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Land and Property
Information
DEFINING NEW SOUTH WALES

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Counterfeit Certificates of Title

The Registrar General wishes to advise customers of LPI of further incidences of fraud involving the use of counterfeit Certificates of Title. The scheme was first uncovered in late 2002. A total of six counterfeit Certificates of Title have been detected to date by LPI.

Generally, the fraud works in the following way. The fraudsters create a counterfeit Certificate of Title, assemble fraudulent personal identification documents and present these to a financial institution to secure a mortgage over the land.

In all but one case, loans have been arranged through mortgage brokers. The Law Society of NSW has advised that in each instance, the fraudsters have presented themselves to a solicitor with whom they have had no previous association and requested the solicitor to act on their behalf in relation to an approved mortgage loan. All instances to date have involved unencumbered land, and the fraudsters have instructed solicitors to pay the proceeds of the mortgage to persons other than the registered proprietor.

The NSW Police Fraud Squad is currently investigating these matters. LPI is acting to strengthen security controls, including taking steps to make Certificates of Title more difficult to replicate.

However, most activity relating to this fraud occurs well before documents are presented for registration at LPI. Therefore I urge all members of the NSW conveyancing community to exercise vigilance particularly when confronted with circumstances that appear to fit the modus operandi of the fraudsters as outlined above. Apart from the need to ensure thorough identity checks have been undertaken, if you have any doubts as to the authenticity of a Certificate of Title please feel free to contact LPI for advice before taking further action.

The type and quality of the counterfeit Certificates of Title varies. Distinguishing features of the counterfeits identified so far include:

- Lack of clarity of the State crest;
- Signature of the Registrar General may not be consistent with the holder of that office at the time of title issue; and
- Variations in the colour of margin notes on the face of the Certificate of Title and in the words 'Certificate of Title' on the reverse side.

Inquiries may be directed to Ron Sale, Customer Services Manager by telephone on 02 9228 6996 or by email to ron.sale@ditm.nsw.gov.au.

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