



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: R2014-448, Version: 1

-rv-y {

City Council June 25, 2014

RESOLUTION

WHEREAS, The FBI reports that recording of fraudulent documents is an increasing form of white-collar crime nationwide. Cases have been documented in New York, California, and everywhere in between, including Chicago; and

WHEREAS, Criminals have recorded fraudulent liens against homes in order to harass enemies or to extort money from homeowners intimidated by the legal hurdles involved in clearing title; and

WHEREAS, Criminals have recorded fraudulent deeds making it falsely appear that they are the owners of homes. The "House Thieves" have then taken out mortgages on the homes, or even sold the homes. In some cases, the criminals have gone so far as to change the locks when the legitimate homeowner is away from home, brazenly showing the forged documents to police as proof of their right to do so; and

WHEREAS, Cook County Recorder of Deeds Karen A. Yarbrough has been a leader in the fight against "House Stealing" and other crimes involving fraudulent document recording. She widened the use of the "Fraud Alert" system, whereby homeowners are notified of any document recorded against their property. She successfully advocated for the passage of laws that allow a Recorder of Deeds to forward cases of suspected property fraud to an expedited administrative law review process, to increase the penalties for unlawful clouding of a title, and to require notaries to forward the records of every property transfer they notarize to the Recorder of Deeds office. She has also worked tirelessly to raise public awareness of the crime; and

WHEREAS, Despite Recorder Yarbrough's efforts, Illinois law requires Recorders of Deeds to record any document presented to them with the needed information and fees. Recorders are forbidden to investigate the authenticity of documents before recording; and

WHEREAS, House Thieves typically hide their true identities behind aliases and sham corporations; and

WHEREAS, Time is of the essence in apprehending House Thieves, because by the time the true homeowners become aware of the crime and followed the legal process to correct it, the perpetrators moved on to a new identity, taking the proceeds of sham sales or mortgages with them; now therefore:

BE IT RESOLVED, that the Mayor and City Council of the City of Chicago gathered here on this 28th Day of May, 2014, call on Cook County Recorder of Deeds Karen A. Yarbrough to take the further step of requiring people to provide valid government-issued photo identification, including identification described in §2-173-

040 of the Municipal

Code, along with valid documentation of their current address when presenting documents for recording; and

BE IT FURTHER RESOLVED, that the Mayor and City Council call on Recorder Yarbrough to maintain copies of said identification in order to aid investigations of suspected fraud; and

BE IT FURTHER RESOLVED, that a suitable copy of this resolution be provided to Cook County Recorder of Deeds Karen A. Yarbrough.

Chicago City Council Co-Sponsor Addition/Change

Document No.

subject: QaWtka n<\ Coot: fag 4m fecocfef or
Dea^ -S tfrvd ^vj^ nq firauc lule^ f I \M claims -

J

31

_Ward) _Ward) 30 Ward)

1&

Pleasef Addfor Change The Co-Sponsor As Shown Below. Alderman

Alderman I ,OAQ [£{^ \€^

(0

.Ward)

o

-<£

m
TO-i

m

Alderman
Ward)

Ward)

Alderman

Alderman

Mrtec

.Ward) .Ward) .Ward) .Ward) .Ward)

Please Remove Or Change The Co-Sponsor As Shown Below.

Alderman

Alderman

Alderman

Alderman

Alderman
CO

ro co

cn

Date Filed

Final copies to be filed with:

- Chairman of Committee to which legislation was referred
- City Clerk

City Council - City of Chicago City Hall, Room 200 121j North LaSalle Street
Chicago, Illinois 60602 Telephone: (312) 744-6102 Fax: (312) 744-0770 rsuarez@cityofchicago.org
<<mailto:rsuarez@cityofchicago.org>>

RAY SUAREZ

Alderman, 31 st Ward

Vice Mayor - City of Chicago

4502 West Fullerton Avenue Chicago, Illinois 60639 Telephone: (773) 276-9100 Fax: (773) 276-2596

[www.ward31](http://www.ward31.com) <[http://www.ward31](http://www.ward31.com)> .com

Committee Memberships:

Housing and Real Estate (Chairman)

Committees, Rules and Ethics (Vice-Chairman)

Aviation

Budget and Government Operations Finance

Transportation and Public Way Workforce Development and Audit Zoning, Landmarks and Building Standards

**July 30,2014
CHICAGO,
ILLINOIS**

TO THE PRESIDENT AND MEMBERS OF THE CITY COUNCIL:

Your Committee on Housing and Real Estate which was referred a Resolution, by Alderman Patrick

J. O'Connor (40th Ward), Alderman Matt O'Shea (19th Ward), Alderman Ray Suarez (31st Ward), Alderman Lona Lane (18th Ward), Alderman John A. Pope (10th Ward), Alderman Ariel E. Reboyras (30th Ward), Alderman Pat Dowell (3rd Ward) and Alderman Timothy M. Cullerton (38th Ward) calling on the Cook County Recorder of Deeds to enforce stronger investigative measures of authenticity of documents presented to prevent fraudulent liens against homes to extort money from homeowners. (R2014-448)

Having the same under advisement, begs leave to report and recommend that Your Honorable Body Pass the proposed resolution transmitted herewith.

This recommendation was concurred in by a unanimous vote of the members of the committee present with no dissenting votes.

Ray Siiafez, Chair
Committee on Housing & Real Estate