



Nevada Secretary of State
Francisco V. Aguilar

Document Preparation Services

Nevada Secretary of State
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NORTH LAS VEGAS, NV 89030

www.NVSOS.gov



Document Preparation Services

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ICE BREAKER

What are the most common misconceptions?

- ☐ I just need to pay \$100 & Register
- ☐ I have a Business License
- ☐ I'm certified through the IRS
- ☐ I "partner" with an attorney
- ☐ Surety Bond -vs- Notary Bond
- ☐ **NOTARIO & NOTARIO PUBLICO**

WHO IS A DOCUMENT PREPARER?

A document preparation service is a person who, for compensation and at the direction of a client, provides assistance to the client in a legal matter, as defined in NRS 240A.040. “**Legal matter**” is defined as preparing or completing any pleading, application or other document, translating the client’s answer to a question posed in such a document and submitting a completed document on behalf of the client.

- ❑ A document preparation service cannot provide advice, explanation, opinion or recommendation to a client about possible legal rights, remedies, defenses, options or the selection of documents or strategies.
- ❑ A document preparation service cannot negotiate with another person concerning the rights and responsibilities of a client or communicate the position of a client to another person.
- ❑ A document preparation service cannot appear on behalf of a client in a court proceeding or other adjudicative proceeding.
- ❑ A document preparation service is not a licensed attorney and cannot practice law.

“DOCUMENT PREPARATION SERVICES”

Defined (NRS 240A.030)

1. “Document preparation service” means a person who:
 - (a) For compensation and at the direction of a client, provides assistance to the client in a legal matter.
 - (b) Holds himself or herself out as a person who provides such services

The definition includes, without limitation:

- ☐ **TAX PREPARERS**
- ☐ **PARALEGALS****
- ☐ **BANKRUPTCY PREPARERS**
- ☐ **IMMIGRATION PREPARERS**
- ☐ **DMV ONE STOPS**
- ☐ **MULTISERVICES**

WHY MUST A DOCUMENT PREPARATION SERVICE BE REGISTERED?

Chapter 240A of the Nevada Revised Statutes and Nevada Administrative Code protect consumers from individuals who would take advantage of clients who need assistance with obtaining or transcribing or translating documents to be filed with a court or administrative agency.

- ❑ **A Registrant** is required to provide a **written contract for services** to a client, in English and, if different, in the language in which the document preparation service transacts the business with the client. The contract must state the fee that will be charged and what services will be performed. The client must be given a receipt for payment.
- ❑ **A Registrant** must post in a conspicuous place at their business location their **Current Certificate of Registration** with the Secretary of State and their **Nevada State Business License**.
- ❑ **A Registrant** carries a **\$25K or \$50K Surety Bond or Entity Bond in the appropriate penal sum** to indemnify a client who has suffered damage as a result of an act or omission of the Registrant, or for fraud, dishonesty, negligence or other wrongful conduct of the Registrant, or wrongful failure or refusal by the Registrant to provide services in accordance with the contract.

INDIVIDUAL REQUIREMENTS NRS 240.100*

- ☐ You must be a citizen or legal resident of the U.S., or hold a valid Employment Authorization Document
- ☐ You must be at least 18 years of age
- ☐ You cannot be currently suspended or disbarred from the practice of law
- ☐ You cannot have a criminal record as outlined by NRS 240A.290 ...particularly involving crimes of **theft, fraud or dishonesty**, within the last 10 years.

All of the requirements and details for registering as a document preparer are covered on our website: WWW.NVSOS.GOV

REGISTRATION PROCESS NRS 240A.100

- ❑ Application **MUST** be completed online at WWW.NVSOS.GOV
- ❑ Pay a nonrefundable application fee of \$100
- ❑ **You must submit fingerprints for a background check.** Fingerprints are submitted to the Department of Public Safety (*Fingerprinting process can take as long as eight weeks*)
- ❑ **You must post a \$25,000 or \$50,000 Surety Bond or Entity Bond in the appropriate penal sum.**

If you meet all the qualifications outlined in the law, there is a specific registration process. Details for registering as a document preparer are covered on our website: WWW.NVSOS.GOV and in the law itself NRS240A.

