the \$75 application fee. The surety bond will be required. You may charge a fee for notarial acts done in your residential commission.**

Dual – Gov/Federal:

If an individual would like to be commissioned as both a residential and federal government notary, the application is submitted as Dual-Gov/Federal. Both the physical residence and federal government addresses must be in DC. You will then be allowed to perform notarial acts on your own behalf (for the

community) as well as for the federal government. A letter from you **and** from your Agency/Department Head supervisor must be submitted with the application **and you must pay the application fee. Those who apply for a dual commission will be listed with the home contact information.** The letters of request must each be on letterhead with a physical DC address that matches the address on the application and the government letter must include a DC phone number. They must each have an original or valid electronic signature and for the government the typed name and title of the supervisor. **The surety bond will be required. You may charge a fee for notarial acts done in your residential commission.**

You may only have a Dual Commission as a Residential/Business or Residential/Government; you may NOT have a Dual Commission for two businesses.

If you use the same address for you home and business your application will be denied and returned for correction. If you are self-employed and use the same address for residential and business this must be explained in your letter(s) of request.

IV. How to Obtain a Commission

To begin the process of obtaining a notary commission or a reappointment as a notary public, the steps listed below must be completed and the application and the applicable commission fees must be submitted to ONCA. All materials submitted for appointment as a notary public become the property of the DC Government. **The entire process takes about 45-60 days once the application has been approved.**

Application:

The notary public application is available on the Office of the Secretary website: www.os.dc.gov, Notary & Authentications, Notary Commissions. **You must read through the instructions first and confirm you have read them before filling out the application.** These instructions are critical and if you don't follow them and fill in all the required fields as well as uploading the letter(s) you will not be able to submit the application. If you submit the application and it is not sufficient it will be returned.

You MUST use the form provided on our website. We will no longer accept the PDF version. If you submit the PDF version by mail or in person it will be returned to you.

Applications submitted in all CAPITALS in any field will be denied and returned for correction. You may only capitalize the first letter of each word in each field. Example: Mark Smith, 500 Anywhere Road, NW.

The application requires each individual to select the type of commission: Business, Residential, Government-DC, Government-Federal, Dual/Business, Dual/Government-DC or Dual/Government-Federal. A Dual Commission may only be used for Dual/Business, Dual/Government-DC or Dual/Government/Federal; you **may not** have a Dual Commission for two businesses.

All applicants must provide their home address, but if you are applying for a Residential Commission your work information is not required. Applicants for a Business or Government commission, including Dual Commissions, must provide their physical work address, which must be located with a physical address in the District of Columbia, and a work phone number with a DC area code.

There is a dropdown for the quadrant (NW, SW, SE, and SW). If your residential address is not in DC and does not have a quadrant, use “NA.”

The application form includes required boxes to be filled in and you will not be allowed to submit the application unless these sections are completed.

Be sure to put in your name as you wish it to appear on your commission. This should be the same as your signature. It does not have to be your “legal” name, but the name on the application will be the name on your notary certificate and seal.

Note: The application may not be saved so please be sure you have all the information necessary before you begin including the required letter(s) of request as the application will also time-out on the website.

Link to Application:

<https://nap.os.dc.gov/index.html>

Letter(s) of Request:

Each application for new or renewal must include an **original** letter of request for each commission for which you are applying explaining the need for the applicant to be a notary for business, residential, or government reasons. The letter must be on business, personal or government letterhead, must have a physical District address, must have a District phone number (for business or government), and must have an original or approved electronic signature and the address on the letter must match the address on the application. If you do not have letterhead with the required information this must be explained in the letter(s) of request. The individual writing the letter of request may not be used as a reference on the application, nor may a family member be used as a reference. The letter(s) of request must state the reason(s) the individual is needed as a notary; they may **not** be a character reference. The letters on behalf of a business or government must include the typed name and title of the supervisor. If you are self-employed and writing your own business letter of request, this must be explained in the letter. Residential letters of request must explain why the commission is needed in the residence – for example for the community or volunteer organizations, it **may not** include uses for business. Applications for renewal must include the letter(s) of request. The letter(s) of request are **not** a character reference; the letter(s) must state why your services are needed to perform notarial acts or for residential why you would like to perform notarial acts for your community.

You **must** upload the letter(s) per the instructions on the application form.

Once you have submitted your application online do not submit one in-person or by mail or additional applications online as this will delay the process. We only want one application and the application fee is non-refundable (see below).

Application Fee:

The notary public fee application is \$75 and is **non-refundable**. Employees of the District and federal government are exempt from the notary application fee requirement. However, should a government notary public desire a dual commission (see “Types of Notaries Public,” above in Part III), an application fee will be charged.

