

San Mateo County District Attorney's Office

Stephen M. Wagstaffe, 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 San Mateo County District Attorney's Office Real Estate Fraud Unit investigates real estate fraud related cases occurring in San Mateo 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 governmental 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. Additional pages may be attached for further remarks. 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, conversion 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 unknown. 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. 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:

**San Mateo County District Attorney's Office
Real Estate Fraud Unit, Bureau of Investigations
400 County Center – 3rd Floor
Redwood City, CA 94063**

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 reviewed.

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

OFFICE OF THE DISTRICT ATTORNEY
County of San Mateo, State of California
400 County Center, 3rd Floor
Redwood City, California 94063
(650)363-4636
BUREAU OF INVESTIGATIONS

REAL ESTATE FRAUD COMPLAINT FORM

PLEASE TYPE OR PRINT LEGIBLY

I. COMPLAINANT (Person Filing Complaint) (All information must be provided.)

LAST NAME	FIRST NAME	INITIAL	DATE OF BIRTH	OCCUPATION
STREET ADDRESS or P.O. BOX			APT. NO.	DRIVER'S LICENSE / IDENTIFICATION NUMBER
CITY		STATE		ZIP CODE
FAX NO.			E-MAIL	
DAY TELEPHONE NUMBER ()			EVENING TELEPHONE NUMBER ()	

II. BUSINESS/SUSPECT (Complaint is Against)

NAME OF BUSINESS					
STREET ADDRESS or P.O. BOX				TELEPHONE NUMBER ()	
CITY		STATE		ZIP CODE	
INDIVIDUAL NAME	DOB (AGE)	RACE	MALE/FEMALE	HEIGHT	WEIGHT
STREET ADDRESS or P.O. BOX			APT. NO.	TELEPHONE NUMBER ()	
CITY		STATE		ZIP CODE	

III. TRANSACTION INFORMATION

DATE OF OCCURENCE	LOCATION OF OCCURENCE
IDENTIFY THE TYPE OF TRANSACTION PERTAINING TO YOUR COMPLAINT (refinance, mortgage, purchase or sale of property, etc.)	WAS A CONTRACT SIGNED? (if yes, please attach copy)

DATE OF PURCHASE	PURCHASE PRICE/AMOUNT OF LOSS	METHOD OF PAYMENT (check, cash, credit card, other-explain) (Include copies of payment front and back)
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NAME ADDRESS AND PHONE NUMBER OF WITNESSES, IF ANY:

NAME, ADDRESS AND PHONE NUMBER OF OTHER VICTIMS, IF KNOWN:

HOW DID YOU HEAR ABOUT THIS BUSINESS? (newspaper, TV, telephone, etc.)

DID YOU CONTACT THE BUSINESS ABOUT YOUR COMPLAINT? <input type="checkbox"/> Yes <input type="checkbox"/> No	NAME OF THE PERSON YOU CONTACTED
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RESULT OF CONTACT

DATE YOU WERE AWARE YOU MAY BE A VICTIM OF A CRIME (explain in narrative)

LIST OTHER AGENCIES YOU HAVE CONTACTED

HAVE YOU CONTACTED A PRIVATE ATTORNEY? IF YES, WHO? <input type="checkbox"/> Yes <input type="checkbox"/> No	ANY CIVIL LAWSUITS PENDING, INCLUDING SMALL CLAIMS? <input type="checkbox"/> Yes <input type="checkbox"/> No	ANY JUDGMENTS? <input type="checkbox"/> Yes <input type="checkbox"/> No
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MAY WE PROVIDE A COPY OF YOUR COMPLAINT AND INFORMATION TO OTHER GOVERNMENTAL OR CONSUMER AGENCIES?

IV. COMPLAINT

Explain the facts upon which you are basing your complaint (how, when and why you believe you are a victim of a crime). Please state locations, names, dates and other specific information, including all contacts with the suspect individual or business and anything said or represented which later proved to be untrue. (Use additional sheets of paper if necessary.)
