

# ***Ventura County's Response to Real Estate Fraud***



**Presented by:  
Miles Weiss,  
Sr. Deputy District Attorney  
Ventura County District Attorney's  
Office**

# Real Estate Fraud Advisory Team

- ◆ Volunteer organization
- ◆ Brokers, agents, escrow, title, appraisers . . . and attorneys
- ◆ Public Outreach
  - Education, awareness, prevention
- ◆ Industry Outreach
  - Professionalism, education
- ◆ [www.refat.org](http://www.refat.org) . . . online now!

# **Real Estate Fraud Prosecution Program**

- ◆ Intake cases from the public
- ◆ Spanish or English Forms on our website:  
<http://da.countyofventura.org>
- ◆ All complaints reviewed by an attorney for investigation

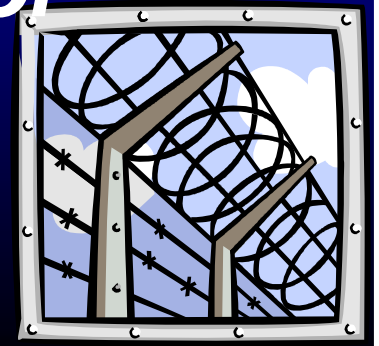
# Possible Criminal Violations

- ◆ *Grand Theft*: P.C. § 487(a), 3 years
- ◆ *Identity Theft*: P.C. § 530.5, 3 years
- ◆ *Forgery*: P.C. § 470(d), 3 years
- ◆ *Recording False or Forged Deed*:  
P.C. § 115(a), 3 years
- ◆ *Foreclosure Consultant Fraud*:  
C.C. § 2945.4, 3 years

