



William L. King Jr.
York County Sheriff
1 Layman Way
Alfred, Maine 04001
Desk - 207-459-2205

Senator Carney, Representative Salisbury, and honorable members of the Joint Standing Committee on Judiciary, my name is Bill King, and I am the sheriff of York County. I am here today to urge you to support L.D. 2240 - An Act To Implement Protections Against Deed Thefts.

I think everybody has suffered through the annoyance of a scam call. Scammers are affecting commerce and our sense of security. Most scams, to be successful, require some participation from the victims, whether the victim provides the scammer with a credit card or purchases a gift card to pay for some fictitious tax on a lottery winning.

Land thefts require no complicity on the part of the victim. The seller impersonator simply gleans information from open sources and contacts unsuspecting real estate agents, often through online services like Zillow, and offers somebody else's land for sale.

Think about this scenario – you drive by your vacant land, a lot where you plan to build your dream home and there is a “For Sale” sign on it! This happened twice in York County. One time a man went to pay his taxes and was told he no longer owned the land! Twelve times in York County a seller impersonator tried to sell a victim's land and one time they were successful causing the true owner time and money to reclaim his land in county records – the development company, who purchased the land in good faith, lost their money.

The seller impersonator appears to target vacant land or house lots that are unencumbered, owned by one person who is usually from out of state. The seller impersonator will converse with the realtor and come up with some story about an illness and needing a quick sale, hence offering the property at a competitive price.

This legislation will not only engage in an education campaign, allow an easier pathway to correct the county deed records, but it will require the seller impersonator to pay a fee to the real estate agent to list their property (this section needs some modification to require the fee early in the process.) I believe this will eliminate the seller impersonators from shopping real estate agents until they find one who agrees to place the property in the MLS. In the cases I've looked at in York County, the seller impersonators have gone to three real estate agents (that we know of) before landing one who accepts the story and lists the property. And those agents conducted due diligence, even securing a driver's license that was determined to be fraudulent. It will also require a real estate agent to carry a surety bond which will be used if some fraudulent activity occurs.

There is similar legislation in other states but nothing as definitive as LD 2240. Clearly, there may be some opposition, but I believe that this legislation not only protects innocent property owners but also real estate agents whose time and attention is wasted by these unscrupulous scammers. If all realtors must collect an advance fee and have a surety bond, the playing field for real estate professionals will be level.

I urge you to pass this legislation to stop this scam and protect innocent property owners from having their land stolen. I will answer any questions you may have.

V/R

William L. King Jr.
Sheriff, York County

STATE OF NEW YORK

6569--A

2023-2024 Regular Sessions

IN SENATE

April 27, 2023

Introduced by Sens. MYRIE, BAILEY, GOUNARDES, KAVANAGH -- (at request of the Attorney General) -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the criminal procedure law, the penal law and the executive law, in relation to deed theft

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 30.10 of the criminal procedure
2 law is amended by adding a new paragraph (h) to read as follows:

3 (h) A prosecution for any felony related to a deed theft or where
4 there is fraud in connection with a transaction involving real property
5 must be commenced within eight years after the commission of the crime.

6 § 2. The penal law is amended by adding a new article 162 to read as
7 follows:

ARTICLE 162

RESIDENTIAL AND COMMERCIAL DEED THEFT

8
9
10 Section 162.00 Definitions.

11 162.05 Deed theft in the third degree.

12 162.10 Deed theft in the second degree.

13 162.15 Deed theft in the first degree.

14 162.20 Aggravated deed theft.

15 § 162.00 Definitions.

16 For the purposes of this article, the following terms shall have the
17 following meanings:

18 (1) "Deed theft" is committed by a person who,

19 (a) intentionally alters, falsifies, forges, or misrepresents property
20 documents such as a residential or commercial deed or title, with the
21 intent to deceive, defraud or unlawfully transfer or encumber the owner-
22 ship rights of a residential or commercial property; or

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD07601-07-3

1 (b) with intent to defraud, misrepresents themselves as the owner or
2 authorized representative of residential or commercial real property to
3 induce others to rely on such false information in order to obtain
4 ownership or possession of such real property; or

5 (c) with intent to defraud, takes, obtains, steals, or transfers title
6 or ownership of real property by fraud, forgery, larceny, or any other
7 fraudulent or deceptive practice.

