



Department of Records

CITY OF PHILADELPHIA

Tangled Title/Property Fraud FAQs

1) What is tangled title?

Tangled title is a phrase used to describe problems related to legal ownership of real estate. If you live in a home and consider yourself the homeowner, but your name is not on the deed, you may have a tangled title. If you are renting, or if you live with a friend or relative in a house that they own, you are not a homeowner.

Here are some common examples that could indicate you have a tangled title problem:

- Your name is not on the deed to your house.
- You do not know if your name is on the deed to your house.
- One of your relatives owned the house in which you live and had his or her name on the deed, but that relative has passed away.
- You are the only person who has any interest in living in the house, but your name is not on the deed to your house.
- You are living in a home with a mortgage, the original borrower on the mortgage has died, and you want to assume (or take responsibility) for paying the mortgage.
- You entered into a rent-to-own agreement (also called lease/purchase agreements or installment land contracts) to buy the house and have paid all or some of the purchase price for the house, but your name is not on the deed to the house.

2) Why should I care if I have tangled title? I'm still living in the house.

Tangled title is a very serious issue affecting thousands of homes in Philadelphia. If you have tangled title, you may have difficulty when you try to do the following types of things:

- Take out a home mortgage or a loan or try to refinance an existing home mortgage or loan.
- Work with the City to deal with past due property taxes.

- Work with a utility company to deal with past due bills.
- Obtain a grant from the City to make repairs to your house.
- Obtain homeowners insurance on the property.
- Sell the house.
- Give your property to your family or friends should something happen to you.
- Prevent the person whose name is on the deed, or one of their relatives, from taking the house from you.

City and private grants exist to help fund costs of getting title back. Please seek assistance from any of the legal services listed below for potential eligibility.

3) **What is property or mortgage fraud?**

Property fraud is a less common but very serious form of tangled title. It generally takes the form of deed fraud or mortgage fraud.

Deed fraud occurs when a home is sold by a person pretending to be the owner. This is done without the permission of the legal owner, and the legal owner's name is removed from the deed without their knowledge or informed consent. The legal owner must then prove, legally, in court that they own the property. Unless the legal owner steps forward to claim ownership, the fraudulent owner can re-sell or mortgage the property. If this happens, the situation becomes even more tangled.

Mortgage fraud occurs when someone signs a mortgage against a property that they do not own to borrow money against the property. These mortgage transactions are completed without the knowledge or informed consent of the legal owner of the property.

4) **How can I avoid becoming a victim of property fraud?**

There are several things you can do to avoid becoming a victim of property fraud:

- When purchasing a property, make sure you (a) identify the current owner of the property, (b) verify the identity of the seller and their authority to sell the property, and (c) identify and address any liens affecting the property. Consider using a licensed realtor and explore the extent of title insurance that may be available.
- Monitor and secure any vacant properties you may own. Apply for a [Vacant Residential Property License](#) with the City.
- Have the mail for any of your non-occupied properties sent to your primary residence or a post office box to avoid alerting individuals the property is not being used.

- Make sure to visit the property at different times of the day and evening, keep your exterior in good condition, and always check the doors, windows, and locks.
- Make needed repairs so you avoid any further problems, such as code violations.
- Keep up with repairs, utility payments, and other maintenance for the property.
- Read all letters and other correspondence that comes to your home. Payment books or other information from a bank or mortgage company that are unfamiliar to you may be a sign of illegal activity.
- Look at your yearly tax bill and monthly water bills. If they are not in your name or if you have not received them, check with the City to find out why.

5) I believe I may be the victim of property fraud. What should I do?

If you believe you are the victim of property fraud, we recommend you take all of the following actions immediately:

- Obtain a free, certified copy of the deed or mortgage in question from the Department of Records in Room 154, City Hall. Be sure to search the records by property address to make sure there are no other fraudulent documents. Department of Records staff will assist you in obtaining a certified copy. If you are not able to visit City Hall, you can request a copy of the document by mail. Include your name and address, the address of the property in question and a brief description of the problem. Requests should be sent to: *Department of Records, Room 154 City Hall, Philadelphia, PA 19107. Attn: Supervisor.*
- You may also view (but not print) an unofficial copy of your deed or mortgage online at no cost. Or you may pay for an online subscription with a credit card to print the deed or mortgage. Click [here](#).
- File a police report with the Philadelphia Police Department by visiting any police station.
- After you file a police report, notify the Philadelphia Office of the District Attorney that you have been victimized. Contact the Economic and Cyber Crime Unit at 215-686-9902.
- Notify the Pennsylvania Attorney General's Office of Consumer Protection at 1-800-441-2555.
- File a Deed/Mortgage Fraud Report with the Department of Records by visiting Room 154 City Hall. The Department of Records does not allow you to file these online, although you may print one online. Deed fraud is complex. Our Records Department staff will interview you in person, if possible, or at least speak to you over the phone to ensure we understand your situation and can direct you to the appropriate resources.

