

HOMEOWNERS LEGAL RIGHTS INC.

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WINTER PARK, FL. 32792

Advocating For Homeowners in All 50 States and All U. S. Territories

August 31, 2021

TO: Florida Governor Ron DeSantis
Florida Attorney General Ashley Moody

Regarding; The Protection and Safeguarding of Our Land Records

**Dear Governor DeSantis and
State Attorney General Moody;**

Homeowners Legal Rights, Inc (HLR) is a not for profit organization designed to educate and advocate for the Constitutionally Protected, God given Human Rights of Homeowners/Landowners. One of the most important Rights that keeps our nation and citizens free is the basic principle that “We The People” own the land on which “We” built our nation. The government of the United States is highly restricted and limited in both the power to control or own this land. One of our nations best leading authorities on the Lawful Rights of the People to privately owned property is retired Professor James W. Ely Jr. (this nations leading authority on property rights) who has written a book on this subject, which is in it’s third edition, titled “THE GUARDIAN OF EVERY OTHER RIGHT”. The Northwest Ordinance of 1787 established how new Territories and States are to be governed. Professor Ely advises, that document, along with the Magna Carta were the basis for the creation of the United States Constitution. The Northwest Ordinance explains in great detail the responsibilities and obligations that the Governor and Executive Branch of Government have regarding landownership.

It is HLR’s understanding that within this structure of government, the Governor is required to appoint a Commission or Commissioner to oversee, maintain, protect and safeguard our land records. In this regard, our Law Enforcement had performed its sworn duty admirably, up until the Financial Crisis of 2008 that gripped our nation. It was Law Enforcement that took over an investigation into the true cause of this Financial breakdown and discovered, among other things, that the five largest national financial institutions in our nation had created and perpetrated the most pervasive fraudulent, deceptive, money and land extortion scam that has victimized this nation’s people.

On April 4, 2012 Judge Rosemary Collier of the Washington, DC Federal District Court, signed the Consent Judgments, along with The United States Attorney General and 49 State Attorney Generals, with Oklahoma being the only exception. **All states agreed to allow these Defendants to accept responsibility, to waive any defense to the charges of massive mortgage fraud, to plead no contest to the massive, multiple charges of wrongdoing, mortgage lending law violations, massive fraud and deception, forgeries and felonies.** The laws that were violated were specifically designed and created by legislatures to protect Homeowners/Landowners from being misled, deceived or defrauded out of their land.

These financial institutions collectively agreed to pay 49 states \$25 BILLION dollars in cash or concessions for the harm they caused. As well as agreeing NOT to pursue any foreclosures involving the fraudulent documents they had generated and filed in the County Land Record Offices throughout this nation. While the unprosecuted executives of these huge financial institutions were still, by this judgment, subject to criminal charges, all law enforcement agencies thus far, that homeowners have contacted, have refused to even investigate any such claims made by homeowners. In spite of the 2012 Consent Judgment these financial Institutions continued their criminal conspiracy by creating modifications to these very same fraudulent mortgage documents, so that the perpetrator or their assignee could continue to profit from the original Fraud. HLR, as an advocate for the estimated 25 million victims of these crimes, finds this resolution unlawful and totally unacceptable to this nation's people.

It is understood, common knowledge and judicially recognized that a Consent Judgment entered into voluntarily by the accused is considered a "Plea Agreement" and the equivalent to a guilty plea, and is judicially treated as such.

The violations of many of this nation's Mortgage Lending Public Laws that are designed to protect American Homeowners, come with criminal penalties. After April 4, 2012, all executives of these Financial Institution clearly felt free to continue to foreclose on Americans, based on the Fraudulent, Forged, Identity Theft documents that were the basis of the Consent Judgment and filed in OUR local public land records, even though they promised not to continue foreclosures based on these Fraudulent claim documents, unobstructed whatsoever by Law Enforcement.

There is no statute of limitation of REAL Property Deed Fraud with good reason. Most every borrower is or was also a "**Warranty Deed**" Title holder with fee simple ownership of their own parcel of land. The "**Warranty**" is the highest form of ownership that can be passed and can only be passed on by a former Lawful Warranty Deed holder. The Warranty itself is the guarantee of the force, weight and power of Protection of rights that runs with the land and are stated in the **Bill of Rights**. The guaranteed protection of these rights is clearly secured by the 10th Amendment that does not allow for Government to infringe on these rights, making them superior to all other man made laws.

Title to land cannot be passed, conveyed or sold based on fraudulent, invalid or deceptive documents that have been created and filed in the land records. Therefore the Lawful rightful owner of record is the only person(s) that can pass warranted title to future generations of Americans. Without warranted Rights each parcel of land is stripped of it's Constitutional protections of the owners rights and it's true market value.

