

2024 Alliant National FLORIDA SEMINAR



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Fraud Prevention Technology: What Every Title Agent Needs to Know

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Objectives

We will discuss:

- Technology, Fraud Trends and Statistics
- Fraud Schemes – Claim Examples
- Actions to Take to Prevent Fraud
- Cyber Insurance and Insurance Gap Reviews
- SMT Tool and Agent Testimonials
- Q&A



Technological Advances

Evolution Over the Past 4 Decades

Year Range	Computing	Communications	Medicine	Transportation
1980s	Personal Computers	Analog Mobile Phones (1G)	MRI Scans	Fuel Injection Systems
1990s	World Wide Web	Digital Cellular (2G)	Laparoscopic Surgery	GPS Navigation
2000s	Cloud Computing	Smartphones (3G)	Human Genome Project	Hybrid Cars
2010s	Artificial Intelligence	4G LTE	Genetic Editing	Autonomous Vehicles
2020s	Quantum Computing; Machine learning	5G Networks	mRNA Vaccines & Gene Therapy	Hyperloop Prototypes



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Technology and Fraud

- **Technology**

- Is NEITHER good nor evil – it is an enabler
 - Provides powerful opportunities for enhancements to quality of life
 - Presents a foundation to drive innovation, productivity, and accessibility

- **Positives it has introduced**

- Global Connectivity and Communication
- Medical research and advancements
- Education
- E-Commerce
- Financial
- Transportation
- Entertainment
- Sustainability

- **Negatives and the dark side**

- Privacy concerns
- Cyberattacks and malware
- Addiction and impact on children
- Social Isolation
- Job displacement
- Education gaps
- Ethical concerns



ID and Escrow Fraud Trends

- **Cyber Related Fraud Losses in 2023**

- \$12.5 Billion
 - 22% increase in financial losses over 2022
 - Business email compromise (BEC) - \$2.9B in losses
- 880,000+ Complaints received per year
- **Losses involving wire fraud - 20% of all losses**

- **Drivers**

- Home buyers are wiring large sums of money to title and escrow companies for closing. Cyber perpetrators are aware of these market dynamics and are deploying scams to trick home buyers and title agents into wiring closing funds to fraudulent accounts.
- BEC and social engineering scam victims are the youngest age group. This age group accounts for a large portion of first-time home buyers.
- Artificial Intelligence



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Claim Data Trends



* American Land Title Association (ALTA), Press Releases & Industry Research, <https://www.alta.org/publications/pressreleases.cfm>



From ALTA* in May 2024

Average Title Insurance Claim Cost for Fraud and Forgery is \$143,000

Fraud and forgery claims represent 21% of the total dollars spent by title insurers on claims expense and losses, with an average claim cost of over \$143,000, according to a new independent analysis conducted by global consulting and actuarial firm Milliman. The analysis also found nearly 30% of title insurers' losses and claims expenses stemmed from title problems not discoverable from a public records search. Read on for more report details.

*American Land Title Association (2004-2024). Independent Analysis Finds Average Title Insurance Claim Cost for Fraud and Forgery is \$143,000. <https://www.alta.org/news-and-publications/press-release/Independent-Analysis-Finds-Average-Title-Insurance-Claim-Cost-for-Fraud-and-Forgery-is-143000>



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Fraud Scheme Examples



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Title Policies – Owner's and Loan



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ALTA OWNER'S POLICY OF TITLE INSURANCE
ISSUED BY: *Alliant National Title Insurance Company*

POLICY NUMBER: [REDACTED]


This policy, when issued by the Company with a Policy Number and the Date of Policy, is valid even if this policy or any endorsement to this policy is issued electronically or lacks any signature.

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Condition 17.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, Alliant National Title Insurance Company, a Colorado corporation (the "Company"), insures as of the Date of Policy and, to the extent stated in Covered Risks 9 and 10, after the Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. The Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. Covered Risk 2 includes, but is not limited to, insurance against loss from:
 - a. a defect in the Title caused by:
 - i. forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - ii. the failure of a person or Entity to have authorized a transfer or conveyance;
 - iii. a document affecting the Title not properly authorized, created, executed, witnessed, sealed, acknowledged, notarized (including by remote online notarization), or delivered;



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ALTA LOAN POLICY OF TITLE INSURANCE
ISSUED BY: *Alliant National Title Insurance Company*

POLICY NUMBER: [REDACTED]

This policy, when issued by the Company with a Policy Number and the Date of Policy, is valid even if this policy or any endorsement to this policy is issued electronically or lacks any signature.

