

Real Property: Is Your Home Safe From Property Fraud?

1. Summary

Real property fraud is a fast growing crime in the United States and owners of real property in California, including Orange County, are not adequately protected from this type of fraud. Real property fraud may be defined as the intentional and successful employment of any cunning, deception, collusion, or artifice, used to circumvent, cheat or deceive another person whereby that person acts upon it to the loss of property and to legal injury. (See Glossary)

The 2005-2006 Orange County Grand Jury conducted a study focused on the procedures that the Orange County Assessor and Clerk-Recorder's offices have in place to ensure that real property owners in Orange County are adequately protected from real property fraud. The Grand Jury found the following:

- 1.1** The Clerk-Recorder's office does not have any specific procedures in place that require property transfer documents recorded in Orange County be reviewed in order to prevent potential real property fraud.
- 1.2** The Orange County Board of Supervisors has not imposed a fee hike of up to \$2 to be paid at the time of recording of every real estate instrument, paper, or notice required or permitted by law to be recorded within the county that would be placed in a Real Estate Fraud Prosecution Trust Fund.
- 1.3** The April 2004, Special Topic Survey, Change in Ownership and New Construction, California State Board of Equalization, stated that 26 out of 42 county assessors responded that they have a significant problem with the Preliminary Change of Ownership Report (PCOR) being incorrectly completed.
- 1.4** The Orange County Assessment Practices Survey, California State Board of Equalization, dated July 2001, determined that the Assessor's staff

Some Acronyms and Abbreviations in this Report

PCOR:	Preliminary Change of Ownership Report
COS:	Change of Ownership Statement
FBI:	Federal Bureau of Investigation

effectively tracks incoming PCORs and Change of Ownership Statements (COSs) and applies penalties as required.

2. Introduction and Purpose of the Study

The purpose of this study was to determine if the procedures that the Orange County Assessor and Clerk-Recorder's offices have in place are adequate to help prevent real property fraud and improve protection for the homeowner.

3. Method of Study

To determine if Orange County real property owners are adequately protected from real property fraud, the Orange County 2005-2006 Grand Jury:

- 3.1** Toured the Orange County Assessor and Clerk-Recorder's offices;
- 3.2** Interviewed employees from the Orange County Assessor's office and the Orange County Clerk-Recorder's office;
- 3.3** Reviewed recording requirements for property transfer documents from the Clerk-Recorder's office;
- 3.4** Reviewed flow charts from the Orange County Assessor's office regarding the document screening process, deed processing, and COS processing;
- 3.5** Reviewed the Office of the Assessor's 2004 Calendar Year PCOR Summary Report;
- 3.6** Reviewed the Office of the Assessor's Recorder/Assessor Interface Audit Status Report for Calendar Year 2004;
- 3.7** Reviewed the Summary of Legal Descriptions Problems on Recorded Documents for Calendar Year 2004 as summarized by the Office of the Assessor;
- 3.8** Reviewed background information from the FBI and previous grand jury reports; and,
- 3.9** Reviewed copies of applicable state and county policies and procedures.

4. Background

4.1 FBI Mortgage Fraud Data

The FBI's May 2005 "Financial Crimes Report to the Public" documents matters involving fraud, theft, and embezzlement relating to the national and international financial community. The FBI focuses on such criminal activities as corporate fraud, health care fraud, mortgage fraud, identity theft, insurance fraud, and money laundering.

Combating mortgage fraud is a priority because mortgage lending and the housing market have a significant overall effect on the nation's economy. According to the report, the FBI is engaged with the mortgage industry in identifying fraud and educating the public. Types of fraud that are increasing include: equity skimming, property flipping, and mortgage related identity theft. (See Glossary) The report states that in a recent analysis of mortgage industry fraud surveys 26 different states were noted as having significant mortgage fraud. California was identified as one of the "Top Ten Hot Spots for Mortgage Fraud Incidents".

