



Sacramento County District Attorney's Office

seek justice. serve justice. do justice.

# Real Estate Fraud Unit



Sacramento County Deputy District Attorney Susan Nelsen, Real Estate Fraud

Sacramento County Criminal Investigator Scott Maldonado, Real Estate Fraud

# **Real Estate Fraud Unit**

- 1. About the REF Unit**
- 2. What we investigate**
- 3. Cases and Trends**
- 4. Review recent case**

# **Real Estate Fraud Unit**

- **1 Paralegal**
- **2 Investigative Assistants**
- **2 Criminal Investigators**
- **3 Attorneys**
  - **1 for REF cases involving the Elderly**

# **We Investigate:**

- **Real Estate Fraud in Sacramento County that involves a recorded real estate document;**
- **No minimum # victims;**
- **No minimum \$\$ loss;**
- **Approx. 43 online Complaints this year;**
- **Approx. 33 active investigations this year;**
- **Average case takes 6 months to 1 year to investigate.**

# **We do not Investigate:**

- **Squatters**
- **Rent skimming**
- **Landlord/tenant disputes**
- **Vacant property crimes**
- **Divorce**
- **Probate**
- **Cases involving family disputes  
(unless clear and convincing evidence  
independent of family testimony)**

# **We Receive Complaints About:**

- **Foreclosure Rescue Professionals**
- **Realtors**
- **Real Estate Investors**
- **Loan Modification Consultants**
- **Attorneys**
- **Borrowers**

# **Commonly Prosecuted Activities**

- **Theft by False Pretense**
- **False Documents**
- **Forgery**
- **Embezzlement**
- **Grand Theft**
- **Foreclosure Rescue**
- **Loan Modification**
- **Identity Theft**

# **Commonly Prosecuted Activities**

## **Filing of a false document**

- **Mechanic's Lien filing and asking for money to remove.**
- **Grant Deed to deprive a person of their property**



# **Commonly Prosecuted Activities**

## **Grand Theft / Embezzlement**

- **Administrative Assistant at title company re-directed escrow funds to her personal account.**
- **Husband and wife RE agent and broker convinced victims to pay down payment directly to them (not escrow) and kept money for themselves.**
- **RE Agent conspires with legal assistant – sells same property four different times.**

## **Forgery**

- **Girlfriend forged signature on deed with assistance of notary when her boyfriend died.**

# **Investigation Update:**

**We have received numerous complaints of fraudulent Grant Deeds being recorded by “family” members. Each case is investigated to determine if it is a criminal case or civil case. Most cases this year after being investigated have been civil.**

**Real Estate coaching scam, advertised on social media. An upfront fee is collected and over the course more money is requested to invest in the purchase of real estate. Unfortunately, there is no real estate investment.**

# Filing Forged Documents and Grand Theft case



# **Filing Forged Documents and Grand Theft case**

- **Victim, 77 year old, Asian female**
- **Assisted Living home**
- **Owner of a residence in Sacramento**
- **Had multiple bank accounts**
- **Had inherited investment accounts from parents**
- **Had a monthly pension**



# **Filing Forged Documents and Grand Theft case**

- **Boyfriend and Girlfriend suspect**
- **Possibly broke into victim's residence**
- **Stole the victim's identity and information**
  - **Several Fake ID's made in victim's name**
- **Stole money from several of her bank accounts**
- **Hired an asset recovery company to identify additional funds owed to victim**
- **Sold her residence**

# Suspects



# Bank Accounts

**The suspects changed the victim's address to theirs and obtained the victim's ATM Bank card and eventually obtained a PIN to access one of the victim's bank accounts.**





# Parents Investment Accounts

The suspects discovered the victim's deceased father had two investments accounts. The male suspect manufactured a fraudulent Trust and Will in which he claimed to be an illegitimate son and an heir.

Female suspect called into investment company as the victim to confirm the male was an heir. Investment company had concerns about the Trust.

## AMENDMENT AND RESTATEMENT OF THE

## TRUST AGREEMENT

This Trust Agreement ("Trust Agreement") is made between [REDACTED] as trustor ("Trustor"), and [REDACTED] as Trustee ("Trustee"). This Agreement is an amendment and complete restatement of the agreement entered into between Trustor and Trustee originally dated AUGUST 2, 1992

### ARTICLE 1. TRUSTOR'S FAMILY

1.1. Trustor's Marital Status. Trustor is widowed

1.2. Children. Trustor has Two (2) children, all adults, whose names are [REDACTED] and [REDACTED] and one (1) deceased Child, who died without issue. Trustor has intentionally and with full knowledge chosen not to provide for [REDACTED] and her issue except as provided in Section 6.3. All children hereafter born or adopted while a minor by Trustor shall be considered Trustors children for these purposes.