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Condition 16.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, Alliant National Title Insurance Company, a Colorado corporation (the "Company"), insures as of the Date of Policy and, to the extent stated in Covered Risks 11, 13, and 14, after the Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. The Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. Covered Risk 2 includes, but is not limited to, insurance against loss from:
 - a. a defect in the Title caused by:
 - i. forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - ii. the failure of a person or Entity to have authorized a transfer or conveyance;
 - iii. a document affecting the Title not properly authorized, created, executed, witnessed, sealed, acknowledged, notarized (including by remote online notarization), or delivered;



Fraud Scheme – I Have the Power!

Tonia owned the property since 2008. You notice that Kim's name is shown on the purchase and sale contract as the seller. The title search and commitment confirms that Tonia solely owns the property. When asked, Kim, states she is authorized to act on behalf of Tonia under a Power of Attorney (POA). Kim presents a copy of a POA document to the closer. Without any further questions or inquiries, the closing occurs. The buyer goes to the property and is immediately met by Tonia who resides at the property. She lets the buyer know that she did not sell her property and she never executed a POA identifying Kim as her attorney-in-fact. Tonia immediately files a lawsuit to void the deed.

Could anything have been done differently to potentially avoid this situation?



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Fraud Scheme – I Have the Power!

Consider the following:

1. Asking questions and critically review the POA.
2. Prior to the closing, reach out to Tonia at her property address shown on the county property appraiser's website, to confirm.
3. If there are documents of record, compare Tonia's signature against these documents.



Fraud Scheme

Will the real “Mr. Scott” please come forward?

James T. and Susan A. Scott, husband and wife, have owned the property since 1998. In 2024, a purchase contract comes in that shows Susan A. Scott is selling the property. She shares that her husband, James Scott, died in 2012. A title search was ordered and both it and the search documents were provided. Included in the title search is a mortgage that was executed by James Scott and Susan Scott in 2019 which encumbers the property. A title commitment was prepared requiring the 2019 deed of trust be paid.

Recalling that Susan Scott said her husband died in 2012 you request a copy of his death certificate prior to closing.

The death certificate shows James R. Scott died in 2012.

The closing occurs.

The buyer and her family go to the property and is promptly met by the Scotts who have resided at the property since they purchased it. The Scotts immediately call the police.

Could this have been prevented?



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Fraud Scheme

Could this have been prevented? What went wrong?

- A. Jason T. and Susan A. Scott have seller's remorse and are just trying to rescind the contract.
- B. The heirs or beneficiaries did not convey their interest by deed.
- C. The wrong sellers were involved in the closing (T. versus R.)



Fraud Scheme

Don't let go (of the documents)

The listing agent/realtor, who is well-known in the industry, brings you a \$800,000 sale contract. The realtor has been and continues to be the primary contact for the seller but occasionally the seller has been included in a few communications to your office. Even though the property is in Florida, the sellers send an email and state they will not be in the area for the closing but will be in Colorado at the date of the closing. The listing agent says, "send me the closing documents and I will get them to the sellers". You agree to do so.



The closing documents are eventually returned to you. Without further inquiry, the closing is finalized, funds disbursed, and documents recorded.

A few weeks later, the receiving bank for the seller contacts you and advises that the bank account has been marked as suspicious due to the large deposit and various withdrawals.

You look at the closing documents and realize the notary block shows it was notarized in New York. You then confirm that the named notary is not a notary in New York. Now, all the phone numbers are disconnected for the sellers.

The "true" owner was contacted by the county through the Property Fraud Alert program. They have now filed a lawsuit naming the title company, grantee on the new deed, and the notary on the new deed.

What could have been done differently to avoid this situation?



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Fraud Scheme

Don't let go (of the documents)

- A. What could have been done differently to avoid this situation? Do not agree to accept documents that are notarized outside of your office unless it is through a verified notary which you have contact, control, and communication.
- B. Review the documents carefully for proper execution by any and all necessary parties and properly notarized.
- C. Use an identification and bank account verification tool.



Fraud Scheme

“I like to change my bank information before the closing...for \$800, Ken”

A real CRIME WATCH RECIPIENT EXAMPLE!

On the morning the closing was set to occur, an email was received from a party purporting to be the seller, wanting to change the “true” seller’s bank account information to have the seller’s proceeds diverted. The fraudster sent new wire instructions to the agent. The agent contacted the seller’s attorney, and it was confirmed that the email was fraudulent. The agent also notified their IT department to investigate their system and to block the fraudster.

