

From: [Kori Brewer](#)  
To: [SJS Rulemaking](#)  
Subject: [EXTERNAL] Proposed Rules 2.4.1 and 2.4.2  
Date: Tuesday, December 26, 2023 2:13:48 PM  
Attachments: [Kori Brewer Business Card .png](#)

Dear Mr. Christopher Bear, Deputy Secretary of State,

My name is Kori Brewer. My sole proprietorship business name is Dependable Signings LLC. I have been a Notary Public for the State of Colorado and an Independent Loan Signing Agent since July 2020.

I have listened to the Colorado Rule Making Hearing that took place on 12-19-2023 and am very concerned about the proposed rule.

I understand that there are rules in place that mandate maximum charges for Notarizations within Colorado. I am thankful for the recent increase in fees we may charge and for the other rules that became effective in September 1, 2023.

As a Notary Public alone, the limits of my duties are clear and reasonable and for general notary work, this proposed rule makes sense. It is when I step into the role of Loan Signing Agent that a problem with the proposed rules arises. Specifically, the proposed rules 2.4.1 and 2.4.2. First of all, in order to be a Loan Signing Agent, I must also be a Notary Public because some documents within a real estate closing package require notarization. It is a convenience for the person signing that the Loan Signing Agent can also perform the required notarizations within the same meeting rather than them having to make 2 separate appointments, one for signing the documents that need to be notarized and one to sign the documents that do not need to be notarized.

It is the title company or signing service that offers a flat fee, and although I notarize documents, I am not charging for the notarizations. The current rule 24-21-529 says, "the fees of a notary public may be, but must not exceed fifteen dollars..." I understand that to mean that there is a maximum, but not a minimum that we can charge. My job and title as Notary for a loan signing is necessary because of the notarizations, but it is not the notarizations I am charging for. If that were the case, the pricing would vary widely because packages differ in the number of notarizations required. That number can be as low as 0 and as high as 27, possibly more.

As a Loan Signing Agent, I charge, or am offered, a flat fee for the whole signing. The flat fee covers things like printing documents, confirming appointments, giving a general explanation of each document within a real estate package, traveling to a location that suits the signer, scanning the completed document package, and dropping the package off to either a shipping company or a title office. These fees also cover the expense of office supplies and other expenses incurred like training, time, and insurances. Even the IRS understands that it costs money to own a business and allows me to take those expenses into account when paying taxes on my income. Even the IRS only requires a yearly breakdown, which is much more reasonable than a breakdown by transaction. Creating an itemized invoice for the services that are provided per transaction is not realistic for this type of transaction. Breaking down the mileage, time spent, pages printed, training hours needed, insurance needed, etc... in the moment, is not realistic.

I understand that there has been a complaint that a Notary charged too much for notarizations, and because I do not know the details of exactly what happened, I cannot speak on behalf of that particular Notary but I do understand the question you brought up as a rebuttal of the commentators at the hearing of how would your office know that I only charged the mandated rate for the notarizations? How can you know which person to trust? An itemized invoice would be the equivalent of purchasing a cake from a store and asking the baker to give an itemized invoice for how they came up with that charge. How much flour, eggs, and sugar did they use? How many hours did they take? How much electricity did they use? How much of the culinary school fees went in to making the design? Instead, the baker says this is the amount for the cake. The same is true for me as a notary. I am being paid for my experience, materials, time, training, ect... and I charge a fee for that service. Breaking it down into itemized items is not realistic.

My first preference is that this rule not be passed at all because of the overall inconvenience that it will cause to me as a notary, and to title companies and signing services.

As a secondary preference, my suggestion is that the rule is amended to offer another option. That option would be that we provide a notification that the signer is not being charged for the notarizations, but for signing services as a whole even when there are notarized documents within the package. When a notary provides this notification, they will not need to provide an itemized receipt.

My third preference is adding the following options:

Proposed by LTAC in their letter:

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(5), 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).

Proposed by Lindy Rich Services:

2.4.4 RULE 2.4 SHALL NOT APPLY 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.

Thank you for taking my letter into consideration.

Kori Brewer

# Kori Brewer

## Notary Public | Loan Signing Agent

# Dependable Signings



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