The Northwest Ordinance of 1787 was created in order to set up new state and territorial governments as this Nation expanded. We have a rich history that shows the mandates in this Ordinance require each Governor to appoint a commissioner or commission to oversee, establish, safeguard and protect the land records of this nation when necessary. These duties and requirement have been in force for 234 years. This is evidenced, as recently as April 20, 2021, regarding the unlawful taking of the Bruce family land in Manhattan Beach California, some 97 years prior. This land was returned to the rightful heirs of Willa and Charles Bruce just this year. The article regarding this resent case is attached to this letter.

Article 2 of the Northwest Ordinance (which is attached to this letter) also states:

“No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person’s property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, bona fide, and without fraud, previously formed.”

The forms of fraud involved includes, but are not limited to, those stated in the 2012 Consent Judgment, such as the use of non-entities like MERS and reported lenders that did not legally exist, appearing on documents filed in the land records, and having appeared to have acted in a legal capacity when they were not a legally recognized entity, but a cover for an unknown “phantom” entity to act unlawfully in a legal transaction.

RECOMMENDATION

Moving forward to address this massive invasion and attack on our land records, landowners under threat of foreclosure or who have been foreclosed on, based on fraudulent documents with misleading statements recorded in land records, should have an automatic search done of their title. Each title should be examined by a knowledgeable objective committee (see Northwest Ordinance of 1787) for the detection of any Fraudulent documents or fraudulent statements created on documents.

Current foreclosure, as well as past foreclosure, should be reversed and fraudulent documents removed from title. Any landowner and/or their attorney, that desires title examined for fraudulent documents should also have access to the committee. Any documents that report any action on title has occurred or generated by non-entities such as MERS, should be automatically purged from all land records. Every landowner whose home had been taken based on fraudulent document should be afforded their home restored to them and be made whole or compensated fully for their loss at the lawful homeowners request. Any expense incurred by the formation of such committees and the expenses of restoring the Lawful homeowner to a financial wholeness should be bore by the Financial Institutions that plead No Contest to the charges in their 2012 Plea agreed Consent Judgment.

The appointment and hiring of such committees have been proven in the past to be successful to both establish and restore rightful owners to their lawful position as Owners of Record and should be used to restore credibility and legal warranty to property rights belonging to Lawful landowners within the public land records. Additionally the prosecution of executives of these major financial institutions, the executives of their servicer, representatives, attorneys and debt collectors, for the continuation of the use of fraudulent, manufactured documents is imperative for the following reasons:

1. The government is not permitted to allow law breakers to continue to violate the law.
2. To prevent further misuse of existing fraudulent documents and the manufacture of even more documents, that allow these criminals to continue to profit from their crimes.
3. These Executives violated the Consent Judgment, Plea Agreement they signed, as well as created Loan Modification agreements based on the original Fraud which is nothing

more than a continuation of an existing fraud (when they were only permitted to Modify Lawful Mortgage Contracts for the benefit of the homeowners).

4. It is your responsibility to safeguard and protect the county land records in your states as established by your admission under oath.
5. Exhibit "F" held these Financial Institutions responsible for the actions of their predecessors and successors in each Mortgage Transaction, therefore so should the States.

In closing, we also find this extremely disturbing as we look back on the history of our nation's security, having been so very heavily invested protection of individual Rights and Freedoms of American Citizens to own the actual soil their nation was built on. When we teach our children and grandchildren the pledge of allegiance to the United State of America we demand that the meaning, resolve and power of enforcement behind the words "Liberty and Justice For All" reflect your resolve of your oath office to the people of your nation.

HLR has provided you with a "proven" lawful solution that has been used for the past 234 years and should be used today. Time is of the essence and action is needed immediately. We look forward to the Executive Branch of the State Government moving forward as soon as possible in this matter. Time is of the essence and HLR is willing to assist you in any way possible in your efforts to restore land records to being accurate and lawful. We look forward to your response at your earliest convenience and request a contact person in your office or in your County Land Record Offices to refer to citizens for help and cooperation.

Respectfully submitted

Linda A. Nash
CEO Homeowners Legal Rights, Inc.

Attachment:

Northwest Ordinance of 1787
California News Article

cc:

CEO Bank of American: Brian Moyihan
CEO J. P. Morgan Chase: Jamie Dimon
CEO Citigroup: Jane Fraser
CEO Wells Fargo: Charles W. Scharf
CEO GMAC: Sangeet Chowfla
Washington, DC Federal District Court Judge: Rosemary Collier
The public and Media at large