Review Process and Notifications:

All notifications to notary applicants are sent via email. The email you provide must be one that you are certain you will receive; if you choose a group or company email, be certain the information will get to you.

Once ONCA has received the application and supportive materials, you will receive an email that your application has been received; this may take 1-2 business days after you have submitted the application. If the application is deemed sufficient, you will receive an email allowing you to pay online by credit card. Once you have done this you will then receive an email notifying you your application has been approved (see below for new applicants). Your application cannot be approved until all these requirements have been met. ***Note: Those applying for commissions on behalf of the DC or federal government only will not receive the email for payment.***

If you choose to pay by check or money order through the mail, you may do so, but this ***will delay the process.*** If you choose to pay by check or money order through the mail, the check or money order is payable to DC Treasurer and should be sent to: Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810S, Washington, DC, 2001. Be sure to include your name as it appears on your application.

If your application is not sufficient, it will be returned to you by email with an explanation of what must be corrected before the application can be processed. There will be a link in the email for you to go to the original application and make the corrections. Please do not use Explorer as your Browser as you may not be able to upload a new letter of request or even get back to the application. ***Please do not*** submit a new application as this will delay the process.

Your application will not be approved and completed until you provide us with a corrected application. If you are applying to renew your commission this could delay your new appointment date.

Orientation:

Each new applicant must attend a **mandatory** orientation session covering the applicable notary laws, rules, regulations and policies in the District. ONCA schedules the orientation after a notary application is approved. Each applicant will be notified of the date and time of the orientation by ONCA. **Applicants are automatically notified of two sessions. You must notify ONCA if you wish to be informed of future sessions.**

If you were previously commissioned and your commission expired more than 12 months before you re-applied, you are considered a new applicant and must attend an orientation session.

Publication in the DC Register:

ONCA publishes the names of all applicants in the *DC Register*. This includes new applicants and those applying to renew their commission. The *DC Register* is the legal publication for the District of Columbia and allows the public to view the names of all applicants; this is not optional. Only the names and addresses of the applicants' commissions are published.

Notification of Appointment and Completion of Commission Process:

The Appointment Notice – your official notification that you are now eligible to purchase your supplies and when applicable your surety bond is sent approximately two weeks prior to the beginning date of your commission. ***You may not purchase any supplies until you receive this Appointment Notice.***

Please note that when you receive your Appointment Notice **you must open them on a computer.** If you open them on a phone or tablet, you will not be able to see the beginning and end dates of your commission. The attachments must also be **opened in Microsoft Word**; some browsers and email accounts may use a different word processor as their default.

If you have been working with an organization on your application, you may receive some supplies in advance that are not dated, but you **cannot** order any supplies or get your surety bond until you have received your Appointment Notice. More information about the surety bond requirement is found below.

All notary commissions in the District of Columbia begin on the 1st and 15th of each month and end on the 14th and last day of each month, except that in January they begin on January 2nd and end on January 1st. Commissions are for five (5) years.

Notary Supplies:

In order to take the oath of office, **all applicants** must bring the following items as described in the Appointment Notice.

Notary Sealer and Seal:

A notary seal makes a raised impression in the paper; affixing or embossing the notary's seal on a tangible record. The notary seal is the physical image affixed or embossed on the document. District of Columbia notaries public use the seal and sealer to complete all notarial acts. Each notary public must furnish the notary seal and sealer at his or her own expense. Be sure the seal has the correct expiration date for your commission when you receive it. The sealer is the equipment in which the seal is placed. In the past, these have been called the embosser.

Placement of Seal:

The seal impression should never be placed over signatures and dates. Usually space is provided to the left or right of the notary's signature for the seal impression. If such space is not provided, the seal impression should be placed near the notary's signature.

The seal must be attached **directly on the document.** It may not be put on top of any other item such as foil or other materials.

If there is no room to allow the notarization on the front side, you may perform the notarization on the back. You **may not** notarize a ***blank document or incomplete document.***

Information Required on Seal:

§ 1-1231.16: There are five critical thresholds that the embosser must meet:

- A) The notary public's name, exactly stated on the commission;
- (B) The words "District of Columbia";
- (C) The commission expiration date; and
- (D) Other information required by the Mayor.

No other language or description is allowed.

“A notary public shall affix his or her official signature and official sealer on every document notarized, at the time the notarial act is performed.”



Inker:

A seal impression inker shall be used in conjunction with the official seal, making the impression legible, permanent, and photographically reproducible. The notary public must ink their raised sealer embossment, subsequent to its placement on a document, *every time, no exceptions*.