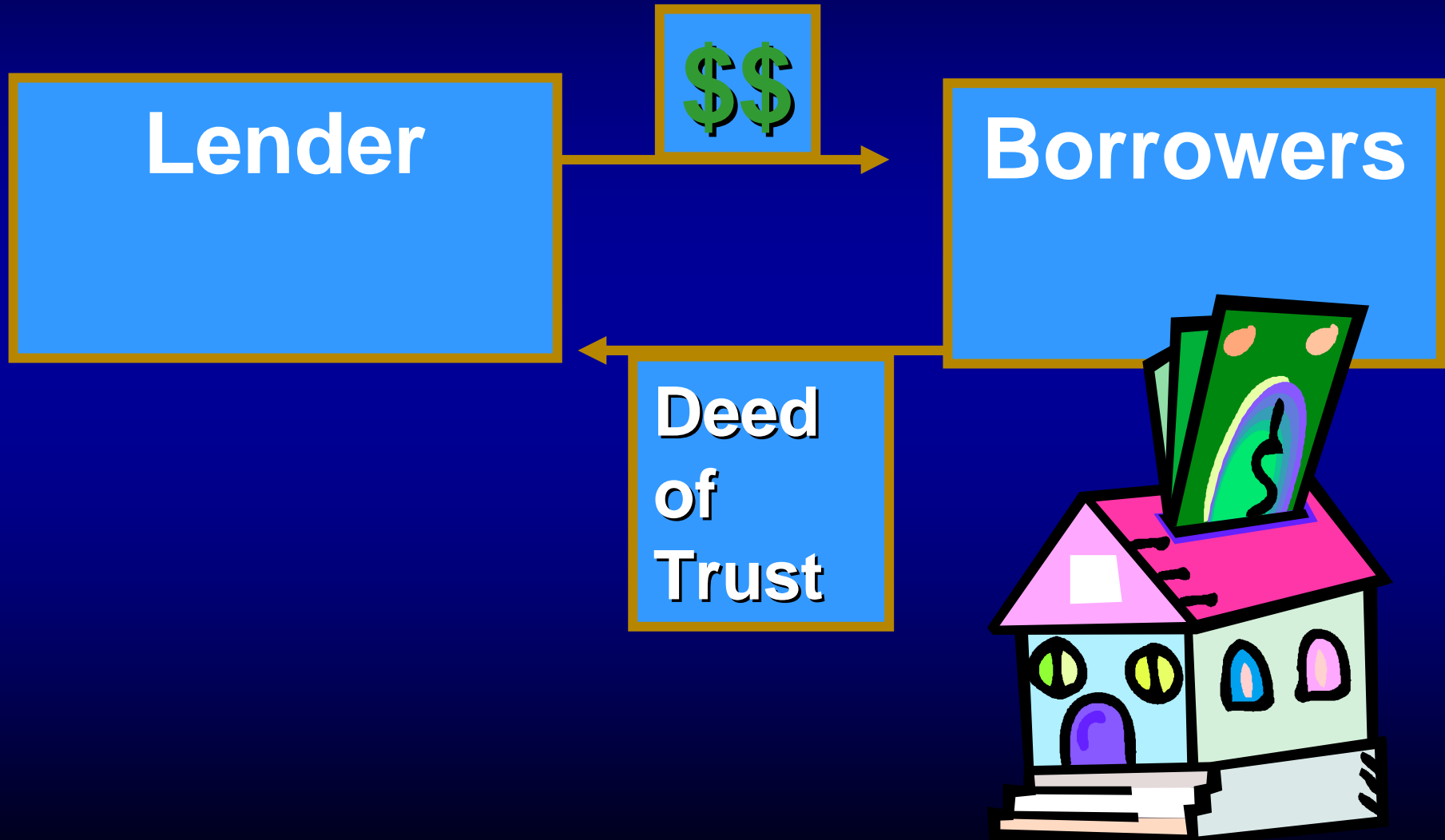


## **Possible Criminal Violations**

- ◆ ***Securities Fraud, 5 years***
- ◆ ***Equity Sales Fraud, 3 years***
- ◆ ***Notary Fraud, 3 years***
- ◆ ***Excessive Taking \$50K-\$2.5 Mil.  
+ 1 - 4 years***
- ◆ ***Aggravated White Collar Crime:  
+ 5 years & fine of \$500,000 or  
twice the taking***



# Trust Deeds



# Hot Topics

## ◆ Private Investor Fraud

- Investments or loans “secured” by deeds of trust
- Credit profile of borrower?
- Title of property (NOD . . . )
- Escrow, title insurance?
- *Original* note and deed of trust

# ***Crime de Jour: Loan Mod Fraud***

- ◆ **Advanced Fees are *illegal* .**
  - **New misdemeanor**
  - **Effective 10/11/09**
- ◆ **DRE, Attorney General, State Bar and District Attorneys Offices**
- ◆ **Still going on. . . and on. . .**

**majesticinvestment** ▲

G R O U P

**800.631.1485**

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**Se Habla Español**

**LATE ON YOUR HOUSE PAYMENT?**

**WE HELP YOU SAVE YOUR HOME**

Once in a while, everyone has trouble managing their financial obligations. This could bring you frightening Insecurity, especially if you are a homeowner. If you are behind on your home payments! Take action today and don't fall into foreclosure situation.

*Majestic Investment Group* can help you save your home today!