According to the FBI, the total number of mortgage related suspicious activity reports filed nationwide for the years 2001 thru 2004 were:

Year	2001	2002	2003	2004
Total reports filed	4,225	5,623	6,836	17,127

4.2 Identity Theft

The 2003-2004 Orange County Grand Jury issued a report titled "Identity Theft: What Are Local Law Enforcement And Prosecutors Doing To Combat The Problem?" The report states "...that identity theft is the fastest growing crime category in the United States." It further states "...recent reports issued by both the United States Federal Trade Commission and the Gartner Research Group note that identity theft is increasing at an alarming rate in this country. Interviews with several Orange County police agencies and prosecutors confirmed that identity theft crimes are rapidly increasing in Orange County as well."

4.3 Office of the Clerk- Recorder

According to the Clerk-Recorder, there are no specific regulations within the State of California requiring verification of information to be performed in the Clerk-Recorder's office when a deed is recorded. Items of information required for recording property transfers in Orange County are: name of grantor, name of

grantee, description/identification of real property, documentary transfer tax statement, mailing address for tax statements, signature of grantor, signature acknowledgment, and a Certificate of Acceptance if the deed is to a political or governmental agency for public use purposes. The Clerk-Recorder's office randomly notifies property owners when a deed or lien is recorded in Orange County.

Based on data from the Clerk-Recorder's office for the year 2004, there were 136,205 grant deeds recorded, of which 25,360 are quitclaim deeds. Corporation, joint tenancy executor, partnership, and inter-spousal transfer deeds are included in the total grant deed number and constitute approximately 10 percent of that total.

4.4 Office of the Assessor

The Assessor's report "2005-2006 Local Assessment Roll" indicates that there are 859,112 parcels in Orange County. The office reviewed about 242,700 recorded documents.

For Calendar Year 2004, the Office of the Assessor stated that only 76.52 percent of the deeds processed in their office had a PCOR filed.

State law requires that a PCOR be filed with every document evidencing a change in the title or ownership of real property when the document is recorded. If a PCOR is not filed at the time of recording, a fee of \$20 is charged by the Clerk-Recorder. The Assessor will then send the new owner a COS, which is identical to a PCOR. If the owner fails to file the COS, penalties are incurred ranging from \$100 to \$2500 which are added to the property tax bill. These documents are required to be filed with the Office of the Assessor.

Based on the "Orange County Assessment Practices Survey", dated July 2001, a change in ownership is defined as a transfer of a present interest in real property. Such transfers are re-appraisable events unless specifically excluded by law. Timely identification and processing of changes in ownership are important because of the statute of limitations for supplemental and escape assessments. The survey also determined that the Assessor's staff effectively tracks incoming COSs and PCORs and applies penalties as required.

4.5 California State Board of Equalization

In July 2003, the California State Board of Equalization sent a questionnaire to all 58 county assessors to obtain information specific to their change in ownership

and new construction assessment programs. The survey consisted of 45 questions. Of the 58 county assessors, 42 returned the survey.

The survey results published as the "Special Topic Survey Change in Ownership and New Construction," dated April 2004, indicate the determination of whether a change in ownership results is straightforward for most transfers of real property. Properties are generally transferred by a recorded deed following a sale on the open market. A small percentage of changes in ownership present problems for county assessors. Section 480 of the California Revenue and Taxation Code requires a transferee of real property to file a signed COS. Section 480.3 provides that a transferee may also file a PCOR with the county recorder when a document evidencing a change of ownership is recorded.

The survey also revealed that 26 county assessors had a significant problem with the PCOR being incorrectly completed. The average rate of incorrectly completed forms was 31 percent. The highest rate reported was 90 percent and the lowest rate reported was 10 percent. The majority of assessors reported that 25-35 percent of forms were incorrect. Sources of incorrectly completed forms varied: 21 assessors listed title companies, 19 assessors identified individuals, two assessors identified escrow companies and two assessors specified attorneys. Also stated was that, of the counties that have problems with the PCOR, title companies filled out half of them.

