

SIMPLE TIPS TO A VOID REAL ESTATE CRIMES:

- Never do business with people who you've never met face-to-face;
- Get a business card and keep it safe;
- Avoid letting people into your house to do a real estate deal;
- Do not go to coffee shops or restaurants to complete deals. In most cases, legitimate companies have real offices;
- Avoid doing business with strangers you meet on the internet or at coffee shops, stores, or church who tells you they have a "great business deal" for you;
- Check the names of individuals and companies on the internet to see if they have complaints against them -do your homework- research;
- Do not give out your social security number and other personal identifying information until you have thoroughly checked on the individual or company you are doing business with;
- NEVER pay for real estate deals with cash! Pay with a check so that your payments can be traced if needed;
- Always remember: "If it sounds too good to be true, it probably is!"
- You are never required to pay money up front for a loan modification. Be suspicious of anyone who asks you to pay money before they perform all of their services for you;
- Read all documents before you sign them. Be suspicious of anyone who tells you to "just sign" the documents without reading them; and
- Ask for and keep safe a copy of everything you sign.
- Never be pressured or rushed into a real estate transaction. Take your time, and hire professionals to help you in your decision. This could be your greatest investment decision in your life, take your time to make an intelligent decision.

HOW TO FILE A COMPLAINT?

TO REQUEST A COMPLAINT FORM OR TO REPORT SUSPECTED REAL ESTATE FRAUD CALL:

REAL ESTATE FRAUD HOTLINE:

(866) 463-6380

PRINT A COMPLAINT FORM ONLINE :

http://www.solanocounty.com/depts/da/real_estate_fraud/how_to_file_a_complaint_.asp

(** Please note that due to the complexity of real estate fraud cases, we cannot take complaints over the phone.)

Other Agencies That May Be Able To Assist You:

California Department of Real Estate (DRE)
www.dre.ca.gov
(916) 227-0864

California Contractors State License Board
Sacramento Intake & Mediation Center
www.cslb.ca.gov
(800) 321-2752

Solano County Assessor-Recorder's Office
Marc Tonnesen, Assessor-Recorder
Assessor's Division (707) 784-6200
Recorder's Division (707) 784-6290

Solano County Adult Protective Services
(800) 850-0012

HOPE – Foreclosure Counseling Hotline
(888) 995-HOPE (4673) - available 24/7

Pacific Community Services
(925) 439-1056

Housing and Economic Rights Advocates (HERA)
(510) 271-8443 ext. 309 Solano County Residents

REAL ESTATE FRAUD

TIPS FOR HOMEOWNERS & LAW ENFORCEMENT



**DISTRICT ATTORNEY
DONALD A. du BAIN**

REAL ESTATE FRAUD UNIT
675 Texas St., 4th Floor
Suite 4500
Fairfield, CA 94553

(707) 784-6800

Real Estate Fraud Unit:

Laura Undlin, Deputy District Attorney
Sonny Ash, Investigator
Jerry Sanchez, Investigator

HOW CAN THE DISTRICT ATTORNEY HELP ME?

- The District Attorney's office handles any case where the house is located in Solano County, or where money changes hands in Solano County.
- Not all cases are criminal cases. In some cases, your case may be a civil matter. By law, we are not allowed to help with civil matters, but we will assist you in getting referrals to other agencies or the local bar.
- However, some cases that at first seem to be a civil matter may violate the Penal Code, the Civil Code or the Corporations Code. In other words, it is recommended that you refer the matter to the Office of the District Attorney for a determination if a crime has been committed or not.

REAL PROPERTY CRIMES:

- Crooks / Scam artists operate profitably in the complex world of real estate sales and loans. Criminals use false representations, fine print and obscure procedures to steal the equity from your home or to commit loan fraud. Theft by false representation is a crime! If you believe that you have been the victim of a real property crime, law enforcement wants to know.
- If there is sufficient evidence to prove that a crime was committed, the Office of the District Attorney will investigate and prosecute the offender. Provided below are a few of the more common types of crimes being perpetrated in Solano County:

LOAN MODIFICATION SCAMS

- Though interest rates are presently low for residential home loans, many people are unable to refinance their loans as they are "upside-down" in their loan (i.e. their mortgage exceeds the value of the home.) Unfortunately, there are dishonest crooks who claim they can get your home loan refinanced at a low rate but they require you to pay them 'advanced fees'.
- It is illegal for anyone to charge advanced fees / upfront fees to refinance a loan.

- Many of the loan modification crooks demand the advanced fees / upfront fees. They keep the money but do nothing for the homeowner.

FORGERY OF DEEDS

Real property records are filed at the County Recorder Office in Fairfield. At times crooks will file false / forged Grant Deeds at the County Recorder Office which transfers ownership away from the true homeowner. Said false Grant Deeds often contain forged signatures of the true homeowner as well a false notarization.

MORTGAGE FRAUD

- When a homeowner applies for a mortgage / loan, he/she signs the loan application under penalty of perjury. Material, false misrepresentations on the loan application is unlawful.
- Sometimes the homeowner and/or the real estate broker will include material, false misrepresentations in order to obtain the loan.



FINANCIAL ELDER ABUSE

- Often an elderly homeowner has a Home Equity Line of Credit (HELOC). This money is based upon the equity in the home. Access to this money is derived from a credit card or checking account;
- Crooks have at times, based on illegal use of the checking account or credit card, withdrawn money from the HELOC.

SECURITIES FRAUD

- Under California law, it is unlawful to offer or sell any security based on any false, material fact or the omission of a material fact; Often the security provided by the crook is a 'promissory note' backed by real estate property the crook does not own.

RENT SKIMMING

- It is unlawful for a landlord to fail to use the rent revenue to pay the mortgage on the property;

FORECLOSURE RESCUE SCAMS

- A distressed homeowner surrenders title to an 'investor', believing, based on the promises of the foreclosure rescue crook, that he/she will be able to buy the home back from the investor at a later date.
- The crook tells the distressed homeowner that the 'investor' has a better credit rating and will get new financing to prevent the foreclosure.
- The homeowner eventually loses the house and crook walks off with the rent and equity.

RENTAL FRAUD SCAMS

- Rental fraud scams involve the rental of homes that the crook does not own or manage. Often the crook locates empty foreclosed properties wherein he changes the locks and advertises the property on Craigslist at below market rates;
- Crooks will collect advance rents and then vanish;
- Be alert for possible rental fraud when utilities are held in the name of a third person or when the 'landlord' insists upon being paid in cash.

STRAW BUYER SCAMS

- Scam artists find ways to cash out equity of real property entrusted to them using "creative financing". They may employ phony "straw buyers" to sign loan payments.
- The straw buyer may have committed both state and federal crimes. His or her credit is ruined and he is obligated to pay the loan amount.
- Your best protection is to NEVER submit to pressure and to ALWAYS insist on getting financial or legal advice before you commit to a contract or loan.