



COUNTY OF SAN BERNARDINO
Office of the District Attorney
Michael A. Ramos
DISTRICT ATTORNEY
Real Estate Fraud Prosecution

Vance E. Welch
Deputy District Attorney

Lance A. Cantos
Deputy District Attorney

Re: REAL ESTATE FRAUD INFORMATION REQUEST

Enclosed are an informational letter, form and brochure. **IT IS VERY IMPORTANT THAT YOU READ THE INFORMATIONAL LETTER CAREFULLY.** It contains information you need to know and may answer some questions you might have. Please follow the instructions given and return all requested and necessary information to our office. *You must sign and date your completed form.* **DO NOT SEND US ORIGINAL DOCUMENTS.**

Our complaint review period is 30 to 90 days. If our office determines that criminal charges are probable, your complaint will be sent to our investigative unit where it will wait 'pending assignment'. Currently, the assignment waiting period is at least one year. Should our office determine that criminal charges are not probable, you will receive a letter from us shortly after your complaint has been reviewed.

DO NOT ANSWER ANY QUESTIONS WITH "SEE ATTACHED".

[YOUR STATEMENT MUST BEGIN ON PAGE FOUR OF THE COMPLAINT FORM. YOU MAY ATTACH ADDITIONAL PAGES AFTER PAGE SIX IF YOU NEED TO CONTINUE YOUR STATEMENT, BUT *PAGE SIX MUST BE SIGNED.*]

In expectation of making an error, you may make a copy of the form before you fill it out; however, a copy of the form cannot be issued to anyone else. Also, if your statement will be written in a language other than English, please provide an English translation of your statement. We do not offer assistance in filling out the form. If the property in question is not located in San Bernardino County, **DO NOT FILE YOUR COMPLAINT** with this office. Your complaint must be filed in the same county in which the property in question is located.

Sincerely,

District Attorney's Office
Real Estate Fraud Unit



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Re: COMPLAINT OF SUSPECTED REAL ESTATE FRAUD

Thank you for your recent contact with this office concerning a claim of suspected real estate fraud. In order to assess your case, this office will require certain information and documents from you.

The District Attorney's Office is taking an active role to reduce real estate fraud in San Bernardino County. The best way to begin our investigation is to have you fill out our complaint form. Please specify what happened, when it happened, and the name or names of those involved. It is generally best to describe events in chronological order of their occurrence. When you are describing what happened, try to separate one event from another. Preferably, the complaint form should be typewritten; however, if that is impossible, please *print* clearly and legibly. Please note that *we do not offer assistance in filling out the complaint form. You must sign and date your completed form.*

If you received anything in writing from anyone, please make a copy of the document (including the envelope it came in). Do not worry about trying to separate the documents you think are important from those you think are not important. Many times, documents that are initially thought to be unimportant will contain very important information. Provide us with any documents that will support your complaint; for instance, if you suspect a forgery, provide us with the document containing the alleged forgery. Documents that you should try to locate might include the following:

- 1) Loan applications, promissory notes and deeds of trust (sometimes called "loan documents").
- 2) All grant deeds/quit claim deeds.
- 3) Escrow instructions.
- 4) Policies of title insurance.
- 5) Purchase agreements.
- 6) Business flyers.

- 7) Any court documents regarding the property, such as, marital settlement agreements, stipulated judgments, letters from lawyers regarding the property, and/or civil law suits.
- 8) Any documents regarding foreclosure, such as, default letters from the lender, a notice of default or a notice of sale.
- 9) All bankruptcy papers.

Please make **legible copies** of all documents (copy both sides of a double-sided document). **DO NOT SEND US ORIGINAL DOCUMENTS.**

After you have prepared the complaint form and copied your documents, **MAIL** them to:

**San Bernardino County District Attorney's Office
Real Estate Fraud Prosecution
412 W. Hospitality Lane, 3rd Floor
San Bernardino, CA 92415-0023**

Should we decide there are criminal charges that may be filed, we will forward your complaint to our investigative unit. Your complaint will remain there pending assignment. The waiting period is long and you may not hear from us for quite some time. Once the investigation begins, we will call you to set up an appointment. On the day of your appointment, **remember** to bring all original documents with you. If you have children, you will need to make arrangements for their care while you're here. Do not bring them with you to your appointment; we do not have any place for them to wait. If you are unable to keep your appointment, please notify our office as soon as you can.

Keep in mind that the District Attorney's Office is a law enforcement agency and we cannot dispense legal advice or represent a complaining party in a civil dispute. If your problem involves the pending **loss of your property** through **foreclosure, eviction** or any other **civil matter**, **OUR OFFICE WILL NOT BE ABLE TO HELP YOU.** We cannot stop any of these actions. You should immediately seek the advice and assistance of an attorney who practices or specializes in those areas of law. Your legal rights may be seriously affected; so, please do not delay in seeking assistance. If you should need an attorney, please contact your local bar association's lawyer referral service for assistance. We do not make attorney referrals.

Because of the nature of criminal law, the burden to prove a criminal case *beyond a reasonable doubt* is extremely high. This is the highest standard of proof used in court. So although a case may have merit, sometimes a case will not be prosecuted because the evidence is not sufficient enough to prove a person's guilt beyond a reasonable doubt. Therefore, we would not proceed with the case.

Again, remember that the District Attorney's office is a law enforcement agency. We can use information given to us by you, in court, against anyone, including you. Furthermore, you need to know that if you give us information you know is not true, you can be prosecuted under Penal Code § 148.5 (False Report of a Criminal Offense).

Cordially,

Real Estate Fraud Prosecution Unit
San Bernardino County District Attorney