

## WFG Underwriting Bulletin



To: All Maryland Policy Issuing Agents of WFG National Title Insurance Company

From: WFG Underwriting Department

Date: March 27, 2020

Bulletin No.: MD 2020-03

Subject: Supplemental Bulletin -- Remote Online Notarization in Maryland

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This supplemental Bulletin should be read in conjunction with WFG National Bulletin No. 2020-04, which you can link to [here](#).

An Administrative Order issued by the Chief Judge of the Maryland Court of Appeals on March 18, 2020 (click [here](#)) has decreed that “to the extent that instruments have been executed using electronic signatures in compliance with § 21-106 and § 21-110 of the Commercial Law Article of the Annotated Code of Maryland, such signatures shall be deemed properly executed and accepted.”

Effective immediately, WFG National Title Insurance Company will accept the use of electronic signatures and remote online notarizations (“RON”) which adhere to the following guidelines:

1. Since Maryland legislation that authorizes RON doesn’t take effect until October 1, 2020, you must use a notary that is physically present in another state and authorized by that state’s laws to conduct remote online notarizations. You may not insure a transaction for Maryland property using a Virginia notary. Please reference paragraph 2.d. of National Bulletin No. 2020-04 linked above.

2. Online notaries must use one of the following vendor platforms authorized by WFG:

- DocVerify
- Nexsys® Clear Sign
- Notarize
- NotaryCam®
- Pavaso®

3. All parties to the transaction must consent in writing to the use of electronic signatures and the RON process. A suggested form is attached for your use. Please click [here](#).

**NOTE: Some lenders and investors have not yet approved the use of RON. For example, as of the date of this Bulletin, Wells Fargo will not permit RON in any state. Click [here](#) for details. Check with your lender in advance of closing**

4. In many cases, electronic promissory notes will not be permitted in RON transactions, (i.e., a “wet signature” will be required from the borrower). Under these circumstances, make sure there is a clear, written understanding between your agency, the lender and the borrower as to whose responsibility it is to return the original promissory note to the lender.

5. The notary certificate must clearly state that notarization was performed using two-way audio and visual communication technology.

6. All parts of WFG National Bulletin No. 2020-04 not amended by this Bulletin shall remain in effect, including an **absolute prohibition on closings performed using Skype, Facetime, Zoom or similar electronic services.**

**THESE GUIDELINES ARE ISSUED ON A TEMPORARY BASIS, AND MAY BE AMENDED BY FUTURE BULLETINS AS THE NEED ARISES, OR AS THE COVID-19 CRISIS ABATES.**

Please contact Ned Livornese, Maryland underwriter at [nlivornese@wfgnationaltitle.com](mailto:nlivornese@wfgnationaltitle.com), or John Micciche, Maryland Agency Manager, at [jmicciche@wfgnationaltitle.com](mailto:jmicciche@wfgnationaltitle.com) if you have any questions about this Bulletin.

NOTE: The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.

**The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.**