Be sure to press the inker over the seal so that it isn't too light or too dark; the seal must be readable.

Journal: § 1-1231.18

DC law requires notaries to keep a journal of all notarial acts performed. A more detailed description of the requirements may be found in the **Records** section; most notaries use a logbook/journal, but you may use any official fair record that meets the requirements and you must bring this supply with you when you come in to take the oath. Previously this has been called a fair record or logbook.

Notarial Certificate – Short Forms:

A notarial certificate is the language that must be on every document that is notarized. It may be pre-prepared; if it isn't, then you must use the stamp(s) you order when you receive your Appointment Notice.

The certificate confirms the Notary has witnessed the signing of the document by the individual. By executing this, the Notary guarantees that the signer personally appeared before the notary; *the notary is not attesting to any item in the document itself*.

New applicants and those who will be renewing after January, 2019 will be required to purchase a new notary certificate/stamp. *Please see the language below.*

The two most common types of notarial stamps/certificates, Jurat and Acknowledgment, are described below:

The traditional Jurat used on most documents will look like the sample below. **You must bring the Jurat stamp when you come to ONCA to take your oath.**

Language - Jurat

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____
Date Name(s) of Individuals(s) making statement

Signature of notarial officer

Seal

Title of office

My commission expires: _____

Language – Acknowledgement

An acknowledgment is typically executed on mortgages, deeds and other documents that will be publicly recorded with a local agency such as the Recorder of Deeds.

District of Columbia

This record was acknowledged before me on _____ by _____
Date Name(s) of Individuals(s) making statement

Signature of notarial Officer

Seal

Title of office

My commission expires: _____

NOTE: The short form certificate stamp now includes a line for “Title of Office” or may have a line “Notary Public.” You must print your name on this line.

In some instances, the documents may have pre-prepared short form certificate – the Jurat, Acknowledgment or other certificates may have pre-prepared language. The language may read: “*State of*____, *County of*____” as these documents are often prepared generically. You may simply cross out the “State of, County of,” initial it and write in “District of Columbia.”

Jurat and Acknowledgment Descriptions:

Because jurats and acknowledgments are different notarizations with different purposes, each requires its own wording. You cannot use a jurat for an acknowledgment, or vice versa. Make sure you use the language that we have provided above.

In general, the acknowledgment will contain the words, “acknowledged before me” or something similar. Jurats will contain the words, “subscribed and sworn to (or affirmed) before me.”

The Jurat, Acknowledgment or other appropriate language and the sealer/embosser *must be used each time* a document is notarized. § 1–1231.15

If you are often involved in real estate transactions or similar matters, you may want to consider purchasing two notary certificate/stamps, but it is the jurat stamp you must bring to the ONCA office when you come into take the oath of office.

While the Jurat and Acknowledgment stamps/certificates are the most commonly used, there are other certificates, including for a true copy, in a representative capacity and for attesting to a signature. But – again, it is the Jurat stamp you must bring to the office when you take the oath.

If your stamp/certificate, seal, or journal is lost stolen or damaged you are required to immediately notify our office. § 1–1231.17

Many of you will receive what is often called a Personal Identification Stamp when you order your notary supply package. This has your name, notary public and the expiration date of your Commission. It is ***not*** the jurat stamp or any other short form certificate. It may be used on the document to clearly show your name in **addition** to the short form certificate, but you ***must*** have the jurat or other short form certificate language on the document when you notarize.

The jurat language begins with “District of Columbia” and then “Signed and Sworn (or affirmed) before me....”

Using the Jurat or Other Short Forms

The jurat, other short form certificates or pre-prepared language must be completely filled out. The name(s) of individuals are those for whom the document is being notarized and you must get the signature of the person(s). You must then write in the date of the notarization. The signature of notarial officer is your signature and must match your signature as written on your oath page. The “Title of Office” is Notary Public. Unless your jurat already has the expiration date of your Commission you must write that in. We also strongly suggest you print your name so that it is legible.

PLEASE NOTE: The notarial stamps/certificates described above are not the same as the certificate you receive upon taking your oath of office. The certificate you receive is the official document stating you have been appointed as a notary public in the District of Columbia and is the only credential provided by the District of Columbia; we do not issue registration or other numbers for notaries.

Bond Requirements:

Business, residential, federal government and dual commissioned notaries public also must acquire a surety bond in the amount of \$2,000, covering the notary’s five-year term. The bond is not an insurance

policy. The bond serves for the protection of members of the public who may be affected as a result of negligence or misconduct on the part of the notary. ***Those commissioned only on behalf of the DC Government*** do not have to purchase a surety bond, but any dual commission requires a surety bond.