8 (2) "Residential real property" or any derivative word thereof shall
9 have the same meaning as defined in subdivision three of section 187.00
10 of this part.

11 (3) "Commercial real property" or any derivative word thereof shall
12 have the same meaning as defined in paragraph (a) of subdivision six of
13 section four hundred eighty-nine-aaaa of the real property tax law.

14 (4) "Mixed-use property" shall have the same meaning as defined in
15 subdivision twenty-two of section four hundred eighty-nine-aaaa of the
16 real property tax law.

17 (5) "Incompetent" shall have the same meaning as defined in section
18 1-2.9 of the estates, powers and trusts law.

19 (6) "Incapacitated person" shall mean a person who, because of mental
20 disability as defined in subdivision three of section 1.03 of the mental
21 hygiene law or mental deficiency, is unable to care for their own prop-
22 erty and/or personal needs, and is likely to suffer harm because such
23 person is unable to understand and appreciate the nature and conse-
24 quences of not being able to care for their property and/or personal
25 needs.

26 § 162.05 Deed theft in the third degree.

27 A person is guilty of deed theft in the third degree when such person
28 commits deed theft of one commercial real property.

29 Deed theft in the third degree is a class D felony.

30 § 162.10 Deed theft in the second degree.

31 A person is guilty of deed theft in the second degree when such person
32 commits deed theft of: (1) one residential real property; or (2) one
33 commercial mixed-use property with at least one residential unit; or (3)
34 three or more commercial properties.

35 Deed theft in the second degree is a class C felony.

36 § 162.15 Deed theft in the first degree.

37 A person is guilty of deed theft in the first degree when such person:
38 (1) commits deed theft of a residential property that is occupied as a
39 home by at least one person; or (2) commits deed theft of a residential
40 property that involves a home that is owned or occupied by an elderly
41 person or an incompetent, or an incapacitated person, or physically
42 disabled person.

43 Deed theft in the first degree is a class B felony.

44 § 162.20 Aggravated deed theft.

45 A person is guilty of aggravated deed theft in the first degree when
46 such person commits deed theft of three or more residential properties.

47 Aggravated deed theft is a class B felony.

48 § 3. Subdivision 3 of section 187.00 of the penal law, as amended by
49 chapter 507 of the laws of 2009, is amended to read as follows:

50 3. "Residential real property" means real property that is used or
51 occupied, or intended to be used or occupied, wholly or partly, as the
52 home or residence of one or more persons, including real property that
53 is improved by a one-to-four family dwelling, or a residential unit in a
54 building including units owned as condominiums or on a cooperative
55 basis, used or occupied, or intended to be used or occupied, wholly or
56 partly, as the home or residence of one or more persons, but shall not

1 refer to unimproved real property upon which such dwellings are to be
2 constructed.

3 § 4. Section 63 of the executive law is amended by adding a new subdi-
4 vision 17 to read as follows:

5 17. The attorney general may investigate and prosecute every person or
6 entity charged with the commission of a criminal offense in violation of
7 the laws of this state applicable to or in respect of the practices or
8 transactions referred to in article one hundred sixty-two of the penal
9 law relating to residential or commercial deed theft or in connection
10 with a deed theft or where there is fraud in connection with a trans-
11 action involving real property. In all such proceedings, the attorney
12 general may appear in person or by his or her deputy before any court of
13 record or any grand jury and exercise all the powers and perform all the
14 duties in respect of such actions or proceedings which the district
15 attorney would otherwise be authorized or required to exercise or
16 perform.

