



OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Diana Becton
DISTRICT ATTORNEY

July 6, 2018

Board of Supervisors
Contra Costa County
651 Pine Street
Martinez, CA 94553

RE: Real Estate Fraud Prosecution Trust Fund
District Attorney's Annual Report for 2017/2018

Dear Board Members:

Pursuant to California Government Code § 27388 (d), I would like to report to the Board the progress this office has continued to make in deterring, investigating, and prosecuting real estate fraud within Contra Costa County within the last year.

In July of 1996, the Board authorized one Deputy District Attorney and one District Attorney Senior Inspector to investigate and prosecute real estate fraud crimes. The cost of such prosecution has been and remains offset by revenue generated by recording fees on real estate instruments, specifically authorized per California Govt. Code §27388. In 2011, the Board authorized the addition of a legal assistant position. Current staffing levels for the Unit are one Deputy District Attorney, one Senior Inspector, and one Legal Assistant.

The undersigned is the Deputy District Attorney assigned to the Real Estate Fraud Unit as of August of 2017. This Unit continues the serious work of ethically and aggressively prosecuting criminal cases with a focus on the swift investigation and resolution of those cases in an effort to limit the financial impact of fraud. This Unit targets offenders who try to con the elderly out of their homes; who promise mortgage relief to victims and collect thousands of dollars for empty promises; who traffic in falsified records to elude prosecution for months or years before their crimes are discovered.

From available data for the financial year 2017/2018¹, the Real Estate Fraud Unit has expended \$399,705 from the Real Estate Fraud Prosecution Trust Fund. These expenditures account for salaries and benefits as well as all expenditures for travel and necessary services.

In 2017/2018, the Real Estate Fraud Unit investigated and prosecuted cases involving millions of dollars in fraud. The Unit investigated cases with victims around the country and internationally, tracking suspects operating as far away as Nigeria. These investigations involve rental fraud, forgery, embezzlement, foreclosure consultancy fraud, short sale fraud, and elder abuse.

¹ Available expenditure information from July 2017 to March 2018.

From July 1 of 2017 to present, the Real Estate Fraud Unit reviewed 71 real estate fraud cases, opening further investigation into a total of 20 new cases. Within the last year, our office has secured felony convictions in three different cases, and has conducted preliminary hearings against another seven defendants in complex white-collar fraud cases involving over two million dollars in stolen assets. Apart from conducting preliminary hearings, the Real Estate Fraud Unit presented a case before the Grand Jury of Contra Costa County in June of this year. The Grand Jury returned an indictment on charges of Grand Theft in excess of \$500,000. In March of 2018, the Real Estate Fraud Unit conducted a jury trial with charges of financial elder abuse, and currently has another three cases slated for jury trial before the end of the calendar year of 2018.

The Real Estate Fraud Unit takes special effort to target those offenders who target the elderly, and whose crimes could cause elders to lose their homes to fraud. For many elders in Contra Costa County, home ownership forms a major financial asset and source of financial security. As a result, the financial devastation caused by real estate fraud can have lasting consequences for the elderly—even after a prosecution and successful conviction. Within the last year, the Real Estate Fraud Unit restored title to the home of an elderly woman after the home was fraudulently slated for foreclosure auction. This Unit is currently working with federal prosecutors to help elderly victims of a foreclosure scam in operating around the Bay Area.

The Real Estate Fraud Unit collaborates with the Contra Costa County Recorder's Office, the Contra Costa County Assessor's Office, and the Contra Costa News Register to effectuate the Fraud Notification and the Mortgage and Foreclosure Advisory Programs. With the cooperation of our Office's Public Information Officer, the Unit has streamlined the Unit website, making it easier for those victims who suspect crime to make a report to the Real Estate Fraud Unit. This Unit continues outreach to local realtors, law enforcement agencies, and members of the public to educate our citizens about how real estate fraud is committed in Contra Costa County.

Real estate fraud is a sophisticated kind of crime that takes significant resources to investigate and deter. Those who commit this crime are often preying upon vulnerable members of our community, stealing financial assets that are among the most treasured. The Real Estate Fraud Unit continues to aggressively investigate and prosecute real estate fraud in Contra Costa County. The undersigned is proud to continue this work for the next year and beyond.

Very Truly Yours,



Adam N. Wilks
Deputy District Attorney
Special Operations – Real Estate Fraud
Contra Costa County Office of the District Attorney