

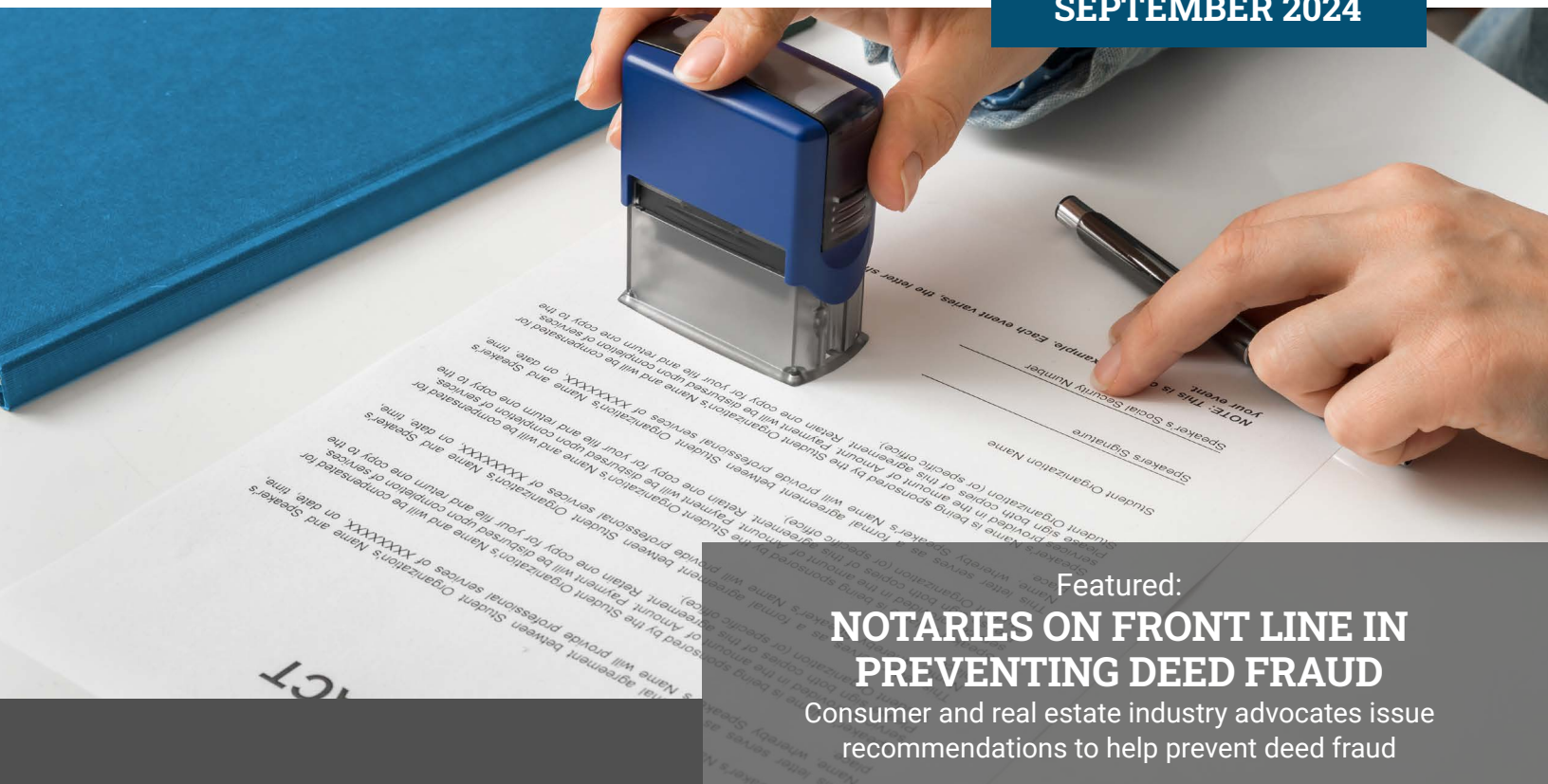


Pennsylvania
Association of Notaries

NOTARYNotes

A monthly publication of the Pennsylvania Association of Notaries

SEPTEMBER 2024



Featured:

NOTARIES ON FRONT LINE IN PREVENTING DEED FRAUD

Consumer and real estate industry advocates issue recommendations to help prevent deed fraud

About PAN

Founded in 1955, PAN is America's first notary association, dedicated to helping notaries serve the public with confidence. Our commitment is to you and to your success as an appointed official of the Commonwealth. Let us know how we can serve you better. If you have a question or comment, call PAN at 800-944-8790 or send an email to PAN at PAN@notary.org.

