



**BOARD OF SUPERVISORS  
AGENDA LETTER**

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**

**Submitted on:**  
**(COB Stamp)**

**Department Name:** District Attorney  
**Department No.:** 021  
**Agenda Date:** September 23, 2025  
**Placement:** Administrative Agenda  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

**TO:** Board of Supervisors  
**FROM:** Department Director: John T. Savrnock, District Attorney  
Contact: Michael Soderman, Chief Financial & Administrative Officer  
**SUBJECT:** Real Estate Fraud Prosecution Program Fiscal Year 2024-2025 Annual Report

DocuSigned by:  
*John Savrnock*  
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**County Counsel Concurrence**

As to form: N/A

**Other Concurrence:**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Receive and file the Real Estate Fraud Prosecution Program Fiscal Year 2024-2025 Annual Report; and
- b) Determine that the above recommended actions are not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4) because they consist of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**Summary Text:**

This item is before the Board to highlight the success of the District Attorney’s Real Estate Fraud Prosecution Program in Fiscal Year 2024-2025. The program continues to demonstrate strong outcomes in deterring and prosecuting real estate fraud. In addition to program accomplishments, this item includes a summary of financial activity for the fiscal year.

**Discussion:**

In August 2007, the Board of Supervisors authorized the District Attorney's Office to implement the provisions of California Government Code section 27388, which established a recording fee to fund a Real Estate Fraud Prosecution Program to deter, investigate, and prosecute real estate fraud crimes. The goal of the program is to reduce the victimization of vulnerable residents who are less knowledgeable about the complexities of real estate transactions. Pursuant to this code, the District Attorney's Office has prepared the Fiscal Year 2024-2025 Annual Report (Attachment A) of the program's activities and funding.

**Background:**

In September 2007, the County Clerk-Recorder-Assessor began collecting a Board-approved \$2 recording fee when certain real estate instruments, paper, or notices were recorded. The Clerk-Recorder-Assessor retains 10% of the funds collected for administrative costs. The remaining balance is utilized by the District Attorney's Office to finance salary and benefit costs dedicated to the investigation and prosecution of real estate fraud. In 2009, Senate Bill 1396 amended Section 27388 to authorize a fee increase from \$2 to \$3, and also added additional documents to the definition of "real estate instrument" for purposes of fee collection. The Board subsequently approved a fee increase from \$2 to \$3 in 2010.

In 2012, the California State Legislature determined that the statutory fee allotment of \$3 was inadequate. Senate Bill 1342 was approved in July 2012 to amend section 27388 to authorize a fee of up to \$10 for the recording of real state instruments, to provide a consistent source of funding for an effective law enforcement response to the real estate fraud epidemic in California. The legislation also expanded the list of "real estate instruments" that are subject to the fee. In October 2013, the Board approved a fee increase from \$3 to \$10 to expand the investigation and prosecution of real estate fraud crime. The program now includes staff time for a 1.0 FTE Deputy District Attorney and 0.70 FTE District Attorney Investigator.

**Performance Measure:**

In addition to the program statistics provided in Attachment A, the District Attorney's Real Estate Fraud team reported the following metrics for Fiscal Year 2024-2025:

1. Community Outreach/Training: 15 events
2. Restitution/Recovery: Over \$450,000

**Fiscal and Facilities Impacts:**

In Fiscal Year 2024-2025, the total cost to administer the Real Estate Fraud Prosecution Program was \$459,538. This included Salaries and Employee Benefits for a Deputy District Attorney and District Attorney Investigator, and , as well as operating expenses for legal reference materials and expert case review.

Revenue to support the program is provided by document fees collected throughout the fiscal year. Total document fees collected by the District Attorney's Office during Fiscal Year 2024-2025 totaled \$209,439. This represents a 57% decrease from the total document fees collected by the District Attorney's Office two years ago, which totaled \$299,878 in Fiscal Year 2022-2023. Due to the reduction in fees, \$250,099 of District Attorney Prop 172 allocation was used to cover the total program costs in FY 2024-2025. Due to the average number of real estate transactions decreasing

exponentially over the last three years, the District Attorney’s Office anticipates that revenues are likely to remain at or below Fiscal Year 2024-2025 levels for the near future.

The Real Estate Fraud fund balance is \$452,322 as of June 30, 2025. Fund balances are designated for use in future years to offset the costs of program staff who will deter, investigate, and prosecute real estate fraud crimes. The District Attorney’s Office plans to use available restricted fund balance to help cover costs of the Real Estate Fraud Prosecution Program through Fiscal Year 2025-2026. However, if revenues do not improve by Fiscal Year 2026-2027, then the Office may need to propose service level reductions in Fiscal Year 2027-2028.

**Fiscal Analysis:**

<b>Funding Source</b>	<b>FY 2024-25</b>	<b>Total</b>
Prop 172	\$250,099	\$250,099
State		
Federal		
Fees	\$209,439	\$209,439
Real Estate Fund Balance		
<b>Total</b>	<b>\$459,538</b>	<b>\$459,538</b>

**Staffing Impacts:**

N/A

**Special Instructions:**

Please return a copy of the minute order to John DeAlba, DA Department Business Specialist.

**Attachments:**

**Attachment A** – Real Estate Fraud Prosecution Program Fiscal Year 2024-25 Annual Report

**Contact Information:**

John DeAlba  
 Department Business Specialist  
 jodealba@countyofsb.org