RENEWAL PROCESS NRS 240A.110(1)

- ☐ The registration of a document preparation service is **valid for 1 year after the date of issuance of the certificate of registration**, unless the registration is suspended or revoked.
- ☐ Pay a nonrefundable renewal application **fee of \$50**
- ☐ The registration may be renewed subject to the same conditions as the initial registration.
- ☐ You **MUST** provide proof that the bond previously filed by the registrant remains on file and in effect and you hold a current Nevada Business License.
- ☐ Pursuant to **NAC 240A.050**, if there are outstanding issues not responded to by a registrant, the renewal application will be rejected.



New Application/Reapplication Process

Apply/Reapply

WWW.NVSOS.GOV

Pay non-refundable
\$100 fee



Fingerprint Process

for Investigation of History of Applicant

1. Select an approved FP site from <https://rccd.nv.gov/FeesForms/Fingerprints/>
2. Complete and Print [Fingerprint Request Form](#) and [Fingerprint Background Waiver](#) Bring both forms to FP site
3. Mail or drop off signed FP request form and FP background waiver form to 2250 N. Las Vegas Blvd Suite 400 North Las Vegas, NV 89030



6-8 weeks process

Bond Requirements

1. Purchase a Surety Bond or Cash Bond
2. Bond must be in the correct mandatory template depending on the way you hold your business ex: NT7 Sole Proprietor individual \$25,000 or Business Entity 1 registrant \$25,000 or 2-25 applicants \$50,000
3. Submit **Original Sealed Bond** - Mail or drop off to 2250 N. Las Vegas Blvd Suite 400 North Las Vegas, NV 89030



1-2 weeks process

Application Approved

Document Preparation Certificate will be printed and mailed to the mailing address on application

Useful Checklist to use for Document Preparation Services Application

- ☐ Create account and submit application www.nvsos.gov
- ☐ Print & Sign FP request form & Fingerprint background waiver and take to Fingerprint location – mail or email to NV Secretary of State Office with FP technician's signature
- ☐ Email will be sent to applicant once we get fingerprints results back
Start shopping for Surety Bond if you don't have one
- ☐ Original Surety Bond need to be mailed or dropped off (must have raised seal and signed by agent and applicant)
- ☐ Application will be approved, and Certificate will be mailed to applicants mailing address



Apply for Renewal

WWW.NVSOS.GOV

Pay non-refundable
\$50 fee

Provide this office with proof of an active bond:

1) If a NEW bond has been purchased for the upcoming year, send the **ORIGINAL SEALED** signed surety bond to 2250 Las Vegas Blvd North Suite 400 North Las Vegas, NV 89030

2) If continuing with the required surety bond currently on file, provide:

- Continuation Certificate or
- Paid receipt showing a zero balance due and referencing your bond number and expiration/term date

Email to docprep@sos.nv.gov

1-2 weeks process

Renewal Approved

Document Preparation Certificate will be printed and mailed to the mailing address on application

Renewal Process

Amount of Bond & Format depends how you hold your business license and how many registrant are under that business license

Minimum Penal Sum Business Entity Bond Requirements

The number of registrants employed by a business entity to perform document preparation services is the greatest number of registrants who will perform document preparation services for the business entity at any time during the year, including, without limitation, on a temporary or seasonal basis.

- If the business entity employs 1 registrant to perform document preparation services, \$25,000; If a business entity employs only one registrant to perform document preparation services, the registrant must be named as principal in the bond filed.
- If the business entity employs at least 2 but not more than 25 registrants to perform document preparation services, \$50,000;
- If the business entity employs at least 26 but not more than 75 registrants to perform document preparation services, \$75,000;
- If the business entity employs at least 76 but not more than 125 registrants to perform document preparation services, \$100,000;
- If the business entity employs at least 126 but not more than 200 registrants to perform document preparation services, \$150,000; and
- If the business entity employs more than 200 registrants to perform document preparation services, \$200,000.

