



Legislation Text

File #: Res 1429-2020, **Version:** *

Res. No. 1429

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation adopting more stringent standards around corporations' names that mimic government agencies to protect City residents from deed theft.

By Council Members Cornegy, Miller, Chin and Rosenthal

Whereas, Home ownership is an avenue for people to accumulate wealth and pass down equity to future generations; and

Whereas, As New York City (NYC) is one of the most expensive real estate markets in the world, homeowners in the City can face predatory scams; and

Whereas, Deed theft is a tool used by criminals and exploitative real estate developers to illegally obtain real estate that can be sold for profit; and

Whereas, Deed theft perpetrators obtain these properties through the use of deceptive practices to convince property owners through fraudulent paperwork or misrepresentation to sign over the deed of their home; and

Whereas, Deed theft perpetrators often target communities of color and vulnerable City populations, including immigrants, the elderly and City residents under financial distress; and

Whereas, The Office of New York State Attorney General Letitia James receives three to four reports of deed theft a week, predominantly from Brooklyn, Queens, Northern Manhattan, and the Bronx; and

Whereas, Homeowners in gentrifying areas in Brooklyn have become prime targets of deed theft; and

Whereas, Between 2014 and 2019, the NYC Office of the Sheriff received nearly 3,000 complaints about deed fraud, 45 percent of which came from Brooklyn; and

Whereas, Deed theft perpetrators utilize a range of tactics to convince homeowners to sign over the deed of their homes, including using shell or limited liability companies to make it difficult for homeowners to determine the scammers' identities; and

Whereas, Deed theft company names can be inconspicuous, or resemble a government entity so the company sounds trustworthy; and

Whereas, On April 10th, 2018, two deed theft perpetrators pled guilty before the United States District Court for the Southern District of New York for conspiracy to commit wire and bank fraud in connection to their scheme to fraudulently induce homeowners to sell their homes to a company the perpetrators owned; and

Whereas, These deed theft perpetrators lured victims through a company called Homeowner Assistance Services of New York, which claimed to provide assistance to City homeowners who were seeking to avoid foreclosure of their homes; and

Whereas, On August 14th, 2019, Governor Cuomo signed A.5615, introduced by New York State Assembly Member Helene Weinstein, and S.1688, introduced by New York State Senator Velmanette Montgomery, known as the "Deed Theft Bill", which prohibits distressed property consultants from deceptive behaviors such as pretending to be law enforcement or a representative from a government agency; and

Whereas, New York State can further protect City residents from deed theft by prohibiting corporations from having names that give City residents the impression that they are affiliated with a government agency; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation adopting more stringent standards around corporations' names that mimic government agencies to protect City residents from deed theft.

LS #14,051
5/27/2020
NM