**Partial Claim**

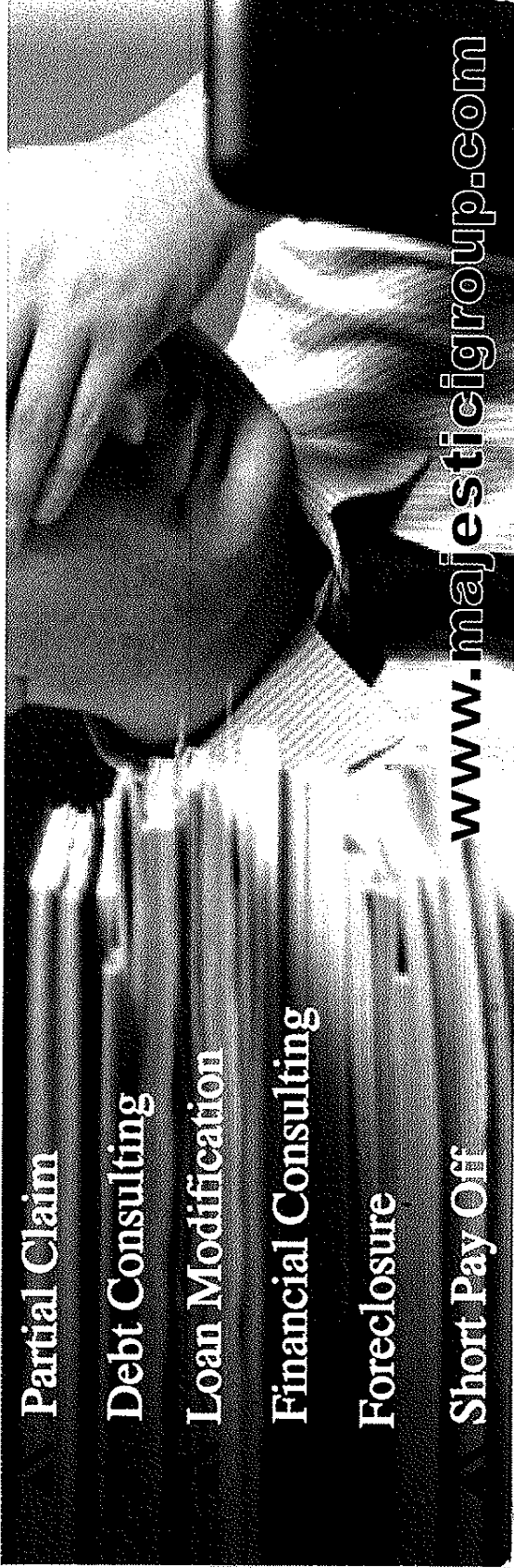
**Debt Consulting**

**Loan Modification**

**Financial Consulting**

**Foreclosure**

**Short Pay Off**



**www.majesticgroup.com**

# majesticinvestment ▲

G R O U P

6422 Bellingham St. Ste. 208 North Hollywood CA. 91606 efax:(818)2869549 www.majesticgroup.com

## YA NO PUEDE HACER LOS PAGOS DE SU CASA?

Tiene pagos atrasados en el prestamo de su casa y no puede refinanciar o esta en FORECLOSURE?

**Nosotros le podemos ayudar a salir de su problema !**

**APPROVED**

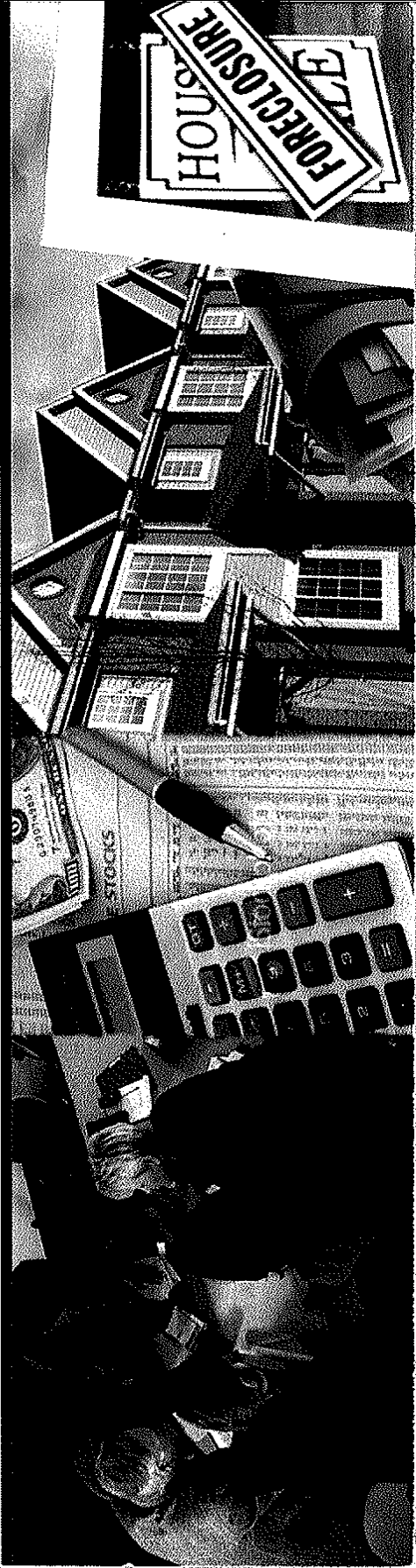
Subject to terms approved

- ▲ Foreclosure
- ▲ Loan Modification
- ▲ Partial Claim
- ▲ Financial Consulting

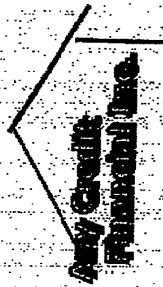
# 800.631.1485

Llamenos consultas GRATIS

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FORECLOSURE  
FORECLOSURE  
FORECLOSURE



January 28, 2009

Jorge Y Martha Zavala  
133 Cameron St  
Santa Paula CA 93060

Dear Jorge & Martha:

We would like to thank you for taking the time to speak with us regarding your interest on a Loan Modification. Our main goal as your financial advisor(s) is to obtain the best possible interest rate and/or mortgage payment that will benefit you.