Surety Bond Language

The Nevada Attorney General's office has approved templates for a surety bond issued to an individual and to a business entity. Use of one of the appropriate templates is mandatory.

Individual \$25,000 Surety Bond - Nevada Business License Sole Proprietor use only. Individual is to be named as principal and must include any fictitious name under which the business owner is conducting or advertising document preparation services.

Per NRS 240A.015, A "Business entity" means a corporation, association, partnership, limited-liability company, limited-liability partnership or other entity organized and existing under the laws of this State.

- Business Entity \$25,000 Bond for 1 Registrant
- Business Entity \$50,000 Bond for at least 2 but not more than 25 Registrants
- Business Entity \$75,000 Bond for at least 26 but not more than 75 Registrants
- Business Entity \$100,000 Bond for at least 76 but not more than 125 Registrants
- Business Entity \$150,000 Bond for at least 126 but not more than 200 Registrants
- Business Entity \$200,000 Bond for more than 200 Registrants

NT7 Business License

Sole Proprietor

A Sole Proprietorship in Nevada is an informal structure with ONE business owner



Must have
Individual \$25,000 Surety
Bond



Sole Prop may be under Individual & Spouse
Each need to present
**\$25,000 Individual
Surety Bond**

Bond No. 999999

DOCUMENT PREPARATION SERVICE

INDIVIDUAL \$25,000 SURETY BOND

This surety bond is by JANE DOE DBA IF THEY HAVE ONE, as principal
(hereinafter "Principal") having a principal place of business at BUSINESS ADDRESS,
and SURETY COMPANY as surety, a surety company
qualified and authorized to do business in the State of Nevada (hereinafter "Surety"), to the State of
Nevada, as obligee (hereinafter "Obligee").

Business owner MUST provide registrants with Surety Bond

Business Entity:

Corporation,
Limited-Liability Company,
Limited Partnership,
Limited-Liability
Partnership, Limited-
Liability Limited
Partnership



Business Entity Surety Bond

1 Registrant - \$25,000
2-25 Registrants - \$50,000
26-75 Registrants - \$75,000
76-125 Registrants - \$100,000
126-200 Registrants - \$150,000
More than 200 Registrants - \$200,000

Bond No. 999999

DOCUMENT PREPARATION SERVICE BUSINESS ENTITY SURETY BOND

\$25,000 Bond for 1 Registrant

This surety bond is by [name of business entity] BUSINESS NAME LLC and [name of registrant] JANE DOE, collectively as principal (hereinafter "Principal") having a principal place of business at BUSINESS ADDRESS, and SURETY COMPANY NAME, as surety, a surety company qualified and authorized to do business in the State of Nevada (hereinafter "Surety"), to the State of Nevada, as obligee (hereinafter "Obligee").