Visit us on the web at www.notary.org and follow us on Facebook, LinkedIn, Instagram, TikTok and YouTube.



NOTARY 101: CUSTOMER'S SIGNATURE IN JOURNAL

No one but you may make an entry in your journal

DRIVER AND VEHICLE SERVICES UPDATE BULLETINS

Latest bulletins issued from PennDOT

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Notaries Are on Front Line in Preventing Deed Fraud



Consumer and real estate industry advocates including the American Land Title Association (ALTA) and the National Association of Realtors® (NAR) released an issue brief with recommendations to help prevent deed fraud.

Read the brief “What is Deed Fraud?” [here](#).

Anyone, living or dead, can be a victim of deed fraud. The perpetrators search public records, newspapers, property tax delinquency rolls, and physical neighborhoods, looking for vulnerable properties. Once a property is targeted, a phony deed, including a notary’s signature and stamp, is presented for filing at the recorder of deeds office. The stolen property is just as quickly “flipped,” or sold to an unsuspecting buyer. Both the original owner and the buyer become victims of the scam, facing lengthy civil and criminal court proceedings to recover their property and cash.

Sometimes the actual property owners are deceived into signing the property over to the scammers. More often, criminals may impersonate the

property owners and appear before a notary to have the phony deed notarized. They may also steal or duplicate a notary’s official stamp to apply it to the paperwork.

Notaries can do a few things to help prevent deed fraud:

1. Protect your official stamp.

Always know where your official stamp is, and never allow anyone else to have access to it for any reason. Use a tool like PAN’s Stamp Guard to keep your stamp locked when not in use.

2. Maintain a complete and accurate notarial journal.

Record every notarial act you perform in your journal. Your journal protects you, the notary, by showing which

acts are—and which are not—your official acts. If you are accused of notary misconduct, your journal is your best resource.

3. Sign up for alerts.

Some recorders of deeds offer notifications to notaries when their names appear on documents presented for recording. Check your recorder of deeds office to see if they offer this service.

4. Always demand personal appearance and proper identification.

Take reasonable care to make sure your customer is who they claim to be by following the requirements in the law. If you have suspicions, you may refuse to notarize for that customer.

Driver and Vehicle Services Update



Instructions for registering an organization and a user in the portal and the Vehicle Code statute for vehicle acquisitions are included as part of this bulletin.

The Pennsylvania Department of Transportation (PennDOT) issued the following Driver and Vehicle Services Update Bulletins.

Bulletin No. 24-14, May 2024

Short Vehicle Identification Numbers (VINs)

All paperwork for vehicles that have short Vehicle Identification Numbers (VINs with less than 17 digits) must be submitted to PennDOT for review. This excludes trailers, special mobile equipment (SME), recreational vehicles, specially constructed vehicles, mobile/manufactured homes and Pennsylvania-issued VIN plates regardless of model year. Additionally, agents should be indicating on the MV-1 that the plate will be issued by the Department; agents should not issue a plate to the customer. Title applications for these vehicles will be forwarded to the appropriate section to be reviewed and a determination on whether registration can be issued will be made.

Paperwork for a vehicle with a "G" stop MUST be forwarded to PennDOT for processing.

Bulletin No. 24-15, July 2024

Pennsylvania New Registration Plate Design

Pennsylvania will be transitioning to a new registration plate design available in the Spring of 2025. All agents will continue to use their current temporary plate inventory; when the inventory is exhausted, agents will begin receiving the new style plates. Anyone can sign

up for notifications about the new plates by visiting www.dmv.pa.gov and clicking on the link for the notifications.