### ARTICLE 2. TRUST ESTATE

2.1. Conveyances to Trustee. Trustor may transfer assets to Trustee by listing the assets on a Schedule A relating to this Trust Agreement; if Trustor creates a Schedule A, then it is Trustor's intent that the listed assets be held, administered, and distributed in accordance with the terms of this Trust Agreement. In addition, Trustor may list on a separate schedule assets that are not part of the Trust Estate and may or may not become part of the Trust Estate by beneficiary designation or otherwise; Trustor intends any such list to be for the convenience of Trustor's executor, heirs,



# **Parents Investment Accounts:**

**The fraudulent Trust and Will were submitted to the investment companies:**

- **Obtain \$48,000 from one investment account. The transaction was reversed, but the suspects were able to make a \$13,000 withdrawal before the transaction was reversed.**
- **Attempted to obtain \$46,000 from another investment account with negative results.**

# **Opening a Bank Account in the Victim's Name**

**A Discover Bank account was opened in the victim's name with the suspects as joint owners giving them control and access to the account:**

**Once the account was open:**

- The suspects began transferring money from the victim's Primary Bank accounts to the Discover Bank account**

**How did they accomplish  
opening a Bank account?**



**Does anyone  
recognize this  
person?**

**US Senator Mazie Hirono**

# Mazie Hirono

United States Senator



[hirono.senate.gov](https://hirono.senate.gov)

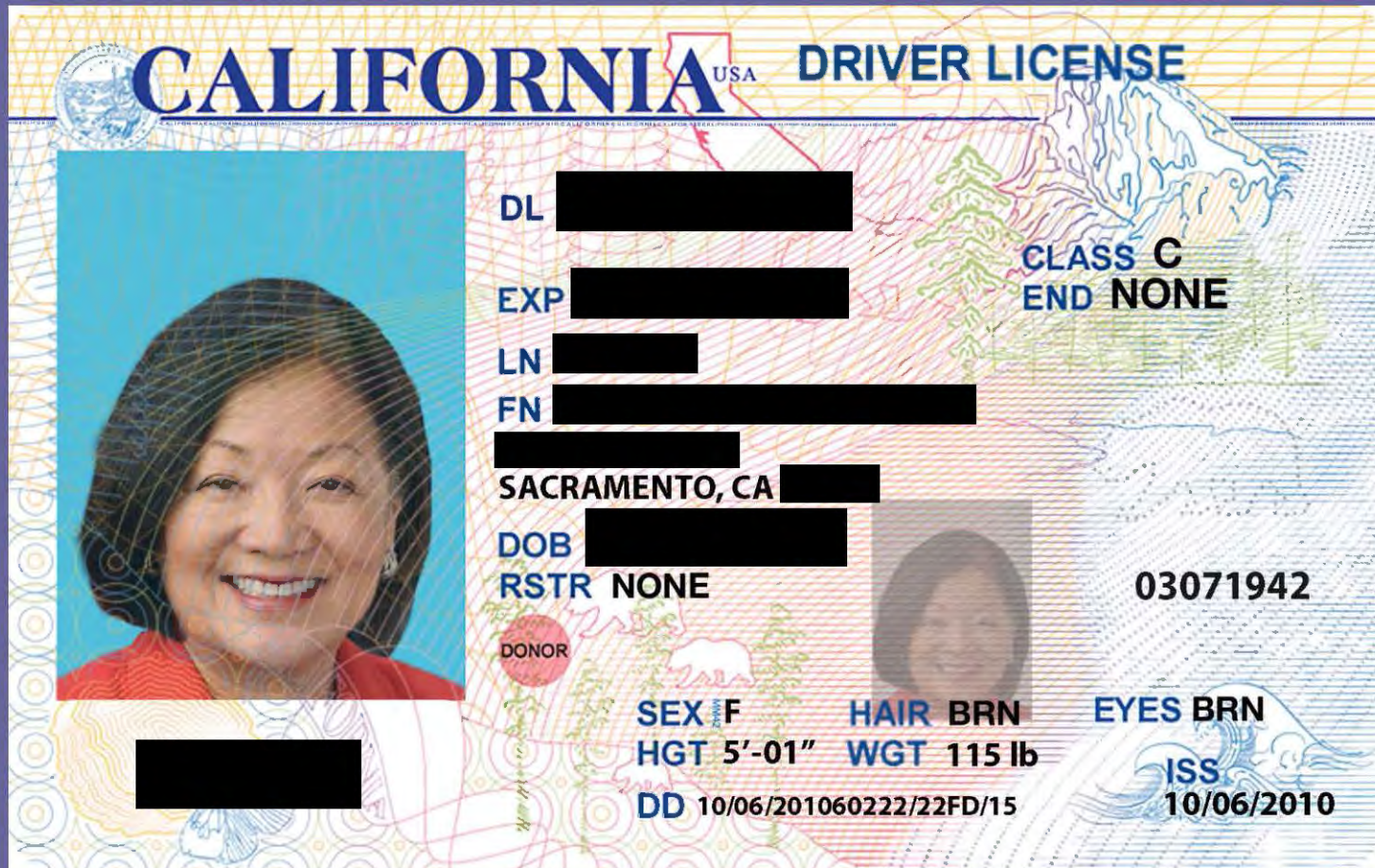
Mazie Keiko Hirono is an American politician serving since 2013 as the junior United States Senator from Hawaii. She is a member of the Democratic Party. Hirono served as a member of the Hawaii House of Representatives from 1981 to 1995 and as Hawaii's ninth lieutenant governor from 1994 to 2002, under Ben Cayetano.