Bond No. 99999

DOCUMENT PREPARATION SERVICE BUSINESS ENTITY SURETY BOND

\$50,000 Bond for at least 2 but not more than 25 Registrants

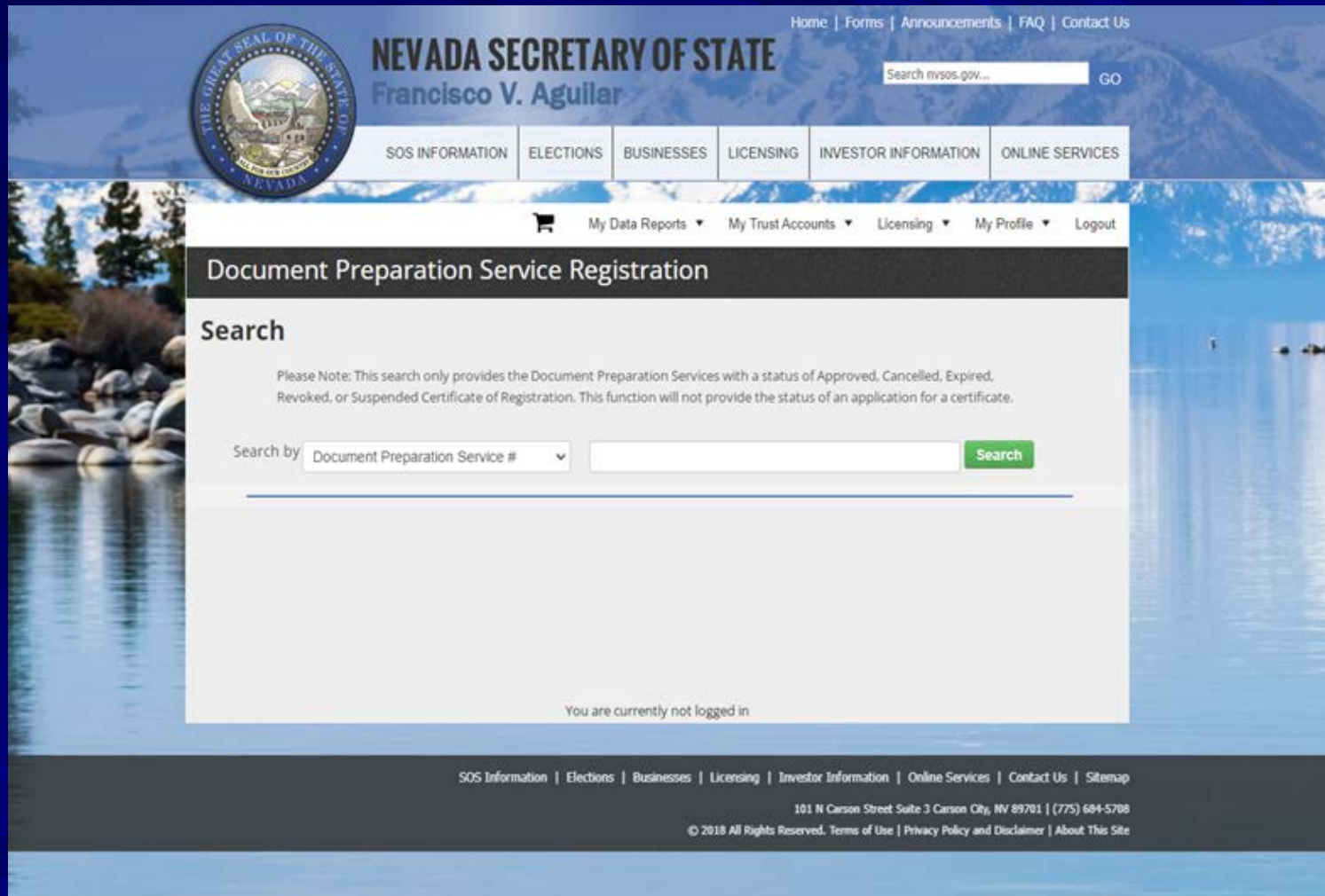
This surety bond is by BUSINESS NAME LLC, as principal (hereinafter "Principal") having a principal place of business at BUSINESS ADDRESS, and SURETY COMPANY, as surety, a surety company qualified and authorized to do business in the State of Nevada (hereinafter "Surety"), to the State of Nevada, as obligee (hereinafter "Obligee").

WHAT CONSUMERS CAN EXPECT

Chapter 240A of the Nevada Revised Statutes and Nevada Administrative Code protects consumers from individuals who would take advantage of customers or clients who need assistance with obtaining, transcribing or translating documents to be filed with a court or administrative agency. NRS240A provides consumers that utilize document preparation services protections such as:

