

FRAUD Continued from Front Page

criminals are able to carry out this scheme by creating fictitious email addresses, temporary phone numbers, and mobile applications, which provides them ways to text from untraceable numbers.”



Gerald Womack

Valerie Turner currently serves as Assistant District Attorney and is the head of the consumer fraud division at the Harris County District Attorney’s Office. She wants the public to know that the likeliest victims are people who don’t use a title company to close a land transaction.

“Without a title company to check the title history, it is easy for crooks to sell property they don’t own to unsuspecting buyers, who pay good money and expect good title,” Turner says. “If the buyer goes through a title company, purchases title insurance, and then there is a problem, the title company is on the hook to either get the buyer good title or refund all of their money. Of course, if a thief inserts his name into the title history using a forged deed, a title examiner will not catch that because the title company does not investigate beyond the four corners of the deeds. They don’t call the last true owner and ask, ‘Did you sign the deed to the (current seller)?’ They don’t research to find out whether the last true owner was alive at the time of the purported signing of the deed. That only happens once there is a complaint, and our office investigates.”

Turner tells the Forward Times that her office worked in conjunction with the Harris County Clerk’s Office to pass legislation in 2016, which no longer allows a person in Harris County to anonymously file a real property document.

According to Turner, the law now requires that the person present photo identification, which is then scanned in by the clerk. That information is not made public, but if a complaint is received and her office investigates, they can ask for a copy of the photo identification. This law only is applicable in Harris County, in that some of the smaller counties objected to such a requirement.

The areas in Harris County that most often see this kind of theft are neighborhoods with abandoned houses. The crook can change the locks, file a deed inserting him into the chain of title, and put up a sign advertising the house as for sale. Then they give the unsuspecting buyer a deed once payment is made in full. Because the buyer received the property via fraudulent deed, no ownership was conveyed. According to Turner, the Sunnyside community in southeast Houston is a neighborhood where deed fraud occurs frequently.

Turner states that a property owner might only find out this has happened to them if they were to drive by their property or their house and see that it is occupied. She states that the owner might also check the Harris County Appraisal District’s (HCAD) website, especially after not receiving a property tax bill for some time, and learning that the property is now in someone else’s name.

“To avoid falling victim to this crime, owners should check the HCAD website once a year to make sure the property is still in their name,” says Turner. “Also, they should make sure they receive their property tax bill. Buyers should always close with a title company. That way, if something goes wrong, they are protected. Another option would be to purchase deed fraud insurance. Homelock and other companies sell this product. I don’t know the details of the policy though. I’m not sure if they just alert the owner to the fact that the property has been taken out of their name, or whether they insure the value of the property if a sale occurs without the owner’s consent.”

Unfortunately, Turner states that if someone impersonates an owner and sells their property, which is most often what they see happen at title companies, the owner is often out of luck if the sales proceeds are actually sent to the land thief by the title company. But, Turner indicates, in a case like that, they are usually able to trace the money to an account and investigate from there.

“If a thief files a forged deed, and sells the property that way, then there will be a cloud on the title and the true owner will not be able to sell the property,” Turner emphasizes. “If the true owner does not want to sell to the unsuspecting buyer, then they will have to hire an attorney to file a suit to remove the cloud from the title. If the unsuspecting buyer contests the matter in court, it could cost up to \$50,000 or more to correct the situation. The true owner could file a lawsuit against the title company for not confirming the identity of the seller. I don’t know how successful that would be, though.”

According to Turner, these incidents are criminal in nature, and the Harris County District Attorney’s office often files the following charges: Aggregate Theft, Forgery, False Statement to Obtain Property, or Securing Execution of a Document by Deception.

Turner states that if the land thief is caught and identified, prison time is a possibility depending on that person’s criminal history and their ability to pay restitution.

“If the thief has a prior felony conviction and served prison time, it is doubtful we would offer probation, so prison time would be more likely,” says Turner. “If there is a significant amount of restitution owed due to a defendant’s actions, then a requirement would be for the person to pay a substantial amount of restitution upfront and show an ability to pay the remainder of the restitution. If they can’t do that, then prison time will be our offer.”

Turner states that the amount of prison time a land thief serves is dependent on the facts of the case, the number of properties stolen and their values, and the defendant’s criminal history.

“If we file Aggregate Theft for stealing from a true owner and unsuspecting buyer (or more than one of each), then the amount of the theft can go up rather quickly,” says Turner. “If the total amount stolen is over \$300,000, then the punishment range (assuming no other prior felony convictions with prison trips) is 5-99 years or Life with the possibility of a fine up to \$10,000. I’ve had land thieves sentenced to probation and others sentenced to 28 years, 40 years, etc.”