Applicants **must use the bond form provided by the ONCA office** sent with the Appointment Notice. ***No other form is allowed.*** The form may **not** be altered (except that the bond companies may add the bond number at the top) and must be signed by the surety agent. On the left side there are lines for two witnesses; the one at the bottom is for a witness to the signature of the “Surety and Title.” This must be signed before you come to our office. The top witness is for your signature as the notary applicant. If you haven’t signed this before you come to the office, we will act as your witness. We will keep the original bond form; if you wish to keep a copy, you must make one before you come to the office.

The bond form you will receive with the Appointment Notice must be filled out by the surety bond company. It has fillable fields that may be done if you send it to them. They will then print it out and sign it; we must have the ***original*** signature from the company and the seal of the bond company must be on the form. The company must mail it back to you as we must have the original signed bond form.

The bond form is sent only to the notary applicant. ONCA will only answer questions from the notary applicant. If a surety bond company has any questions, they need to be addressed through you as the applicant. ***The bond form must be opened on a computer, not a phone or tablet, and must be opened in Microsoft Word, otherwise you may not be able to see the beginning and end dates of your commission.***

Surety Bond - Proof of Payment:

Applicants must present **the receipt** of the bond payment, with your name as it appears on the Appointment Notice, marked Paid in Full with the amount paid and date it was paid. The receipt must include the correct beginning and end date of your commission and the address at which the commission is held. You may provide us with an original ***or copy*** of the receipt, but it must contain all the requirements specified in the Appointment Notice, and you must provide a hard copy. ***The surety bond form must be the original.***

If you wish to keep a copy of the surety bond form or receipt, you must make it before you come to the office; ONCA will not make a copy.

Once your name has been published in the *DC Register*, you may be contacted by notary supply companies or surety bond companies. It is up to you or your business if you wish to use that company or another one. These companies have not been endorsed by ONCA; they have simply gotten your name and address from the *DC Register*. ONCA may not recommend any supply or surety bond companies; you may use the Internet to search for Notary Supply Companies, DC or Surety Bond Companies, DC. It is highly advisable to keep a copy of the bond form and receipt; if you change employment or your address or change your name you will be required to show our office proof you have notified your surety bond company of this change.

Oath of Office:

Once you have your supplies, surety bond form and receipt, you must then come into the ONCA office with your supplies and surety bond and receipt to complete and take the oath of office. The oath page includes the address of your commission, the signature you will use when notarizing any document and

the impression of your sealer. **You may not perform any notarial acts until you have taken the oath.** If you have your supplies, completed surety bond form and surety bond receipt prior to the date of your commission – whether new or renewal – you may come into the office and take the oath, but you may not perform notarial acts until the date of your commission. For those renewing the commission, there may be a lapse.

Certificate of Appointment:

Notaries Public in the District of Columbia are provided with a Certificate of Appointment upon taking the oath of office. The District of Columbia does not provide registration numbers or other identifying credentials for notaries public. You must keep this as your official record that you are a notary public in the District of Columbia. This certificate will have your name as it will be used on your commission and you must sign your name when you notarize documents as it appears on this certificate.

Unclaimed Commission:

A notary commission that is not claimed within 60 days from the beginning date of the Commission on the Appointment Notice will be cancelled. Cancellation of the Commission requires the applicant to re-complete the entire process i.e. submit a new application. The applicant may be required to take orientation again depending upon when the application is re-submitted.

V. Requirements of a Commissioned Notary

Records:

Each notary public is required by law to keep a journal of all official acts. § 1-1231.18

If your notarial act is ever questioned, you may be asked for this record.

- The name and address of each person for whom you notarize a document.
- The date he or she appeared before you.
- The type of identification presented to you.
- The type of document involved.
- The fee charged.
- The signatures of all those who signed the document.

The journal may be kept by hard copy or electronically, but if electronically, it must be on tamper-evident technology. If by hardcopy, it must be a permanent bound register with numbered pages.

Upon termination of a commission for any reason the notary must turn the journal into the ONCA office.

This is the notary's responsibility, not the business or the agency.

Except as otherwise allowed by law, a notary public shall not withhold access to or possession of an original record provided by a person that seeks performance of a notarial act by the notary public.

You must keep a record of **each** notarial act. Even if you are notarizing the same signature multiple times, you must record each act.

You must keep your journal for the entire tenure of your commission. Even if you have completed one journal you must keep it. If you change employers and keep your commission, you must take the records with you. If you change your name, you must still keep the journal with your previous name.