Bulletin No. 24-16, July 2024

Discontinuing Wild Resource Conservation Fund Otter Registration Plate

A new Wild Resource Conservation Fund registration plate design, featuring the Eastern Hellbender, will replace the Otter plate. Customers may request the new registration plate by submitting the revised Form MV-911 – Application for Special Fund Registration Plate with the appropriate fee.

Bulletin No. 24-17, July 2024

Maine Titling Practices

Information regarding the State of Maine's vehicle titling practices published in the 2024 edition of the J.D. Power title and registration textbook is incorrect. Vehicles that are model year **1998** and older are title-exempt; they will not be issued a title. This date will change every year. These vehicles will be issued a transferable registration.

Bulletin No. 24-18, August 2024

Form MV-27A and MV-27B

This bulletin is a reminder that forms MV-27A and MV-27B are to be completed for vehicles acquired by dealers as required by law. The transactions for vehicle acquisitions can be submitted online through the Dealer Agent Service (DAS) portal.

Bulletin No. 24-19, August 2024

MV-556 – New Apportioned Account and Change of Address Requirement

PennDOT recently revised Form MV-556 – New Apportioned Account and Change of Address Requirements. The new edition date is 6-24 and the form is available online [here](#). The new version provides clear instructions on proof of residency and established place of business requirements for Pennsylvania apportioned account applicants. Apportioned TA Agents should begin using the new version of the form immediately.

The DVS Update Bulletins are PennDOT's primary means of communicating information and procedures to agents and messengers who provide motor vehicle and driver licensing services under contract to the general public.

All agents and messengers are required to have a valid email address on file, so they can receive Bulletins and other information. To update your email address, send a message to RA-pdotdvsnewsletter@pa.gov. Include your name, business name, dealer identification number (DIN) or agent number and email address.

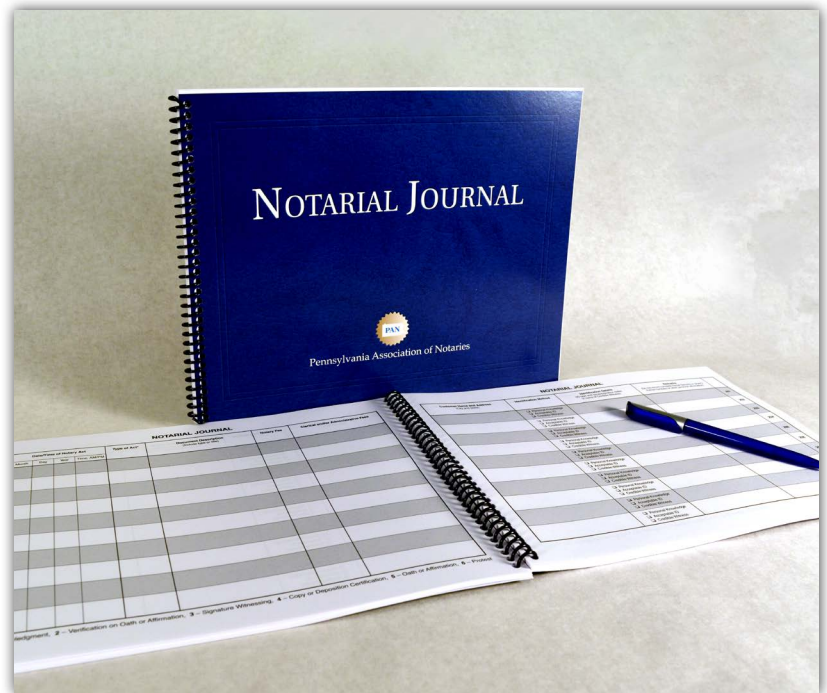
An [archive of past Bulletins](#) is available on PennDOT's web site.

NOTARY 101: Customer's Signature in Journal

The Revised Uniform Law on Notarial Acts (RULONA) Section 319(h) states that the notary's journal "is the exclusive property of the notary public" and "may not be [...] used by any person other than the notary public."

