

Do Not Hire a Notario

Notarios can harm your immigration case and steal your money. They may also offer to prepare your taxes to get more money. Avoid this fraud by following these tips.

In your immigration case, do not hire someone who:

- Guarantees you a visa or immigration status.
- Refuses to show you their license or accreditation.
- Refuses to give you a contract for their services.
- Asks you to sign blank or incomplete forms.
- Offers other services, such as tax preparation.
- Claims to have a special relationship with immigration authorities.
- Threatens to report your immigration status.
- Does not have a physical office and can only be contacted by email or phone.

Avoid an audit—do not hire a tax preparer who:

- Charges a fee based on a percentage of your refund.
- Refuses to give you their PTIN number (Preparer Tax Identification Number).
- Asks you to deposit your refund into a bank account that is not yours.
- Asks you to sign a blank tax return.
- Asks you to pay a health insurance penalty directly to them instead of the IRS.
- Charges you to file a return when you have low income— instead use a tax preparer below.

Hire a Qualified Provider

Free & low-cost immigration legal services

www.houstonimmigration.org
Houston Immigrant Rights Hotline
1-833-HOU-IMMI (468-4664)

Free Tax Preparation

For low-income households in Greater Houston

BakerRipley Tax Centers: (713) 273-3755
Volunteer Income Tax Assistance (VITA):
(800) 906-9887

Take Action Against a Notario

Report fraud, **even anonymously**, and help prevent it from happening to others.

For General Help

Contact the Houston Immigrants' Rights Hotline for general information on your rights and remedies at 1-833-HOU-IMMI (468-4664).

Make a Complaint

- Texas Attorney General's Office 1-800-252-8011
- Office of the Harris County Attorney, Vince Ryan (713) 274-5280
- Unauthorized Practice of Law Committee (512) 427-1341 www.txuplc.org/complaints
- If you suspect tax fraud, report it with Form 3949-A at www.irs.gov or call (800) 829-3676 to order by mail.

For Help with IRS Issues

If you think your tax preparer committed fraud, a Low Income Taxpayer Clinic (LITC) may be able to help you with your IRS issue.

- Lone Star Legal Aid LITC (800) 733-8394
- Houston Volunteer Lawyers LITC (713) 255-1TAX (1829) or (713) 228-0732

Recover Your Money

Individuals can file a small lawsuit against notarios to recover money paid for immigration or tax services.

- Lone Star Legal Aid (800) 733-8394
- Houston Volunteer Lawyers (713) 228-0732

**This brochure only briefly explains this topic.
For legal advice, please consult an attorney.**

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Protect Yourself From Notario Fraud

Avoid notarios that can cheat you and harm your immigration case or falsify your tax return.

Know how to identify notario fraud and how to take action if you have been victimized!



HOUSTON IMMIGRATION
LEGAL SERVICES COLLABORATIVE



Information on Notarios

Is a notario the same as an attorney?

No. A notario in the U.S. is someone who provides legal services without a license or authorization. A notario is not an attorney and cannot practice law.

Why is it bad to hire a notario?

Immigration law is complicated. Notarios do not have the knowledge or license to represent you in your immigration case. A notario may try to take your money and can harm your case because they do not understand the law. Your petition may be denied or you may be at risk of deportation.

But a notario helped my friend with his case. . .

Each case is different. Even if your friend qualifies for a benefit, it does not mean that you qualify. You may also not find out right away that a notario harmed his case, because immigration cases can last for years.

But a notario said I can get special status. . .

Notarios will tell you anything to get your money. You may want to believe there is an easy way to get status, but the law is complicated. If it sounds too good to be true, it probably is.

How do taxes affect my immigration case?

Filing taxes incorrectly could harm your immigration application. Always make sure that your tax preparer is qualified. If you pay a preparer, make sure they:

- Have a Preparer Tax Identification Number (PTIN).
- Write their name and PTIN on the return and sign it.
- Give you a copy of the return and their business card in case you have any issues in the future.

But the notario said I would get a huge tax refund. . .

A fraudulent tax preparer will commit fraud on your tax return to get a bigger refund, and charge you a large fee based on that refund. When the IRS finds out, you may be responsible for paying any additional taxes, interest, and penalties—not the preparer.

What do I do if I already went to a notario?

Get copies of all your documents and meet with an attorney as soon as possible. For a list of providers, visit www.houstonimmigration.org.



Photo Credit: Sarah Rocha for Latino USA

Finding a Quality Immigration Services Provider

How do I make sure a service provider is licensed?

Ask the provider if they are an attorney or a Department of Justice (DOJ) accredited representative. A provider should be able to show you proof of their license to practice immigration law. Also do a search of the provider online.

What are the roles of attorneys, DOJ accredited representatives, preparers & interpreters?

Licensed Attorneys: An attorney is licensed by a State Bar after years of study and examination. Practicing law without a license is a crime; attorneys can lose their license for defrauding clients. Only licensed attorneys can file documents, represent clients in court, and advise clients about whether they qualify for legal relief.

DOJ Accredited Representatives: The only non-attorneys who can represent you in your immigration case are “accredited representatives.” They are licensed by the DOJ because they have special knowledge and experience in immigration law. Accredited representatives must work for a non-profit organization and must offer to waive or reduce fees if you cannot afford to pay.

Preparers and Interpreters: Interpreters can translate your answers on legal forms, but it must be in your own words. If you cannot write or do not know how to use a computer, preparers can help you write down your answers. They cannot fill out the form without you or tell you what to say. If they do, they are notarios.

Questions to Ask an Immigration Services Provider

- ✓ Are you licensed or accredited?
- ✓ Can I have proof of your license/accreditation?
- ✓ Can I have your business card?
- ✓ Can I have a contract for your services?

If you do not get an answer, consider hiring someone else. Call multiple attorneys before you hire one and ask about fees and payment plans.

What if I cannot afford an attorney?

Find free and low-cost legal service providers in Greater Houston at www.houstonimmigration.org or call the Immigrant Rights Hotline at 1-833-468-4664. For a private attorney, visit www.aialawyer.org; attorneys may take payment plans.

A notary is not an attorney!