



# Ask Your Underwriter

■ *Carolyn Broadwater, Florida State Counsel*

**Question:** How much can I charge on the HUD when I perform a notarial act?

**Answer:** Be careful when you're putting charges on the HUD. *Section 117.05, F.S.*, prohibits a fee in excess of \$10 for any one notarial act.

**Question:** May a notary public notarize an incomplete document?

**Answer:** No. *Section 117.107(10), F.S.* states, "A notary public may not notarize a signature on a document if the document is incomplete or blank."

**Question:** Must the person who signed the document do so in the presence of the notary public?

**Answer:** *Section 117.107(9), F.S.* states, "A notary public may not notarize a signature on a document if the person whose signature is being notarized is not in the presence of the notary public at the time the signature is notarized. Any notary public who violates this subsection is guilty of a civil infraction, punishable by penalty not exceeding \$5,000, and such violation constitutes malfeasance and misfeasance in the conduct of official duties." There are possible criminal sanctions as well.



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