- ❑ **EVIDENCE** that a Document Preparation Service is registered in the State of Nevada
- ❑ Public posted **NOTICES** including Certificate of Registration, Business License and Disclosure Notices.
- ❑ **SURETY BOND** that a Registrant must carry to indemnify a client who has suffered damage as a result of an act or omission of the Registrant, or for fraud, dishonesty, negligence or other wrongful conduct of the Registrant, or wrongful failure or refusal by the Registrant to provide services in accordance with the contract.
- ❑ **DISCLOSURE** of specific information such as that the person serving as a document preparation service.
- ❑ ******I AM NOT AN ATTORNEY IN THE STATE OF NEVADA. I AM NOT AUTHORIZED TO GIVE LEGAL ADVICE OR LEGAL REPRESENTATION. I MAY NOT ACCEPT FEES FOR GIVING LEGAL ADVICE OR LEGAL REPRESENTATION******
- ❑ A written **CONTRACT** in English and if different, the language in which the document preparation services transacts the business with the client for the services to be provided. The Contract covers all of the previously mentioned including the explanation of the fees to be charged for services, a receipt for payment and a complaint process for violations
- ❑ A **PUBLIC SEARCH FUNCTION** available on the Secretary of State's website, www.nvsos.gov, to verify that a document preparation service is registered with the State of Nevada.

Looking Up A Document Preparation Service



The screenshot shows the official website of the Nevada Secretary of State, Francisco V. Aguilar. The page features a blue header with the state seal and navigation links. A search bar is located in the top right. Below the header, a horizontal menu contains links for various services. The main content area is titled 'Document Preparation Service Registration' and includes a 'Search' section. A note explains that the search only provides the status of existing certificates. A search form with a dropdown menu and a text input field is present, along with a green 'Search' button. The footer contains additional navigation links, contact information, and a copyright notice.

Home | Forms | Announcements | FAQ | Contact Us

NEVADA SECRETARY OF STATE
Francisco V. Aguilar

Search nvsos.gov... GO

SOS INFORMATION | ELECTIONS | BUSINESSES | LICENSING | INVESTOR INFORMATION | ONLINE SERVICES

My Data Reports ▼ My Trust Accounts ▼ Licensing ▼ My Profile ▼ Logout

Document Preparation Service Registration

Search

Please Note: This search only provides the Document Preparation Services with a status of Approved, Cancelled, Expired, Revoked, or Suspended Certificate of Registration. This function will not provide the status of an application for a certificate.

Search by Document Preparation Service #

You are currently not logged in

SOS Information | Elections | Businesses | Licensing | Investor Information | Online Services | Contact Us | Sitemap

101 N Carson Street Suite 3 Carson City, NV 89701 | (775) 684-5708

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<https://www.nvsos.gov/SOSDocumentPrep/AnonymousAccess/Search.asp>

Required Guidelines

~SAMPLES~

The disclosure must be written in English and, if different, the language in which the registrant transacts business with the client. **CONSPICUOUSLY DISPLAYED (Must be 12x20)**
(For informational purposes only, please remove)

REGISTRANT NOTICE

REGISTRANT: XENA ZOOM
(or REGISTRANTS) JOHN SMITH

DOCPREP REGS#: NVDP202001020304

SURETY BOND#: 123456

BOND AMOUNT: \$25,000 / \$50,000

Document Translation	\$25.00
Tax preparation	\$100.00
Notary Service	\$15.00
File Copies	\$15.00
Pictures	\$12.00
Mailing Service (Priority)	\$20.00

I AM NOT AN ATTORNEY IN THE STATE OF NEVADA. I AM NOT AUTHORIZED TO GIVE LEGAL ADVICE
OR LEGAL REPRESENTATION. I MAY NOT ACCEPT FEES FOR GIVING LEGAL ADVICE OR LEGAL
REPRESENTATION. **(BOLD)**

NRS 240A.160 - REQUIRED NOTICE TO BE CONSPICUOUSLY DISPLAYED

(Must be 12x20)

- ☑ Display certificate of registration • Display Business Licenses
- ☑ Contain a list of fees for services.
- ☑ Full name of each registrant providing services
- ☑ Surety bond has been filed with the Secretary of State office in the appropriate penal sum & bond number.

