

# Dirty Deeds Done Dirt Cheap

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# Welcome

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# Deed Fraud/Theft

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- AKA
  - Title Theft
  - Deed Takeovers
  - Dirty Deeds
- Deed that is forged or other fraudulent means used to transfer ownership
  - Quit Claim Deeds
  - Transfer on Death (TOD) Deeds
  - Warranty Deeds



# Why Deed Theft?

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- EASY
  - Forged documents
  - Filed online with little to no oversight
    - Online signing platforms
- Typically delay in discovery
- Little to no checks upon recording
  - No ID checked at the time of recording
  - Notary might be hard to get ahold of (\*typically not contacted)
  - Docs are not scrutinized by Clerks/Assessors - Laws for Clerks
  - Properties deeded to LLCs

# Why Deed Theft?

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- Hard to unwind the theft and restore ownership
  - Race-to-Record State
  - Money out of the victim's pocket to restore their ownership
    - Typically need to hire an attorney
    - Court filing fees
    - County recording fees
    - Notary fees, etc.

# Deed Purpose

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## DEED EXPLOITATION

- These types of deeds were intended to create a simple process to quickly transfer interests in property
  - Between family members
  - Private sales

## RECORDING PROCESS

- Deed completed by owner
- Signed within presence of a certified Notary, pay fee
- Taken to County Clerk, pay fee
- Clerk “records” the deed
- Deed transferred to the Assessor’s Office
  - Some offices reviewing, some not
  - Keep in mind it is already RECORDED
  - If any mistakes or issues, the owner is contacted for correction

# Deed Theft History

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- Took off in the early 2000's
  - Organized crimes groups have discovered this scheme – no overhead, low risk, high return
  - And they are here
- There are no tracking stats for this offense
  - The 2023 FBI Internet Crime Report tracked 9,521 complaints of cyber related real estate and rental fraud
    - Losses total more than \$145 million



# Targets

- Properties that are lien free
  - Vacant land
  - Vacant homes (second/vacation homes)
  - Poorly Maintained Homes
  - Older adult owners

## Here's how people in Florida steal homes from older people and the dead

Authorities say it's an increasing problem in the Tampa Bay area. One woman is accused of trying to steal her own mother's home.



NEWS

## Missouri family discovers home was 'stolen' with fake deed

RESIDENTIAL NEW YORK

## Bronx broker, associates charged in deed theft scheme

Trio facing multiple felonies, up to 15 years in prison after New York elevated penalty



# Discovery of Offenses

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- Death of older owner
  - Heirs/Probate discover
- Try to sell the home
- A For Sale posted in the yard/vacant land
- Unusual mail arrives at the home

# Protections?

- Typically, Title Company involvement means low risk of fraud
- Software improvements at the County level allow homeowners to sign up for property alerts
  - However, it is a feature that must be added and paid for

- **Title Monitoring Companies**

- Monitors title changes, notifies owners AFTER fraud has been committed
- No assistance in recovery
- A title CANNOT be locked, fear tactics used to solicit consumers

- **Title Insurance**

- Not to be confused with Homeowner's Ins, covers after purchase of the home
- If an act is committed against the property, the insurance will assist in the ownership return
  - Concerns this is a money grab, not real protection
- Have to pay more for Monitoring service and Insurance

# Crime of Convenience

- Any of our “systems of convenience” are susceptible to fraud
  - Criminals exploit any systems or processes that are made to be simple, convenient and eliminate oversight
    - Power of Attorney
    - Whatever deed was last recorded (most current) holds the key





# Case Study

## #1

# Sus Deed?

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- Do you spot anything suspicious?
  - I'm going to give you a clue
    - The Deed was 4 pages

# Sus Deed Page 1

- Last names of the parties are different

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of One Dollar (\$1.00) and other good or valuable consideration, if any, in hand paid to the "Grantor(s)" known as:

Incorrect Description/APN#  
(county assigned property  
number)

Check the signatures!



A vibrant red fabric, possibly a curtain or a piece of clothing, is draped across the top and left side of the image. The fabric has a rich, saturated red color and a visible texture with folds and shadows. The background behind the fabric is a dark, almost black, surface with a subtle pattern of concentric, wavy lines that create a sense of depth and movement. The overall composition is dynamic and visually striking.