This title agent did the right thing by:

- A. Not ignore their gut of suspicion
- B. Use confirmed numbers, inquired about the email and new wire instructions received
- C. Contacted their IT department



Other Fraud Schemes That Never Go Away

- The Seller Spoof
- The Lender Spoof
- The Late Switcheroo
- Earnest Money Hustle
- The Buyer Beware
- Business Executive Scam
- The Vendor Bender

From Alliant National's white paper in 2022 titled "Escrow Fraud / Social Engineering – Recent Schemes and Prevention Tips"



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Resources / Tools

HOW WE CAN HELP YOU
FBI

Business Email Compromise

Business email compromise (BEC)—also known as email account compromise (EAC)—is one of the most financially damaging online crimes. It exploits the fact that so many of us rely on email to conduct business—both personal and professional.

In a BEC scam, criminals send an email message that appears to come from a known source making a legitimate request, like in these examples:

- A vendor your company regularly deals with sends an invoice with an updated mailing address.
- A company CEO asks her assistant to purchase dozens of gift cards to send out as employee rewards. She asks for the serial numbers so she can email them out right away.
- A homebuyer receives a message from his title company with instructions on how to wire his down payment.

Versions of these scenarios happened to real victims. All the messages were fake. And in each case, thousands—or even hundreds of thousands—of dollars were sent to criminals instead.

How Criminals Carry Out BEC Scams

A scammer might:

- Spoof an email account or website.** Slight variations on legitimate addresses (john.kelly@examplecompany.com vs john.kelley@examplecompany.com) fool victims into thinking fake accounts are authentic.
- Send spearphishing emails.** These messages look like they're from a trusted sender to trick victims into revealing confidential information. That information lets criminals access company accounts, calendars, and data that gives them the details they need to carry out the BEC schemes.
- Use malware.** Malicious software can infiltrate company networks and gain access to legitimate email threads about billing and invoices. That information is used to time requests or send messages so accountants or financial officers don't question payment requests. Malware also lets criminals gain undetected access to a victim's data, including passwords and financial account information.

Business Email Compromise Timeline
An outline of how the Business Email Compromise, as depicted by some organized crime groups.

How to Report

If you or your company fall victim to a BEC scam, it's important to act quickly:

- Contact your financial institution immediately and request that they contact the financial institution where the transfer was sent.
- Next, contact your local FBI field office to report the crime.
- Also file a complaint with the FBI's Internet Crime Complaint Center (IC3).

<https://www.fbi.gov/how-we-can-help-you/safety-resources/scams-and-safety/common-scams-and-crimes/business-email-compromise>

United States Secret Service

Information on the 2024 Campaign is available now. [Click here to find out more.](#)

Field Offices

Report crimes to your local Secret Service field office. Most field offices also have a Cyber Fraud Task Force (CFTF). Click the drop down button at the right to read more about the Secret Service CFTFs.

The mission of the Secret Service Cyber Fraud Task Forces (CFTFs) is to prevent, detect, and mitigate complex cyber-enabled financial crimes, with the ultimate goal of arresting and convicting the most harmful perpetrators. Through a partnership with private industry, state, local, tribal, and territorial (SLTT) and federal law enforcement agencies, federal and state prosecutors, and academia, the CFTFs effectively leverage the collective expertise of a range of key stakeholders necessary to combat cybercrime. The CFTFs are staffed with special agents, technical experts, forensic analysts operating in the CFTF Digital Evidence Forensic Labs, and SLTT task force officers trained through the Secret Service National Computer Forensics Institute (NCFI).

In 1995, the Secret Service's New York Field Office established the first Electronic Crimes Task Force (ECTF). The task force was substantially modeled on the existing Secret Service-led Financial Crimes Task Forces (FCTFs), which were established in 1984, following the enactment of the Comprehensive Crime Control Act and the resultant criminal authorities Congress provided to our agency. Leveraging state and local law enforcement partners, in addition to prosecutor offices, private sector industry groups, and academia, the ECTF concept led to increased investigative successes in the emerging field of cyber-enabled criminal activity.

In 2001, in the aftermath of 9/11, the USA PATRIOT (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism) Act mandated the Secret Service to expand the New York ECTF concept nationally for the "purpose of preventing, detecting, and investigating various forms of electronic crimes, including potential terrorist attacks against critical infrastructure and financial payment systems." Since that time, dozens of additional ECTFs, including two overseas, were created for this purpose.

