



Cook County Recorder of Deeds
Karen A. Yarbrough

FOR IMMEDIATE RELEASE

April 19, 2013

FOR MORE INFORMATION

John Mirkovic

(312) 590-5013

John.Mirkovic@CookCountyIL.gov

Recorder Yarbrough's Anti-Fraud Legislative Agenda
Clears Illinois House of Representatives

(CHICAGO) – With the passage of a bill on Thursday that would take the costs and burdens of property fraud off the victims, Cook County Recorder of Deeds Karen A. Yarbrough announced that her entire legislative agenda had cleared the Illinois House of Representatives, and now awaits further action in the Senate.

“Even before taking office, I knew that it was too easy for criminals to record a fraudulent ownership interest in a property, and I promised Cook County residents I would do something about it,” said Yarbrough. “By passing these bills into law, we can make strong headway against those who abuse our public recording system.”

Property or recording fraud happens when a forged or otherwise fraudulent real estate transfer document is filed with a County Clerk or Recorder, making it appear that the true owner transferred a property to the criminal. While the fraud is usually easily proven in court, it is up to the victim, at their own expense, to seek a court order declaring fraud. The legislation that passed Thursday, House Bill 2832, would allow a County Recorder to investigate, flag, and refer a document for an expedited court hearing, to help victims quickly clear their property record.

“As awareness of this crime grows and we hear more stories of legal expenses for victims, or lost opportunities to sell or refinance a home, it becomes clearer that we must make a strong and coordinated stand against property fraud,” Yarbrough said. “There is still more work to do to get these bills to the governor’s desk, but I am encouraged by the bipartisan support we’ve received so far.”

Yarbrough’s legislation, summarized below, can be viewed online at the website of the Illinois General Assembly, ILGA.gov. All three bills below have passed the Illinois House and await action in the Illinois Senate.

(more)

- **House Bill 2832** – Creates a process that will allow a Recorder of Deeds to investigate and refer for judicial review any document reasonably suspected to be fraudulent, and allows a Recorder to enter into an intergovernmental agreement with law enforcement agencies or other county officials to investigate and prosecute fraud.
- **House Bill 2905** – Increases the penalty for “unlawful clouding of title” (knowingly filing false claims of ownership or interest) from a misdemeanor to a felony. This will ensure that the punishment matches the severity of the crime.
- **House Bill 2269** – Extends a provision of the state Notary Act that is 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 ensures that notaries exercise all due care in witnessing these transactions

###