

From: [claire davis](#)
To: [SoS Rulemaking](#)
Subject: [EXTERNAL] To the Colorado Department of State Rule making Committee
Date: Tuesday, December 26, 2023 3:03:54 PM

Good Afternoon Secretary of State and Colorado Notary Rule Making Committee

My name is Claire Davis, I am a notary here in Colorado. I am writing you today concerning the newly proposed laws: 2.4.1, 2.4.1(a), 2.4.1(b), and 2.4.2.

These new proposed will greatly impact my work and would most likely put me out of business as most of my work is as a Notary Signing Agent. In my business I work with title companies, lenders and banks to assist and notarize loan documents for real estate transactions. I do very little general notary work. I receive a real estate closing from title companies as well as signing service companies. These closings are assigned with a SET FEE for the entire document package which may include 3-10 notarizations Many notaries are loan signing agents, and are specifically trained to present all documents to the borrower/buyer in real estate transaction. . We are required to preform the notarizations according to the Colorado Notary Laws. The new laws you are proposing would take my ability to continue my work as a Loan Signing Agent because the companies that hire Mobile Loan Signing Agents would no longer contract with out of office closers. Which would also impact the buyers/sellers closing cost to increase because of the new fees. I ask that you please consider this information as well as the attached request from Land Title of Colorado.

I am in agreement with Option1 of the document from Land Title of Colorado which we are referring to as

“Exhibit A - LTAC Comments to SOS Proposed Rule 2.4 to 8 CCR 1505-11” dated December 18,2023 by Penny McKelroy, CTIS, CESS President.

The ability to complete our job and do a good job for the consumers and protect their real estate transactions would be SEVERELY hampered by the law without the addition of LTOC’s Option 1 - 2.4.3 AND Lindy Rich Services 2.4.4 as seen below.

2.4.3 RULE 2.4 SHALL NOT APPLY TO SERVICES PROVIDED IN CONJUNCTION WITH THE BUSINESS OF TITLE INSURANCE, AS DEFINED IN C.R.S. 10-11-102(3), TO CLOSING AND SETTLEMENT SERVICES, AS DEFINED UNDER C.R.S. 10-11-102(3.5), OR TO SETTLEMENT SERVICES, AS DEFINED UNDER C.R.S. 10-11-102(6.7).

2.4.4 RULE 2.4 SHALL NOT APPLrgY IN INSTANCES WHERE THE NOTARY IS ENGAGED IN A FLAT-RATE ARRANGEMENT. THESE CIRCUMSTANCES PERTAIN TO SITUATIONS WHEREIN THE NOTARY IS NOT DIRECTLY ENGAGED BY A CONSUMER. IN SUCH CASES, THE NOTARY PROVIDES

SERVICES ENCOMPASSING NOTARIAL CERTIFICATES, WHERE THE FEE REMAINS CONSTANT AND IS NOT CONTINGENT UPON THE NUMBER OF NOTARIAL CERTIFICATES BUT RATHER IS INCLUSIVE WITHIN THE PREDETERMINED FEE STRUCTURE.

I appreciate your time and the opportunity to write this letter and I hope that your office understands the amount of undue hardship this would place on the consumer, the Notary Loan Signing Agent and the client.

Sincerely

Claire M Davis
Notary Public
Notary Loan Signing Agent
Owner of Colorado Mobile Notary LLC