



**MERCED COUNTY DISTRICT ATTORNEY
BUREAU OF INVESTIGATIONS**

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**DISTRICT ATTORNEY
Larry D. Morse II**

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Patrick N. Lunney**

**REAL ESTATE FRAUD COMPLAINT FORM
GUIDELINES**

Before completing the attached complaint form, please take the time to thoroughly read the following guidelines. The information listed below will help you to understand the function of the Merced County District Attorney's Office in both the investigation and prosecution of real estate related crimes.

The Merced County District Attorney's Real Estate Fraud Unit investigates real estate fraud cases occurring in the County of Merced. The types of cases which will be considered for investigation can include, but are not limited to, fraudulent real estate transactions and/or schemes, forgeries, fraudulent transfers of title of real property, the recording of false real estate documents with the Merced County Recorder's Office, mortgage foreclosure consultant fraud, embezzlement, elder financial abuse and identity theft.

If you believe that 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 follow the instructions below:

- To initiate a complaint, fill out the attached Complaint Form (please print clearly in ink).
- Attach legible COPIES of ALL documents in support of your complaint including, letters, contracts, deeds, promissory notes, deeds of trust, loan applications, appraisals, power(s) of attorney, escrow documents, checks (front and back) and any complaints filed with any other agency. PLEASE KEEP YOUR ORIGINAL DOCUMENTS.
- Submit the Complaint Form and all relevant documentation to the attention of REAL ESTATE FRAUD COMPLAINTS, Merced County District Attorney's Office, by mail to 550 W. Main Street, Merced, CA 95340 or by hand delivery to the same address. Personal intake interviews will not be conducted at the time the complaint is submitted.
- Be as truthful and accurate as possible. Be aware that making a false crime report with the police or with the District Attorney's Office is a crime punishable as a misdemeanor pursuant to California Penal Code §148.5.
- Please be aware that the Merced County District Attorney's Office has limited resources with which to review and investigate each real estate fraud complaint received. Submission of a real estate fraud complaint alone will not guarantee that an **investigation** will be initiated.
- If we determine it is necessary to obtain more information, a representative of the Real Estate Fraud Unit will contact you.
- Anonymous complaints will not be accepted.

When the Real Estate Fraud Unit receives a real estate fraud complaint, an investigator will review all the information contained therein and the supporting documentation provided. If the information meets our guidelines to commence an investigation, a case will be initiated. If it is determined the complaint will not be investigated by the Real Estate Fraud Unit, but warrants further review, we will refer you to an agency that will appropriately handle the type of matter involved.

It should be noted that many real estate disputes are not appropriate for criminal action but are potentially appropriate for civil action. The Merced County District Attorney's Office is not legally permitted to represent individuals in civil matters. Civil matters include taking legal action in order to obtain money owed to a complainant, assist in cancelling any debt due on a contract that was signed or mediate individual consumer complaints. You may consult with a private attorney to explore civil remedies that may be available to you.

If you have questions, you may call the Real Estate Fraud Unit at (209) 385-7383.

**MERCED COUNTY DISTRICT ATTORNEY'S OFFICE
REAL ESTATE FRAUD UNIT**

COMPLAINANT INFORMATION (Person Filing the Complaint)

PLEASE PRINT or TYPE

Your Full Name:	Residence Address:	Phone Number:
Occupation:	Business Address:	Business Phone: Cell Phone:
Date Of Birth: Social Security #: Drivers License #:	Were you referred to the DA's Office? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, by whom?	Have you ever filed a Real Estate Fraud complaint with us before? If yes, please provide the case # _____

BUSINESS/SUSPECT COMPLAINT IS AGAINST:

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

COMPLAINT INFORMATION:

Address of Property In Question: APN:	Approximate Dollar Loss:	Does the Property or Loan Involve HUD?: <input type="checkbox"/> Yes <input type="checkbox"/> No
Nature Of Your Complaint: <input type="checkbox"/> Real Estate Transaction <input type="checkbox"/> Mortgage/Loan Fraud <input type="checkbox"/> Foreclosure Rescue Scam <input type="checkbox"/> Appraisal Fraud <input type="checkbox"/> Identity Theft <input type="checkbox"/> Forgery <input type="checkbox"/> Theft of Money or Property <input type="checkbox"/> Other: _____	Documentation I have Attached: <input type="checkbox"/> Advertising Materials <input type="checkbox"/> Contract/Agreement <input type="checkbox"/> Cancelled Check(s) front/back <input type="checkbox"/> Promissory Note/Deed/Deed of Trust <input type="checkbox"/> Cash Receipt(s) <input type="checkbox"/> Escrow Instructions/Loan Docs <input type="checkbox"/> Closing Statements <input type="checkbox"/> Correspondence	Important Dates: Date You Became Aware of the Alleged Fraud? Date When Transaction Occurred? _____ Place Where Transaction Occurred? _____

<p>Other Individuals Involved:</p> <p>Did the Transaction Involve a Notary?</p> <p>____ Yes: _____</p> <p>____ No</p> <p>Did the Transaction Involve an Appraiser?</p> <p>____ Yes: _____</p> <p>____ No</p> <p>Have You Hired an Attorney?</p> <p>____ Yes: _____</p> <p>____ No</p>	<p>List Information Pertaining to Other's Who May Have Further Knowledge of These Allegations:</p> <p>Name: Address: Phone:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Contact With Suspect(s):</p> <p>Have you made any attempts to contact the suspect(s) listed in this complaint?</p> <p>____ Yes</p> <p>____ No</p> <p>Name of Person Contacted and Date(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>Other Agencies You Have Contacted:</p> <p>____ Merced Police Dept.</p> <p>____ Merced County Sheriff's Office</p> <p>____ Other Local LE Agency: _____</p> <p>____ Dept. of Real Estate</p> <p>____ Better Business Bureau</p> <p>____ Dept. of Consumer Affairs</p> <p>____ HUD</p> <p>____ Other: _____</p>	<p>Describe the type of Real Property Involved:</p> <p>____ Single Family Home</p> <p>____ Condominium</p> <p>____ Multi-Unit Complex</p> <p>____ Commercial Property</p> <p>____ Agricultural Land</p>	<p>Have You Given Anyone Power of Attorney Or Authorization to Act on Your Behalf?</p> <p>____ Yes: _____</p> <p>____ No</p>
<p>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?</p> <p>____ Yes</p> <p>____ No</p>	<p>NOTE: Section 148.5(a) of the California Penal Code states:</p> <p><i>“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></p>	<p>I declare under penalty of perjury under the laws of the State of California, that the foregoing statements and photocopies of attached documents are true and correct.</p> <p>Signature: _____</p> <p>Printed Name: _____</p> <p>Date: _____</p>

