

STATE OF COLORADO SECRETARY OF STATE Administrative Hearing Officer 1700 Broadway, Suite 550 Denver, CO 80290	<div>▲ COURT USE ONLY ▲</div>	
BUSINESS AND LICENSING DIVISION of the SECRETARY OF STATE, Complainant, v. IVAN GARCIA-HERNANDEZ, Respondent.		
<div>NOTICE OF DUTY TO ANSWER, NOTICE OF HEARING, AND COMPLAINT</div>		

TO: Ivan Garcia-Hernandez
2570 W 66th Place
Denver, CO 80221

NOTICE OF DUTY TO ANSWER

YOU ARE HEREBY NOTIFIED that, under § 24-4-105(2)(b), C.R.S. (2024), you are required to file a written answer specifically addressing each and every allegation contained in the following Complaint with the Administrative Hearing Officer, 1700 Broadway, Suite 550, Denver, CO 80290 within **thirty (30) days** after the mailing or service of this Notice of Duty to Answer, Notice of Hearing, and Complaint. You also must mail a copy of your written answer to the undersigned attorney.

If you fail to file your written answer within **thirty (30) days**, an order entering a default decision may be issued. The issuance of a default decision may result in the revocation of your notary commission, and such other relief as provided for by law, without further notice.

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to § 24-21-523(3), C.R.S., and §§ 24-4-104 and -105, C.R.S., a hearing will be held at a date, time, and place to be determined by the Administrative Hearing Officer. The hearing will be set within the next 30 days for a time between 30 and 98 days from the date of filing of this Complaint. 8 CCR 1505-3, Rule 3.7.1. At the hearing, testimony will be taken and other evidence will be received by the Administrative Hearing Officer for the purpose of determining whether any of the sanctions set forth in § 24-21-523, C.R.S. should be imposed upon you, including but not limited to the revocation of your notary commission, for violating §§ 24-21-505, 24-21-506, and 24-21-507, C.R.S.

YOU ARE FURTHER NOTIFIED that at the hearing in this matter you shall have the right to appear in person and/or by legal counsel to present evidence on your own behalf, to cross-examine any witnesses, and to rebut any evidence presented. You may also have subpoenas issued on your behalf upon request to the Administrative Hearing Officer. You may obtain a copy of the General Policies governing the Administrative Hearing Officer by visiting their Internet website: https://www.coloradosos.gov/pubs/rule_making/CurrentRules/8CCR1505-3General.pdf.

COMPLAINT

Pursuant to C.R.S. § 24-21-523, § 24-4-105, and Rule 3 of the Secretary's Rules on General Policies and Administration, 8 CCR 1505-3, the Business and Licensing Division of the Department of State ("Division") files this Complaint against Ivan Garcia-Hernandez.

INTRODUCTION

1. Ivan Garcia-Hernandez is an active notary public, Public ID # 20094001689.
2. To prevent fraud, a Colorado notary public may notarize a document only when the signer is physically present and after verifying the identity of the signer. C.R.S. §§ 24-21-505, 24-21-506, 24-21-507.
3. In this case, Garcia-Hernandez notarized multiple Department of Motor Vehicle Powers of Attorney on behalf of signers who are not identifiable people.
4. Accordingly, the Division brings this complaint for relief.

PARTIES

5. Complainant is the Business and Licensing Division of the Colorado Department of State.
6. Respondent is Ivan Garcia-Hernandez, a public notary commissioned by the Colorado Secretary of State, ID # 20094001689. Garcia-Hernandez's current commission began on January 27, 2025, and will expire on January 27, 2029. Garcia-Hernandez has been commissioned since January 27, 2009.

JURISDICTION

7. The Division has jurisdiction under § 24-21-523, which permits the Secretary of State to suspend or revoke a notary public's commission if the notary fails to perform the duties of a notary public in accordance with the Revised Uniform Law on Notarial Acts. C.R.S. §§ 24-21-523(1)(a) and (e).
8. The Division files this complaint with a hearing officer consistent with the Revised Uniform Law on Notarial Acts, § 24-21-523(3), and the State Administrative Procedure Act, § 24-4-105.

9. Venue is proper before the hearing officer under C.R.S. § 24-4-104 and § 24-21-523(3).

FACTUAL ALLEGATIONS

10. On or about November 1, 2022, Garcia-Hernandez notarized a Colorado Department of Motor Vehicle Power of Attorney document appointing Daniel Garcia as agent for Luis Luna Sanchez, owner of a 2001 Chevy Silverado with a California driver's license # [REDACTED]. By signing, Luis Luna Sanchez granted Daniel Garcia the power, among other things, to transfer ownership of the vehicle.