The Texas Real Estate Commission has been assisting the Texas Land Title Association in educating real estate license holders on trending fraud schemes.

The Texas Land Title Association has reported seeing more people fall victim to seller impersonators, with the prime target properties being vacant land or investment property such as vacation homes, second homes, rental properties, and any other instance where the tax mailing address is different than the property owner’s address.

CLASSIFIEDS

HOUSTON-GALVESTON AREA COUNCIL

**Request for Proposal – Houston-Galveston Area Council – Public Services – Ambulances, EMS & Special Service Vehicles – AM10-23**

The Houston-Galveston Area Council (H-GAC) is soliciting responses for selecting qualified manufacturers, distributors, installers, and service providers of Ambulances, EMS & Special Service Vehicles to make these types of products and services available to Customers of the HGACBuy Cooperative Purchasing Program under blanket type contracts.

To view the solicitation documents, visit <https://www.hgacbuy.org/bid-notice> or [ESBD \(txsmartbuy.com/esbd\)](https://txsmartbuy.com/esbd).

**Response Deadline: July 13, 2023 @ 12:00 P.M. CST**

NOTICE TO PROPOSERS

The Houston Independent School District is soliciting Request for Proposals (RFP) via the District’s electronic bidding portal. Proposers may login to view specifications and submit their responses at the following link <https://houstonisd.ionwave.net/Login.aspx> until **10:00 a.m. (CST) Wednesday, July 19, 2023**, for the following supplemental solicitation for the following projects:

- RFP 23-05-04 Board Certified Behavior Analysis (BCBA) and Behavior Therapist Services
- Pre-proposal conferences via Microsoft Teams will be held in conjunction with this RFP. Information regarding dates, times, and a link to join the meeting can be located within the electronic bidding portal under the “Event Details” tab specific to this solicitation.

Not only are land and property owners susceptible to this type of activity, but realtors are also at risk of representing someone who is not the rightful owner to the property they are trying to sell.

“This type of fraud is terrifying because of how much it has increased and how quickly,” said David Tandy, chair of the Texas Land Title Association’s Seller Impersonation Fraud Task Force. “Until that real seller decides to do something like refinance or sell the property, they are not aware of the fraudulent transaction involving their property. And by that point, the duped buyer has lost all their money, the real estate agents have lost their commissions, and the entire transaction is void.”

Realtors can be a huge part of the solution if they know what red flags to look for and understand how important their role is. Those red flags include:

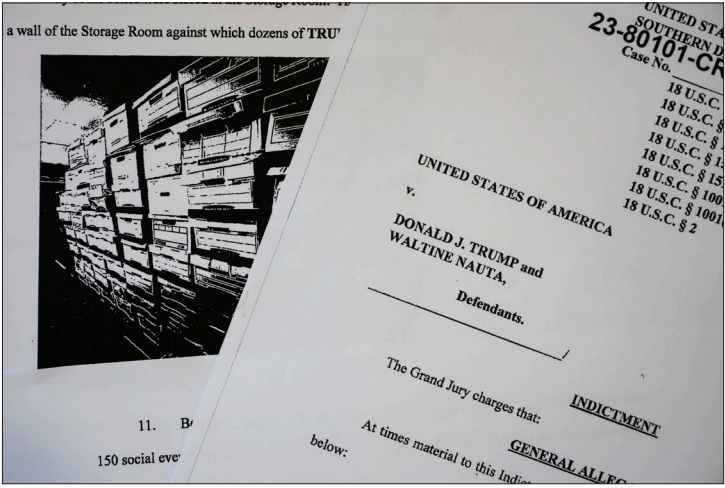
- The property in question involves vacant land or an owner not living on property.
- Imposter Seller wants a quick sale.
- Imposter Seller wants a cash sale.
- The property is listed below market value.
- Imposter Seller only wants to communicate by email or text and does not want to meet in person.
- Imposter Seller’s phone area code is unrecognizable or foreign.

Before listing a property, realtors should make sure the property owners are verified by getting a copy of two forms of identification, asking for a recent utility bill, and asking questions about the property that only the true owner would know.

“This just suddenly exploded. We’ve seen similar forged deed fraud in the past, but this new type of fraud is just pervasive” said Leslie Midgley, executive vice president and CEO of the Texas Land Title Association. “These criminals are highly sophisticated with their schemes and hard to detect if you aren’t vigilant. Title agents and underwriters have implemented many best practices to try and shut these transactions down, but there is much work to be done as significant losses have already occurred and the criminals seem to be increasing their efforts, not retreating.”

If you, or someone you know, are the victims of land fraud, please contact local law enforcement, report it online to the Federal Trade Commission at <https://reportfraud.ftc.gov/#/>, and if you are in Harris County, reach out to the consumer fraud division at the Harris County District Attorney’s Office at 713-274-5555.

