

**TESTIMONY AT THE JOINT HEARING TO EXAMINE THE CRISIS
FACING HOMEOWNERS IN BROOKLYN**

Richard Flateau

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My name is Richard Flateau and I am an owner of 1424 Fulton St., Brooklyn, NY along with Gloria Sandiford. I am also a small business owner, former President and Chairman of the Bedford-Stuyvesant Real Estate Board and current Chairman of Community Planning Board #3, Brooklyn.

I was one of the victims of Mr. *Aderibigbe Ogundiran* who was sentenced in May 16, 2016 for crimes involving multiple properties in Kings County. Mr. Ogundiran forged my signature on a Power of Attorney and filed that fraudulent document with the New York City Register's Office on November 10, 2016. Mr. Ogundiran also had my forged signature fraudulently notarized. The next day, November 11, 2016, I awoke to an alert of his fraud with an email from ACRIS (Automated City Register Information System) indicating that someone had recorded documents against my property. I took action immediately by filing a complaint with the Brooklyn District Attorney's Office and the NYC Sherriff.

As a result of Mr. Ogundiran's actions, my business and personal relationships were put under tremendous stress. His actions also caused psychological harm as I was not certain for several months, whether the person or persons involved with forging my signature had also attempted to steal my identity. Fortunately, because I am a seasoned real estate professional and a community activist, I was able to quickly leap into action to mitigate the psychological, emotional and financial damage Mr. Ogundiran wrought.

I was able to call a press conference with the help of NYC Councilmember Robert Cornegy and with the support of the NAACP, Brooklyn Legal Services, State Senator Velmanette Montgomery's Office and the Bedford Stuyvesant Real Estate Board. That publicity helped to bring Mr. Ogundiran to justice.

Mr. Ogundiran targeted a total of six properties with his fraudulent schemes and many of the other owners were probably less equipped to deal with the harm caused by his actions than I was.

I would like to publicly thank the NYC Sherriff's Dept. and the Brooklyn District Attorney's office for their diligent work in bringing Mr. Ogundiran to justice.

Policy / Legislative Recommendations

I would like to offer a few policy and legislative recommendations based on my experience in being a victim of property fraud.

1. **Mandate Notification of Recorded Property Documents**

The ACRIS notification system brought the fraud perpetrated against my property to my attention one day after it occurred. Notification of property owners whenever documents are recorded against their property should be required in all counties of New York, not just in New York City.

2. **Enhance the Security of Notary Information**

It is very easy to get someone's notary identification number online. The security of notary license numbers can be enhanced simply by omitting most of the license number online and only listing the last four digits.

3. **Increase Penalties for Fraud involving notaries**

One of the hallmarks of our real property transfer system is that signatures must be notarized in order for documents to be recorded. In my case, my forged signature was fraudulently notarized. The state legislature should consider increasing the civil and criminal penalties for fraud involving notaries.

4. **Enhance the Security and Integrity of the Recording Process**

Title companies are involved in the vast majority of real estate transactions. In my case, an individual, not a title company bought a fraudulent Power of Attorney in for recording. My suspicion is that the percentage of fraudulent property transactions is higher for documents not recorded by title companies than for documents recorded by title companies. If that is the case, then extra scrutiny should be placed on any documents not recorded by title companies.

The integrity of the recording process could be further strengthened if resources were put into training workers in local county clerks' offices to become better at spotting unusual transactions which might be fraudulent.

Finally, it will be easier to catch fraudsters if all persons delivering documents to County Clerk's offices were videotaped.

Thank you for giving me the opportunity to provide this testimony.