[Wikipedia](#)

**If you Google  
US Senator Mazie  
Hirono her picture  
will appear.**



The victim's information was used on a counterfeit California Driver's License and Social Security card. These items were used to open the bank account online. These items were manufactured by the suspect.



# **The Sale of the Victim's residence**

**The suspects worked together to sell the victims residence.**

**A signed Grant Deed by the victim was required to sell the house. In this case, the female suspect impersonated the victim when the Notary arrived for the signing of the Grant Deed.**

**The suspects knew an in person signing had to be done and made a new counterfeit California Driver's License to present to the Notary.**



RECORDING REQUESTED BY:  
[REDACTED]

AND WHEN RECORDED MAIL TO:  
[REDACTED]

Sacramento County  
Donna Allred, Clerk/Recorder

Doc #	2018	Fees	\$20.00
8/1/2018	12:53:43 PM	Taxes	\$1,463.00
JLW	Electronic	PCOR	\$0.00
Titles	1	Paid	\$1,483.00
Pages	3		

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.: 20004381

Escrow No.: [REDACTED]

AP#: [REDACTED]

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$418.00

CITY TRANSFER TAX \$1,045.00

[X] computed on full value of property conveyed, or

[ ] computed on full value less value of liens or encumbrances remaining at time of sale.

[ ] Unincorporated area [X] City of Sacramento AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

[REDACTED] a Single Woman, as surviving joint tenant

hereby GRANT(s) to:

[REDACTED] a California Corporation

the real property in the City of Sacramento, County of Sacramento, State of California, described as:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

Also Known as: [REDACTED] Sacramento, CA 95818

DATED: July 16, 2018

Signature Page attached hereto  
and made a part hereof

MAIL TAX STATEMENTS TO PARTY SHOWN ABOVE:



Title Order No.: [REDACTED]

Escrow No.: [REDACTED]

AP#: [REDACTED]

### SIGNATURE PAGE

Title of Document: GRANT DEED

Date of Document: July 16, 2018

  
Mary Ann S. Miyao



### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF Sacramento

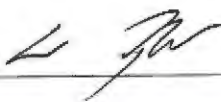
On July 16 2018 before me, L. Thiggs A Notary Public  
personally appeared [REDACTED]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



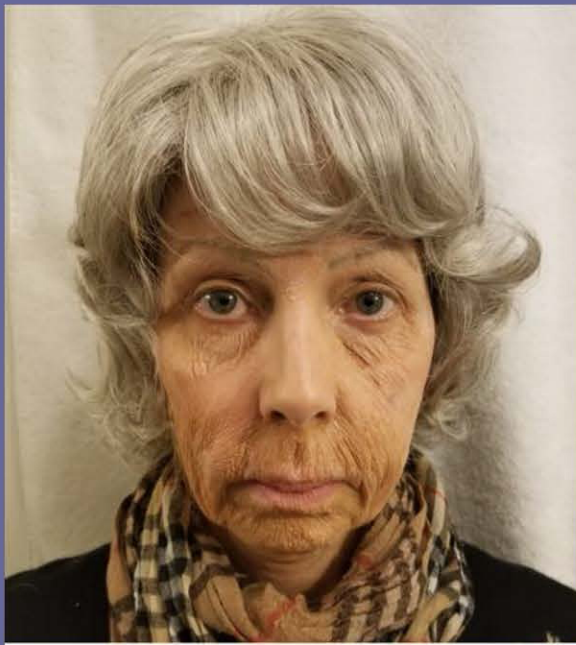
(Seal)



**Forged  
victim's  
signature**

**Notary Book  
obtained and  
thumbprint  
matched  
female  
suspect**

**So how do you  
impersonate a 77  
year-old Asian  
woman?**



**The made-up suspect impersonating the victim presented the fake ID to the Notary to facilitate the sale of the victim's residence.**