(For informational purposes only, please remove)

The disclosure must be written in English and, if different, the language in which the registrant transacts business with the client. *(For informational purposes only, please remove)*

XYZ DOCUMENT PREPARATION SERVICES

2020 NEVADA LANE

ELKO, NEVADA 89801

(775) 987-6543

WRITTEN DISCLOSURE

REGISTRANT: XENA Y ZOOM
NV BUSINESS LICENSE#: NV2020121212
SURETY BOND#: 123456

DOCPREP REGS#: NVDP202001020304
EXP: 1/21/2021
BOND AMOUNT: \$25,000 / \$50,000

I AM NOT AN ATTORNEY IN THE STATE OF NEVADA. I AM NOT AUTHORIZED TO GIVE LEGAL ADVICE OR LEGAL REPRESENTATION. I MAY NOT ACCEPT FEES FOR GIVING LEGAL ADVICE OR LEGAL REPRESENTATION. (BOLD)

ANY COMMUNICATION BETWEEN THE CLIENT AND THE REGISTRANT IS NOT PROTECTED FROM DISCLOSURE BY ANY PRIVILEGE.

Customer Signature _____

Date: _____

Registrant Signature _____

Date: _____

Furnish the client with a written form of disclosure meeting the requirements of this section, with a copy for the client to retain; and require the client to read and sign the disclosure, acknowledging that the client has read and understands it.

(For informational purposes only, please remove)

The contract must be written in English and, if different, the language in which the registrant transacts business with the client.

(For informational purposes only, please remove)

XYZ DOCUMENT PREPARATION SERVICES

2020 NEVADA LANE

ELKO, NEVADA 89801

(775) 987-6543

CLIENT WRITTEN CONTRACT

1. This Agreement made this _____ day of _____ 2023, in Las Vegas, Nevada by and between _____ hereinafter designated as "CLIENT" and _____ (Document Preparer Name) hereinafter designated as "REGISTRANT".

2. CLIENT is to pay REGISTRANT to prepare the following:

- a. _____ \$ _____
- b. _____ \$ _____
- c. _____ \$ _____
- d. _____ \$ _____
- e. _____ \$ _____

TOTAL \$ _____

3. The above listed documents are to be completed by: (date) _____.

4. The documents are to be filed with COURT OR AGENCY: _____.
DEADLINES or HEARING DATES

• _____

5. This agreement contains the entire agreement of the parties.

6. A contract between a registrant and a client that does not comply with any requirement of this section is voidable by the client.

7. Any complaint concerning the registrant and a violation of NRS 240A may be directed to, The Secretary of State at 1-800-450-8594 (Option 6) or www.NVSOS.gov

8. Any complaint that involves an allegation that the registrant is engaged in the unauthorized practice of law to, the State Bar of Nevada, 1-800-254-2797 or www.NVBAR.org

I AM NOT AN ATTORNEY IN THE STATE OF NEVADA. I AM NOT AUTHORIZED TO GIVE LEGAL ADVICE OR LEGAL REPRESENTATION. I MAY NOT ACCEPT FEES FOR GIVING LEGAL ADVICE OR LEGAL REPRESENTATION. **(BOLD)**

Customer Signature: _____

Date: _____

Registrant Signature: _____

Registrant Name: _____

Registration# _____

Date: _____

Furnish the client with a copy, for the client to retain of the signed contract meeting the requirements of this section.
(For informational purposes only, please remove)

XYZ DOCUMENT PREPARATION SERVICES

2020 NEVADA LANE
ELKO, NEVADA 89801
(775) 987-6543

CLIENT RECEIPT

Client(s), _____ has paid:

\$ _____ for services provided: _____.

Dated this ____ day of _____, 2023.

Registrant Signature _____

REGISTRANT: XENA Y.

DOCPREP REGS#: NVDP202001020304

Furnish the client with a receipt meeting the requirements of this section.
The receipt must be written in English and, if different, the language in which the registrant transacts business
with the client. (For informational purposes only, please remove)

“Most Common Complaints”

- Unlicensed practice of law
- Services not performed
- Failure to provide a written contract or written disclosures to the consumer
- FRAUD

FILING A COMPLAINT

- ❑ File online at www.NVSOS.gov.
- ❑ Email: DocPrep@sos.nv.gov
- ❑ Call 1-800-450-8594, option 6.

