



UNABLE TO BE PRESENT FOR YOUR CLOSING? HERE ARE A LIST OF OPTIONS TO CHOOSE FROM

1. Power of Attorney

A Power of Attorney (POA) is a legal document executed by a Principal (buyer or seller) that designates an agent, referred to in this document as the Attorney in fact, to sign on their behalf. In the State of Georgia, it is suggested that you use a Specific POA form when such a power is needed. **The Hawes Law Firm, LLC can prepare the POA for you if needed.** The Principal's signature on the POA should be witnessed by one individual and notarized by a separate individual. At closing, the original must be presented to the closing agent, a copy is **unacceptable**. It will be recorded in the land records along with the deed or the deed of trust, depending on how it was used. This means the Principal will be without the original for several months. It will not be available to the Principal for the period needed for the county to record it and then return it to the closing agent. Be sure the Principle understands this. **Make the effort to have original signatures on all closing documents. When a Power of Attorney is needed, be in touch with the closing agent early in the process.**

2. Mailaway Closing

A mailaway closing is when documents are sent overnight or via email with a pre-paid overnight return envelope. The party that is "away" signs in front of a notary and a witness (must be two separate people) and returns the original documents to The Hawes Law Firm, LLC after first scanning them to the office to make sure the documents were executed properly. These closings are common and can be as smooth as a traditional in person closing, however, the closing will not officially fund until ALL original documents are received by The Hawes Law Firm, LLC.

3. Virtual Closings (LIMITED TO THE STATE OF EMERGENCY COVID TIME PERIOD)

The Georgia Supreme Court has issued an order regarding Georgia rules of professional conduct and lawyer participation in real estate closings, allowing the use of video conferences to conduct real estate closings. The buyer/seller must be physically present in the State of Georgia. They must have access to a device that allows video conference recording and consent to having their closing via online video conferencing. The buyer/seller will receive the closing documents via email or overnight delivery, the documents are then executed via video conference with the licensed closing attorney and overnighted back to The Hawes Law Firm, LLC. Unfortunately, virtual closings are only limited to the time period the special order is in place. Currently June 12, 2020 will be the last day allowed for virtual closings.