

Real Estate Fraud Prosecution Trust Fund Committee Annual Meeting Minutes: FY 2018/2019

DATE: July 25, 2019

ATTENDEES:

Don Semon – Department of Health & Human Services
(*voting member*)

Joe Alexander – Chief Assistant District Attorney (proxy for DA Pierson)

Jeff Dreyer – Chief DA Investigator

Erin Tognetti – Deputy District Attorney, District Attorney's Office

Richard Pesce – Supervising Investigator, District Attorney's Office

Ted Horlbeck – Investigator, District Attorney's Office

Kimberly Beal- El Dorado County Association of Realtors

Kerri Williams-Horn, Chief Fiscal Officer, CAO's Office (proxy for CAO Ashton)

Shaneen May – District Attorney's Office

Absent Member(s):

Vern Pierson – District Attorney (voting member)

John D'Agostini – Sheriff, El Dorado County Sheriff's Office (voting member)

Don Ashton – CAO, El Dorado County (voting member)

James Clinchard – District Attorney's Office

CALL TO ORDER: 11:00 A.M.

DISTRIBUTION OF AGENDA AND ANNUAL REPORT FY 2018/2019

DISCUSSION / REVIEW OF CASES:

Chief Assistant District Attorney Joe Alexander welcomed everyone. Roundtable introductions were made.

DAI Horlbeck discussed and summarized the 2018-2019 Real Estate Fraud Program:

- Vacation Rental Scams: Discussion of consistent reduction of South Lake Tahoe vacation rental scams being reported. Due to our emphasis on public outreach and the citizens being educated and diligent in review of their own properties, we continue to see a decrease.

- Case No. 18-05-003874: Suspect is a license Real Estate Appraiser who filed false documents with the Secretary of State. As one of the suspects resides in Canada, the DA Investigator is working with the Ontario Provincial Police. Investigation involves three victims, two residents of El Dorado County and an additional victim in Sacramento County. This matter was filed against two (2) Defendants with six (6) felony counts each. DDA Tognetti discussed how the El Dorado County District Attorney's Office is working in conjunction with the US Marshall's Office and Canadian authorities.
- Case No. 19-03-001271: Referred to our office from the El Dorado County Sheriff's Office pertaining to a Craigslist rental scam.
- Case No. 2019-008: Referred to our office from the South Lake Tahoe Police Department pertaining to a Craigslist rental scam.
- Case No. 19-06-003082: This is a matter of investigating an alleged theft of \$20,000.00. The El Dorado County District Attorney's Office is collaborating with the California Department of Business Oversight.
- Continued large-scale investigation involving several attorneys and investigators reviewing a matter comprised of multiple suspects and multiple law enforcement agencies. This investigation is expected to continue for many additional months.

OUTREACH:

- Sierra Economic Crimes Task Force. Continued participation in this Task Force composed of representatives from Sacramento, Yolo, and Placer County District Attorney Offices (Deputy District Attorneys and Investigators), the El Dorado County and Sacramento County Sheriff Departments, the Franchise Tax Board and the Dept. of Consumer Affairs.
- The Real Estate Fraud "Tips and Resources" brochure and Vacation Rental Scam warning flyer are now available for viewing on the District Attorney website.
- DA Investigator Horlbeck met with the South Lake Tahoe Association of Realtors to provide Real Estate Fraud awareness literature; The SLTAR will now make electronic copies of the brochure available to their members.
- DA Investigator Horlbeck met with the Tahoe Chamber of Commerce, again providing Real Estate Fraud awareness education and literature.
- Representatives from our office attend monthly Adult Protective Services and Crisis Intervention Team meetings.
- Public Service Announcement Video: Available on the District Attorney website.

- Real Estate Fraud Brochure: The Brochure entitled “Protect Yourself from Real Estate Fraud” focuses on identification and awareness of real estate fraud, and providing assistance and resources continues to be available.
- BEWARE Vacation Rental Scam Flyer: Flyer offering helpful tips to avoid vacation rental scams.
 - Both the Brochure and Flyer are available at the DA’s Office, County Clerk/Recorder Office, El Dorado Hills and El Dorado County Chamber of Commerce and displayed at the El Dorado County Fair, in addition to any other events where the DA office has a presence.
- El Dorado County Fair: Annual Regional event wherein the DA Office hosts a *Fraud Awareness* Booth staffed by DA personnel. Personnel were on hand to address any fraud related issues, offering the Real Estate Brochure and BEWARE Vacation Rental Scam Flyer in addition to DA Investigator Horlbeck’s business cards.
- DDA Tognetti and DAI Horlbeck presented at the Gilmore Senior Center in conjunction with the El Dorado County Health and Human Services Agency and the Elder & Dependent Adult Abuse Project. The focus of the presentation was fraud prevention amongst the elderly.

TEMPORARY FEE REDUCTION:

- Kerri Williams-Horn suggested a temporary reduction of the County recording fees of 33%, from \$3.00 per document to \$2.00 per document. She advised that if the need arises to adjust to prior fee this committee could re-convene mid-year.
- Williams-Horn recommends temporary reduction to \$2.00 from September 1, 2019 through August 31, 2020.
 - Motion by: Joe Alexander (proxy for DA Pierson)
 - Second by: Don Semon
 - Approved by all voting members

FY 18/19 EXPENDITURE REPORT:

- Discussion: Kerri Williams-Horn reviewed the FY 18/19 Real Estate Fraud Summary. Total revenue of \$106,745.00 and expenses of \$58,007.82.

Trust Fund Beginning Balance as of July 1, 2018	\$ 350,400.79
Revenue from Recorded Documents	97,113.60
Interest	<u>8,638.17</u>
Total Revenue	\$106,745.00
Total Expenditures FY 18/19	<u>\$ 58,007.82</u>

Real Estate Fraud Prosecution Trust Fund
Annual Meeting Minutes: FY 2018/2019
July 25, 2019

Adjusted Ending Fund Balance \$ 399,137.97

- Vote approving transfer of \$58,007.82 from Trust Fund:
 - Motion by: Joe Alexander (proxy for DA Pierson)
 - Second by: Don Semon
 - Approved by all voting members

- This Report is scheduled on the Consent Calendar for the Board of Supervisors Meeting on August 6, 2019.

MEETING ADJOURNED: 11:30 A.M.