

MONTH ISSUE
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SCAM ALERT!



A Consumer Update from Mat Heck, Jr., Prosecuting Attorney



MAT HECK, Jr.
Montgomery County Prosecutor

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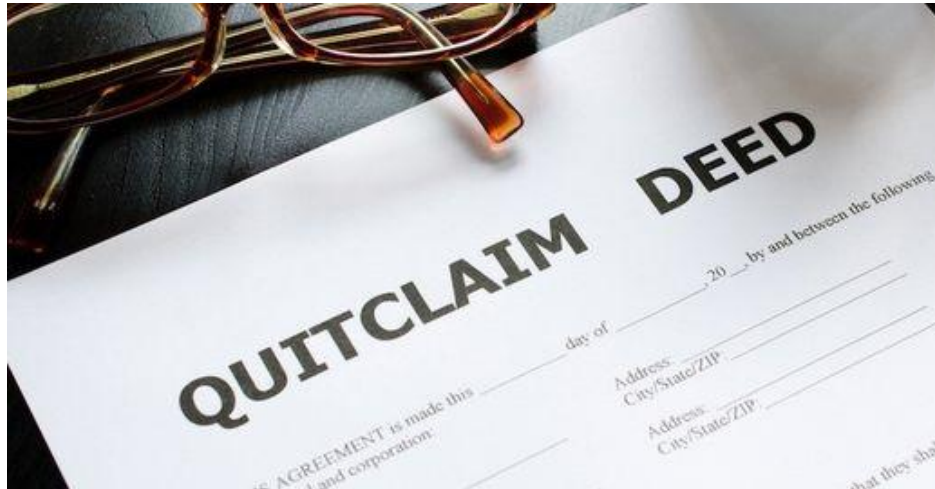
Quit Claim Deed Scams

THEFT OF PROPERTIES BECOMING MORE PREVALENT

Quit Claim Deeds are being utilized to fraudulently steal homes from their legal owners. The Ohio Revised Code, section 5302.11, sets out the law on Quit Claim Deeds. A quit claim deed transfers real property without any warranties or guarantees. There is no legal requirement that the signing of these deeds be witnessed by a government employer. Rather, a valid deed is created when notarized by an authorized, public notary.

While Quit Claim Deeds have historically been utilized to transfer

property among family members, or as a gift, the ease of transfer has been seized on by criminals. For example, criminals have targeted homes that appear vacant. By doing a property search, the criminal attempts to find homes with owners who are listed as deceased. A deed is then forged and notarized by a notary.



Once notarized, the forged deed is filed with the Auditor's Office and subsequently by the Recorder's Office. Once complete, the home is titled in the name of the criminal. That individual then sells the fraudulently transferred property to an unsuspecting buyer.

Victims are found on both sides of this scam. Homeowners have their properties fraudulently taken from them. A court order is required to get the property titled back to the rightful owner. Depending on the circumstances, this could require money for a civil filing by the rightful homeowner. The end buyer is also a victim. In many instances, they purchase a home and make significant costly improvements. They later find that they never legally owned the home in the first place.

HOW TO REDUCE THE RISK:

Reducing risk in these situations requires periodic checks on all property owned, especially if there is no mortgage on the property. Most victims have property that is used as a rental or has sat vacant for a long period of time. Properties need to be checked regularly to insure that there is no fraudulent activity. Additionally, the Montgomery County Recorder's Office has initiated a Fraud Alert Notification

System in an attempt to combat the fraud. If registered for the system, email notification will be sent to owners notifying them of any changes to their real estate records. For more information and registration in the Fraud Alert System, go to [Fraud Alert Notification System](#)

IN THE EVENT YOU THINK YOU ARE BEING SCAMMED IN THIS MANNER, CALL THE MONTGOMERY COUNTY PROSECUTING ATTORNEY'S OFFICE AND ASK FOR INVESTIGATOR TYSON DILLON, OR CALL HIM DIRECTLY AT 937-225-5600, OR EMAIL HIM AT DillonT@mcoho.org.

-Montgomery County Prosecutor's Office: 937-225-5757

The above ALERT is part of the Montgomery County Prosecuting Attorney's initiative to help citizens become aware of ways they can avoid becoming a victim, or ways they can help stop criminal activity that may be occurring. Upon request, the office can provide presentations on crime prevention actions and activities to halt crime and increase the quality of life in our community.

If you would like additional information on the above ALERT, or would like additional information regarding our programs to assist consumers in general and/or seniors in particular, please contact Kimberly Melnick, Supervising Attorney, Adult Protection Unit, or Anthony Schoen, Supervising Attorney, Fraud and Economic Crimes Unit at 937-225-5757.

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