

# REAL ESTATE FRAUD UNIT REFERRAL COVER SHEET

**KEEP PAGES 1 & 2 FOR YOUR RECORDS**

## **Guidelines for completing the Real Estate Fraud Referral Form**

Before filling out the attached referral 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 referral.

### ***What we can do:***

The San Luis Obispo County District Attorney's Office Real Estate Fraud Unit investigates and prosecutes real estate fraud related cases occurring in San Luis Obispo County. Some of the types of cases considered for investigation by this office are fraudulent transfers of title to real property, recording of false documents with the County Recorder's Office, forgeries, foreclosure assistance scams, elder abuse, embezzlement, theft and other types of mortgage fraud.

When we receive a consumer referral, we review all the information and the supporting documentation that is included. If the referral 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.

If you are a victim, we cannot represent you personally as your attorneys or give you legal advice. For advice on any civil claim, you should consult immediately with a licensed California attorney. If you do not have an attorney, you can contact the San Luis Obispo County Bar Association for a referral at (805) 541-5930.

**BE AWARE!** You should take action immediately. Your rights may be affected by a statute of limitations which could limit the time in which you can bring a civil action. You could lose your right to sue if you do not act promptly.

Do not assume that by submitting a referral to our office that we will take action. For various reasons, we are not able to prosecute every case. If we determine it is necessary to obtain more information, we will contact you. If you have questions, you may call us at (805) 781-1053.

### ***What we cannot do:***

This office is not legally permitted to represent individuals in civil matters, take action in order to obtain money owed to a consumer, help cancel any debt due on a contract that was signed, resolve or mediate individual consumer referrals, or obtain any other personal relief. Those functions may be performed by a number of other governmental and/or private 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 referral form.*

**How to complete the referral form:**

1. Write or type a one to two page summary of your referral and attach the summary to the referral form. Please include the following information:
  - a. Tell us **what** happened in chronological detail and be specific.
  - b. Tell us **who** you think the person(s) or company that is responsible for the loss, fraud, forgery, etc.
  - c. Tell us **where** (address, city, state) the incident or act(s) took place. Please include property address(es) involved in the transaction.
  - d. 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 referral, please list exact dates of contact. If someone else made you aware of the potential crime, please include that person's name(s), address(es) and telephone number(s).
  - e. Tell **how** you know the representations were false or how you know money was misused.
  - f. Tell us what your actual financial loss is, if known. Do not include lost interest, unrealized profits or missed opportunities.
2. Documentary evidence is especially important; therefore, please include only photocopies of all documents and materials. Such materials include contracts, agreements, certificates, notes, deeds, correspondence, legible copies of involved checks, front and back, escrow and/or loan documents, brochures, business cards, etc. **Please retain the originals for your records.**
3. Type or print clearly in ink.
4. After completing all sections of the referral form, please mail or send the form along with an attached narrative and copies of your supporting documentation to:

Office of the San Luis Obispo County District Attorney  
Real Estate Fraud Unit  
1035 Palm Street, 4<sup>th</sup> Floor  
San Luis Obispo, CA 93408

5. All referrals must have the attached referral form completely filled out, signed and dated by the **complaining party** (not by their attorney) before a case can be opened.
6. 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. Penal Code §148.5.



**OFFICE OF THE DISTRICT ATTORNEY**  
**COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA**

**DAN DOW**  
District Attorney

**ERIC J. DOBROTH**  
Assistant District Attorney

**JERRET C. GRAN**  
Chief Deputy District  
Attorney

**SHERYL M. WOLCOTT**  
Chief Deputy District  
Attorney

**LISA B. MUSCARI**  
Chief Deputy District  
Attorney

**TERRY O'FARRELL**  
Chief, Bureau of  
Investigation

**REAL ESTATE FRAUD REFERRAL FORM**

- A. The District Attorney has limited resources to process complaints. All complaints will be reviewed by a member of the Real Estate Fraud Unit. **Not all complaints are investigated.**
- B. The legal staff of the San Luis Obispo County District Attorney's Office is not permitted to engage in the private practice of law or to furnish legal authority to assert your individual private rights.
- C. The Real Estate Fraud Unit does not conduct personal intake interviews or make appointments to accept the written complaint form.

