



Real Estate Fraud in Florida: The Growing Threat of Fraudulent Deed Transfers

Written By Associate [Natalia Yidi, Esq.](#)

Florida's real estate market has long been an international hub for investment and development, but it's also become a prime target for sophisticated scammers. One of the most alarming trends in recent years is the rise of fraudulent deed transfers, a scheme that can strip rightful property owners of their assets with shocking ease.

[Property fraud investigation extends from Bay Area to South Florida: Court documents](#)

Please direct all mail to Miami Office

7901 Ludlam Road | Suite 100 | Miami, FL 33143

*10130 Northlake Blvd. | Suite 214-131 | Palm Beach Gardens, FL 33418

**515 W Bay Street | Suite 210 | Tampa, FL 33606



Fraudulent deed transfer occurs when criminals illegally obtain ownership of a property by filing forged documents with the county recorder's office. These documents typically appear legitimate on the surface, bearing forged signatures and notary stamps. Once recorded, these fraudulent deeds can be used to sell the property to unsuspecting buyers or to secure loans against the property's value.

Several factors make Florida particularly vulnerable to this type of fraud:

- Large number of vacant or seasonally occupied properties
- High population of elderly residents who may be less vigilant
- Active real estate market with frequent transactions
- County recording systems that may lack stringent verification processes before recording deeds

The consequences of fraudulent deed transfers can be devastating for property owners, which can result in the loss of their property, damaged credit, and lengthy and costly legal battles. Additionally, unsuspecting property buyers are vulnerable to the possibility that they are purchasing properties with clouded titles. The consequences of fraudulent deed transfers ultimately affect communities as a whole by causing decreased property values.

Florida has recognized the severity of fraudulent deed transfers and to combat this growing threat has implemented several statutes and administrative orders to address and prevent fraudulent deed transfers. These laws provide mechanisms for expediting legal actions involving fraudulent deeds, defining fraudulent activities, and setting forth the consequences for such actions. Florida Statute § 817.535 outlines the definitions and penalties related to fraudulent recordings in official records, including deeds. It specifies that fraudulent recordings are subject to nullification and criminal penalties. § 817.535, Fla. Stat.

Additional measures taken by the Florida Legislature include mandating Clerks of Court to provide reference guides on how to identify fraudulent deeds and implement a system to notify property owners when documents are recorded in connection with their property. County recorders have also been required to post conspicuous notice about the criminality of filing false documents. Further

Please direct all mail to Miami Office

7901 Ludlam Road | Suite 100 | Miami, FL 33143

*10130 Northlake Blvd. | Suite 214-131 | Palm Beach Gardens, FL 33418

**515 W Bay Street | Suite 210 | Tampa, FL 33606



legislation allows victims of fraudulent deeds to petition for an expedited judicial intervention to void the fraudulent deed and/or forged documents. Fla. 17th Jud. Cir. AO 2023-16-Civ / 2023-17-CO.

As fraudulent deed transfers continue to pose a significant threat to Florida's real estate market, awareness and vigilance are key. Despite legislative implementations, property owners are strongly encouraged to protect themselves. Property owner safeguards include:

- Regularly monitoring property records
- Securing important documents
- Being cautious of unsolicited offers to purchase or refinance
- Obtaining title insurance

While these laws and suggested safeguards have made significant strides in addressing the issue, the fight against fraudulent deed transfers remains an ongoing challenge. The Florida legislature continues to monitor the situation and consider new measures as needed to protect property owners and maintain the integrity of the state's real estate market.

Please direct all mail to Miami Office

7901 Ludlam Road | Suite 100 | Miami, FL 33143

*10130 Northlake Blvd. | Suite 214-131 | Palm Beach Gardens, FL 33418

**515 W Bay Street | Suite 210 | Tampa, FL 33606