TRUMP INDICTMENT Continued from Front Page



In this photo illustration, pages are viewed from the unsealed federal indictment of former U.S. President Donald Trump on June 9, 2023 in Washington, DC. Former U.S. President Donald Trump has been indicted on 37 felony counts in Special Counsel Jack Smith’s classified documents probe. (Photo Illustration by Drew Angerer/Getty Images)

Secret. This is secret information.”

“See, as president I could’ve declassified it,” Trump said. “Now, I can’t, you know. But this is still a secret.” (This admission undercuts his later claim that he had declassified everything.)

None of the people Trump discussed this recording with had the necessary clearance to see or discuss it. And neither did the PAC representative Trump met with several weeks later. In August or September 2021, Trump showed the rep (from his political action committee) a classified map of a foreign country, discussing a military operation involving that country. The rep did not have the required security clearance or a “need to know” that information.

Trump keeps saying that he had the right to retain the documents, that he had declassified them, that he could declassify them with his mind. None of that is true. The Presidential Records Act, passed in 1978, says that presidential records are the property of the U.S. Government, not the president. It makes it a crime to conceal or intentionally destroy government property — punishable by up to three years in prison.

And it’s not like he didn’t know what was in these boxes. Per the indictment: “Between November 2021 and January 2022, NAUTA and Trump Employee 2 at TRUMP’s direction brought boxes from the Storage Room to TRUMP’s residence for TRUMP to review.” During that time, it became clear that the data wasn’t being stored securely. On Dec. 7, 2021, Nauta found several boxes had fallen in the Mar-a-Lago storage room, with their contents spilled out onto the floor.

Nauta took a photo and sent it to another employee, saying: “I opened the door and found this...” The employee responded, “Oh, no. Oh no.” (Indeed: one of the documents was marked “SECRET,” meaning that if disclosed it would pose a danger to national security.)

NARA Discovery

The National Records and Archives Administration (NARA) learned the truth about the documents in January 2022. According to the *New York Times*, “The National Archives discovered in January that at the end of his term, former President Donald J. Trump had taken to his home at the Mar-a-Lago resort 15 boxes from the White House that contained government documents, mementos, gifts and letters. The boxes included material subject to the Presidential Records Act, which requires that all documents and records pertaining to official business be turned over to the archives.”

In January, Nauta and another employee gathered 15 boxes from Mar-a-Lago, loaded the boxes into a car, and took them to a commercial truck that would deliver them to NARA. On Feb. 18, in a letter to Oversight Committee Chairwoman Carolyn B. Maloney (D-NY), U.S. Archivist David S. Ferriero revealed: “NARA has identified items marked as classified national security information within the boxes.”

As a result, NARA referred the matter to the Department of Justice.

Investigation

On March 30, 2022, the FBI opened a criminal investigation. A federal grand jury got involved a month later. On May 11, 2022, the grand jury issued a subpoena requesting the return of all classified documents.

Meanwhile, the FBI was searching the material. According to a search warrant issued later: “From May 16-18, 2022, FBI agents conducted a preliminary review of the FIFTEEN BOXES provided to NARA and identified documents with classification markings in fourteen of the FIFTEEN BOXES. A preliminary triage of the documents revealed the following approximate numbers: 67 documents marked as CONFIDENTIAL, 92 documents marked as SECRET, and 25 documents marked as TOP SECRET.”

(If disclosure of certain information could “reasonably result” in damage to national security, the information may be marked as “CONFIDENTIAL.” When serious damage to national security is possible, the info is labeled “SECRET.” If info poses an “exceptionally grave” damage to national security, it is marked “TOP SECRET.”) So Trump had material that could gravely damage national security and held on to it even after he was asked to give it up.

In case it’s not clear enough from the details: someone could’ve been killed as a result of these secrets being revealed. “The classified documents TRUMP stored in his boxes included information regarding defense and weapons capabilities of both the United States and foreign countries; United States nuclear programs; potential vulnerabilities of the United States and its allies to military attack; and plans for possible retaliation in response to foreign attack. The unauthorized disclosure of these classified documents could put at risk the national security of the United States, foreign relations, the safety of the United States military, and human sources,” the indictment reads.

Meeting

On May 23, Trump met with two attorneys. They told Trump they needed to search for the requested documents and provide a certification saying that they’d complied with the subpoena. The indictment says that “Attorney 1” (aka Evan Corcoran) recorded Trump’s response.

“I don’t want anybody looking through my boxes,” Trump said, per Corcoran. Trump even suggested stonewalling the feds: “Well...what happens if we just don’t respond at all?”