Once payment has been received, we will process the approval of your Loan Modification. You will receive new documents from your lender, *Countrywide*, indicating your new mortgage payment with an interest rate @ 5.25%.

If you have any questions, or need additional information, please contact us at 1-800-280-3050. Our office hours are Mon thru Fri from 8:00am thru 8:00pm (PST).

We don't give you false promises, we provide real results.  
Respectfully,



**OFFICE OF THE DISTRICT ATTORNEY**  
County of Ventura, State of California

June 17, 2009

**FORECLOSURE AND LOAN MODIFICATION ADVISORY – PLEASE READ CAREFULLY**


Public records show that a *Notice of Default* was recently sent to you due to non-payment of a mortgage secured by your home. You will likely be contacted with offers to “rescue” your house from foreclosure and “save” your credit. These offers may not be in your best interest and they may be *deceptive, fraudulent or illegal*. You should be especially vigilant of people who seek money by cash, check or credit card from you in advance of performing services, such as a loan modification, on your behalf. Only your actual lender may agree to a loan modification after you apply for one directly to that lender. Promises or guarantees of loan modifications from anyone else should be viewed as highly suspicious. Be very wary of signing documents regarding these services. Once a Notice of Default has been recorded, it is illegal for anyone who meets the definition of a “foreclosure consultant,” including licensed agents and brokers, to collect fees in advance of performing these services for people who live in their own homes. (Civil Code § 2945.1).

[www.yourhome.ca.gov/](http://www.yourhome.ca.gov/) or [www.sucasa.ca.gov/](http://www.sucasa.ca.gov/) [Spanish-language version]

- Cabrillo Economic Development Corporation of Ventura County (non-profit)  
805-659-3791 or [www.cabrillocede.org](http://www.cabrillocede.org)
- Surepath Financial Solutions (formerly Consumer Credit Counseling Service; non-profit)  
800-540-2227 or [www.surepath.org](http://www.surepath.org)

If you may be a victim of a real estate-related crime, contact the Office of the District Attorney at (805) 662-1750 to request a complaint form. Remember, if it sounds too good to be true, it probably is!

Very truly yours,

  
GREGORY D. TOTTEN  
District Attorney

# Prosecutions



# Prosecutions

## ◆ *People v. Ronald Hasson, bkr.*

- \$205,000 Elder Theft
- Securities Fraud
- “Freeze and Seize” law



## ◆ *People v. Veronica Gallegos, agt.*

- \$1.2 million in losses
- Grand Theft, Enhancements
- 9 years, 4 months



# Prosecutions

## ◆ *People v. Manuel Perez*

- Grand Theft + Excessive Taking
- 10 years, 8 months; \$1.6 million



## ◆ *People v. Ab. Ahmadpour*

- Recording False Documents
- 7 years; \$90,000



# Prosecutions

- ◆ *People v. Delatoba, Dorsch*
  - ID Theft, Forgery, Strike Priors
  - 7 years, 4 mos.; \$360,300
  
- ◆ *People v. Carla Zimbalist*
  - Grand Theft
  - 3 years, 4 mos.; \$303,000



# Prosecutions

## ◆ *People v. Leonard Hollins, Agt.*

- Grand Theft, Forgery
- 1 year; \$166,790



## ◆ *People v. Michael Bedol, Agt.*

- Grand Theft
- 1 year for taking \$25,000
- Now owes \$62,960



# Federal Collaboration

- ◆ **F.B.I., U.S.S.S., I.R.S., U.S.A.O.**
- ◆ **Mortgage Fraud Grant Funds**
  - **1.67 million from Stimulus Funds**
  - **Investigators, prosecutors, experts**
  - **Educational outreach**
  - **Train local law enforcement**
- ◆ **Investigations are active now**

# Prosecutions

- ◆ ***United States v. Cheri Tucker & Terry Tucker (agent & broker)***
  - ***Convicted of bank and wire fraud***
  - ***\$88 million of loans / \$4.5 million loss***
  - ***12 years federal prison***



**If it sounds too good to be true . . .**

***. . . it probably is.***