4.6 California Government Codes

California Government Code 27388 (a) states in part that, in addition to any other recording fees specified upon the adoption of a resolution by the county board of supervisors, a fee of up to \$2 shall be paid at the time of recording of every real estate instrument, paper, or notice required or permitted by law within that county. The fees, after deduction of any actual and necessary administrative costs incurred by the county in carrying out this section, shall be paid quarterly to the county auditor or director of finance, to be placed in a Real Estate Fraud Prosecution Trust Fund.

California Government Code 27388 (b) states in part that money placed in a Real Estate Fraud Prosecution Trust Fund shall be expended to fund programs to enhance the capacity of local police and prosecutors to deter, investigate, and prosecute real estate fraud crimes.

According to an article in the Los Angeles Times, dated September 27, 2005, at least eight other counties, including Ventura, Los Angeles, Riverside, San

Bernardino and San Diego have established such programs. Orange County has not.

The California Department of Corporations regulates consumer finance lenders and industrial loan companies and the California Department of Real Estate regulates real estate licensees engaged in mortgage brokering and lending.

5. Observations and Discussion

5.1 Recording of Deed

We conducted interviews with both the Clerk-Recorder and Assessor of Orange County. During these interviews we were informed that beyond the specific requirements set forth in State law, the Clerk-Recorder's office does not have additional requirements or measures in place that would help prevent real property fraud. According to the Clerk-Recorder, although their office is not an enforcement office, they do look for suspicious items when recording documents. In those cases, their office may contact the District Attorney's office. In all other instances, employees of the Clerk-Recorder's office are only looking for items that are required when recording a deed.

5.2 Tracking Parcel History

The Orange County Assessor indicated his office does track parcel history by looking for breaks in the chain of title to real property. The Assessor stated that his staff gets electronic copies of deeds recorded via the Clerk-Recorder/Assessor Interface system. His staff verifies all owners that have been listed on that parcel, as far back as needed, to ensure that the chain of ownership is complete. If the chain is broken, the document is subject to further review. The Assessor stated that the PCOR should be filed with the deed, although title companies do not require the form to be completed at the time of escrow.

5.3 PCORs

Based on the "Orange County Assessment Practices Survey," dated July 2001, the Assessor's staff receives deeds and all recorded document images online daily from the Clerk-Recorder's office. The PCORs are date stamped and screened for completeness. If not fully filled out, the staff makes a copy and returns it to the grantee with instructions to complete the form. If a PCOR is not filed at the time of recording, a COS is mailed to the grantee. The document screening section reviews documents received online from the Clerk-Recorder and matches them with the PCORs. Every document that pertains to real property is printed and reviewed to determine if it should be kept or deleted. Those retained are

reviewed for accuracy and then routed to the transfer processing or mapping section. The staff then verifies grantor, grantee, parcel number, legal description, and other information before entering the information into the database. The Assessor's staff electronically tracks the mailing and return of the COSs. If they are not filed on a timely basis, the Assessor's office sends one or more notices of the penalty to the grantee.

5.4 Orange County Fraud Hotline

Orange County's Internal Audit Department operates a fraud hotline that is intended for use by county employees, the general public, and vendors to report cases of suspected waste, fraud, and violations of county policy and misuse of county resources by vendors, contractors and county employees. The hotline numbers listed are for the following areas: child abuse, consumer fraud, county safety hazards, county worker's compensation fraud, welfare fraud, and Medi-Cal fraud. See Exhibit A.

6. Findings

In accordance with California Penal Code Sections 933 and 933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2005-2006 Orange County Grand Jury has arrived at the following findings:

- 6.1 Safeguard Procedures:** Beyond the requirements of State law, the Clerk-Recorder's office does not take additional measures to ensure that property owners in Orange County are safeguarded from potential real property fraud.
- 6.2 Fee Hike:** The Orange County Board of Supervisors has not adopted a resolution to impose a fee hike of up to \$2 to be paid at the time of recording of every real estate instrument, paper, or notice required or permitted by law to be recorded within the county which would be placed in a Real Estate Fraud Prosecution Trust Fund.
- 6.3 Notification:** Orange County property owners are not always notified by the Clerk-Recorder's office when a deed is recorded on property.
- 6.4 Hotline:** Although Orange County has a Consumer Fraud Hotline available to the general public to be used to report suspected waste, fraud, and misuse of county resources, it lacks a real estate fraud and information

hotline that identifies types of real estate fraud, common warning signs of real property fraud, and 800 numbers consumers can call to report possible fraud.

