

NEWS & MEDIA



MAY 8, 2023

RE Q&A: How Can I Protect Against Fake Deeds?

By Gary M. Singer

Title fraud is rare but a big problem. Criminals start by creating a fake deed and then filing a quiet title action.

FORT LAUDERDALE, Fla. – **Question:** I read an article about people using fake deeds and lawsuits to steal people’s homes. It sounded horrible for the victims and is frightening. How can I protect myself? – Clive

Answer: Real estate title fraud rarely occurs but is devastating when it does. In the type of scam that was recently in the news, a fraudster will record one or more fake deeds in the public records, then file a quiet title action to attempt to sanitize the transfer.

They will use the actual owner’s name in the lawsuit but have an accomplice served with the lawsuit at a different address. The accomplice then either fails to participate or accepts the allegations being brought.

The fraudsters can get away with this, at least for a while, because our public records and court system are open to the public. In a typical real estate transaction, a deed is signed, notarized, and recorded in your county’s official records. A title company or attorney typically does this, but anyone who knows how to do it can record a document in the public records.

Along with modern conveniences, technology has made it easier for fraudsters to create a fake deed that looks real. Anyone can file a lawsuit on their own behalf without using an attorney.

The best way to protect yourself is through diligence. Read your mail. If something looks out of the ordinary, check it more carefully and follow up if it does not make sense. Look for changing patterns.

For example, if you start getting advertisements from attorneys looking to help you with your lawsuit or save your house, or if real estate investors start texting you about buying your home, you should investigate to find out why you started getting targeting advertising.

You can monitor what is being filed with the court or in the land records by visiting the clerk's website and searching for your name. If your name or property shows up, find out why.

You can call the clerk of the court or property appraiser's office to see if they can help you understand what is happening. If they cannot help you, speak with an experienced attorney.

Resolving fraud is easier the earlier you catch it. While avoiding becoming a crime victim is impossible, diligence is your best defense.

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