In other words, no one but you may make an entry in your journal. You cannot share your journal with another notary. Only your notarial acts should be recorded, in chronological order, in your journal.

Section 319(c) lists the information that must be included in each entry. However, the law does not prohibit you from making additional notes in a comments or remarks section for each entry. These comments can help you to recall a particular notarial act if you are ever asked about it.



You may—but you are not required to—have your customer sign your journal in the comments or remarks section. The customer's signature is additional proof that the customer did, in fact, appear in person before you.

Remember, however, that your journal is a public record. You must give a certified copy of your journal pages to anyone who requests them, including anything written in the remarks or comments section of each entry.

There's Still Time to Recruit a New PAN Member

The current recruiting period is July, August and September. All members can earn chances to win \$100. Just introduce a new member to all the benefits the Association has to offer. Your name will be entered into a drawing to be held September 30. The more members you recruit, the more chances you have to win. The next Recruit-A-Member winner will be announced in the October 2024 **Notary Notes**.

Remember, only current PAN members are eligible for the prize and only new PAN members who purchase a Become a Notary Package or Notary Reappointment Package will be counted as recruits.

Good luck!

Here are the rules:

- All PAN members in good standing are invited to recruit new PAN members.
- The new member must order a Become a Notary Appointment or Notary Reappointment Package between July 1 and September 30.
- When your new member recruit orders their Become a Notary Appointment or Notary Reappointment Package, make sure your recruit gives us your PAN Customer Number. Your Customer Number can be entered on our Web site during the checkout process or given to a PAN Member Services Representative at the time the order is placed over the phone.
- Each new member you recruit gives you one chance to win \$100. If you recruit five new members, you get five chances to win.
- A random drawing will be held on September 30, 2024 to pick the next winner.
- Education providers authorized by the Pennsylvania Department of State, PAN employees and their family members are not eligible for the \$100 prize.
- A member may win \$100 only once in a calendar year.
- The decision of PAN is final.



PAN PUZZLER

T T G S M J S F A Y R R G H S
E Y V N G O I R T D E X I I R
X E D O Z D O Q E P T K G G O
T D I Y C V B R A K S P S H S
B Q U A K S A P S E R C R L S
O K S R O L C P D S H A U I I
O O P C O X K J E O A Z M G C
K O K C B F P W O N B L X H S
A B K V B E A L F N C A C T X
P E N S R V C I L O B I V E T
R T P P X O K I H I L M L R E
U O Q X O B H C N U L D Y S P
L N Y M C Q A D M R R V E Z T
E R A S E R E T E A C H E R I
R C M M Q R O T A L U C L A C

School Supplies

Find these items associated with going back to school in September.
Words appear in any direction, including diagonally and backwards.

backpack
classroom
eraser
locker
notebook
pens
scissors

binder
crayons
folder
lunchbox
paper
ruler
teacher

calculator
desk
highlighter
markers
pencils
school
textbook

See the solution to this puzzler on page 6.

FOR SALE

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Please contact Pam at Howard Hanna Real Estate at 724-601-5442.

PAN PUZZLER ANSWERS

T T G S M J S F A Y R R G H S
E Y V N G O I R T D E X I I R
X E D O Z D Q Q E P T K G G O
T D I V C V B R A K S P S H S
B Q U A K S A P S E R C R L S
O K S R O L C R D S H A U I I
O O P C O X K J E O A Z M G C
K O K C B F P W O N B L X H S
A B K V B E A L F N C A C T X
P E N S R V C I L O B I V E T
R T P P X O K I H I L M L R E
U O Q X O B H C N U L D Y S F
L N Y M C Q A D M R R V E Z T
E R A S E R E T E A C H E R I
R C M M Q R O T A L U C L A C

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Corporate Reporting for Notary Business Owners

All small business owners need to be aware of a federal reporting requirement enacted by Congress in 2021 and effective as of January 1, 2024.