**CALIFORNIA** USA **DRIVER LICENSE**

DL [REDACTED]  
EXP [REDACTED]  
LN [REDACTED]  
FN [REDACTED]  
[REDACTED]  
SACRAMENTO, CA 95818  
DOB [REDACTED]  
RSTR NONE  
DONOR [REDACTED]  
SEX F HAIR BRN EYES BRN  
HGT 5'-01" WGT 115 lb  
DD 10/06/201060222/22FD/15  
ISS 10/06/2010

CLASS C  
END NONE

03071942





# **Opening a Bank Account in the Victim's Name**

**The suspects hired an Asset Recovery Company to locate additional funds the victim was entitled to.**

- The company found the victim had \$69,000 in unclaimed funds with the California Secretary of State**
- The company found the victim's father had \$20,000 in unclaimed funds with the California Secretary of State**
- Fraudulent Trust/Will were used to obtain these funds which were deposited to the Discover Bank account.**

# **Proceeds from the Sale of the Victim's residence:**

**The proceeds, \$345,893.46, from the victim's residence was deposited into the Discover account.**

**Within a week.....the suspects buy a new house with the proceeds**

# But wait there is more.....

The new house was paid in full

The suspects obtain an Equity Line for \$100,000

They lived and spent on the Equity Line....



# **In the end**

**Male suspect charged with Grand Theft, Financial Elder Abuse, Filing a False or Forged Document**

- **16 years 4 months State Prison**

**Female suspect charged with Grand Theft, Financial Elder Abuse, Filing a False or Forged Document**

- **4 years State Prison**

**Seized their home and sold it to recover funds for the victim**

**Seized bank account**

**What can you do?**

**Report suspicious Real  
Estate Fraud activity**

**Hotline (916) 874-9045**

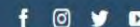
**[www.sacda.org](http://www.sacda.org)**



# Report Real Estate Fraud online

## www.sacda.org

daoffice@sacda.org



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seek justice. serve justice. do justice.

In the Courtroom ▾

In the Community ▾

Victim Services ▾

Post Conviction

Crime Lab ▾

Police Use of Force

Media ▾

About ▾

How Do I ▾



### Get Information

- Brochures, Resources & Materials
- Employment
- Find Local Resources
- Get Notifications for Inmate Custody Status
- Get Information on a Criminal Case
- Restraining Order Assistance
- Victim Notification Form

### Submit Request

- DA Speaker
- Child Abduction Assistance
- Marijuana Conviction Relief
- Proposition 47 Conviction Relief
- Post-Conviction Review
- U-Visa

### Submit Reports

- Child Abduction Visitation Violation
- Child Abduction Good Cause Violation
- Child Abduction Good Cause Update
- Consumer & Environmental Protection
- Consumer Fraud Complaint Form
- Insurance Fraud
- Real Estate Fraud
- Welfare Fraud

### Apply / Register

- Citizens Academy
- Crime Lab Youth Shadow Day
- Diversity Reception
- Public Safety Luncheon
- Youth Academy
- Youth Shadow Day
- Youth & Community Connect App



# Report Real Estate Fraud online

## www.sacda.org

[In the Courtroom](#) ▾[In the Community](#) ▾[Victim Services](#) ▾[Post Conviction](#)[Crime Lab](#) ▾[Police Use of Force](#)[Media](#) ▾[About](#) ▾[How Do I](#) ▾

## Real Estate Fraud

The Sacramento County District Attorney's Office serves as a central reporting, investigative and prosecution agency for real estate fraud in the city and county of Sacramento. We have highly trained personnel to assist you with any questions or concerns you may have about your property and real estate fraud.

Direct contact can be made with the Real Estate Fraud Unit by calling 916.874.9045 or our **REAL ESTATE FRAUD HOTLINE: 916.874.9045**.

[Click here to fill out a SUSPECTED FRAUD REPORT](#) and submit it electronically.

In order to investigate your complaint properly, we will need the names, addresses and phone numbers of all persons involved in the suspected fraud (i.e. suspect(s), reporting party/victim). We also need a summary of facts, including but not limited to the following:

- A chronology of the events that took place
- What you were told and by whom
- What you were told that you later learned was false

If you have reported this suspected fraud to any other agencies for investigation, please include the name, address and telephone number of the agency and person contacted.

It is imperative that you be as specific as possible with all the information requested. Once we have received and reviewed your complaint of suspected fraud, you will be contacted by one of the agencies mentioned above to discuss the issues at hand. At that time, you may be required to supply copies of all documents you have in support of your complaint.

[Click here](#) to download a Real Estate Fraud Unit brochure.

The Real Estate Fraud Unit recommends the following agencies that may be of assistance regarding a real estate matter:

- [Contractor's State Licensing Board](#), 800.321.2752
- [Bureau of Real Estate](#), 877.373.4542
- [California Department of Corporations](#), 916.653.8054
- [California Office of the Attorney General](#), 800.952.5225

**Questions?**