- 6.5** *Assurance Sampling*: The Office of the Assessor does conduct quality assurance sampling of data recorded through the Recorder/Assessor Interface (RAI) system to determine if any documents were miscoded or had data omitted pertaining to a property transfer.

Responses to Findings 6.1, 6.3, and 6.4 are required from the Clerk-Recorder. Response to Finding 6.2 is required from the Board of Supervisors. Response to Finding 6.5 is required from the Assessor.

7. Recommendations

In accordance with California Penal Code Sections 933 and 933.05, each recommendation will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. Based on the findings, the 2005-2006 Orange County Grand Jury makes the following recommendations:

- 7.1** *Strengthen Property Recording Requirements*: The Clerk-Recorder should work with the Orange County Board of Supervisors to require that the property address be included on all property transfer documents as part of the information submitted to the Clerk-Recorder's office for recording. (FINDING 6.1)
- 7.2** *Strengthen Laws*: The Orange County Board of Supervisors should encourage legislators and lending industry agencies to strengthen existing laws and regulations to ensure that PCORs are completed correctly and are filed with deeds. (FINDING 6.1)
- 7.3** *Impose Fee Hike*: The Orange County Board of Supervisors should adopt a resolution to impose a fee hike of up to \$2 to be paid at the time of recording of every real estate instrument, paper, or notice required or permitted by law to be recorded within the county which should be placed in a Real Estate Fraud Prosecution Trust Fund. (FINDING 6.2)
- 7.4** *Homeowner Notification*: The Clerk-Recorder's office should notify homeowners of all filings affecting title to or rights in their homes. See

Exhibit B for an example of the recorded document notification letter the Los Angeles County Registrar's office sends to homeowners when a deed or trust deed is recorded on their property. (FINDING 6.3)

- 7.5** *Fraud Hotline*: In addition to the Orange County Consumer Fraud Hotline that is in place, the Clerk-Recorder and Assessor's offices should implement a Real Estate Fraud Hotline and Information Program like the ones the Los Angeles County Department of Consumer Affairs and the Los Angeles Police Department have in place. Both Hotlines identify several types of real property fraud and common warning signs of such fraud. See Exhibit C for an example of the web page the Los Angeles County Department of Consumer Affairs maintains identifying warning signs of real property fraud. (FINDING 6.4)
- 7.6** *Public Notification*: Both the Clerk-Recorder and Assessor's offices should work with the California Assessor's Association and the California State Board of Equalization to produce and distribute posters and brochures to various senior centers and agencies that may aid in informing Orange County property owners of the warning signs of real estate fraud, including mailing brochures along with any other information sent real property owners, *e.g.*, mailing a brochure along with a property tax bill. (FINDING 6.4)
- 7.7** *Quality Assurance*: The Office of the Assessor should continue to conduct its quality assurance sampling to ensure that all documents are properly coded. (FINDING 6.5)

Responses to Recommendations 7.1, 7.2 and 7.3 are required from the Board of Supervisors. Responses to Recommendations 7.1 , 7.4 , 7.5 ,and 7.6 are required from the Clerk-Recorder, Responses to Recommendations 7.5, 7.6 and 7.7 are required from the Assessor.