In 2018, the Secret Service began evaluating strategic options to improve the organization of Secret Service task forces by combining existing ECTFs and FCTFs. These combined task forces - CFTFs - have resulted in better coordination with task force partners, and the consolidation of investigative and technical skillsets during operations.

Secret Service Announces the Creation of the Cyber Fraud Task Force

Field Office	Phone Number
ATLANTA FIELD OFFICE	404-331-6111
BALTIMORE FIELD OFFICE	443-263-1000
BIRMINGHAM FIELD OFFICE	205-731-1144
BOSTON FIELD OFFICE	617-565-5640
BUFFALO FIELD OFFICE	716-551-4401
CHARLOTTE FIELD OFFICE	704-442-8370

<https://www.secretservice.gov/contact/field-offices>

ALTA Business Tools Advocacy Education News Events

Information Security and Wire Transfer Fraud are critical topics for the land title insurance and settlement industry. Wire Transfer Fraud is a threat to every title operation regardless of size, location or years in business. ALTA's priority is helping you protect your systems, plan for a rapid response in case of an incident, and prepare your employees, clients and customers to be aware and vigilant.

Industry Standard Policies and Tools

- ALTA Outgoing Wire Preparation Checklist:** Use this checklist as a best practice for verifying outgoing wire information.
- ALTA Rapid Response Plan for Wire Fraud Incidents:** Use this tool to customize your action plan when a wire fraud attempt occurs.
- Video: How To Complete an IC3 Report:** Watch the video to see how easy it is to help law enforcement gather information.
- ALTA Cybersecurity Incident Response Plan:** Use this tool to help your team to establish and maintain secure systems and be prepared to act quickly if an incident occurs. Leverage these resources to implement Step 1: Preparation:
 - *NEW for 2023* ALTA Cyber System Overview:** Use this narrative to improve your understanding of a Cyber System Inventory, why it is important to Cybersecurity efforts, and how to create and maintain your company's inventory.
 - *NEW for 2023* ALTA Cyber System Inventory Workbook:** Use this model workbook to create and customize your company's inventory.
 - *NEW for 2023* ALTA Business Impact Analysis:** Use this guide to examine your software applications, determine which resources are critical to your operation, and discover when to add resources to minimize the business impact of downtime.

Employee Training and Awareness

- Monitor and Improve Employee Skills.** Consider a phishing security test for all of your employees. These companies can help:
 - Security Planner: <https://securityplanner.org>
 - PhishMe: <https://phishme.com/free>
 - KnowBe4: <https://www.knowbe4.com/resources>
- Webinars to Watch:**
 - Data Security Essentials: Strategies to Protect Non-public Personal Information (Download copy of presentation)
 - Fortify Your Business: Lock Down Data and Protect Client Funds (Download copy of presentation)
 - Safeguarding Escrow Trust Accounts
 - Best Practices: Protecting Non-public Personal Information (Download copy of presentation)
 - Fraud and Your Escrow/Trust Accounts (Download copy of presentation)

Resources for Your Clients and Consumers

- Wire Fraud Tips Video:** Share this 1-minute video with homebuyers so they know how to protect their money.
- ALTA Wire Fraud Video:** This 2-minute video provides four tips on how consumers can protect their money and offers advice on what to do if they have been targeted by a scam. Link to this video from your website, include in your email or share on social media.
- ALTA Wire Fraud Infographic:** ALTA has produced this Rack Card explaining Wire Fraud. ALTA Members can brand the infographic with their own information at the **ALTA Alerts**

<https://www.alta.org/business-tools/information-security.cfm>



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Things to Consider

- Use extreme caution if you receive change to the wiring instruction.
- Check email addresses and confirm the sender's email is spelled correctly. It only takes one letter!
- Review any email communication for odd phrasing or spelling that might indicate it is not the person you have been dealing with.
- Independent verification – independently locate contact information for the prior lender and contact lender via telephone to verify payoff instructions (check your E&O and cyber security policies for protocols and procedures that they require you to follow).
- Confirm the wire was received by the lender – contact the lender as soon as possible after the wire is sent to verify receipt of the wire transfer.
- Use a verification platform such as Secure My Transaction to take control of fraud prevention.