- Consult with an experienced real estate lawyer IMMEDIATELY. Resolving property fraud issues generally requires filing a quiet title action in civil court and obtaining an order from a judge (See FAQ No. 6 below). An experienced real estate lawyer will be able to help guide you through the process.

6) I heard that to fix tangled title or property fraud I may have to file something called a “quiet title” action. What is it?

An action to quiet title is a lawsuit brought in a court to determine who the real owner of a property is. This action “quiets” any challenges or competing claims to the title. It is comprised of a complaint that the ownership (or title) of a property is defective in some fashion. For example, someone may file a quiet title action to challenge the fraudulent transfer of a property through a forged deed. [Download the quiet title legal complaint form.](#)

A quiet title action is not a criminal case. Even if the Office of the District Attorney brings a criminal case against the person who committed the fraud, you still must file a separate quiet title action and obtain a court order from a judge stating that you are the legal owner of the property. The DA’s Office cannot obtain a court order in the criminal case stating that you are the legal owner of the property.

If you want more information about “quiet title” actions, please contact the Office of Judicial Records, Room 296 City Hall, at 215-686-4251 or visit the Elder Justice and Civil Resource Center, Room 278 City Hall.

7) I don’t know any lawyers, and I am not sure I can afford one. What do I do?

We suggest you contact one of the following legal resources to determine if they can to assist you:

- **Community Legal Services (CLS).** CLS provides free civil legal assistance to qualified low-income Philadelphians. For more information, please visit their website at <https://clsphila.org/>. You can also visit their office in person, without an appointment, on Monday, Wednesday, or Friday from 9 am-noon at 1410 W. Erie Avenue, Philadelphia, PA 19140. The office is located at Broad Street and Erie Avenue.
- **SeniorLAW Center.** The SeniorLAW Center accepts tangled title cases from individuals who are 60 years of age or older. Priority is given to low-income seniors and seniors with other vulnerabilities. The SeniorLAW Center does not take walk-in appointments. You must contact them first to schedule an appointment. Call the SeniorLAW HelpLine – 1-877 –

PA SR LAW (1-877-727-7529) or 215-988-1242 – Monday through Thursday from 10 am – 12 noon. For more information visit their website. <http://seniorlawcenter.org/>

SeniorLAW Center
Two Penn Center
1500 JFK Boulevard, Suite 1501
Philadelphia, PA 19102

- **Philadelphia Legal Assistance (PLA).** Provides free civil legal services to low-income residents of Philadelphia. For online assistance with your legal problem go to <https://www.philalegal.org/>, or visit:

Philadelphia Legal Assistance
The Cast Iron Building
718 Arch Street, Suite 300N
Philadelphia, PA 19106
(P) 215-981-3800

- **Philadelphia Bar Association Lawyer Referral and Information Service (LRIS).** LRIS is a resource for all Philadelphia area residents who are looking for an attorney to help them with their legal needs. Call 215-238-6333 between the hours of 9 am and 5 pm, Monday through Friday, or request a lawyer online at <https://lris.philadelphiabar.org/>. This Service does not have walk-in hours. LRIS does not provide free attorneys.

8) I received a letter in the mail from the Department of Records. What does this mean?

Each time a deed or mortgage is recorded, the Department of Records sends the current owner of record a [letter](#) to let the owner know that a new document has been recorded. These letters provide notice to property owners in the event the transaction is a fraudulent one. Owners will then be able to take corrective action, if necessary.

Just because you receive a letter does not necessarily mean you were a victim of fraud. For example, some other common reasons a deed or mortgage could have been recorded against your property include:

- You just bought the property.
- You mortgaged your property.
- You refinanced your mortgage.
- You inherited the property and had a deed recorded that changed the ownership to your name.

If you are unsure whether you may have been the victim of fraud, please contact the Department of Records at 215-686-2290 or records.info@phila.gov.

9) I heard about a free service that the Department of Records provides to the public called Fraud Guard. What is it?

The Department of Records provides a free email notification service called Fraud Guard to the public that helps property owners determine whether a deed or mortgage recorded against their Philadelphia property is fraudulent.

Click [here](#), and then click on the Fraud Guard button at the top of the page to register for a free Fraud Guard account. You will be prompted to enter your email address and a first and last name. Once you register, you will receive an email after someone records a deed or mortgage in the Department of Records with the account holder's name listed as a party. You can click on the document link in the email to view an unofficial copy of your deed or mortgage online at no cost.

10) What does the Department of Records do with a fraud report once I file it?

The Department of Records uses fraud reports to keep track of deed and mortgage fraud allegations it receives from the public. The Department of Records is not an investigatory agency, and therefore does not undertake investigatory activities based on a fraud report. It does, however, refer people to appropriate legal resources (civil and criminal) that will be able to assist them in investigating the alleged fraud and evaluate potential remedies. It also regularly cooperates with law enforcement and the courts in property fraud matters.