



Office of the District Attorney Alameda County

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alcodea.org

Guidelines for Completing the Real Estate Fraud Complaint Form

Before filling out the 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 occurring in Alameda County. The types of cases which will be considered for the investigation by the Real Estate Fraud Unit are criminal 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 complaint, we review all the information and the supporting documentation that is included. Many real estate disputes are not appropriate for criminal prosecution, 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.

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 provide the summary with 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 us what your actual financial loss is, if known.

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. If you have any questions concerning this form, you may email **darealestatefraud@acgov.org**.

D. Upon completion of all sections of this form, please email (1) the Complaint form; (2) your summary as described in Section A; and (3) all documentary evidence to:

darealestatefraud@acgov.org

You may also mail the listed materials 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:	Email:

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 files on behalf of you or others.

Date(s) of Transaction:

ADDRESS of real property (ies) involved:

Approximate value of real property (ies) involved:

Have you hired a private attorney in this matter?

- No.
- Yes. Please provide the name and phone number of your private attorney. Include a copy of any court documents.

Have you files this complaint with a police department or another district attorney's office?

- No.
- Yes. Provide the name, address and phone number of other agencies, and the person handling the case.

Have you had a previous business or personal relationship with the suspect(s)?

- No.
- Yes. Describe the nature of the relationship, the duration and whom it was with.

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 I believe a felony or misdemeanor has been committed, and that the foregoing statements and photocopies of attached documents are true and correct.

Date: _____

Signature

Full Name

Date of Birth

Please submit your one-two page summary with this complaint form. If additional room is needed to answer any of the above questions, feel free to attach additional sheets.

Please note that the materials sent or the conversations with individuals in this office are not considered privileged communication between attorney and client and may become public.