The Corporate Transparency Act (CTA) requires certain business entities to file a report on their “beneficial owners” with the Financial Crimes Enforcement Network (FinCEN) of the U.S. Department of Treasury. A beneficial owner is any individual who directly or indirectly exercises substantial control over the reporting company, or who directly or indirectly owns or controls 25 percent or more of the ownership interests of the reporting company.

Domestic reporting companies formed prior to January 1, 2024 must file an initial report by January 1, 2025. A “domestic reporting company” is defined as *a corporation, limited liability company, or other entity that is formed by filing a document with a secretary of state or any similar office under the law of a state or Indian tribe.*

Entities exempt from CTA reporting requirements include those that are already subject to similar regulation such as banks, credit unions, tax-exempt entities, public utilities, and large operating companies.

The purpose of creating a database of beneficial ownership information is to provide the resources to uncover anonymously-owned shell companies and to help prevent and combat money laundering, terrorist financing, corruption, and tax fraud.

The information will not be publicly available, but FinCEN is authorized to disclose the information to law and

regulatory enforcement agencies, prosecutors or judges, and (with the reporting company’s consent) financial institutions and regulators.

Reporting companies can submit reports electronically through FinCEN’s Beneficial Ownership Secure System (BOSS) at <https://boiefiling.fincen.gov/>. There is no fee for submitting the report to FinCEN.

Business owners should download the FinCEN Small Entity Compliance Guide for a plain explanation of the reporting requirements.

Links

FinCEN Small Entity Compliance Guide
https://www.fincen.gov/sites/default/files/shared/BOI_Small_Compliance_Guide.v1.1-FINAL.pdf

What Every Small Business Needs to Know About the Corporate Transparency Act
<https://www.uschamber.com/co/start/strategy/small-business-corporate-transparency-act>

The Corporate Transparency Act – Preparing for the Federal Database of Beneficial Ownership Information
https://www.americanbar.org/groups/business_law/resources/business-law-today/2021-may/the-corporate-transparency-act/

U.S. Beneficial Ownership Information Registry Now Accepting Reports
<https://www.fincen.gov/news/news-releases/us-beneficial-ownership-information-registry-now-accepting-reports>



Disciplinary Actions

The following disciplinary actions were taken by the Pennsylvania Department of State:

ALLEGHENY COUNTY

An Allegheny County notary public agreed to a restriction on reappointment for four years, retroactive to May 30, 2023, because he was convicted of misdemeanors involving fraud, dishonesty, or deceit.

BERKS COUNTY

A Berks County notary public agreed to the suspension of her notary commission for 12 months, immediately stayed in favor of probation; an administrative penalty of \$1,500; a probation assessment of \$600; and completion of six hours of remedial education because she failed to consistently record the time at which she performed a notarial act or the address of the customer for whom she performed the notarial act.

LEHIGH COUNTY

A notary public in Lehigh County agreed to the suspension of his notary commission for a period of 15 months

with the first three months an active suspension and the remaining 12 months stayed in favor of probation; a civil penalty of \$500; a probation assessment of \$600; and completion of six hours of remedial education because he failed to require personal appearance when notarizing a signature.

PHILADELPHIA COUNTY

A Philadelphia County notary public is prohibited from reapplying for appointment and commission as a notary public for a period of four years based on her failure to safeguard her notary stamping device and to report that it was lost or stolen, as well as the failure to maintain a complete notary journal. She is subject to disciplinary action under the Revised Uniform Law on Notarial Acts, 57 Pa.C.S. § 323, in that she lacks the honesty, integrity, competence, or reliability to hold the office of notary public.

Another Philadelphia County notary public is prohibited from reapplying for appointment and commission as a notary public for a period of four years based on her failure to require personal appearance of an individual executing their signature on a record, to secure her stamping device, and to maintain a journal of notarial acts. She is subject to disciplinary action under the Revised Uniform Law on Notarial Acts, 57 Pa.C.S. §323, in that she lacks the honesty, integrity, competence, or reliability to hold the office of notary public.