# Done Dirt Cheap

- Forms can be purchased at several locations
- Online form generators
- Easy
- Notary Fee - \$10 per signature
- Filing Fee ~\$100

# We Had a Problem...

## NOTARIES

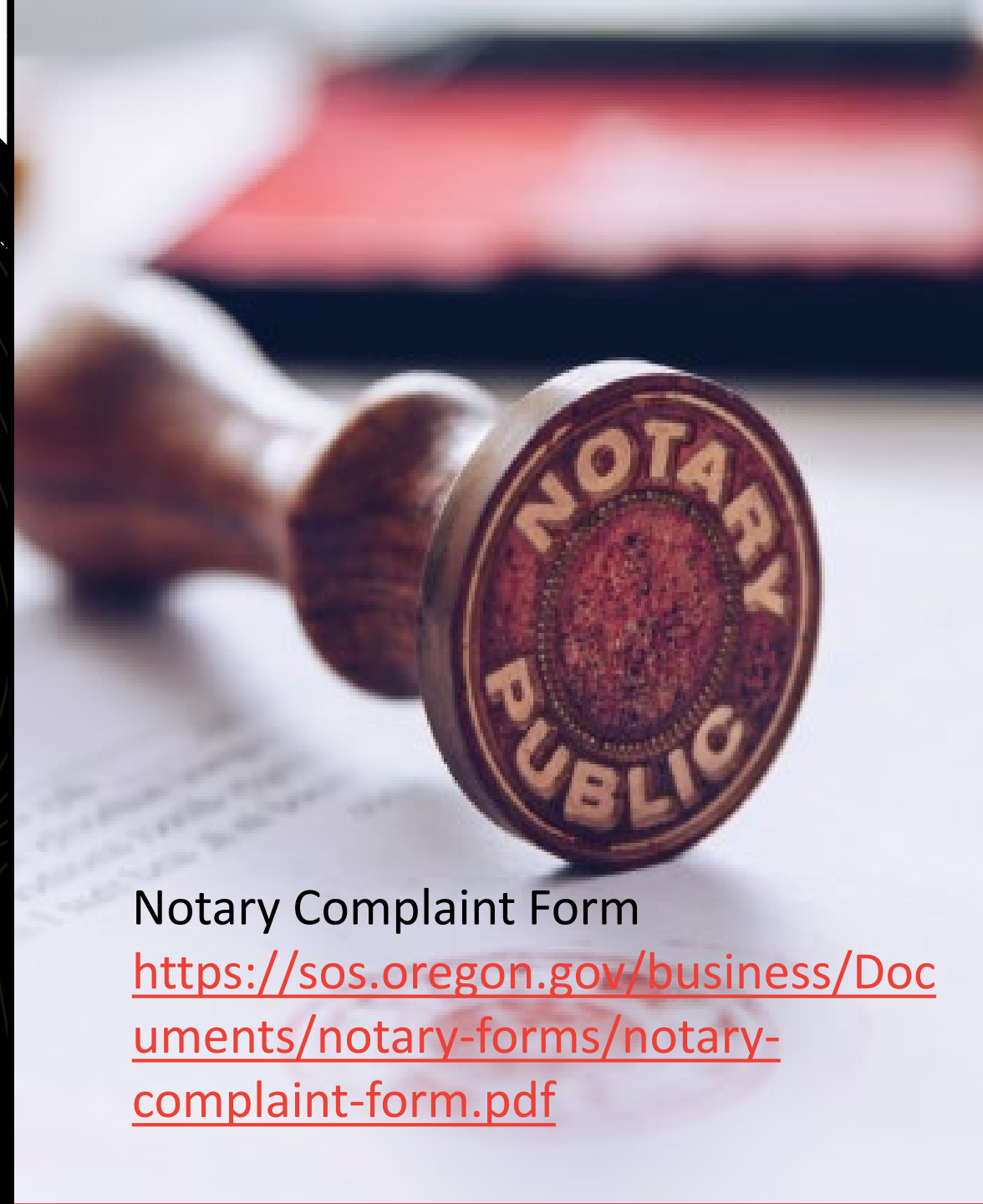
- Little oversight
  - Backgrounds?
- Violations went uninvestigated
- No continuing training – only required during initial application
  - Only required to reapply prior to expiration – 4 yrs.
  - The notary is tasked with destroying the old stamp

## THE GOOD NEWS

- Staff change at SOS – recognition of need to investigate and pursue “bad” notaries
  - Backgrounds getting done
- Law Change HB 4020, ORS 194.325 as of this year requiring notaries to have to retake the basic training course when reapplying

# If you have a Notary Issue

- Contact the OR Secretary of State Notary Division
  - Notary Compliance Spc. Jeanne Goldsmith  
[Jeanne.M.GOLDSMITH@sos.oregon.gov](mailto:Jeanne.M.GOLDSMITH@sos.oregon.gov)  
(503) 986-2195
  - Notary Compliance Spc. Monique Bourque  
[Monique.BOURQUE@sos.oregon.gov](mailto:Monique.BOURQUE@sos.oregon.gov)  
(971) 701-5075
  - Notary Compliance Spc. Erin Walker  
[erin.h.walker@sos.oregon.gov](mailto:erin.h.walker@sos.oregon.gov)  
(503) 986-7240



