

REAL ESTATE LAW ALERT



NOVEMBER 9, 2022

JOSH BIALEK

239.593.2962

jbialek@porterwright.com

This law alert is intended to provide general information for clients or interested individuals and should not be relied upon as legal advice. It does not necessarily reflect the views of the firm as to any particular matter or those of its clients. Please consult an attorney for specific advice regarding your particular situation.

Please see our other publications at www.porterwright.com/media.

Florida Focus: Protect yourself from identity thieves using fraudulent deeds

Recently, we have seen a significant increase in deed fraud in Southwest Florida. Deed, or title fraud, is the transfer and recording of a real estate deed without the knowledge or consent of the property owner. Criminals often target vacant or vacation properties. These criminals fraudulently “sell” the property to unsuspecting buyers and pocket the money. The costs to undo a fraudulent deed can be high.

If you become aware you or a family member are a victim of deed fraud, you must immediately contact your local sheriff's office and the FBI. Legal counsel can help you to void a fraudulent deed and correct the public record. Your attorney can file the appropriate documents in the public records, alert innocent parties to the fraudulent transactions and file a lawsuit to clear the title record if necessary.

Although it is difficult to avoid becoming a victim of deed fraud, it is extremely important to catch it as soon as possible. Both Collier and Lee Counties offer a free service that alerts subscribers when a mortgage, deed or other land document is recorded in one's name in the official county records. It is critical to consider signing up for these free alerts. Other Florida counties offer a similar service.

Links to local alert services:

[Risk Alert Enrollment](#) – Collier Clerk of the Circuit Court & Comptroller

[Property Fraud Alert](#) – Lee Clerk of the Court & Comptroller

If you suspect you have been the victim of deed fraud, please immediately contact your local County Sherriff's Office.

For more information, please contact [Josh Bialek](#) or any member of Porter Wright's [Real Estate team in Naples](#).