17 § 5. This act shall take effect on the thirtieth day after it shall
18 have become a law.

https://knox.villagesoup.com/news/scammer-almost-sold-valuable-rockland-house-lot-without-owners-knowledge/article_5826aee0-8306-11ee-9acd-930ae3524853.html

FEATURED

Scammer almost sold valuable Rockland house lot without owners' knowledge

By Stephen Betts
Nov 14, 2023



17 South St. in Rockland.

Photo by Stephen Betts

ROCKLAND — A quarter-acre Rockland residential lot was nearly sold without the owners' knowledge earlier this month.

An alert title searcher with a local law firm noticed that the signatures on the sellers' documents did not match signatures on documents when the real owners purchased the property back in 2009.

The lot is owned by Frances and Nathanael Greene of Peterborough, New Hampshire. The land is located at the northeast corner of Pacific and South streets. The lot has been vacant since 2006 when an older building was torn down.

Frances Greene said she had been up to Rockland at the end of October and checked on the property as she and her husband do regularly. The property is maintained during the summer with regular mowing. They also have a residence in Cushing.

She said on Wednesday, Nov. 1 her husband received a call from a neighbor to the Rockland lot saying there was a for sale sign on the property. Frances Greene said she dismissed the call, saying the couple has no intention to sell.

On Nov. 2, a woman who does title searches for the law firm of Strout & Payson in Rockland telephoned the Greenes. The title staffer left a message, saying the signatures on the documents for the pending sale of their lot did not match the signatures on the documents when they bought it in 2009.

Frances Greene said she notified the firm that they were not selling the land. She also telephoned the police department. Whoever was behind the scam had obtained their Social Security numbers and other personal identifying information and had forged their signature with a fake notary stamp.

Rockland Police Chief Tim Carroll said Sgt. Michael Izzi looked into the scam and the trail ended with an overseas account.

Greene said she was informed that scammers are targeting properties that are owned by out-of-state residents in hopes that the sale can occur before the real owners become aware of it.

After investigation, Greene learned that someone had contacted Lash Realty Group online through Zillow.com, saying they owned the land and wanted to sell it. The scammer provided the stolen identification information to the realtor. A "for sale" sign went up and within a day, multiple offers were received. Scott Lash said there were safeguards put into place to prevent an illegitimate sale and that they ultimately worked.

The winning bidder was another local realtor who acknowledged that the asking price — \$82,500 — seemed low for the market. The current owners paid \$91,000 back in 2009. The city has the land assessed for tax purposes at \$100,300 but the market value is considered to be much higher.

The realtor, Aaron Crossman, also praised Strout & Payson for noticing the discrepancy in the signatures.

"I was hours from transferring a significant amount of money," he said.

Greene said she knows there has been considerable interest in the property but they have no plans to sell. She said she does not want some modern-style house to be built there. She wants a traditional house that would be more in keeping with the architecture of the South End of Rockland.

Stephen Betts

Reporter

US MARKETS OPEN

▲ DOW JONES -0.26% ▲ NASDAQ -1.29% ▲ S&P 500 -0.28% ▲ META -1.64% ▲ TSLA

REAL ESTATE

A man returned home to find a new \$1.5 million house on land he acquired decades ago. Now he's suing for \$2 million.

Jordan Pandy Aug 4, 2023, 1:44 PM ET

➦ Share 📖 Read in app



Dan Reynolds Photography/Getty Images

- **Daniel Kenigsberg said a Connecticut lot he acquired in 1991 was sold without his consent in 2022.**

He returned to the town to find a home being constructed on the property.



The alarming surge of home title theft and how to protect your property

By Kurt Knutsson, CyberGuy Report

Published October 03, 2023

Fox News

Home sweet home is a sentiment many of us cherish. Yet, imagine brewing your morning coffee only to discover that your beloved abode isn't yours anymore. No, we're not scripting a new "Twilight Zone" episode. This scenario captures the chilling reality of home title theft. It's a crime as real as your daily caffeine fix.

We recently received an email that puts this into perspective. Charlie from Charleston, South Carolina, brings up a question that is bothering a lot of folks these days.