Notary Complaint Form

<https://sos.oregon.gov/business/Documents/notary-forms/notary-complaint-form.pdf>



# WHAT DO YOU DO...

- The law is clear – if the requirements are fulfilled, the Clerks record.
- They might not know the recorder/seller/buyer.
- They almost certainly might not know how old the owners are
- *“We get 100’s of these a day and do not have the bandwidth for an in-depth review or check.”*



A photograph of two electric guitars, one yellow and one dark wood, positioned in front of a Marshall amplifier. The amplifier's grille is visible, with the word "Marshall" written in its signature script. The guitars are shown from a front-facing perspective, highlighting their body shapes and hardware. The background is a dark, textured surface, likely the amplifier's cabinet. The overall lighting is somewhat dim, creating a moody atmosphere.

# BOTTOM LINE:

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THIS IS THEFT FOLKS.

# Remember...

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- These cases are just Theft
  - Don't be intimidated by the real estate component – assign value of home

# Legislative Changes Need Apply

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*“It’s the most  
easiest crime in the  
world.”*



# Case Study

## #2

# Henne House Case


## A Crook Stole a North Portland House, Exposing a Gaping Vulnerability in Property Records: Forged Signatures

Vigilant neighbors saved Ron Henne's childhood home.

 Expand



# What is eRecording




HOME WHO WE ARE SOLUTIONS

## INTEGRATED DOCUMENT RECORDING SOLUTIONS

Ceaseless Focus on Innovation in the Document Recording Industry

HOW DO I GET STARTED?



SOLUTIONS RESOURCES

Simplifile

## eRecording:

Save time, reduce risk, lower costs


↓

Solutions Why CSC

Fast-track your recording (eRecording)

### Packages

SUBMITTER PACKAGE RECIPIENT



GeniusWorks™ Solutions Products Resources Company

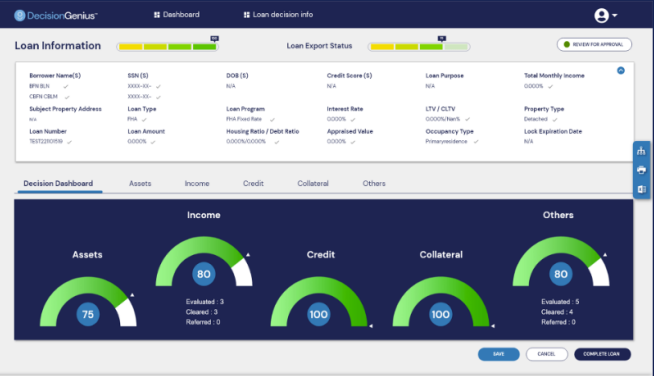
Get started

## Automating loan decisions and mortgage underwriting

Indecomm's DecisionGenius™ empowers faster, more informed mortgage credit analyses with automated, risk-based loan underwriting technology

Request a demo >

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Loan Information		Loan Export Status	
Business Name(S)	DOB (S)	Credit Score (S)	Loan Purpose
BPN/BLN	N/A	N/A	N/A
CEIN/CEIN			
Subject Property Address	Loan Type	Loan Program	Interest Rate
100	RM	RM	0.000%
Loan Number	Loan Amount	Housing Ratio / Debt Ratio	Appraised Value
7877220059	0.000%	0.000%/0.000%	0.000%
		Occupancy Type	Total Monthly Income
		Primary/Secondary	0.000%
			Property Type
			Industrial
			Loan Explanation Code
			N/A

Decision Dashboard Assets Income Credit Collateral Others

Income: 80 (Evaluated: 3, Cleared: 3, Referred: 0)

Assets: 75

Credit: 100

Collateral: 100

Others: 80 (Evaluated: 5, Cleared: 4, Referred: 0)

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# Deeds.com

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- Deeds.com used as a passthrough to CSC to Recorder's Office







# Deed Fraud in Multnomah County

What we've seen so far and how we plan to respond

DART

## OREGON GENERAL WARRANTY DEED

This Deed, made the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between \_\_\_\_\_ (Grantor), with address at \_\_\_\_\_ party \_\_\_\_\_ (Grantee), with address at \_\_\_\_\_ **FORGERY!**

The Grantor conveys and warrants to the Grantee the following described real property free of encumbrances except as specifically set forth herein:

\_\_\_\_\_

(Description of Property and Recital of Title)

together with the appurtenances and all the estate and rights of the Grantor in and to said premises.

