

## **POWERS, DUTIES AND FUNCTIONS OF COMMISSIONER OF DEEDS**

A Commissioner of Deeds has the following powers:

- To administer Oaths within the territorial limits of the City of Rome (Executive Law, Section 142, subdivision 2)
- To take acknowledgment or proof of the execution of a written instrument (but not a bill of exchange, promissory note, or will) to be read in evidence or recorded in the State. (Executive Law, Section 142, Subdivision 1)
- To take the acknowledgment or proof, within the territorial limits of the City of Rome, of a conveyance of real property located within the State of New York. (Real Property Law, Section 299, subdivision 4)

### **DUTIES AND FUNCTIONS:**

- One who is guilty of malfeasance or fraudulent practice in the execution of the duties of Commissioner of Deeds is liable for damage to the person injured. (Real Property Law, Section 330)
- A Commissioner of Deeds, who, in the performance of his/her duties, shall practice any fraud or deceit, is guilty of a misdemeanor. (Executive Law, Section 135-a, subdivision 2)

### **FEES:**

- A fee for the taking of a proof or acknowledgment of up to \$1.00 may be charged by the Commissioner of Deeds. (Executive Law, Section 143)

**APPLICATION FOR COMMISSIONER OF DEEDS**

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

1. List other names used in the past ten years:

\_\_\_\_\_  
\_\_\_\_\_

2. Are you presently a resident of the City of Rome?  YES  NO

If not, are you presently a resident of the County of Oneida?  YES  NO

3. Do you maintain an office, or place of business, within the City of Rome?

YES  NO Business Name: \_\_\_\_\_

4. Have you ever been convicted of a crime?  YES  NO

Felony  Misdemeanor

Explain:

\_\_\_\_\_  
\_\_\_\_\_

5. Have you ever been the subject of disciplinary proceedings as a Notary Public or Commissioner of Deeds?  YES  NO

a. If so, when and where?

\_\_\_\_\_

Explain:

\_\_\_\_\_  
\_\_\_\_\_

I hereby affirm the foregoing under penalty of perjury.

\_\_\_\_\_  
Signature

The residency requirements for being a Commissioner of Deeds in the City of Rome, N.Y. is that you must either reside in the city or maintain an office or place of business within the City limits and reside in the County of Oneida.  
(Executive Law, Section 139, subdivision 3)

Following appointment by the Common Council, you must file an oath of office with the Oneida County Clerk.

This application is to be filed with the office of the Rome City Clerk.