"I'm seeing TV commercials on home title theft. Is this a real concern? Would any of your recommended services protect me from this? Thanks for your time."

Like so many others, Charlie is wondering: Can we keep our home sweet home safe from the grubby paws of title thieves? What protections are there? How can you protect your own little corner of paradise from getting hijacked?

CLICK TO GET KURT'S FREE CYBERGUY NEWSLETTER WITH SECURITY ALERTS, QUICK TIPS, TECH REVIEWS, AND EASY HOW-TO'S TO MAKE YOU SMARTER



Woman sitting at her laptop and finding out that her home title has been stolen. ()

MORE: DO THESE REVEALING PHOTOS OF YOUR HOME BELONG HERE WITHOUT PERMISSION?

Here's what a crook can do if they steal your home title

In the realm of crime, home title theft is like a chameleon. It's identity fraud in disguise with forged property deeds and stolen identities. Add a dishonest notary to the mix, and voilà - the deed's been done, and you're no longer the rightful owner.

These thieves don't just stop at stealing your home; they turn it into a cash cow by:

- Selling your home to someone else**, either a partner in crime or an innocent buyer who doesn't know that the title is fake.
- Taking out multiple loans** using your home as collateral, and then disappear with the cash. You would be left with the debt and the risk of foreclosure.
- Using your identity** to open a line of credit based on your home equity or commit other types of fraud.
- Renting out your home** and collecting the rent money for themselves.

Applying for a reverse mortgage on your home which allows them to receive monthly payments from the lender based on your home value. It's a heinous crime that's got folks on edge, especially seniors and people with vacation homes. The latest data from the FBI's Internet Crime Complaint Center recorded a half-raising 11,727 real estate and rental fraud victims in 2022, with losses of \$350 million. Gives you goosebumps, doesn't it?

HOW TO MAINTAIN AND PROTECT YOUR ONLINE PRIVACY



Woman stressed out that a crook stole her home title. ()

MORE: DIGITAL BURGLARIES: THE THREAT FROM OUR SMART HOME DEVICES

Securing your digital doorway

What's worse is you might not even realize you're a victim until the bank comes knocking, asking why you've missed your mortgage payment, or the county sends you a letter saying your property isn't in your name.

Should I pay for home title monitoring?

At this point, you might wonder, should I pay for home title monitoring? Well, it's like buying insurance for a car you don't drive much, but when you do, it's invaluable. These services keep a close eye on your home title, like a hawk scanning the ground for a mouse, alerting you to any suspicious changes.

GET MORE OF MY TECH TIPS & EASY VIDEO TUTORIALS WITH THE FREE CYBERGUY NEWSLETTER - [CLICK HERE](#)

What is the difference between home title insurance and home title monitoring?

Now, let's not mix up home title insurance and home title monitoring. Home title insurance covers past issues, while home title monitoring covers future risks.

Also, home title insurance is a one-time payment that covers you from any losses or damages caused by defects or errors in the title of your property that existed before you bought it. It protects you from claims by previous owners, lien holders or other parties who may have a legal interest in the property. Home title insurance does not protect you from title fraud or theft that occurs after you purchase the property.

Home title monitoring, on the other hand, is a subscription-based service that alerts you of any changes or activity on the title of your property that may indicate title fraud or theft. It scans public records and databases to detect any unauthorized transfers, liens or encumbrances on your property. If fraud or theft is detected, the service may provide resolution assistance or legal support to help you restore your title.

BEWARE OF BING CHAT AND ITS AI CONVERSATIONS THAT CAN LURE YOU INTO MALWARE TRAPS

Steps you can take to protect yourself from home title fraud

Consider getting home title monitoring: It can alert you of any changes in property ownership, such as a forged transfer deed or a fraudulent discharge of mortgage. It also can alert you of any liens, loans or court findings that may affect your home's title or equity. And it promises to help you stop any attempts by scammers to trick you into signing away your property or personal information.

