



## Legislation Text

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**File #:** 19-1146, **Version:** 1

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District Attorney recommending the Board:

- 1) Receive and file the Fourteenth Annual Report on Real Estate Fraud for Fiscal Year 2018-2019; and
- 2) Adopt and authorize the Chair to sign Resolution **127-2019** reducing the District Attorney Real Estate Fraud recording fee from \$3.00 to \$2.00.

**FUNDING:** Real Estate Fraud Prosecution Trust.

### **DISCUSSION / BACKGROUND**

In accordance with Government Code Section 27388(d), the Board of Supervisors is required to annually review the effectiveness of the District Attorney in deterring, investigating and prosecuting real estate fraud crime based upon information provided by the District Attorney in an annual report. The report is attached.

A review of the Real Estate Fraud Special Revenue fund during the annual Real Estate Fraud Prosecution trust fund committee meeting held on July 25, 2019 identified the fund appears to have sufficient cash to operate at reduced revenue for one year and the committee recommended the fee be reduced from \$3.00 to \$2.00 for one year.

Upon further review of this committee recommendation, the District Attorney is requesting a permanent reduction of the fee from \$3.00 to \$2.00 and will monitor the case activity and if needed, at a future date will return to the Board with a request to adjust as needed. The fee is collected by the Recorder-Clerk on recorded documents related to real estate change in ownership and related transactions.

### **ALTERNATIVES**

The Board could choose to not reduce the fee and program revenue would be projected at current levels.

### **PRIOR BOARD ACTION**

July 24, 2018; Legistar File 18-1062: District Attorney recommending the Board receive and file the Thirteenth Annual Report on Real Estate Fraud for Fiscal Year 2017-18.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Real Estate Fraud Committee; Recorder-Clerk

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommend

### **FINANCIAL IMPACT**

The trust fund beginning balance as of July 1, 2018 was \$350,400.79. The FY 2018-19 revenue received, including interest, totals \$106,745.00, leaving an unadjusted ending balance as of June 30,

2019 in the amount of \$457,145.79.

The total FY 2018-19 investigation and prosecution expenditures for the Real Estate Fraud Program are estimated at \$58,007.82. The FY 2018-19 estimated ending fund balance is \$399,137.97.

There is no Net County Cost for this program.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Public Safety

**CONTACT**

Vern Pierson, District Attorney