The Secretary of State's office has a toll-free telephone number for anyone wishing to file a complaint about a registrant or an alleged violation. Anyone who has been harmed or believes a document preparer has committed a violation is encouraged to call and we will guide them on the steps for filing a complaint.

www.nvsos.gov

Please complete this form to report an alleged violation against a document preparation service, individual or business.

This form applies to Nevada Revised Statute Chapter 240A. You may use this form to file a complaint and provide information regarding individuals or entities that are allegedly conducting business as a Document Preparation Service in Nevada without the required registration with the Nevada Secretary of State Pursuant to NRS240A, and/or to report an alleged violation against a document preparation service that has harmed you.

1. Submitter Information *

First Name*

Street Address*

State/Province*

Country*

United States ▼

E-mail*

Last Name*

City*

Zip/Postal Code*

Daytime Phone

 ext.

2. Primary language, if other than English

Complaint is Against:

3. Contact information *

Individuals First and Last Name*

Street Address

State/Province

Country

United States ▼

Email

Website

Business Name

City

Zip/Postal Code

Phone

 ext.

Nevada State Business License Number

Tell Us About Your Complaint

<https://www.nvsos.gov/sos/licensing/document-preparation-services/complaint-filing-process>

WHAT HAPPENS WITH A COMPLAINT

- ☐ Reviewed for Jurisdiction**
- ☐ Case # issued and assigned to Investigator
- ☐ Letter to Complainant indicating Case opened and case #
- ☐ Notice to Respondent advising of complaint received and response required to Investigator.
- ☐ Conduct Investigation

****TAX PREPARERS, PARALEGALS**, IMMIGRATION FORM PREPARERS, BANKRUPTCY PREPARERS, DMV ONE STOPS, and MULTISERVICES**

The law provides the Secretary of State's office, along with the Attorney General's office, with statutory authority for enforcement. If a violation is found, the Secretary of State's office can revoke or suspend an individual's registration, and/or impose civil and/or criminal penalties.

Legislative Updates to NRS240A SB 349 (Effective July 1, 2023)

Senate Bill 349: Document Preparation Services cleanup bill to streamline compliance of the program.

- ❑ Allows our office to issue civil fines, suspend registration for no less than a year, revoke registration after a third or subsequent offense for any violations of prohibited acts under **NRS 240A.240**.
- ❑ Allows our office to suspend the registration or refuse to renew the registration of Document Preparation Services who fails to provide information during an investigation of an alleged violation
- ❑ Any person who violates a provision of this chapter **NRS 240A**, is liable for a penalty of no more than \$1,000 for each violation, plus reasonable investigative fees, and costs.
- ❑ Sets timeline for informing registrants of alleged violations and required response time.

Legislative Updates to NRS240A

SB 349 (Effective July 1, 2023)

Senate Bill 349: Document Preparation Services clean up bill to streamline compliance of the program.

- ❑ Requires Document Preparation Services to update the SOS when their information changes (i.e., address, business name, contact information)
- ❑ Allows our office to issue civil fines for unregistered activity and assess a fine of up to \$1,000 for each violation
- ❑ Updates two Disclosure statements to:

“I AM NOT AN ATTORNEY IN THE STATE OF NEVADA. I AM NOT AUTHORIZED TO GIVE LEGAL ADVICE OR LEGAL REPRESENTATION. I MAY NOT ACCEPT FEES FOR GIVING LEGAL ADVICE OR LEGAL REPRESENTATION”

“THIS DOCUMENT PREPARATION SERVICE IS A THIRD-PARTY BUSINESS NOT AFFILIATED WITH THE NEVADA DEPARTMENT OF MOTOR VEHICLES”

- ❑ Allows our office to issue civil fines, suspend registration for no less than a year, revoke registration after a third or subsequent offense or assess a penalty of not more than \$1,000 for each violation.

Q & A TIME



ANY
QUESTIONS?



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