Check your county recorder's office regularly: Make sure there are no unauthorized changes or liens on your property. You can use the online records search tool or visit the office in person. If you see something suspicious, report it immediately.

Review your credit reports periodically: Look for any signs of identity theft, such as new accounts or inquiries that you don't recognize. You can get a free copy of your credit report from each of the three major credit bureaus once a year at annualcreditreport.com.

Secure your personal information and documents: These docs include your Social Security number, birth certificate, passport, deed, mortgage statement and tax records. Don't share them with anyone you don't trust, and shred them before disposing of them. Use strong passwords and antivirus software on your devices, and avoid using public Wi-Fi networks or clicking on suspicious links.

or attachments.

ASK KURT: IS IT MORE SECURE TO USE MY CELLPHONE DATA VS WIFI?



Hacker stealing data from unsuspecting victims. ()

If you think you may be a victim of home title theft
There are several steps you can take to recover and protect your credit and financial future.

File a report with the police asap: Contact the police and credit reporting agencies at once. This will help you start the recovery process and protect yourself from further damage. The police can also help you create a paper trail that will be helpful if you need to take legal action.

Use identity theft protection: To protect your identity from crooks, investing in identity theft protection is a smart move. Identity theft protection companies can monitor personal information like your home title, Social Security number, phone number and email address and alert you if it is being sold on the dark web or being used to open an account. They can also assist you in freezing your bank and credit card accounts to prevent further unauthorized use by criminals.

See my tips and best picks on how to protect yourself from identity theft.

Contact the three main credit bureaus: Contact the three major credit reporting agencies and request that a fraud alert be placed on your credit file. This will make it more difficult for someone to open new accounts in your name. If there are any unauthorized accounts in your report, dispute them with each relevant bureau.

Obtain related records: Keep track of all correspondence and documents related to the theft. This will be helpful if you need to file a lawsuit or take other legal action.

Contact your mortgage lender: Even if the fraudster has not applied for a home equity loan or line of credit, contact your mortgage lender and alert them to the situation. Doing so can prevent future financial harm and foreclosure.

Close unauthorized accounts: If you discover a thief has opened new accounts using your home title, contact the lenders to notify them of the fraud and have the accounts closed. This includes, but is not limited to, your mortgage lender and title insurance company. Also, determine whether fraudsters opened any credit cards or personal loans in your name.

HOW TO REIN IN YOUR ONLINE EXPOSURE AND REMOVE YOURSELF FROM GOOGLE SEARCHES

Kurt's key takeaways

Home title theft is the silent burglar that doesn't need to break a window or pick a lock. As it turns out, your home might not be as invincible as your childhood treehouse after all.

Perhaps it's high time we prioritized safeguarding our digital doorways as much as our physical ones. As technology advances, it seems our defenses must evolve in tandem. Protection services may not be foolproof, but they sure can add a few more hurdles on the thieves' tracks.

