

TOP TEN (10) TIPS FOR NON-ENGLISH SPEAKERS TO AVOID (I) BECOMING A VICTIM OF REAL ESTATE, HOME LOAN, AND RENTAL FRAUD, AND (II) SCAMS IN GENERAL



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Those who commit fraud often target and exploit non-English speakers and immigrant groups. This is done by taking advantage of the culture of closeness and trust within the immigrant community (and acting in “affinity” or kinship with the community), suggesting that immigrants should not interact with the government or government sponsored programs, selling false hope, using half-truths or outright lies with regard to laws, lending, finances, or other matters.

The following list of the top ten tips has been written and is intended to give you some essential tips to help protect yourself against such fraud.

But first, what follows is some basic information with regard to the California Bureau of Real Estate (“CalBRE”), our website, finding CalBRE employees who speak languages other than English, and accessing the translation of our website materials.

CalBRE safeguards and promotes the public interests in real estate matters through education, licensure, and enforcement. It is a California State agency within the California Department of Consumer Affairs. We have a Consumer Recovery Account for those who have been victimized by the intentional fraud of real estate licensees. But the reason the tips below are presented is to keep you from becoming a victim in the first place.

Our website is www.bre.ca.gov. Our toll-free number is 1-877-373-4542, and it has a prompt for Spanish. We have Special Investigators in offices around the State who speak Spanish, and other Special Investigators who speak other languages.

Many of our consumer alerts and warnings have been translated into other languages, and our website materials can be read in a wide number of languages, including Spanish, Chinese, Vietnamese, Hmong, and Russian. Our website uses something called “Google Translate”. After accessing our website at www.bre.ca.gov, simply scroll to the bottom of the Home page and click on the “World” icon. You can then choose the applicable language.

TOP TEN FRAUD AVOIDANCE TIPS

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1. **Be Vigilant and Suspicious, and Proceed Very Cautiously, When Contacted by Strangers.**

Fraud schemes are everywhere. You need to play defense, listen to your inner “uh-oh” voice, and really protect yourself. You should be skeptical of unsolicited offers of help, or an unwillingness (at your request) to meet in person.

You do not need to be nice to strangers who contact you, and you can just hang up the phone or just say no to them.

Also remember that if a person offers to provide real estate services on your behalf, that person’s license identification number must be on the solicitation materials, including on any advertisements for those services and on the business card he or she gives to you.

Those who commit fraud are really good at what they do, and fraud is their job. Many are involved with sophisticated rings using fake websites and important sounding names. Others are just rogue criminals involved in their newest scam. They all continue to adapt and modify their schemes as soon as their last ones became ineffective

2. **Use Only CalBRE Licensees When Engaging the Services of People or Companies Offering Rental, Home Loan, Foreclosure Rescue, or Other Real Estate Services on Your Behalf.**

When engaging the services of people and companies offering assistance in the areas of mortgages, foreclosure rescue, and real estate, you should only use legitimate and reputable real estate agents licensed by CalBRE (and/or licensees of the California Department of Business Oversight for home loans).

Check them out on the CalBRE website, at www.bre.ca.gov. Make certain that they are licensed by the State of California. If they are licensed, see if they have been disciplined. If they are lawyers, and doing some work under an exemption to the real estate law, check them out on the State Bar's website, at www.calbar.ca.gov. Again, look at their disciplinary record, if one exists.

Also check them out through the Better Business Bureau.

And check them out through a Google, “Yelp”, or related search on the Internet. You may be amazed at what you can and will find out doing such a search. Often consumers who have been scammed will post their experiences, insights, and warnings long before any criminal, civil or administrative action has been brought against the scammers

With regard to online rental scams, and those who commit fraud by selling valueless lists of supposedly available rentals, please review the following CalBRE publications:

http://www.bre.ca.gov/files/pdf/ca/2013/ConsumerAlert_WarningRegardingOnlineRentalSchemes.pdf

http://www.bre.ca.gov/files/pdf/ca/2012/ConsumerAlert_PRLS.pdf

3. **Never Pay in Cash, or Wire Cash to Anyone, in Connection with Real Estate Transactions; Also, Be Certain to Protect Your Personal Information, Such as Social Security Number, So Scammers Cannot Steal Your Identity.**

Many Latino victims of real estate fraud have reported that they either paid fraudsters in cash, or wired cash to the schemers. With extremely limited exceptions, cash payments, and cash that has been wired, cannot be recovered.