Schedule of Fees:

Residential and business notaries may not charge more than \$5.00 per notarial act, e.g. administering oaths, taking affidavits, including a jurat or acknowledgment clause and sealer, or any other notarial act. Notaries may waive the fee or charge less than the \$5 fee, but may not charge more than the \$5 fee. Those commissioned solely on behalf of the DC or federal government are prohibited by law from charging for their notarial services.

A notary may charge, upon agreement of the person to be charged, an amount not to exceed the actual and reasonable expense of traveling to a place where a notarial act is to be performed if it is not the usual place where the notary performs notarial acts. Traveling expenses shall be in writing, itemized, and separate from the fee for the notarial act. § 1-1231.23 (b)

VI. Role of Notaries Public

Official Acts:

District of Columbia notaries public do not read the document presented for notarization, nor are they required to understand or possess knowledge of the document's contents. District notaries public may notarize only the signature of the person personally appearing before him or her. A notary is only certifying that the person in front of you is in fact that person. You are **NOT** notarizing the actual document or taking part in a deposition or other actions. It is therefore essential that you always require valid identification and that the individual be present.

After the person appearing before you has either attested or affirmed, you should proceed to perform the proper notarial acts. This includes:

- Getting the proper identification from the person(s) appearing before you.
- Watching the person(s) sign the document.
- Completing the jurat or other short form certificate.
- Notarizing the document.
- Completing the journal including the signature(s) of all those who had the document(s) notarized.

Commissioned Notary:

A commissioned District of Columbia notary public is an individual who has satisfied the appointment requirements and taken the Oath and is authorized to perform the following:

- Obtain acknowledgments.
An acknowledgment is typically executed on mortgages, deeds and other documents that will be publicly recorded with a local agency such as the Recorder of Deeds.
- Administer oaths and affirmations.
- Take verifications upon oaths or affirmations.
- Witness or attest signatures.
- Perform such acts for use and effect beyond the jurisdiction of the District according to the law of any state or territory of the United States or any foreign government in amity with the United States.

Notaries public are authorized to perform two types of notarial acts:

Witnessing and Attesting to Signatures:

Administration of Oaths and Affirmations:

Below are Examples of Oaths and Affirmations:

Oaths:

Sample 1

(Name of Individual)

Do you solemnly swear under penalty of perjury that the statements you are about to give will be the whole truth and nothing but the truth so help you God?

(Official Signature of Individual)

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____
Date Name(s) of Individuals(s) making statement

Signature of notarial Officer

Seal

[_____]
Title of office

[My commission expires: _____]

Sample 2

I, _____ solemnly swear under penalty of perjury that the statements
Name of Individual
I am about to give will be the whole truth and nothing but the truth so help me God.

Official Signature of Individual

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____
Date Name(s) of Individuals(s) making statement

Signature of notarial Officer

Seal

[_____] _____
Title of office

[My commission expires: _____]

Oath of Office

I, _____ do solemnly swear/affirm that I will support and defend
Name of Individual
the Constitution of the United States against all enemies, foreign and domestic; That I will bear true faith and allegiance to the same; That I take this obligation freely without any mental reservation or purpose of evasion; That I will well and faithfully discharge, according to law, the duties of the _____ in and for the _____ on which I am about to enter, to the best of my ability.
Name of Office

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____
Date Name(s) of Individuals(s) making statement

Signature of notarial Officer

Seal

[_____] _____
Title of office

[My commission expires: _____]

Affirmations:

Sample 1

Name of Individual

Do you solemnly affirm under penalty of perjury that the statements you are about to give will be the whole truth and nothing but the truth?

Official Signature of Individual

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____
Date Name(s) of Individuals(s) making statement

Signature of notarial Officer

Seal

[_____]
Title of office

[My commission expires: _____]

Sample 2

I, _____ solemnly affirm under penalty of perjury that the statements I
Name of Individual
am about to give will be the whole truth and nothing but the truth.

Official Signature of Individual

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____
Date Name(s) of Individuals(s) making statement

Signature of notarial Officer

Seal

[_____] Title of office

[My commission expires: _____]

Oath of Office

, _____ do solemnly swear/affirm that I will support and defend
Name of Individual
the Constitution of the United States against all enemies, foreign and domestic; That I will bear true faith and allegiance to the same; That I take this obligation freely without any mental reservation or purpose of evasion; That I will well and faithfully discharge, according to law, the duties of the _____ in and for the _____ on which I am about to enter, to the best of my ability.
Name of Office

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____
Date Name(s) of Individuals(s) making statement

Signature of notarial Officer

Seal

[_____] Title of office

[My commission expires: _____]

Identification Requirements:

The individual having the document notarized or to whom you are giving the oath or affirmation must be physically present before the notary. You **must** watch the person sign the document; the largest concern regarding fraud or misuse of a notarization is that the signature on a document is not the valid signature of the person described in the document. § 1–1231.06

Allowable forms of identification are:

- Personal knowledge of the individual.
- A **non-expired** government ID such as a driver’s license, passport, or military card.
- Or any other **non-expired** government ID that has a photo or a signature. The ID may be from any government, whether in the US or other country as long as it is current with a photo or signature.
- A verification on oath or affirmation of a credible witness personally appearing before the officer and known to the officer or whom the officer can identify based on a current passport, driver’s license, or government-issued nondriver identification card.
- If an individual is physically unable to sign, the individual may direct another person other than the notary to sign the individual’s name. When this occurs, the notary shall record the notarial act by inserting into the journal or other record “Signature affixed by (name of other individual) at the direction of (name of person).” The individual who signed the document must also sign the journal as it appears on the document. § 1–1231.08

Jurisdiction:

District commissions can be used only within the geographical borders of the District of Columbia. The person for whom you are performing the notarial act must be in your presence in the District of Columbia. The individual may live anywhere, but you must both (all) be physically within the boundaries of the District of Columbia when you perform the notarial act.

The District of Columbia does not recognize licenses or commissions from other jurisdictions; there is no reciprocity. If you wish to become a notary public in the District of Columbia, you must submit an application, meet the requirements and follow the process for DC.

Items Eligible for Notarial Acts:

The list below is not all inclusive, but provides some examples of items that **are** eligible for notarial acts. Remember as a notary, you are **not** notarizing the document; you are only validating that the person in front of you is, in fact, that person.

- Original or copies of diplomas or GEDs from **any** primary or higher education institution **except** from the District of Columbia **Public** Schools or the University of the District of Columbia. You **may** notarize copies or original of diplomas from District of Columbia Public Charter Schools. This includes any transcripts or documents issued by a school, university, college or other educational institution regardless of where it is located.
- **Copies** of any passports **copies** of any driver’s license.
- Annual **renewal** of 501(c) (3) (non-profit) forms.
- In the District of Columbia, notaries may notarize documents in any language, but the notary must have signed a form stating that he/she is able to read and write in the language the notarial act is being performed.
- Mortgage documents, lending agreements.
- Give an Oath or Affirmation for a deposition.

- A Power of Attorney (POA) is a legal document that grants specific rights to another individual to act on your behalf as an agent. ***You may notarize a POA document only if the individual GRANTING the power of attorney is the person appearing before you for the notarization.*** If Mark Smith is granting the Power of Attorney then you must notarize the signature of Mark Smith.
- Any other documents that have a requirement for notarization (except as noted below) or you believe meet the basic requirements for notarization.

You MUST record ALL notarial acts in your journal.

Restrictions:

District notaries may never:

- Notarize most Federal documents such as FBI clearances, fingerprints.
- Determinations of non-profit [501(c) (3)] forms; the original set up for the non-profit. Notaries may notarize annual renewal forms.
- Take your own oath, affidavit, acknowledgment or depositions.
- Serve as a witness for your own documents.
- Notarize a document with you or your spouse's signature or to which the notary or spouse has a direct beneficial interest.
- It is also recommended that a notary not perform a notarial act for any members of the immediate family as this can be construed as a conflict of interest.
- Notarize an incomplete document or one with blank spaces or if the document is blank. *Note: In this instance it does require the notary to actually peripherally look through the document, but it is an exception to the basic rule. Incomplete documents or those with blank spaces (examples: a specific name or amount of money to be filled in) could be used fraudulently) open the notary to potential fraud.*
- Notarize documents issued by Departments or Agencies of the District of Columbia whether original or copies including birth, death and marriage certificates and divorce decrees. These are documents that have the ***signature of the Agency or Department Director.*** ***If the document is, for example, simply an application with the logo, it is acceptable to notarize.*** This also includes diplomas issued by the District of Columbia Public Schools, University of the District of Columbia and the DC State Superintendent of Education. **Note: District of Columbia Charter School documents may be notarized.** Except that documents issued by the District such as re-verification of residency or filing a complaint where a notarization is required may be notarized and are considered as government document.
- Perform any notarial act except when they are physically within the boundaries of the District of Columbia.
- Provide legal advice: A notary public who is not admitted to the District of Columbia bar may not perform the services of an attorney at law.
- Notaries public may **notarize** documents such as mortgages or transfer of deeds. If a notary acts on behalf of a title insurance producer in a capacity that does not require a title producer license, then the title producer shall execute a written disclosure statement that acknowledges the role of the notary in the closing transaction and that the notary is acting on behalf of the title producer. **There is no entity known as a "Signing Agent"** issued

through the District of Columbia. Some organizations offer their own Signing Agent certificates, but these are not a part of the DC government. Please refer to the Department of Insurance, Securities and Banking, (www.disb.dc.gov/ - [Producers/Agents Title Producers](#)); there is a link to a memo providing further details on what a *notary* may and may not do.