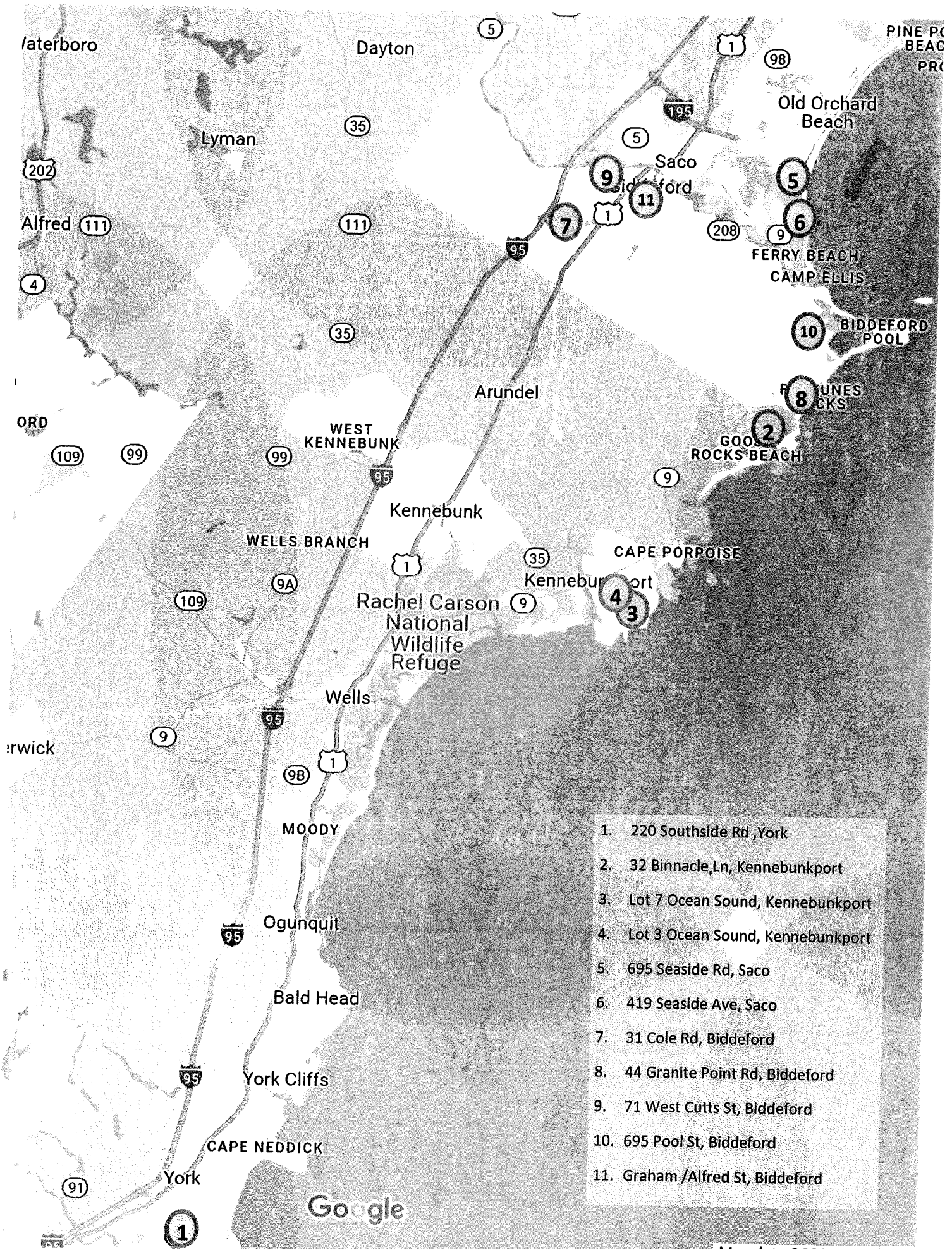
Does this worry you, or are you confident in your home's security in this digital age? Would you invest in a home title monitoring service, or do you think your personal due diligence is enough? Let us know by writing us at [Cyberguy.com/Contact](mailto:info@Cyberguy.com).

For more of my tech tips and security alerts, subscribe to my free CyberGuy Report Newsletter by heading to Cyberguy.com/Newsletter.

[CLICK HERE TO GET THE FOX NEWS APP](#)

Answers to the most asked CyberGuy questions:

What is the best way to protect your Mac, Windows, iPhone, and Android devices from getting hacked?
What is the best way to stay private, secure, and anonymous while browsing the web?



1. 220 Southside Rd, York
2. 32 Binnacle Ln, Kennebunkport
3. Lot 7 Ocean Sound, Kennebunkport
4. Lot 3 Ocean Sound, Kennebunkport
5. 695 Seaside Rd, Saco
6. 419 Seaside Ave, Saco
7. 31 Cole Rd, Biddeford
8. 44 Granite Point Rd, Biddeford
9. 71 West Cutts St, Biddeford
10. 695 Pool St, Biddeford
11. Graham /Alfred St, Biddeford