



*Cook County Recorder of Deeds*  
**Karen A. Yarbrough**

**FOR IMMEDIATE RELEASE**

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**FOR MORE INFORMATION**

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**Recorder Yarbrough's Legislative Agenda to Help Victims**  
**Fight Back against Property Fraud Signed into Law**

**(CHICAGO)** Victims of property and recording fraud will have new tools to fight back against criminals thanks to two new laws authored by Cook County Recorder of Deeds Karen A. Yarbrough. Because of her efforts, victims will no longer need to spend thousands of dollars on an attorney and their cases will be expedited.

Recording fraud is the recordation of a document known to be fraudulent in an attempt to create a "cloud on title," which is an irregularity in the chain of title that could negatively affect a property's value, or its transfer, sale or conveyance. Recording fraud can be blatant, such as an act of retribution towards a public official or judge, or done quietly in order to sell or obtain a mortgage on a property under false pretenses. Sadly, some instances happen when a victim hires a company that promises to assist in a looming foreclosure, but uses illegal means unbeknownst to the homeowner.

"Whether it's a bogus foreclosure rescue company defrauding desperate victims or a property thief who only needs to record a forged deed transfer with our office, these new laws will empower the Recorder's Office to help victims get the justice they deserve," Yarbrough said. "Before taking office I promised residents that I would be the chief advocate for property owners in Cook County, and I look forward to putting these new laws to work on behalf of victims."

**House Bill 2832** (Lang/Silverstein) will allow County Recorders to help victims of recording fraud refer cases to an expedited administrative law review process. Once an administrative law judge rules that a document is fraudulent, the County Recorder will then place a notice in the chain of title that clearly references the decision and notifies all who may be interested that the document in question should not be considered to affect the chain of title.

House Bill 2832 is needed because under the current system, the victim must navigate the chancery or circuit courts with an action to quiet title, usually a lengthy and costly process. In addition to monetary costs, victims may also experience a delayed or lost real estate sale, or a missed opportunity to refinance. The expedited review process created by the bill would save the victims money and time, and could help save transactions that might otherwise be lost to uncertainty.

Because the impact of recording fraud is serious, often causing substantial financial damage to victims, Yarbrough believes it is time that the punishment match the severity of the crime. The second bill in Yarbrough's legislative agenda, **House Bill 2905** (Evans/Harmon), would increase the penalty for unlawful clouding of title to a Class 4 felony (from a misdemeanor) where the value of the cloud exceeds \$10,000, or if the clouding is a second or subsequent offense.

“I have always advocated for a smarter criminal justice system, one that does not ruin lives with the heavy hand of justice for minor infractions,” Yarbrough said. “But when someone is knowingly filing false claims against someone’s most valuable possession and causing thousands of dollars in damage, the punishment should match the crime.”

The third piece of the anti-fraud agenda, **House Bill 2269** (Evans/N. Harris) was previously signed into law in June. It extends a provision of the state Notary Act that was about to expire that requires notaries in Cook County to keep and forward a notarial record of each document that transfers ownership of residential real property to the Cook County Recorder’s office. This law helps provide information that could assist law enforcement with investigations into property or recording fraud. It also lets notaries know that these transactions are held to a high standard, and that they should exercise all due care in assuring documents and identification presented to them are legitimate.

For more information, please call 312-590-5013.

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