- Give advice in the administration or probate of estate of decedents.
- I-9 forms, federal employment eligibility forms do not need to be notarized and **should** not be notarized but the instructions include: "...may designate someone to fill out Forms I-9 for you, such as a personnel officer, foreman, agent, or anyone else acting on your behalf, such as a notary public..." As a ***notary public*** you may ***not*** assist. And a number of businesses then have the notarization page include that you have examined the document, but of course as a notary you are not allowed to examine the document and even the instructions include: "...For example, it is not acceptable for a notary public to view employment authorization and identity documents.." You do not notarize I-9 forms.
- A notary may refuse to notarize a document or perform any notarial act for a legitimate reason. If you don't believe the identification is valid, the individual competent to participate in the notarial act or isn't there voluntarily, or if you are prohibited by law from doing so, or other legitimate reasons. For example many businesses only perform notarial acts within the business and many banks only notarize documents for their customers. Clearly you may not refuse simply because you do not like the individual, but you may decline to notarize for a valid reason and explain the reason to the individual.

If you are not certain if a document is eligible for notarization, contact the ONCA office: notary@dc.gov, 202 727-3117.

Remember: Every time you perform a notarial act, you must:

- Be in the District of Columbia and the person(s) for whom you are performing the notarial act must also be in DC.
- Use the appropriate stamp/certificate/short form (such as Jurat or Acknowledgment).
- Prove the identity of the signer.
- Use your sealer and inker.
- Watch the person sign the document.
- Record all the information in your journal or other record including the signature of the individual.

VII. Change of Commission Information

Changing the Name on a Commission:

A notary public whose name changes during the commission must:

- Notify ONCA by completing the form on our website: www.os.dc.gov/Notary & Authentications/Notary Commissions; there is a link to the form. Include with this form:
 - The legal document showing the change of name.
 - The document that provides proof you have notified your surety bond company of the change in name.
 - If you have been on the Search for a Notary Public map and if you want to be on it in the future.
 - Send us an email at notary@dc.gov with all the information.

- Purchase a new notary seal/sealer and notarial stamp/certificate.
- Come to ONCA to complete an oath page and provide an impression of the new seal with the name change.
- You will be provided with a new notarial certificate with your new name.

If the change of name occurs at the time of renewal the individual should complete a new application with the change in name. When filling out the application, the request letter should state the previous name. The legal document showing the change of name must be provided.

Change of Address/Employer:

If the address for your business, government or residence changes, you must:

- Notify ONCA by completing the form on our website: www.os.dc.gov/Notary & Authentications/Notary Commissions; there is a link to the form. Include with this form: The document that provides proof you have notified your surety bond company of the change in address.
- If you have been on the Search for a Notary Public map and if you want to be on it in the future.

If you are changing employers the notary commission may be transferred to a new employer whose offices are physically located in the District of Columbia **if the current employer agrees to allow the commission to be transferred.**

If you are allowed to transfer the commission you must:

Notify ONCA by completing the form on our website: www.os.dc.gov/Notary & Authentications/Notary Commissions; there is a link to the form. Include with this form:

- A letter of request from your new supervisor stating why the business needs you to perform notarial services. The letter must be on letterhead with a DC address that matches the DC address on the form and must include a DC phone number. The letter must have an original or valid electronic signature.
- The document that provides proof you have notified your surety bond company of the change in name.
- Notify ONCA if you have been on our Search for a Notary Public map and if you want to be on it at your new business.

If your employer will ***not allow*** you to transfer your commission, you must resign the commission and send us your seal and journal. If you wish to become a notary either for your new business or as a residential notary, you must apply for a ***new*** commission, submit a new application with an application fee and letter(s) of request. If you are applying within a year of your current commission, include a letter stating you have been a notary with the expiration date of that commission; otherwise you will be required to take orientation again.

If you have been commissioned by the DC or federal government and will no longer be employed at that agency, you must resign your commission and apply as a new notary.

ONCA will not recognize a document notarized by a notary public whose name or place of business has changed unless the notary has complied with these requirements.

Please go to our website: www.os.dc.gov, Notary & Authentications, Notary Commissions for the PDF form for each of these changes.