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ID and Escrow Fraud Trends



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ID and Escrow Fraud Trends

Artificial Intelligence (AI) and ID and Wire Fraud

- ID Fraud
- Impersonation of Title Agency
- Deep Fakes – Voice and Video Spoofing
 - Combine and create voice and video fakes that impersonate individuals
 - Convince victims they are someone else
- Synthetic Identities
 - Algorithms can create artificial identities by combining fake and real data
- Phishing and Social Engineering
 - AI automates and personalizes phishing attacks
 - AI can analyze social media and other online data to craft targeted and authentic messages



ID and Escrow Fraud Trends

Artificial Intelligence (AI) and ID and Wire Fraud

- Wire Fraud
 - BEC
 - Email spoofing- clean, convincing that appear coming from a trusted source
 - Language processing- used to understand and mimic or copy communication styles
 - Automated attacks
 - AI allows for launching on a large scale – increases efficiency and reach of attempts
 - Behavior analytics
 - AI can learn transaction patterns and then mimic them to reduce likelihood of early detection



ID an Escrow Fraud Signs and Flags to Watch Out For

- Where does it Begin?
 - Typically, scammers identify targets from pending home sales- public listing sites, MLS and excess online public information
 - Normal route of attack – hacking an email via social engineering and spoofing tactics
- Email Warning Signs
 - Details misaligned
 - Last minute changes in wire instructions
 - Poor grammar or mis-spellings
 - False Email – the url or email address is slightly different from the original contact's email
 - Urgency
 - Sudden request with time pressure
 - Persistent emails sent within a short time frame and refusing to discuss by phone



ID an Escrow Fraud Signs and Flags to Watch Out For

- ID Fraud Red Flags
 - Document discrepancies
 - Mismatched ID
 - Incomplete documents; signs of tampering
 - Unavailability of key documents
 - Suspicious Behavior
 - Urgency to close quickly, bypass standard procedure, selling well below market value
 - Reluctance to meet in person
 - Evasive or emotional answers
- Wire Fraud Red Flags
 - Unusual or unexpected payment instructions
 - Last-minute, sudden changes to instructions
 - Suspicious accounts
 - Urgency and pressure



ID and Escrow Fraud Prevention Tips

- **Systems**

- Make fraud prevention a part of your written security program.
- Ensure latest security patches are installed, and system is set to auto accept patches.
- Upgrade anti-virus shield to EDR or XDR technology (AI based technology).
- Enable multi-factor authentication (MFA) for webmail, VPNs and accounts that access critical systems.
- Require accounts with password logins to have strong, unique passwords or pass-phrases of at least 12 letters, characters, and numbers.
- Require employees to have passcodes on their work phones.
- Make sure your WiFi is password protected.
- Use a fraud prevention tool to defend against ID and Wire Fraud



Cyber Insurance and Insurance Gap Reviews



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Cyber Insurance

- E & O Typically Does Not Cover Wire Fraud and Diversion
 - Errors and Omissions and loss incurred internally
 - Wire fraud initiates electronically and externally
 - May be able to purchase a rider to cover wire theft and diversion
- Cyber Event Standalone Policy
 - Best form of protection
 - Broad coverage is needed to protect
 - Must include both liability and crimes coverages
 - Subjectivities – coverage is subject to: MFA; encryption, etc)



Cyber Insurance

Event	Liability Coverage	Crime Coverage
Loss of funds (escrow and operational, personal) due to social engineering and electronic fraud or theft	No	Yes
Fraudulent electronic transfer or divergence of funds	No	Yes
Employee electronic theft	No	Yes
Forgery	No	Yes
Cyber extortion (ransomware)	No	Yes
Data breach expenses including legal costs, fines or penalties	Yes	No
Loss of assets and loss of business income	Yes	No
Recovery of systems and forensics; reputational damages	Yes	No
Economic damages through network security failure or failure of privacy controls	Yes	No



Cyber Insurance

Final Considerations

- Cyber insurance comes in many different variations and costs, so it is important to know what product works best for you, considering and balancing coverage and cost.
- Most glaring risk agents face is wire fraud – escrow theft and diversion
 - Critical to have coverage for this cyber event
- Consult with your insurance carrier for specific coverage offerings and cost and weigh the decision that is right for your business and budget. Remember, the broadest form of coverage will best protect you and your business so while it may be more expensive, your business will be better protected against the risks we face in today's business environment.



SecureMyTransaction

SECUREMY TRANSACTION
From Alliant National

HOME ABOUT BLOG **SCHEDULE A DEMO** LOGIN

Know and protect your buyers and sellers

Take Control of Fraud Prevention.
Introducing **SecureMyTransaction**.

Schedule a Demo

Protect Your Transactions with SecureMyTransaction
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Q&A

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Thank You!

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