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**District Attorney's Real Estate Fraud Prosecution Program
Fiscal Year 2017 - 2018 Annual Report**

Cases

- *People v. Anthony Allen Robinson and Heather June Robinson*
Based on reports from the Lompoc Police Department, the Contractor's State Licensing Board, and numerous citizen complaints, the District Attorney's Real Estate Fraud (REF) Unit investigated allegations against a Lompoc couple, Anthony Allen Robinson and Heather June Robinson. The investigation culminated in the couple being charged with 24 felony counts including Securities Fraud, Diversion of Construction Funds, Grand Theft, Offering a False Instruments for Recording, and Conspiracy to Commit Unlicensed Contracting. Special Allegations alleging excessive taking were also filed. After the case was filed, the District Attorney's Office identified over a dozen potential additional victims. This case is pending prosecution.
- *People vs. Lisa Maria Hornick*
This case involves an elderly victim who loaned \$100,000 to an acquaintance. The People allege that the defendant committed a theft the loan proceeds, and have charged the defendant with felony counts of Grand Theft, Elder Abuse, and Money Laundering. The People have also filed Special Allegations alleging Money Laundering in excess of \$2 million dollars. This case is pending prosecution, but the defendant has already paid over \$20,000 in restitution.
- *People vs. Bretton Warren*
Based on a citizen complaint, the REF Unit investigated an allegation that Bretton Warren was threatening to record fraudulent mechanics liens against a former client. Felony charges of Extortion, Forgery, and Filing a False Workman's Compensation Claim were ultimately filed against the defendant. This case is pending prosecution.
- *People vs. Dennis Gleason, Shauna Giliberti, Karen Tobin, Robert Houston, and Linda Lukas*
This is a five-defendant case associated with a bogus Chinese Bond scam perpetrated against a vulnerable, elderly couple in their late eighties. The elderly victims were persuaded into obtaining a short-term, high-interest loan to purchase the bogus bond. They secured that loan against a family home they owned in Santa Barbara. When the bond failed to pay off as promised, the victims were referred to yet another set of brokers who convinced them to obtain a larger loan against the property. This loan was such that the victims had no means or ability to pay it. When the bogus bond again did not pay off as promised, the large loan went into default and resulted in the loss of the victims' long-time Santa Barbara home.

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Investigators authored and served 14 search warrants during the course of this investigation. The warrants were served in various locations (both residential and commercial) throughout the state. Five arrest warrants were issued in this case, and all but one defendant has been arrested. This case is currently being prosecuted, and extreme efforts are being made to locate the last outstanding suspect.

- *People v. Robert Houston, Linda Lukas, Rob Dunfey, and Randolph Hirsch*

Robert Houston and Linda Lukas are current defendants in a pending Real Estate Fraud prosecution. The District Attorney's Bureau of Investigations arrested both Houston and Lukas at their residence in Orange County. Lukas posted bail while Houston remained in custody. While in custody in the Santa Barbara County Jail, Houston and Lukas conspired to commit further felonies including Forgery related to Identity Theft, Grand Theft, and Solicitation. They elicited the help of others in furtherance of the conspiracy. The District Attorney's Office filed numerous felony counts against the four defendants.

In Fiscal Year 2017-18, Houston pled guilty to Penal Code 182, Conspiracy to Commit Grand Theft. In addition, Lukas pled guilty to Penal Code 153.3, Concealing a Crime. Information regarding this conviction was also turned over to the California Bureau of Real Estate.

- *People vs. Brandy Taylor*

This investigation involved an Orange County company which, for a fee, offered to stop foreclosures. They operated throughout California, Arizona, and Nevada. In reality, this company was not actually stopping foreclosures but rather postponing them by employing a complex "bankruptcy hijacking" scheme.

In October 2016, the REF Unit coordinated with Alameda County District Attorney Investigators, Orange County DA, the Bureau of Real Estate, and Huntington Beach Police to serve search warrants in Orange County associated with this case. Defendant Brandy Taylor was later arrested on a \$360,000 warrant issued by Santa Barbara County, and a \$1 million dollar warrant issued by Alameda County.

As of the *Fiscal Year 2016-17 Real Estate Fraud Prosecution Program Annual Report*, this case was at the preliminary hearing stage. Since the previous Report, the preliminary hearing has been held and the defendant was held to answer on all charges. Trial is expected to commence prior to the end of 2018.

- *People v. Mark Melchiori*

In association with Sheriff Detectives, the REF Unit investigated allegations against local contractor Mark Melchiori of Melchiori Construction. The investigation culminated with Melchiori being charged with 47 felony counts including Diversion of Construction Funds, Theft by Embezzlement, and Labor Code section 1778 (a form of theft from employees). Special Allegations alleging excessive taking were also filed. The District Attorney's Office filed a motion to freeze Melchiori's assets pending the outcome of the prosecution.

As of the *Fiscal Year 2016-17 Real Estate Fraud Prosecution Program Annual Report*, this case was at the preliminary hearing stage. Since the previous Report, the preliminary hearing has been held and the defendant was held to answer on 46 of the 47 felony counts. Trial is expected to commence prior to the end of 2018.

- *People vs. Janet Garrett*

This is a case in which the defendant is accused of falsifying a document (and recording it with the County Clerk-Recorder-Assessor's Office) that illegally named the defendant as the sole heir to an estate, thus transferring title of the estate's property to her. The investigation revealed the defendant is not an heir to the estate, but rather falsified and forged probate documents to make herself the administrator of the estate. This case is pending prosecution.

This case involves an elderly victim who is under conservatorship. The People allege that despite the conservatorship, the defendants attempted to transfer title of the victim's home to themselves. This case is pending prosecution, as the defendant fled the state while out on bail.

- *People vs. Matthew Syzmanski*

In this case, the defendant was attempting to record false liens on properties. When refused by the County Clerk-Recorder-Assessor's Office, Syzmanski was accused of making death threats against Clerk-Recorder-Assessor personnel. In Fiscal Year 2017-18, Syzmanski pled to violation of Penal Code 422.

Highlights

- The REF Unit spent a significant amount of time at the County Clerk-Recorder-Assessor's Office during Fiscal Year 2017-18. Two years ago, a protocol was implemented wherein the District Attorney's REF Investigator would make personal contact with individuals attempting to record false documents in order to stop a foreclosure. The REF Investigator would educate these individuals on the laws that apply to such transactions, and warn them of the consequences associated with attempting illegal recordings. These efforts have resulted in a significant decrease in the number of fraud referrals as compared to prior fiscal years.
- The District Attorney's REF Unit continued its outreach to the local real estate industry in both formal and informal settings. The REF Unit met with the Real Estate Fraud Advisory Team, which consists of various industry professionals including County Clerk-Recorder-Assessor staff, title officers, escrow officers, brokers, non-profit organizations, representatives of industry associations, and the Bureau of Real Estate. Its mission is to prevent, detect, and report real estate fraud in Santa Barbara County. In addition, the REF Unit gave multiple presentations to the community.
- The District Attorney's REF Unit is responsible for real estate fraud cases in their entirety from investigation to prosecution. During Fiscal Year 2017-18, the District Attorney's REF Unit authored and served two arrest warrants and numerous search warrants.

Statistics

- Total number of referrals: 48
- Total number of investigations: 44
- Total number of cases filed: 4
- Total number of victims in filed cases: 29
- Number of convictions obtained in the fiscal year: 5