Expiration of Commission:

Notary commissions expire at the end of the five-year term or upon resignation or revocation of the commission. Notaries who no longer reside in the District or who cease to be employed in a business physically located in the District or who leave a DC or federal government job must resign their commission by notifying ONCA in writing. Notaries who terminate or resign their commission for any reason within the five-year period must notify the ONCA office and by law turn in their journal (records) and seal.

If you are a government employee and no longer work for the government, you must resign your commission.

Correspondence should be sent to the address listed below:

Office of Notary Commissions and Authentications
441 4th Street, NW
Suite 810 South
Washington, DC 20001
Notification may also be sent by email to:
notary@dc.gov

Please go to our website: www.os.dc.gov, Notary & Authentications, Notary Commissions for the PDF form to use if you are resigning your commission.

VIII. Additional Information

Reappointments:

ONCA does not send out reminders to existing notaries regarding the deadline to reapply. A timetable for deadlines to submit applications without having a lapse in the commission may be found on our website: www.os.dc.gov, Notary & Authentications, Notary Commissions; there is a link to the timetable. Every notary public applying for reappointment must have their application approved by the deadline indicated in order to avoid a lapse in the commission. Applicants seeking reappointments are not required to attend orientation unless the commission has been expired for one year or more.

Refusal to Notarize:

A notary may refuse to notarize a document or perform any notarial act for a legitimate reason. If you don't believe the identification is valid, the individual is competent to participate in the notarial act or isn't there voluntarily, or if you are prohibited by law from doing so, or other legitimate reasons you may explain to the person why you will not notarize the document. For example some businesses only perform notarial acts within the business; some only notarize for their customers.

Lost or Stolen Notary Seal/Sealer - Journal:

If your notary sealer is lost or stolen you must immediately:

- File a police report.
- Order a new seal/sealer with a distinct marking such as a star (*) or dot to distinguish it from the original.

- Notify ONCA by completing the form on our website: www.os.dc.gov/Notary & Authentications/Notary Commissions; there is a link to the form. Include with this form:
- A copy of the police report. If the report is not immediately available, you may scan it later and email it to us at notary@dc.gov.
- Come into our office and provide a new impression and bring in a copy of the police report.
- If your Journal is lost or stolen you must also immediately report this to our office and order a new one.

Please go to our website: www.os.dc.gov, Notary & Authentications, Notary Commissions for the PDF form to use to report the lost or stolen seal and/or journal.

Search for A Notary Public:

This map allows the public to search for a notary public by address to find a notary near them. When you applied there was a check-box on the application allowing you to be on the map. The map includes the name, address, phone and email along with the statement to contact the notary in advance. If you are not already on the map or wish to be on the map, contact us at notary@dc.gov; be sure to include your name, the address at which you are commissioned and the expiration date of your commission.

Notaries commissioned on behalf of the DC or federal government only will not be listed on this map.

Notaries with dual commissions are listed with their residential information.

IX. Denial or Revocation of Notary Commission

An application may be temporarily denied if the application is not sufficient. In this case the application will be returned to the individual to correct the errors and return it to the ONCA office.

An application may be denied or a commission revoked or suspended if the individual lacks the honesty, integrity, competence or reliability to act as a notary public including: § 1–1231.22

- A fraudulent, dishonest, or deceitful misstatement or omission in the application for a commission as a notary public submitted to the Mayor.
- A conviction of an applicant or notary public of any felony or a crime involving fraud, dishonesty, or deceit, including fraud, forgery, deceptive labeling, counterfeiting, false personation, perjury, false statements, tampering with physical evidence, or theft previously known as larceny, larceny by trick, larceny by trust, embezzlement, or false pretenses.
- A finding against, or admission of liability by, an applicant or notary public in any legal proceeding or disciplinary action based on an applicant's or notary public's fraud, dishonesty, or deceit.
- Failure by the notary public to discharge any duty required of a notary public, whether by this act, rules of the Mayor, or any federal or state law.
- Use of false or misleading advertising or representation by the notary public representing that the notary has a duty, right, or privilege that the notary does not have.
- Violation by the notary public of a rule issued by the Mayor regarding a notary public;

- A complaint filed against a notary and upon determination that the complaint is valid the commission may be revoked.

If your commission is revoked, by law you must send us your seal/sealer and journal.

The individual may request a review of the revocation by filing a petition for review with the Office of Administrative Hearing within twenty days after notice to deny or revoke the commission.

For complete listings of the laws and regulations relating to Notaries Public, please see Title 1, Chapter 12A. You may also visit our website at os.dc.gov or contact us at 202 727-3117, notary@dc.gov