



Legislation Details (With Text)

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Title: District Attorney recommending the Board receive and file the Sixth Annual Report on Real Estate Fraud for Fiscal Year 2009-2010.

FUNDING: Real Estate Fraud Prosecution Trust.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Real Estate Fraud Prosecution Trust Fund.pdf

Date	Ver.	Action By	Action	Result
10/26/2010	1	Board of Supervisors	Approved	Pass

District Attorney recommending the Board receive and file the Sixth Annual Report on Real Estate Fraud for Fiscal Year 2009-2010.

FUNDING: Real Estate Fraud Prosecution Trust.

BUDGET SUMMARY:		
Total Estimated Cost		\$189,474
Funding		
Budgeted	\$	
New Funding	\$	
Savings	\$	
Other	\$ 102,171	
Total Funding Available	\$	
Change To Net County Cost		\$ 87,303

Fiscal Impact/Change to Net County Cost: Total cost of the program was \$189,474 for fiscal year 09/10 investigation and prosecution. Total funds available for transfer in the special revenue fund was \$102,171 resulting in a net county cost of \$87,303.

Background: Each year, following the recommendation put forth by the Real Estate Fraud Prosecution Trust Fund Committee, an agenda item is created so that the Board of Supervisors can review the effectiveness of the district attorney in deterring, investigating, and prosecuting real estate fraud crimes based upon information provided by the district attorney in an annual report.

In the last 12 months the department successfully referred out 7 cases to outside agencies. These

referrals were initiated due to other jurisdictions having multiple victims thus allowing our case to be included with the other charges.

In fiscal year 2009-2010 the District Attorney's Office received two convictions for cases involving theft and diversion of construction funds. There are currently 13 pending cases with a projected dollar loss of over \$3 million dollars. One of the larger cases with over a million dollar loss is set for jury trial in November 2010.

It is the recommendation of the District Attorney's office that in conjunction with reviewing the prior years program activity that the Board of Supervisors consider the necessity of the real estate document fees set forth by Government Code 27388 and whether or not they should be continued based upon the level of fraud activity.

Action to be taken following Board approval: Annual report to be sent to the Legislative Analyst Office per GC 27388 (d).

Contact: Jodi Albin, 6421

Concurrences: Real Estate Fraud Committee