8. Commendations

- 8.1** The 2005-2006 Orange County Grand Jury would like to thank both the Clerk-Recorder and Assessor's offices for their cooperation and interest in this topic. In a letter dated September 22, 2005, the Clerk-Recorder's office has informed the 2005-2006 Orange County Grand Jury that it has

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implemented two of our recommendations and intends to implement another recommendation in the future (see Exhibit D). Specifically, the Clerk-Recorder's office has begun to implement the following:

- 8.1.1** Send a random confirmation letter to customers who record grant deeds and other property transactions in their office;
- 8.1.2** Create a "Prevention of Real Estate Fraud" page on its website. The Clerk-Recorder anticipates that the website will be up and running within sixty days; and,
- 8.1.3** Begin to establish the framework for a public outreach campaign for the prevention of real property fraud.

9. Appendix

9.1 Exhibits

Exhibit A: Hotline numbers.

Exhibit B: Example of recorded document notification from LA County Registrar's Office.

Exhibit C: Example of real property fraud web page from the LA County Department of Consumer Affairs.

Exhibit D: Letter from Orange County Clerk-Recorder dated September 22, 2005.

9.2 Sources

"Financial Crimes Report to the Public", United States Department of Justice, Federal Bureau of Investigation, Financial Crimes Section, May, 2005.

"Identity Theft: What Are Local Law Enforcement and Prosecutors Doing to Combat the Problem?", 2003-2004 Orange County Grand Jury Report.

"Special Topic Survey, Change in Ownership and New Construction", California State Board of Equalization, April 2004.

"Property Transfer Document Statistics", Clerk-Recorder's Office, 2004.

"Recorded Property Transfer Document Statistics for Calendar Year 2004 and PCOR Summary Report", Office of the Assessor.

"Orange County Assessment Practice Survey," California State Board of Equalization, July 2001.

California Government Code Section 27388 Sections (a) and (b).

"Information Relating to Real Estate Practice, Licensing and Examinations," California Department of Real Estate, Reference Book,

9.3 Glossary

Real Estate Fraud: The Information Relating to Real Estate Practice, Licensing and Examinations, California Department of Real Estate, Reference Book

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defines fraud as the intentional and successful employment of any cunning, deception, collusion, or artifice, used to circumvent, cheat or deceive another person whereby that person acts upon it to the loss of property and to legal injury.

Real Property: California Revenue and Taxation Code, Section 104 defines real property as:

- a. The possession of, claim to, ownership of, or right to the possession of land.
- b. All mines, minerals, and quarries in the land, all standing timber whether or not belonging to the owner of the land, and all rights and privileges appertaining thereto.
- c. Improvements.

Fraud: California Civil Code, Section 1572 defines actual fraud, within the meaning of this Chapter, consists in any of the following acts, committed by a party to the contract, or with his connivance, with intent to deceive another party thereto, or to induce him to enter into the contract:

1. The suggestion, as a fact, of that which is not true, by one who does not believe it to be true;
2. The positive assertion, in a manner not warranted by the information of the person making it, of that which is not true, though he believes it to be true;
3. The suppression of that which is true, by one having knowledge or belief of the fact;
4. A promise made without any intention of performing it; or,
5. Any other act fitted to deceive.

Unlawful transfers of real property: California Civil Code, Section 1227 states:

Every instrument, other than a will, affecting an estate in real property, including every charge upon real property, or upon its rents or profits, made with intent to defraud prior or subsequent purchasers thereof, or encumbrancers thereon, is void as against every purchaser or incumbrancer, for value, of the same property, or the rents or profits, thereof.

Fraudulent conveyance: California Penal Code, Section 531 states: Every person who is a party to any fraudulent conveyance of any lands, tenements, or hereditaments, goods or chattels, or any right or interest

issuing out of the same, or to any bond, suit, judgment, or execution, contract or conveyance, had, made, or contrived with intent to deceive and defraud others, or to defeat, hinder, or delay creditors or others of their just debts, damages, or demands; or who, being a party as aforesaid, at any time wittingly and willingly puts in, uses, avows, maintains, justifies, or defends the same, or any of them, as true, and done, had, or made in good faith, or upon good consideration, or aliens, assigns, or sells any of the lands, tenements, hereditaments, goods, chattels, or other things before mentioned, to him or them conveyed as aforesaid, or any part thereof, is guilty of a misdemeanor.

