



Alameda County  
**District Attorney's Office**  
Nancy E. O'Malley, *District Attorney*

## **Guidelines for Completing the Real Estate Fraud Complaint Form**

Before filling out the attached complaint form, please take the time to read these guidelines. They will help you to understand our function, and we will be better able to understand and act on your complaint.

### **What We Can Do:**

The Alameda County District Attorney's Office Real Estate Fraud Unit investigates real estate fraud related cases occurring in Alameda County. The types of cases which will be considered for investigation by the Real Estate Fraud Unit are frauds that result from various fraudulent real estate transactions and/or schemes such as, submission of forged loan applications; fraudulent transfers of title of real property; recordation of fraudulent real estate documents; home equity sale contract fraud, and mortgage foreclosure consultant fraud.

When we receive a consumer complaint, we review all the information and the supporting documentation that is included. If the complaint does not meet the above described criteria to open a case, we will do our best to refer you to an agency that will appropriately handle the type of matter involved. Many real estate consumer disputes are not appropriate for government action, but are altogether proper for private legal action. It is generally a good idea to consult with private counsel to explore private legal remedies that might be available.

This office is not legally permitted to represent individuals in civil matters, take action in order to obtain money owed a consumer, help cancel any debt due on a contract that was signed, resolve or mediate individual consumer complaints, or obtain any other personal relief. Those functions are performed by a number of other government agencies established for that purpose.

*If you believe you have been a victim of real estate fraud, or you have suffered a loss involving your home or purchase of a home due to fraud, please complete this complaint form.*

## How You Can Help Us:

- A. Write or type a ***one-two page*** summary of your complaint and attach the summary to the complaint form. Please include the following information:
1. Tell us **what** happened in chronological detail and be specific.
  2. Tell us **who** you think the person(s) or company that is responsible for the loss, conversion(s) or fraudulent act.
  3. Tell us **where** (address, city and state) the incident, conversions or act(s) took place. Please include property address(s) involved in the fraudulent transaction(s).
  4. Tell us **when** and **how** you first became aware that you may have been defrauded. If individual(s) or a company is named in your complaint please list exact dates of contact. If someone else made you aware of the potential crime, please include the person's name(s) address(s) and telephone number(s).
  5. Tell **how** you know the representations were false or how you know money was misused.
  6. Tell us what your actual financial loss is, if known. Do not include lost interest, unrealized profits or missed opportunities.
- B. Documentary evidence is especially important; therefore, please include photocopies of all documents and materials (*contracts, agreements, certificates, notes, deeds, correspondences, legible copies of involved checks, front and back, escrow and/or loan documents, etc.*) you wish us to review. **Please retain the originals for your records.**
- C. Type or print clearly in ink.
- D. If you have any questions concerning this form, you may call the Supervising Investigator at (510) 383-8600 during regular business hours, Monday through Friday 8:30 a.m. to 5:00 p.m.
- E. Upon completion of all sections of the complaint form, please mail the form along with an attached narrative and copies of your supporting documentation to:

**Alameda County District Attorney  
Real Estate Fraud Unit  
7677 Oakport Street, Suite 650  
Oakland, CA 94621**

**All complaints must have the attached complaint form completely filled out, signed and dated by the complaining party (not by their attorney) before a case can be opened.**

We sincerely hope this information will be of assistance to you.

**COUNTY OF ALAMEDA REAL ESTATE FRAUD UNIT**

***COMPLAINT FORM***

Your Full Name:	Residence Address:	Phone Number:
Occupation:	Business Address:	Business Phone:

**I declare I have a complaint against:**

Full Name of Suspect:	Suspect's Address:	Suspect's Phone:
Suspect Business Name:	Suspect Business Address:	Suspect Business/Cell Phone:

The following documentation supports my allegation and is incorporated and made a part of this complaint:

- Advertising materials
- Contract or Agreement
- Cancelled check(s) (Front & Back)
- Promissory Note, Deeds, and Deeds of Trust
- Cash receipt(s)
- Escrow instructions, loan documents, amendments & closing statements
- Correspondences between you and the suspect(s) (Letters, E-mails, Faxes)
- Copies of all documents which relate to your complaint which are not listed above.
- Copies of any civil complaints filed on behalf of you or others.

Date(s) of Transaction:	Place where Transaction(s) Occurred (Address, City, State):
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Approximate value of real property (ies) taken:	ADDRESS of property (ies) taken:
<p>Have you hired a private attorney in this matter?</p> <p><input type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes. Please provide the name and phone number of your private attorney. Attach a copy of any court documents.</p>	
<p>Have you filed this complaint with another police department, district attorney's office, or consumer protection agency?</p> <p><input type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes. Provide the name, address and phone number of other agencies, and the person handling the case.</p>	
<p>Have you contacted the suspect(s) or business regarding your complaint and demanded your money back?</p> <p><input type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes. Provide the name of person you contacted and the date(s) contact(s) made.</p>	
<p>Have you had a previous business or personal relationship with the suspect(s), firm or controlling person?</p> <p><input type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes. Describe the nature of the relationship, the duration and whom it was with.</p>	

List names, addresses and phone numbers of other individuals who may have further knowledge of this matter. Have you contacted them? When?

If your complaint involves a real estate loan (mortgage), provide the name and address of the mortgage company, lender, broker, escrow/title company, along with account number if you know them:

If this complaint is investigated, and criminal charges are filed against the suspect, you may be required to appear in Court to testify truthfully to the allegations in this complaint. Will you do this if needed?

Yes.

No. Give reason.

**NOTE:** Section 148.5(a) of the California Penal Code states:

*“Every person who reports to any peace officer listed in section 830.1 or 830.2, district attorney, or deputy district attorney that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor.”*

**I declare under penalty of perjury under the laws of the State of California that a felony or misdemeanor has been committed, and that the foregoing statements and photocopies of attached documents are true and correct.**

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Sign Your Full Name Here**

\_\_\_\_\_  
**Print Your Full Name Here**

\_\_\_\_\_  
**Your Date of Birth**

*Please attach your one-two page summary to this complaint form. If additional room is need to answer any of the above question feel free to attach additional sheets.*