Also, and importantly, pure cash payments usually provide prosecutors with little or nothing in the way of proof of payment.

If you pay a real estate licensee any money, use a check or credit card, and get a receipt.

With regard to personal information, please know that identity theft is rampant. Be very careful with regard to releasing any personal information. Such information should be provided only when it is absolutely necessary.

4. **Never Pay Anyone for Home Loan or Foreclosure Relief Services in Advance of Their Successfully Completing the Work you Wanted Them to Do for You.**
5. **Never Sign an Agreement for a Real Estate Transaction (including a Rental) or a Home Loan that You Cannot Afford.**
6. **Never Sign a Real Estate (Including Rental) or Home Loan Agreement that You Do Not Understand or Have Not Read, or Which Contains Blank Spaces.**

Those who commit fraud will often try to get you to act quickly so that you do not have the time to think about what you are doing.

They will tell you that “you must act now”. Do not be fooled into rushing into a scam.

Give yourself some time, ask questions and do your homework (especially about their license status, their experience, and their references), and keep yourself from becoming a victim.

And always make or obtain copies of the agreement(s) or any other documents you have signed.

7. **Anyone (including Scammers without an Appropriate or Legitimate California License) Can Advertise on Television or Radio, in Newspapers, Magazines or on the Internet.**

With very rare exception, the claims of people and companies who advertise are not verified for truthfulness, honesty or compliance with the law, and there is no screening done of those who are doing the advertising.

Therefore, an ad on the television or radio, or in a newspaper, magazine or on the Internet, does not mean that what is advertised is lawful or truthful.

Scammers have the money to put together convincing and professional-looking advertisements (some of which even look like actual “news” broadcasts) and marketing materials, all of which are intended to get you to give them your hard-earned money and/or property.

8. **Just Because Someone Speaks Your Language, and May Share the Same or a Similar Background with You, Does Not Mean that You Can or Should Trust Them.**

Scammers are experts in fraud and in gaining your confidence, lulling you into believing them and the false hope and lies that they sell, and they will use their same or similar backgrounds and ability to speak your language as tools to convince you to part with your money and/or property.

Many of those who commit fraud are good looking and quite charming. Their business is luring people into their schemes.

Quite simply, to protect yourself, you must always verify, verify, and then verify again before you extend your trust to someone who asks you for money or property.

9. **Never Transfer or Sign Your Home Over to any Third Party or Anyone Else who Claims that such a Transfer can or will Help You Repair Your Credit or Keep You in Your Home. Also, Never Sign a “Power of Attorney” Giving Rights to Your Property or Money to Any Individual – or Any Company -- You Do Not Personally Know and Trust.**

Scammers will often recommend that you transfer your property deed or title to them, give them a “power of attorney”, and/or encourage you to make your home loan payments directly to them.

These are sure “red flags” of a fraud.

10. If Something Sounds Too Good to be True, it Probably Is!

Conclusion.

As discussed above, fraud by predators in the area of real estate and mortgage scams (and elsewhere) requires that you be vigilant and skeptical, proceed cautiously and do your homework. There are legitimate, reputable, licensed and competent professionals in the real estate and mortgage fields. If you need or want their assistance, you need to do some homework.

While the foregoing Tips are offered to keep you from becoming a fraud victim, the reality is that anyone can be victimized.

If you have become the victim of a scammer in connection with real estate or a home loan, or suspect that you have, please contact the California Bureau of Real Estate immediately at www.bre.ca.gov, or at our toll free number (1-877-373-4542). And be certain to review materials on our Consumer Recovery Account. If you meet the requirements for payment, you will be paid an amount for your actual and direct (out of pocket) loss in a transaction, up to a statutory maximum of \$50,000 per transaction.

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