

O'Brien rejects 'robo-signed' property-title documents

Originally Published on Wednesday, June 08, 2011 By Sean Leonard / The Daily Item

SALEM — Southern Essex Register of Deeds John O'Brien on Tuesday stepped up his protest of big banks for the alleged filing of fraudulent mortgage assignment documents in public deeds registries.

A recent 60 Minutes segment that proved companies contracted by the nation's largest mortgage lenders produced forged, or "robo-signed" paperwork to replace lost mortgage assignment documents, in many cases to expedite the foreclosure process.

As reported by The Item last month, O'Brien and his counterpart in North Carolina, Jeff Thigpen, also maintain banks are cheating local public deeds registries of millions and potentially billions of dollars in recording fees, by creating what is essentially their own privately held deeds registry, the Virginia-based Mortgage Electronic Registration Systems Inc., or MERS.

When MERS member banks sell mortgages to one another, MERS is technically still the holder of title to the property, and as such public recordings are not filed for these transactions. As O'Brien sees it, the chain of title to thousands and perhaps tens of thousands of properties has been broken by the lack of public recording.

The robo-signed documents are being submitted at public registries, often as evidence of title-holder for properties being foreclosed upon. Given the practice of robo-signing, O'Brien questions whether foreclosures are being illegally initiated against scores of homeowners.

Among the most-used bogus signatures, highlighted in the 60 Minutes report, is that of "Linda Green," who is purported on the many different documents to be an executive at 20 or more different large banks. The actual Linda Green, tracked by the CBS news show, is a middle-aged former clerk at an auto parts store in rural Georgia.

O'Brien said the Southern Essex Registry has received a number of documents signed by Linda Green, and some with the names of others likewise believed to be robo-signatures.

In a written statement to media outlets Tuesday, O'Brien said this week he rejected two robo-signed documents submitted to the Southern Registry for recording, and will continue to reject all others.

"My Registry will not be a knowing participant in this fraud against homeowners," O'Brien said. "From today forward, lenders be on notice, the Southern Essex District Registry of Deeds will not record robo-signed documents."

According to the statement, the rejected documents contain the signatures of three known robo-signers: Linda Green, Korell Harp and Linda Burton. O'Brien said his Registry has 22 different variations of Linda Green's signature and five different variations between Korell Harp and Linda Burton.

"I find this practice very troubling on many levels. It has completely jaded my understanding that a notarized document was something that could be relied upon," O'Brien said. "If these documents are signed by anyone other than the noted signatories, these notaries and those that employed them should be held accountable for the fraudulent documents that they have produced and the havoc they have caused to chains of title everywhere."