Putting the No in Notary: When You Have to Say “Sorry, No Can Do”

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Learning Objectives

• Identify an improper request.

• Understand the reasons why you must turn down certain requests.

• Learn tips to avoid awkward encounters when you have to say no.
Before we begin

- Laws vary from state to state.
- Be familiar with your state’s laws and requirements.
Standards of Professional Care

- Fills in gaps when there are no state laws or regulations.
- Provides standard of professional care.
- Provides practical illustrations for application to these standards.
Identification

- Identification documents.
- Credible witness(es).
- Personal knowledge.
An unknown signer appears before you and presents a driver’s license in her married name but her documents are all in her maiden name. Do you…?

A: Use the DL because the photo, description and signature match the signer

B: Ask to see her marriage license

C: Ask her for her birth certificate

D: Sorry No Can Do
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Identification

No state-approved ID documents?

• Personal Knowledge.
• Credible Witness(es).
Identification

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- Personal Knowledge.
Identification

No state-approved ID documents?

- Credible “Witness(es)”.
Interpreters & Foreign Language Documents

- What is the responsibility of the Notary?
- What is allowable and what is prohibited?
- How to proceed…
A signer who only speaks Mandarin Chinese appears before you accompanied by a certified translator and presents you with a document in the foreign language. You must...

A: Use the translator to communicate with the signer and notarize the document.

B: Refuse because you cannot directly communicate with the signer.

C: Refuse because the document is in a foreign language.

D: Both B&C.
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E: Be a Notary in Arizona.
Resources

• NNA website and knowledge center.

• Hotline.

• *Notary Public Code of Professional Responsibility.*
  
Loan Documents

• An NSA is still a Notary.

• Must follow the Notary laws for your state.
Loan Documents

- Contracting company asks you to complete the certificate for a future date?
- Borrower asks you to explain the terms of the loan?
- Contracting company asks you to fill out extra certificates?
- Missing Exhibit “A”
- SNCD
- SNCD
- SNCD
- SNCD
Loan Documents

• What is the best advice we can give borrowers when faced with these situations?
  • Call the loan agent or title company.

• What is the best way to avoid most of these situations?
  • Explain your limitations.
HOW TO SAY NO
Strategies to Say “No”

To begin…

• Make sure the signer feels heard.
  –Repeat the request back to them.
Strategies to Say “No”

- Be gracious.
  - “Thank you for asking.”
  - “I’m so glad you came to me with this.”

gracious
Strategies to Say “No”

- Tell the signer what you CAN do.
  - Offer alternatives.
Strategies to Say “No”

Saying “Sorry No Can Do” without the “No.”

• “I hear what you are saying, but REGRETTABLY the law prohibits me…”

• “I wish I could, UNFORTUNATELY I am RESTRICTED…”

• “I know this isn’t the answer you were hoping for…”

• “I apologize. This is just NOT PERMITTED.”
Strategies to Say “No”

Saying “Sorry No Can Do” without the “No.” How to handle the rebuttal...

• “That is an interesting idea but I must REFRAIN.”

• “I love that you are thinking outside the box, however I still have to DECLINE.”

Be prepared.
• Know the laws and have resources available.
Employers

Sorry, **BOSS**, No Can Do!
Employers

What do we say when...

• Boss doesn’t want to appear.
  • SNCD

• VIP client doesn’t want to show ID.
  • SNCD

• Boss wants to inspect the journal? Unattended?
  • YES / SNCD
Employers

What do we say when...

• Boss doesn’t want to stick around to sign journal
  • SNCD

• Leave seal in company safe.
  • SNCD

• Surrender journal or seal when you leave.
  • SNCD
Employers

- Remember your function.
- Gently remind your boss.
Objects and Copies

- Copies of documents or records.
- Photographs.
- Certify an object or event.
Objects and Copies

- Seal is meant for official acts.

- Possible solution.
  - Written statement by the signer.
  - Notarize signature of signer.
  - Signer must first check with requesting agency to determine if this is an option and how to notarize.
Just for Fun

• What is the weirdest thing you’ve been asked to notarize?
Just for Fun

Group Activity

• Write down your strangest requests.

• Randomly choose a scenario.

• Politely decline.
Conclusion

By now you should have the confidence to tell those signers, borrowers and bosses...
Thank You!