11. On or about November 1, 2022, Garcia-Hernandez notarized a Colorado Department of Motor Vehicle Power of Attorney document appointing Daniel Garcia as agent for Jorge Luis Santos Tornez, owner of a 2009 Nissan Rogue with a Texas driver's license # [REDACTED]. By signing, Jorge Luis Santos Tornez granted Daniel Garcia the power, among other things, to transfer ownership of the vehicle.

12. On or about November 5, 2022, Garcia-Hernandez notarized a Colorado Department of Motor Vehicle Power of Attorney document appointing Daniel Garcia as agent for Emanuel Reyes Santiago, owner of a 2002 Subaru Legacy with an Idaho driver's license # [REDACTED]. By signing, Emanuel Reyes Santiago granted Daniel Garcia the power, among other things, to transfer ownership of the vehicle.

13. The three signers, however, do not exist.

14. On March 24, 2023, Weld County Sheriff's Deputy Jeremy McLaughlin filed a notary complaint against Garcia-Hernandez alleging Daniel Garcia had appeared at the Department of Motor Vehicles to obtain new titles to the three vehicles but that each of the three owners' names and identification numbers did not appear in any law enforcement databases, leading him to believe the Power of Attorney documents were fraudulent.

15. The Division notified Garcia-Hernandez three times, via email, of the initial complaint and solicited his relevant journal entries and any other information he elected to provide.

16. Garcia-Hernandez never responded.

17. After conducting its own investigation, the Division concluded the names and identification numbers of the alleged document signers do not appear in any United States law enforcement databases.

18. Because the signatories do not exist, the notarizations necessarily occurred outside the presence of the principal signers and without verification of their identities.

19. The Division twice sent Garcia-Hernandez a Final Disposition Letter announcing its intent to revoke his commission and offering a stipulation to revoke.

20. Again, Garcia-Hernandez did not respond.

21. Garcia-Hernandez renewed his commission on November 27, 2024.

CLAIM ONE
Notarization Not in the Presence of the Signer
(§ 24-21-506(1), C.R.S.)

22. All preceding allegations are incorporated.

23. A notary cannot notarize a document containing a signature unless the signer “appear[s] personally before the notarial officer.” § 24-21-506(1).

24. On or about November 1 and November 5, 2022, Garcia-Hernandez notarized Department of Motor Vehicles Power of Attorney documents not in the presence of the principal signers, in violation of C.R.S. § 24-21-506(1)

25. Garcia-Hernandez’s conduct constitutes grounds for revocation of his public notary commission under §§ 24-21-523(1)(a) and (3).

CLAIM TWO
Notarization without Verification of Signer’s Identity
(§§ 24-21-505(3) and -507, C.R.S.)

26. All preceding allegations are incorporated.

27. A notary who witnesses or attests to a signature “shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and signing the record has the identity claimed.” § 24-21-505(3); *see also* § 24-21-507 (providing ways to satisfactorily identify an individual).

28. On or about November 1 and November 5, 2022, Garcia-Hernandez notarized Department of Motor Vehicles Power of Attorney documents without verifying the identity of the principal signer.

29. Garcia-Hernandez's conduct constitutes grounds for revocation of his public notary commission under §§ 24-21-523(1)(a) and (3).

PRAYER FOR RELIEF

WHEREFORE, the Division prays for judgment and relief as follows:

1. A decision revoking the Garcia-Hernandez's Notary Public Commission, pursuant to C.R.S. § 24-21-523, for violations of the Revised Uniform Law on Notarial Acts as described above; and
2. Such other relief as the Hearing Officer may deem appropriate.

Respectfully submitted this 30th day of September, 2025.

PHILIP J. WEISER
Attorney General

/s/ Lane Towerly

LANE TOWERY, 59161*
Assistant Attorney General
Public Officials Unit
State Services Section
1300 Broadway, 6th Floor
Denver, CO 80203
Telephone: (720) 508-6470
Email: lane.towery@coag.gov
*Counsel of Record

*Attorney for the Business and Licensing
Division of the Department of State*

CERTIFICATE OF SERVICE

According to 8 CCR 1505-3, Rule 3.5, I certify that I will cause the foregoing **NOTICE AND ADMINISTRATIVE COMPLAINT** to be served this 30th day of September, 2025, by email and First-Class U.S. mail, addressed as follows:

Hearing Officer
Colorado Secretary of State
AdministrativeHearingOfficer@ColoradoSOS.gov

Ivan Garcia-Hernandez
2570 W 66th Place
Denver, CO 80221
ivan@silvercloudinsurance.com
Respondent

Deputy Jeremy McLaughlin
1950 O St.
Greeley, CO 80631
jmclaughlin@weld.gov
Third-Party Complainant

/s/ Lane Towery