

# Fines

## \$500 Fines

- **Willful failure to inform the SOS of an Address change**
- **Willful failure to inform the SOS of a Name Change**

## \$750 Fines

Committing any of these violations in a previous commission will result in the denial of your application to become a Notary Public. If a commissioned notary public commits any of these violations during their commission that commission will be revoked.

### **Failure to Discharge the Duties or Responsibilities of a Notary Public - \$750 Fine**

#### **Examples**

- Failure to verify identification (note: a notary public who fails to obtain satisfactory evidence, as required by [Civil Code section 1185](#), is subject to a separate civil penalty of \$10,000.)
- Failure to require personal appearance
- Unauthorized use of seal
- Failure to maintain the notary journal with complete records of official acts
- Failure to complete journal line items at the time of the notarial act
- Failure to obtain a thumbprint in the notary journal
- Notarization of incomplete documents
- Failure to notify Secretary of State of any address changes
- Failure to respond to a written request from the Secretary of State Loss of the right to authorize confidential marriages

Note:

In addition to the civil penalties described above, a notary public who fails to obtain a thumbprint, as required by [Government Code section 8206](#), from a party signing a document, is subject to a separate civil penalty of \$2,500. (Government Code section 8214.23.)

a notary public who fails to obtain satisfactory evidence from a credible witness, as required by [Civil Code section 1185](#), is subject to a separate civil penalty of \$10,000.

- **Charging more than the Prescribed Fees**
- **Failure to Complete the Acknowledgment at the Time the Signature and Seal are Affixed to the Document - \$750 Fine**
  - **Example:** Affixing a notary public seal and signature to an acknowledgment that is incomplete because the notary public did not complete the venue, the date, or the names of the person(s) appearing before the notary public. The acknowledgment may or may not be associated with the execution of a specific document.
- **Failure to Administer the Oath or Affirmation**
  - **Example:** Notary public completed a jurat when the person signing the document did not appear in person before the notary public.

## **\$1500 Fines**

Committing any of these violations in a previous commission will result in the denial of your application to become a Notary Public. If a commissioned notary public commits any of these violations during their commission that commission will be revoked.

- **Use of False or Misleading Advertising - \$1500 Fine**
  - Example 1: Notary public whose commission has been suspended, advertises notary public services while on suspension.
  - Example 2: Notary public advertises services as a real estate agent when not licensed as a real estate agent.
  
- **Act Involving Dishonesty, Fraud, or Deceit with the Intent to Substantially Benefit the Notary Public or Another, or Substantially Injure Another - \$1500 Fine**
  - **Example 1:** Embezzlement with the intent to benefit the applicant and/or notary public and defraud the employer, thereby committing a willful act involving dishonesty and deceit.
  
  - **Example 2:** Compromising the notary public examination by taking any exam material by any method from the exam site or cheating during the notary public exam.
  
  - **Example 3:** An individual embezzled funds from his employer. The employer did not want to file charges against the employee. An agreement is drawn up between the employer and the employee to pay back the funds and is signed by both parties
  
- **Execution of any Certificate as a Notary Public Containing a Statement Known to the Notary Public to be False - \$1500 Fine**
  - **Example 1:** The notary public backdates an acknowledgment.
  
  - **Example 2:** The notary public executes an acknowledgment for a person who did not appear in person before the notary public.
  
  - **Example 3:** The notary public accepts a Social Security card or matricula consular card as identification for an acknowledgment.
  
  - In addition to the civil penalties described above, a notary public who willfully states as true any material fact that he or she knows to be false is subject to a separate civil penalty of \$10,000. ([Civil Code section 1189.](#))
  
- **Violating Government Code section 8223: Immigration Matters** (In summary, [Government Code section 8223](#) provides that a notary public with expertise in immigration matters or who provides immigration services cannot advertise in any manner that he or she is a notary public.)
  - **Example:** A notary public advertises both immigration and notary public services, not necessarily in the same advertisement.
  
- **Violation of [Government Code Section 8219.5: Advertising in Language Other than English](#)**
  - **Example 1:** Advertising as a notary public in a language other than English without providing the requisite notice in English and in the other language that the notary public is not an attorney and cannot give legal advice about immigration and any other legal matters and also without setting forth the statutory fees that can be charged by the notary public for notarial services.
  
  - **Example 2:** Using the words “notario publico” in any writing.

## **\$2500 Fines**

- **Willful Failure to Provide Access to the Notary Public Journal Upon Request by a Peace Officer**
- **Negligent failure to obtain thumbprint in journal for documents involving real property and a Power of Attorney.**

## **\$10,000 Fines**

- **The completion of a certificate of acknowledgment that contains statements that the notary public knows to be false**
- **Failing to obtain satisfactory evidence when performing Acknowledgements.**
- **Failing to properly identify a credible witness.**

## **\$75,000 Fines**

**Every person who files any false or forged document or instrument with the county recorder which affects title to, places an encumbrance on, or places an interest secured by a mortgage or deed of trust on, real property consisting of a single-family residence containing not more than four dwelling units, with knowledge that the document is false or forged, is punishable, in addition to any other punishment, by a fine**