

**Form 2304—General Information
(Notary Public Complaint)**

The attached form is designed to meet minimal statutory filing requirements pursuant to the relevant code provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Commentary

Section 87.23 of Title 1 of the Texas Administrative Code requires the completion of this form to file a complaint against a Texas notary public. The complaint form must be typewritten or legibly printed. This office will not open a complaint file relating to the allegations until the complaint form is properly completed and returned to this office. The complaint should be in English or accompanied by a sworn translation in English.

A document on file with the secretary of state is a public record subject to public access and disclosure. When providing address information, use a business or post office box address rather than a residence address if privacy concerns are an issue.

Instructions for Form

- **Notary Public Information:** Include as much of the requested information as you know. This information can be found on the [Secretary of State website](#).
- **Complainant Information:** Provide contact information for the person alleging the misconduct.
- **Witness Information:** List the names and addresses of any witnesses who have personal knowledge of the alleged misconduct. Use an additional sheet if necessary.
- **Allegations:** Please select the specific allegation that best describes the nature of your complaint. You may select more than one allegation. Provide information relating to each allegation.
- **Supporting Documentation:** The complaint form must include copies of all documents that relate to the allegations made in the complaint.
- **Execution:** Sign and date the last page of the complaint form before a notary public.
- **Delivery Instructions:** The form and supporting documentation may be mailed to the Notary Public Unit, P.O. Box 13375, Austin, Texas 78711-3375 or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701.

Questions concerning the complaint may be directed to the Notary Public Unit at (512) 475-2993.

Revised 10/2016

Form #2304 Rev. 10/2016
Submit to:
SECRETARY OF STATE
Notary Public Unit
P O Box 13375
Austin, TX 78711-3375
512-475-2993
512-463-5255 – Fax
notary@sos.texas.gov

This space reserved for office use



NOTARY PUBLIC COMPLAINT

Notary Public Information

Name: _____ Phone No.: _____
Address: _____

Street *City* *State Zip*
Employer: _____ Phone No.: _____
Business Address: _____

Street *City* *State Zip*
Date Notary's Commission Expires (*as shown on*
document(s)): _____

Date(s) of alleged improper acts: _____

Complainant Information

Name: _____ Phone No.: _____
Address: _____

Street *City* *State Zip*
Email Address: _____

Witness Information

Name: _____ Phone No.: _____
Address: _____

Street *City* *State Zip*
Name: _____ Phone No.: _____
Address: _____

Street *City* *State Zip*
Name: _____ Phone No.: _____
Address: _____

Street *City* *State Zip*

USE AN ADDITIONAL SHEET IF NECESSARY

Important Notice Regarding the Complaint Process

The Office of the Secretary of State may take disciplinary action against a notary public in cases where good cause exists. The disciplinary action taken is within the discretion of the Office and can range from an informal reprimand to, at most, revocation of the notary's commission. This Office cannot determine the validity of the notarized document or obtain restitution for losses that may have been caused by a notary's action. This Office cannot assist in filing a claim against the notary's bond and does not have the power to prosecute a notary for criminal violations associated with the notary's official duties.

This Office does not represent you as the complainant or the notary in the complaint process. Complainants must have been personally harmed by the actions of a notary and need to present factual evidence, within complainant's personal knowledge, that the notary engaged in conduct that violates the laws and rules governing the conduct of Texas notaries public. This Office will not open a complaint based on allegations of widespread misconduct by an entire company, or unsupported allegations regarding the geographic location of the notaries and signers. This Office does not have jurisdiction and cannot take action against a person who is not a commissioned notary public or a notary who is not currently commissioned.

You must be personally harmed by the actions of the notary public. Please state how you have been harmed by these actions.

Your complaint must allege a violation of the Texas Government Code §406, Civil Practice and Remedies Code §121, and/or Texas Administrative Code Title 1 Chapter 87. Below, please circle the specific allegation(s) brought against the commissioned notary public and complete page 4.

- A. I have personal knowledge that the notary executed a notarial certificate that included a false statement; I did not appear before the notary and my signature was forged.
- B. I was overcharged for a notarial act.
- C. I requested copies of a notary's record book directly from the notary. No response or an unsatisfactory response (Example: It was lost/stolen, etc.) has been received.
- D. The notary is advertising as a "notario" or "notario publico". (Please attach documentation)
- E. The notary public failed to complete a notarial certificate.
- F. The notary notarized their own signature.

Please continue to page 4

Allegations

What are the facts upon which the allegation(s) is based? (*If your allegation was not listed on the previous page, please list it here.*) Please note that this Office does not consider handwriting analysis as evidence for the complaint filed.

Supporting Documentation

Please mark each supporting document attached to this complaint that should be reviewed by the Office of the Secretary of State. (*Please do not submit confidential information such as driver license numbers, etc.*)

- Copy of letters and return receipt mail sent to the notary public.
- Copy of the notarized document in question.
- Copy of notary log if obtained from notary public.
- Copy of receipt for overcharged notarization.
- Proof of a notary public advertising as “notario” or “notario publico”.
- Proof of unauthorized practice of law (UPL).
- All evidence you possess to prove your allegations.

Verification

I declare under penalty of perjury that the foregoing is true and correct.

Date: _____

Signature of Complainant

State of _____)

Printed or typed name of Complainant

County of _____)

_____, personally appeared before me, and being first duly sworn declared that he/she signed this complaint in the capacity designated, if any, and further states that he/she has read the above complaint and the statements therein contained are true.

(seal)

Notary Public Signature

Printed Name