



State of Utah

Department of  
Insurance

D. KENT MICHIE  
*Insurance Commissioner*

JON M. HUNTSMAN, JR.  
*Governor*

GARY HERBERT  
*Lieutenant Governor*

March 28, 2006

Office of Lt. Governor  
Fran Fish, Director  
Notary Public Authentication

Re: Licensure of a Notary Notarizing Title Escrow Settlement  
Documents

Dear Ms. Fish:

In the past, the Utah Insurance Department has required a notary notarizing a title escrow settlement document to be licensed as a title escrow producer. The Title and Escrow Commission reviewed this practice and determined that the process of obtaining a signature, and the notarization of that signature, on a title escrow settlement document was not part of the duties included in the scope of the title escrow producer license.

Effective immediately, if a notary is only obtaining a signature, and notarizing that signature on a title escrow settlement document, there is no requirement for the notary to be licensed as a title escrow producer. Obtaining and notarizing a title escrow settlement document does not include explaining the content or purpose of a document being signed or the handling of any escrow settlement monies, or any other duties performed by a title escrow producer.

If a notary is asked to do anything other than obtain and notarize a signature on a title escrow settlement document, a title escrow producer license may be required.

Sincerely,

Darrel Powell, CPCU  
Director, Market Conduct Division