(Exceptions)

## Multnomah County and Deed Fraud

What you can do if you are a victim of Deed Fraud in Multnomah County

# Property Deed Theft Bulletin

(aka Silent Title Transfer Theft aka Dirty Deeds)

DATE?



**Use of Quit Claim Deeds, Deeds of Trust and Transfer on Death Deeds (TOD) are on the rise as a means to steal homes from older adults. Reports include:**

- Deeds being signed and/or transacted after the death of the owner or when the owner is infirm.
- Owners identifying a fraudulent signature on the document.
- Owners with diminished cognition/memory problems unable to recall signing or not understanding what they are signing.

**Why are older adults especially vulnerable?**

- Often their homes are paid off and not under liens.
- Some older adults could be experiencing cognitive decline, short-term memory loss, dementia or have significant care needs which could affect their reasoning skills. As a result, they could rely on others for care and assistance. Bad actors could take advantage of that position to exploit the older adult.

Fraudsters have discovered the ease of the use of deeds and enlist bad-acting notaries to assist with the plot. Be sure to report suspicious notary activity to the Oregon Secretary of State's Office at (503) 986-2200 or their website <https://sos.oregon.gov/business/Pages/complaint-against-notary.aspx>

**How can we improve our process to help ensure validity and legitimacy of deeds?**

**Training your staff on the warning signs of a bad deed.**

- Post the attached counter bulletin near where deeds are transacted as a reminder to staff.
- If a deed appears suspicious, take a PAUSE, confer to a supervisor or co-worker and perform further checks.

**Keep a log requiring the person recording the deed to fill out their ID, sign and provide a thumbprint.**

- Why this works? This process works as a deterrent for fraudsters unwilling to leave their print behind that could link them to a felony crime.
- Why just checking an ID might not work? Fraudsters use fake a ID or an ID of other people as a means to obscure their identity.

**Send a copy of the recorded deed to the owner of the property.**

- Why would this help? Most often victims of this scheme are not aware their home has been stolen until a major event occurs or until after their death and the transfer is discovered by heirs. Early discovery can prompt quick response and ownership recovery.

**Checking to ensure the notary is valid and has not been revoked with the OR Secretary of State's Notary Division, [https://data.oregon.gov/business/Active-Notaries/j2pk-zk6z/data\\_preview](https://data.oregon.gov/business/Active-Notaries/j2pk-zk6z/data_preview).**

**Concerns about the legitimacy of a deed?**

Contact your local sheriff's office and make a report. They will determine if the complaint needs to be transferred to a municipal police department depending where the victim lives or where the home is located.

Contact our team if you have questions or need help determining the correct home for a complaint or concern:

Oregon Department of Justice Elder Abuse Team (503) 378-6347.

## Resources

[https://www.dre.ca.gov/files/pdf/ca/2012/consumeralert\\_forqedfraudulentdeeds.pdf](https://www.dre.ca.gov/files/pdf/ca/2012/consumeralert_forqedfraudulentdeeds.pdf)

<https://ag.ny.gov/publications/deed-theft>

<https://consumer.georgia.gov/deed-theft-and-un-solicited-real-estate-solicitations>



# Property Deed Theft Counter Bulletin

DATE?



## BE ALERT

**What are some red flags that could indicate fraud?**

- A person who is not the older owner transacting the deed
- Sloppy or messy paperwork
- Errors on documents
- Atypical deed language
- Additional unnecessary stamps or other insignia as a means to legitimize the document
- Multiple owners but only one signature
- Transfer made on \$0 or \$1 consideration
- Person signing and/or acting as Power of Attorney for the homeowner
- Any deed not backed by a title company or title insurance\*  
(\*This does not necessarily indicate fraud but a second look should be taken on all deeds transacted by just private parties.

