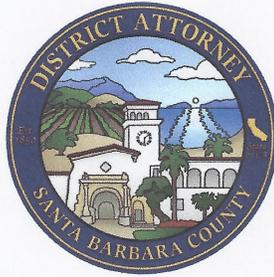


OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA
JOYCE E. DUDLEY
District Attorney



DA 10-127

RELEASE NUMBER

October 12, 2012

RELEASE DATE

APPROVED BY JOYCE E. DUDLEY, DISTRICT ATTORNEY

Gary Gemberling, Deputy District Attorney

CONTACT PERSON (805) 568-2300

***** PRESS RELEASE *****

October 12, 2012

Re: *People v. Franklin Marquez and Sisy Aragon: Loan Modification/Foreclosure*

Santa Barbara County District Attorney Joyce E. Dudley announced the plea today of Franklin David Marquez and Sisy Aragon. Franklin David Marquez pled to one felony count of violating Civil Code section 2945.4, commonly known as Loan Modification Fraud/Foreclosure Assistance Fraud. Sisy Aragon pled to one misdemeanor count of Penal Code section 32, Accessory After The Fact. Aragon was sentenced to three years of probation and ordered to make restitution in the sum of \$27,500. Marquez will be sentenced on November 29, 2012.

The foreclosure scheme associated with these subjects involves contacting homeowners in distress and offering to save their homes from foreclosure. To do so they require Quit Claim Deeds and Power of Attorney documents. They tell the homeowner that for a fee, usually in the thousands of dollars, their homes will be put into a trust. They tell the victim they no longer need to make house payments but instead make payments directly to the trust or company managing the trust. The victims are told that attorneys are aggressively working with the banks to get their homes back. These companies then file documents that potentially cloud title and slow down the foreclosure process and/or file bankruptcies to slow down the process. While the foreclosure process is stalled, the victims continue to make payments to these companies and are assured that their homes are actually being rescued. Eventually the lenders successfully foreclose on the property but not before the victims/homeowners have paid thousands of dollars to the fraudulent companies.

District Attorney Joyce Dudley commented that, "Unfortunately, many of the victims of these scams do not know that crimes have been committed against them. Additionally, people who are in financial trouble and are in the process of losing their homes may not be able or willing to come forward and report these activities. This is the "perfect storm" that makes it easier for scammers to take advantage of them." DA Dudley further stated, "If you have been approached by an individual or company offering foreclosure assistance for an up-front fee, do not give them any money. If you have paid someone an up-front fee for Foreclosure Assistance or Loan Modification, you should contact law enforcement or file a claim on the District Attorney Website www.countyofsb.org/da.

This case was investigated by District Attorney Investigator Jennifer Glimp and was prosecuted by Deputy District Attorney Gary Gemberling.

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