Mortgage Fraud: Department of Justice, FBI Financial Crimes Report to the Public, dated May 2005, states in part: the FBI investigates mortgage fraud in two distinct areas: Fraud for Profit and Fraud for Housing. Fraud for profit is sometimes referred to as “Industry Insider Fraud” and the motive is to revolve equity, falsely inflate the value of the property, or issue loans based on fictitious properties. Fraud for Housing represents illegal actions perpetrated solely by the borrower. The simple motive behind this fraud is to acquire and maintain ownership of a house under false pretenses. This type of fraud is typified by a borrower who makes misrepresentations regarding his income or employment history to qualify for a loan.

Equity Skimming: The Department of Justice, FBI Financial Crimes Report to the Public, dated May 2005, also defines equity skimming as: an investor may use a straw buyer, false income documents, and false credit reports, to obtain a mortgage loan in the straw buyer’s name. Subsequent to closing, the straw buyer signs the property over to the investor in a quit claim deed which relinquishes all rights to the property and provides no guaranty to title. The investor does not make any mortgage payments and rents the property until foreclosure takes place several months later.

Straw buyer: The Department of Justice, FBI Financial Crimes Report to the Public dated May 2005, also defines straw buyer as: the identity of the borrower is concealed through the use of a nominee who allows the borrower to use the nominee’s name and credit history to apply for a loan.

Property Flipping: The Department of Justice, FBI Financial Crimes Report to the Public dated May 2005, also defines property flipping as: property is purchased, falsely appraised at a higher value, and then quickly sold. What

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makes property flipping illegal is that the appraisal information is fraudulent.



ORANGE COUNTY FRAUD HOTLINE



Call us 24 hours a day,
7 days a week at

(714) 834-3608

To report possible misuse of county resources, theft or violation of county or state rules and regulations, call the Orange County Internal Audit Department.

You may call anonymously.

Find us at www.ocgov.com/audit

Other Hotline Numbers:

- Child Abuse.....(714) 940-1000
- Consumer Fraud(714) 347-8706
- County Safety Hazards(714) 834-2817
- County Worker's Compensation Fraud(714) 834-2817
- Welfare Fraud.....(714) 347-8400
- Medi-Cal Fraud(800) 822-6222

The Orange County Fraud Hotline is intended for the use by County employees, the general public, or vendors reporting suspected waste, fraud, violations of County policy or misuse of County resources by vendors, contractors or County employees. County employees wishing to report complaints are protected under California Labor Code 1102.5 and 1106 - the New Whistleblower Law; however, if it is determined that a complaint was filed by a County employee in bad faith, said employee may be subject to appropriate disciplinary action. The California State Attorney General's Whistleblower Hotline number is **1-800-952-5225**.



REGISTRAR-RECORDER/COUNTY CLERK

12400 IMPERIAL HIGHWAY
NORWALK, CA 90650

CONNIE B. McCORMACK
REGISTRAR-RECORDER/COUNTY CLERK

To: Homeowners

From: Los Angeles County Registrar-Recorder/County Clerk
Los Angeles County Department of Consumer Affairs

Re: **RECORDED DOCUMENT NOTIFICATION**

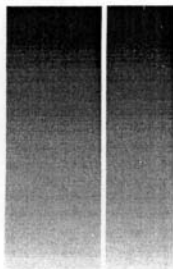
Recently, the enclosed DEED or TRUST DEED was recorded. A copy of the recorded document is being sent to you as part of a Los Angeles County effort to protect homeowners from fraud. By sending you a copy of the recorded document, you now have the opportunity to review it to insure that it is accurate and authentic.

To assist your understanding of the enclosed document, signing a DEED means that someone else may own some or all of your property. A DEED OF TRUST means that your property is pledged as security for a loan. If you do not repay the loan, the lender has the right to foreclose on the property. In a foreclosure, your property is sold and you are forced to move out.