(Revised 5/10/17)

**PLEASE 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 OR IDENTIFICATION NUMBER	
CITY		STATE	ZIP CODE	
FAX NO.		E-MAIL		
DAY TELEPHONE NO.		EVENING TELEPHONE NO.		

**II. BUSINESS/SUSPECT COMPLAINT IS AGAINST**

NAME OF BUSINESS					
STREET ADDRESS OR PO BOX			TELEPHONE NO.		
CITY		STATE	ZIP CODE		
INDIVIDUAL NAME	DOB (AGE)	RACE	MALE/FEMALE	HEIGHT	WEIGHT
STREET ADDRESS OR PO BOX			TELEPHONE NO.		
CITY		STATE	ZIP CODE		

### III. TRANSACTION INFORMATION

DATE OF OCCURRENCE

ADDRESS OF PROPERTY INVOLVED IN THE TRANSACTION

IDENTIFY THE TYPE OF TRANSACTION PERTAINING TO YOUR COMPLAINT (refinance, mortgage, purchase or sale of property, etc.)

NATURE OF COMPLAINT

DATE OF PURCHASE

PURCHASE PRICE/AMOUNT OF  
LOSS

METHOD OF PAYMENT (check, cash,  
credit card, other - explain)

WAS A CONTRACT SIGNED? (If yes, please  
attach a copy)

\_\_\_ YES \_\_\_ NO

NAME ADDRESS AND PHONE NUMBER OF WITNESSES, IF ANY:

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

HOW DID YOU HEAR ABOUT THE BUSINESS? (Newspaper, TV, telephone, etc.)

DID YOU CONTACT THE BUSINESS ABOUT YOUR COMPLAINT?

NAME OF THE PERSON YOU CONTACTED

\_\_\_ YES \_\_\_ NO

RESULT OF CONTACT

LIST OTHER AGENCIES YOU HAVE CONTACTED

HAVE YOU CONTACTED A PRIVATE  
ATTORNEY? IF YES, WHO?

ANY CIVIL LAWSUITS PENDING, INCLUDING  
SMALL CLAIMS?

ANY JUDGMENTS?

\_\_\_ YES \_\_\_ NO

\_\_\_ YES \_\_\_ NO

\_\_\_ YES \_\_\_ NO

MAY WE PROVIDE A COPY OF YOUR COMPLAINT AND INFORMATION TO OTHER GOVERNMENTAL OR CONSUMER AGENCIES?

\_\_\_ YES \_\_\_ NO

### IV. COMPLAINT

Briefly explain the facts upon which you are basing your complaint (how, when and why you believe you are a victim of a crime), including first contact with suspect, individual or business and anything said or represented which later proved to be untrue. Additional pages may be attached for further remarks.

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**V. DECLARATION**

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Date and sign below – anonymous referrals are not accepted

**NOTE:** It is a misdemeanor to knowingly make a false report of criminal conduct. Penal Code §148.5.

**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.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**VI. MAILING INSTRUCTIONS**

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To help explain the details of your complaint, **YOU MUST SUPPLY PHOTOCOPIES OF THOSE DOCUMENTS RELATED TO YOUR COMPLAINT.** (Include: real estate contracts, title documents, promissory notes, escrow documents, warranties, cancelled checks (front and back), repair orders, photographs, letters, etc.)

**- PLEASE DO NOT SEND ORIGINAL DOCUMENTS -**

Mail or deliver the signed complaint and COPIES of supporting documents to:

Office of the San Luis Obispo County District Attorney  
Real Estate Fraud Unit  
1035 Palm Street, 4<sup>th</sup> Floor  
San Luis Obispo, CA 93408

**FAILURE TO SEND SUPPORTING DOCUMENTS  
WILL DELAY RESPONSE TO YOUR COMPLAINT**