## Actual Examples of Red Flags on Deeds

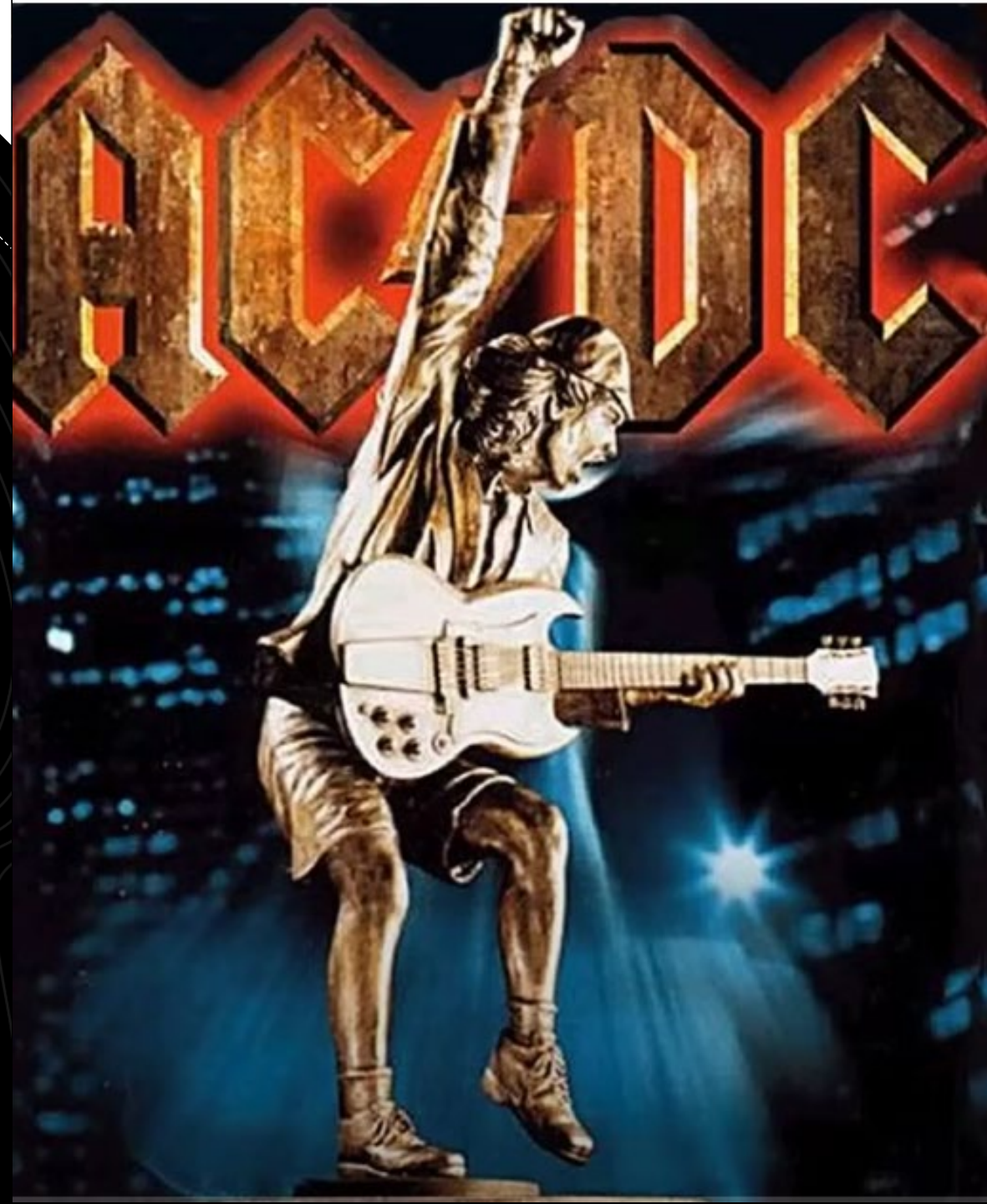
<p>Grantor's Signature 10 SW SEAGROVE LN Address: [redacted] 97394</p>	Quit claim deed fraud with sloppy unintelligible handwriting. Signature was compared to the victim's and is clearly not theirs. Also two different handwriting styles featured.
<p>I acknowledged to me they freely executed Name: [redacted] Notary Public - Oregon</p>	On this document, a certified notary's signature was stolen off another document and used to create this fraudulent deed. Observe how the signature is cut off near the top and part of the word "Signature" is obscured by the pasted signature.
<p>SELLER: [redacted] PURCHASER: [redacted]</p>	This Quit Claim Deed had atypical deed language and featured the signatures of the buyer and the seller. The purchaser's signature is not required nor needed.
<p>AUG 28 2022 OFFICIAL STAMP CAMERON K. SMITH NOTARY PUBLIC-OREGON COMMISSION NO. 1012343 MY COMMISSION EXPIRES MAY 18 2025</p>	Extra unnecessary stamps used as a means to try and legitimize the documents.
<p>LIEN DOCUMENTS: Amount of lien \$ _____ If conveying or contracting to convey fee title to real property: True and Actual Consideration Paid \$ 1.00</p>	Any deeds identifying sale price of \$0 or \$1 should alert a review.



# For Those About to Rock

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- We salute you
  - Thank you for all you do to prevent, investigate and prosecute elder abuse
  - Please reach out if you need any help on these cases
  - And don't forget – this is good old-fashioned THEFT!



# Thank you!

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