Please take a moment to review the enclosed copy of the recorded document. If you are already aware of the document and there are no problems with it, you need do nothing further. If after reviewing the document, you have any questions or concerns, please contact the Department of Consumer Affairs Real Estate Fraud and Information Program by calling **(213) 974-1450**. The enclosed information sheet tells more about the free services of the Department of Consumer Affairs.

ENCLOSURE

Exhibit C



Los Angeles County Department of Consumer Affairs
500 W. Temple Street, Room B-96 □ Los Angeles, CA 90012 □ (213) 974-1452

Real Estate Fraud & Information Program

Some Common Warning Signs of REAL PROPERTY FRAUD

- **Building Permits Are Denied:** Building permits are denied for many reasons, most of which do not involve fraud. However, in cases of *undeveloped land fraud*, a seller of land may represent that the property has access to water, roads and utilities, and is ready to build on. Later, when you apply for permits, you learn that the seller's promises were false.
- **Property was Misrepresented to You:** In cases of undeveloped land fraud, you may discover that the lot you purchased does not comply with subdivision laws and cannot be used as you intended. You may also learn that the property you were shown is not the property described on your land sale contract or deed. To protect yourself, obtain title insurance before you buy and consider having purchase documents recorded with the County Registrar-Recorder.
- **A Missing Property Tax Bill:** There may be a harmless explanation, but a missing tax bill can also be the first sign of a *home equity fraud*. In home equity fraud, your signature is forged on a deed and the equity in your home is stolen through loans taken against your property. Receiving mortgage documents or payment books for loans you never applied for is another tip-off to home equity fraud.
- **You are Facing Foreclosure:** When you're in foreclosure, you receive dozens of letters from foreclosure consultants and equity purchasers who promise to stop the foreclosure by purchasing your home, or by getting you a home loan. If your home is worth more than you owe on it, they may have you sign your home over to them on the promise that they will get you a loan. Once your home is in their name, they take out loans and keep the proceeds. Some have you "rent" your own home from them, promising they will sell the house back to you later. This never happens. Instead, they keep your rent payments until your home is lost to foreclosure.
- **You are Notified That a Property Document has been Recorded:** To protect the public, the Registrar-Recorder will begin mailing property owners copies of recorded documents that impact ownership of their property. Materials mailed to property owners will provide information on how to obtain free assistance.



For more information or to report a fraud, call:
The Los Angeles County Department of Consumer Affairs
Real Estate Fraud and Information Program
(800) 973-3370



TOM DALY
CLERK-RECORDER

RECEIVED
SEP 23 2005

ORANGE COUNTY
HALL OF RECORDS AND FINANCE
12 CIVIC CENTER PLAZA, ROOM 101, P.O. BOX 238, SANTA ANA, CALIFORNIA 92702-0238
PHONE (714) 834-2248 FAX (714) 834-2675

Ms. Virginia Dourovodian
Member, Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, Ca 92701

September 22, 2005

Dear Ms. Dourovodian:

It was a pleasure to meet with you and other members of the Orange County Grand Jury last month.

As a follow-up to our conversation regarding real estate transaction fraud, I wanted to keep you abreast of our latest activities to protect our customers. To date, we have begun to implement a process to:

- send a random confirmation letter to customers who record grant deeds and other property transactions in our office; and,
- create a "Prevention of Real Estate Fraud" page on our website. I anticipate this additional page to the Orange County Clerk-Recorder Department website to be up and running within sixty (60) days.

In the long term, my staff has also begun the framework for a public outreach campaign for the prevention of real estate fraud, which includes the distribution of posters and correspondence to senior residents throughout Orange County. I plan to work closely with the County's Area Agency on Aging to assist with this endeavor and will certainly keep you updated on our efforts.

I look forward to continuing our discussion on this issue. Please feel free to contact me at (714) 834-2248, should you have any questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Tom Daly".

Tom Daly
Orange County Clerk-Recorder