



Beware of Scammers Who Are Using the Names and Information of Legitimate California Real Estate Licensees

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The California Bureau of Real Estate (“CalBRE”) has been made aware that some fraud perpetrators, in order to create the appearance of legitimacy, are using the names and information of actual real estate licensees to illegally engage in real estate licensed activities.

The purpose of this warning is to advise consumers and licensees of scams that involve the misuse of the names of legitimate licensees and what steps should be taken to protect themselves against such scams.

In connection with timeshare resale and/or rental schemes, CalBRE learned during investigations that some of the schemers identified and represented themselves as licensed California real estate agents.

Now, according to some industry representatives, criminals are using the names, license numbers, and information of actual real estate agents in an attempt to “legitimize” and complete other types of real estate scams as well.

With virtually no investment of money, scammers can create a domain name, website, email address, and other information to make themselves appear to be whomever they want to be on the Internet. The same is true with regard to purported “business” addresses, which in many cases turn out to be just a post office box, a fake address, or the address of someone else.

And it is quite easy for an identity thief to access information (such as a name and license number) with respect to reputable licensees and then pose as those licensees.

Advice for Real Estate Licensees Whose Names (and Information) Have Been or Are Being Falsely Used:

Immediately report the fraud and file complaints with any or all of the following:

1. The relevant Internet domain name provider, and the Internet Crime Complaint Center at www.IC3.gov.
2. CalBRE, at <http://www.bre.ca.gov/Consumers/FileComplaint.html>.
3. The California Attorney General, at <http://oag.ca.gov/consumers>.

4. The District Attorney, Sheriff, local police and local prosecutor in your community. More information about law enforcement agencies is available at <https://oag.ca.gov/government/about>.
5. The Federal Trade Commission, at <http://www.consumer.ftc.gov/features/feature-0014-identity-theft>.
6. The Federal Bureau of Investigation (FBI), at <http://www.fbi.gov/scams-safety>.
7. The Consumer Financial Protection Bureau at <http://www.consumerfinance.gov/complaint/>.

Also, real estate licensees who learn that their identities are being or have been used by some third party or parties should: (i) send cease and desist letters to that person(s) demanding that he or she refrain from posing as the licensee, and (ii) check their (the licensee's) credit reports and financial accounts to see if the scammers have used the identities for money or credit theft or other purposes.

Further, licensees should do periodic online searches of their own names, license numbers, and other information to see if anyone is using their identity or if anything negative is being said about them because of what some scammer(s) has done.

Advice for Consumers on Ways to Verify the Legitimacy of Real Estate Agents:

Because scammers have posed and continue to pose as legitimate licensees, it is necessary that consumers of real estate services verify that they are dealing with legitimate and licensed California agents.

In order to do this, consumers should get the name of the person calling, emailing, making a solicitation or offering real estate licensed services (*e.g.*, the real estate broker or salesperson they purport to be), look that person up on the CalBRE website (at www.bre.ca.gov), locate a phone number for the licensee through the telephone company or a genuine phone directory, call the licensee at that number and verify that the person who contacted the consumer(s) actually works at the number called and works for the office identified on the CalBRE website, and then speak with the identified licensee to confirm that he or she actually made the contact and/or offered the services.

Also, consumers can ask to meet with the licensees in person, at their place of business. Many licensees have photographs of themselves on their websites. Consumers can check to verify that the photograph, telephone number, and other information all match the information that was received in the initial contact.

Importantly, consumers need to know that requests for advance fees (fees or money before services are performed), payments in cash, and “wire transfers” of monies are all warning signs of fraud.

If consumers have been scammed or learn of a fraudster posing as a legitimate real estate licensee(s), the consumers should immediately report the fraud and file complaints as recommended above for licensees.

Endnotes

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Disclaimer: The information provided in this warning has been provided as a service to consumers, but it should not be considered legal advice or a substitute for the advice of competent and professional legal counsel.