WESTMORELAND COUNTY

A Westmoreland County notary public agreed to the suspension of her notary commission for three months stayed in favor of probation; a probation assessment of \$150; an administrative penalty of \$500; and completion of six hours of remedial education because she failed to record in her journal the type of notarial act she performed, the full address of the individuals for whom she performed notarial acts, and the dates of issuance and expiration of the identification credentials used to verify the identity of the individuals for whom she performed notarial acts. She also charged fees for the performance of notarial acts in excess of the fees set by the Department and recorded the performance of multiple notarial acts within a single entry in her journal.

Another Westmoreland County notary public agreed to the suspension of her notary commission for three months stayed in favor of probation; an administrative penalty of \$500; a probation assessment of \$150; and completion of six hours of remedial education because she failed to maintain a journal of all notarial acts performed.

YORK COUNTY

In York County, a notary public voluntarily surrendered her notary commission because she failed to maintain a journal of notarial acts performed; failed to consistently and accurately record the time at which she performed a notarial act; failed to record the type of notarial acts she performed, a description of the record for each notarial act performed, and the dates of issuance and expiration of identification credentials used to verify the identity of individuals for whom she performed a notarial act; and failed to record the fee she charged for the notarial acts she performed. She also made or attempted to make a certified copy of a birth certificate.

Another York County notary public is prohibited from reapplying for

appointment and commission as a notary public for a period of four years, based on his failure to record all notarial acts in his journal; failure to consistently include the type of notarial act, time of notarization, and the full name and address of the individuals for whom he performed notarial acts; failure to record the date of issuance and expiration of identification credentials; and failure to record the fee he charged. He also charged in excess of the maximum fees which a notary may charge for at least six different clients. He is subject to disciplinary action under the Revised Uniform Law on Notarial Acts, 57 Pa.C.S. § 323, in that he lacks the honesty, integrity, competence, or reliability to hold the office of notary public.

Motor Vehicle Inspections in the News

Pennsylvania auto dealerships are required to inspect vehicles and disclose specific conditions to consumers:

<https://www.foxrothschild.com/publications/pennsylvania-auto-dealerships-should-prepare-for-regulatory-changes>

PennDOT statement confirms that yearly inspections in Pennsylvania will remain the same until further notice:

<https://www.abc27.com/news/pa-still-requires-annual-safety-inspections-pennodot-responds-to-legislation-claims/>

Does Your Notary Commission Expire in the Next Six Months?



A gap of even one day between commissions means you will be required to take a notary exam.

Start the process now

to ensure that you're reappointed in time and avoid the testing requirement.

Renew online at www.notary.org

WHAT THEY ARE SAYING:

"PAN was very helpful in completing the process to become a Notary Public. Their representative, Jane, was very patient and thoroughly explained the process, so it was not confusing. Would definitely recommend!"

- Hannah M.

If you'd like to share your experience with PAN please leave us a Google review [HERE](#).



Eligibility for Registration Plate Transfer

When a vehicle title is transferred to a purchaser, the registration plate can be transferred only if the purchaser is an eligible relative of the seller:

- spouse
- child (son, daughter, step-son, step-daughter)
- child-in-law (son-in-law, daughter-in-law)
- parent (includes step-parent)
- parent-in-law (father-in-law, mother-in-law)

If the purchaser is someone other than one of the eligible relatives listed above, the purchaser must apply for a new registration plate.

For example, if the car is being transferred to a brother or sister of the seller, they cannot have the seller's

registration plate transferred to them; they must apply for a new registration plate. See Section 1314(a) of the Vehicle Code.

If a vehicle with an antique, classic or collectible registration is transferred to a new owner, salvaged or scrapped, the vehicle registration expires. However, if the transfer is between spouses or between parent and child, the registration may be transferred upon payment of a transfer fee. See Section 1307(e) of the Vehicle Code.

Chapter 13 of the Vehicle Code, Title 75 of the Pennsylvania Consolidated Statutes, is available at [https://www.dmv.pa.gov/Information-Centers/Laws-Regulations/Pages/PA-Vehicle-Code-\(Title-75\).aspx](https://www.dmv.pa.gov/Information-Centers/Laws-Regulations/Pages/PA-Vehicle-Code-(Title-75).aspx).

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