



## Everything You Need to Know About the Temporary Use of Remote Ink Notarization (RIN) in Texas

*By Roland Love  
Regulatory Committee Chair  
Texas Land Title Association  
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Texas is one of many states across the nation that has implemented emergency executive orders allowing the use of Remote Ink Notarization (RIN) for real property transactions that require notarized signatures on key documents. This is a temporary, useful, and often necessary solution to the challenge of obtaining notarized signatures in jurisdictions implementing social distancing protocols to combat COVID-19.

While Texas has a robust statute in place permitting the use of Remote Online Notarization (RON), demand for RON has outpaced the marketplace's capacity to perform RON transactions. Additionally, Lenders, in absence of the e-note context, typically require "ink signatures" for parts of the transaction. Enter Texas Governor Greg Abbott, who through executive action approved the temporary use of Remote Ink Notarization (RIN) in Texas to keep real estate transactions flowing. Unlike RON, which utilizes electronic signatures, RIN functions off a wet signature and witnessing by the notary via a secure audio-visual connection. Appropriate I.D. is still required – both the notary and the notarization process is otherwise exactly as a traditional acknowledgement with a few additional requirements. For example, the witnessing of the RIN execution must be recorded and maintained for two years, and the notary and signatory must be physically located in Texas.

The Mortgage Bankers Association (MBA), American Land and Title Association (ALTA), and the National Association of Realtors (NAR) recently collaborated to develop a model emergency notarization order to help guide states who have implemented social distancing requirements as part of the public health protocols to combat the COVID-19 pandemic. The guidance accompanying that model noted that RIN was an acceptable solution to coronavirus challenges in Texas, as long as the use of RIN is temporary, as it is in Texas. It is TLTA's hope that the lending community will embrace RIN as an acceptable means for closing the transaction in order to enhance the safety of our community, including both the closing professionals and consumers.

To learn more, contact Aaron Day, TLTA director of Governmental Affairs and Counsel: [aaron@tlta.com](mailto:aaron@tlta.com).

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