

LEGAL EASE



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Don't fall for 'certified copy of deed' swindle

Many people believe that it is necessary to have a copy of the deed to their house in hand. In actuality, because deeds are recorded, i.e. on official record with the Recorder of Deeds in the county where the property is located, it is not necessary for the property owner to keep a copy of the recorded deed. However, National Deed Service, Inc. is hoping that homeowners will utilize their services since most people think that it is necessary to keep a copy of their deed handy.

A recent article in Elder Law Answers (www.elderlawanswers.com) cautions consumers not to fall for the "certified copy of your deed" swindle. Although the National Deed Service, Inc. operates within the law, this company has been sending direct mail solicitations to homeowners alleging that since it is recommended that homeowners have a an official or certified copy of their deed (per the U.S. Federal Citizens Information Center or FCIC), this company will obtain an official copy for the homeowner for a mere \$59.50 (may be more depending upon where the homeowner lives). Rebecca Fulcher, a consumer information specialist with the FCIC, has stated that what the FCIC actually said was that *if* a consumer possessed a copy of their deed, it is recommended that they keep it in a safe place.

National Deed Service claims it is simply providing a service to people who have neither the time nor inclination to take care of it themselves. In the process, they warn of the excessive time that must be expended because "it is not an easy process to obtain public records from a governmental agency." They mention that it could take two trips to a distant courthouse, cost \$20.00 per day to park, and take a significant amount of time to negotiate the process. Therefore, National Deed Service is saving the consumer by doing all the legwork for them.

If a property owner feels strongly about having a copy of his or her deed, and cannot locate the copy that they received after settlement on the property, a certified copy can be obtained by mail for approximately \$10.00 in Berks, Montgomery, and Chester counties. As previously stated, there is usually no need for a property owner to have a copy of the deed in any case; National Deed Service is preying on most people's ignorance of this fact.

Another issue related to property ownership is highlighted in a July 1, 2009 AARP Bulletin (<http://bulletin.aarp.org/yourmoney/scamalert>). There have been reports of crooks transferring property to themselves by forging homeowners' signatures onto property transfer forms obtained from office supply stores, or off of the internet. Sometimes the properties are then sold to unwary cash paying buyers, who are also scammed, or more often, to use as collateral for new loans. The elderly may be targeted because they usually do not have a mortgage.

AARP recommends checking your property records to see if there is any unusual activity. If you receive a payment book or other loan information, follow up to see where it came from. Some deed recording offices use software to alert the homeowners whenever a transfer is made on their property; ask about this. If you discover your home as been stolen, report it immediately to your district attorney or the state attorney general's office.