New Hampshire Register of Deeds Association

FAQs on Deed Fraud: What property owners should know

What is deed fraud?

Deed fraud occurs when someone records a forged document that claims an interest in real property. This may involve forged signatures, false notarizations, or documents submitted by someone without legal authority.

Can someone steal my home by just filing a deed?

No. Recording a document does not automatically transfer legal ownership of property. Property ownership is determined by law and, when disputed, by the courts. A fraudulant deed does not override the rights of a lawful property owner.

What is the role of the County Register of Deeds?

The Register of Deeds Office records documents as required by state law. Recording is a ministerial function, meaning the register does not investigate fraud, verify signatures, or determine the legal validity of the document or ownership of claim. We record documents that conform to our state and national standards and are presented with the correct fees and taxes.

What steps do I take if I believe a fraud has occurred related to my property?

- Review your chain of title on the county website.
- Contact the local law enforcement in the town that the fraud occurred.
- Contact the register of deeds in the county where the potentially fraudulent document has been recorded, for them to refer the matter to the county attorney.
- Consult a real estate attorney – statute of limitations, rights and remedies are all state law specific.
- Review your title insurance policy and contact the insurer if applicable.

Are there tools to help me stay informed?

All New Hampshire Counties offer a free property recording notification service that alerts a person when a document is recorded in their name or the name that they register. These programs provide an early alert but do not prevent potential fraud or determine ownership.

Can I prevent someone from recording a fraudulent document?

No. It is not possible to prevent someone from recording a fraudulent document.

Are there any preventative measures that I can take?

- Establishing a trust or other vehicle for property ownership
- Keeping the property encumbered by a mortgage.
- Create a google alert for your property address and or name.
- Work with professionals when buying and selling property.

Other resources

NH Attorney General's Consumer Protection Hotline ~ 888-468-4454

www.doj.nh.gob/ciiznes/consumer-protection-antitrust-bureau

Federal Trade Commission ~ www.reportfrruad.ftc.gov

FBI Internet Crime Complaint Center www.ic3.gov

NH DHHS Adult and Elder Services Concord, NH apscentralintake@dhhs.nh.gov