

Farmland Title Fraud: An Escalating Crisis in Rural Real Estate

Roger McEowen (roger.mceowen@washburn.edu) – Washburn University School of Law

Ag Law and Taxation Blog: <https://agriculturallaw.lawprofessorsblogs.com/>

May 2026

Overview

Farmland has long been viewed as one of the most stable forms of wealth in America. For many families, it represents generations of work, retirement security, mineral income, and a lasting connection to rural life. But an increasingly sophisticated form of fraud is exposing a dangerous vulnerability in modern real estate transactions - farmland title fraud.

What once seemed almost unimaginable is now occurring with alarming frequency - scammers impersonating landowners and attempting to sell rural property they do not own. And in many cases, they are getting dangerously close to succeeding.

The Perfect Target: Absentee Owner Farmland

Agricultural property presents unique opportunities for criminals. Unlike residential real estate, farmland often has no occupied structure, no daily activity, and no owner physically present to notice unusual activity. Many owners live out of state, visit only periodically, and conduct business remotely.

Vacant farmland, hunting property, recreational tracts, pasture ground, and mineral-producing property have become particularly attractive targets because they can carry substantial value while remaining largely unattended. Scammers commonly search public records for absentee owners and then build fake identities around publicly available information, such as legal descriptions, tax mailing addresses, ownership history, and even family details. Armed with this data, the fraudster contacts a real estate agent pretending to be the owner, attempting to push the transaction through rapidly.

Note: Fraudsters target absentee land, but they don't just try to sell it. A parallel, highly lucrative scam involves fraudsters using fake deeds or forged lease agreements to enroll land in USDA farm programs (e.g., ARC/PLC base acres) or to secure fraudulent crop insurance policies. Because the Farm Service Agency (FSA) has historically relied on self-certification or basic lease copies, a remote scammer can intercept government payments or conservation program funds before the true out-of-state landlord or local tenant realizes their farm serial number has been compromised.

A Real-World Near Miss

A recent situation demonstrates just how vulnerable agricultural land can be. An out-of-state landowner who owned farmland and mineral-producing property in the Midwest was visiting the area when a local veterinarian casually mentioned seeing a "For Sale" sign on one of the owner's tracts.

The problem? The owner had never listed the property.



Upon driving to the location, the owner discovered the sign was real. A real estate agent had placed it there, genuinely believing she had been hired by the owner to market the ground. Even more troubling, another parcel in a neighboring county containing an oil well had also been listed. When the owner contacted the agent, the details became terrifying. The entire listing process had been conducted remotely through text messages, emails, electronic signatures, and online communication platforms. There had been no in-person meeting, no live video verification, and no meaningful identity confirmation.

The impersonator had done extensive homework, learning details about the owner's occupation, family members, and land holdings. Public records provided the legal descriptions and parcel numbers, while electronic signature platforms created documents that appeared entirely legitimate. The fraud only unraveled because a local resident recognized the property and alerted the actual owner. Without that chance encounter, the scheme could have progressed all the way to closing.

The Common Pattern & Red Flags

Real estate professionals working with farm and ranch land across the country are reporting remarkably similar schemes. Common warning signs include:

- The "seller" insists on communicating exclusively by text or email.
- The supposed owner claims to be overseas, traveling, hospitalized, or otherwise unavailable for phone calls or meetings.
- The transaction is aggressively rushed.
- The asking price is set slightly below market value to attract immediate buyers.
- The "seller" avoids live video calls or voice conversations.
- Electronic signatures are heavily relied upon.
- The property owner is an out-of-state resident.

Experienced agricultural agents increasingly recognize these red flags. Many report becoming suspicious when a supposed owner cannot answer basic operational questions about fencing, crop history, tenants, grazing arrangements, water access, neighboring operators, or mineral activity.

Furthermore, even when agents request identification or pre-approval letters, professionals must remain vigilant - modern scammers are highly adept at producing high-quality, forged identification documents.

The High Sophistication of Modern Real Estate Scams

Many landowners dangerously assume fraud cannot progress very far because of title companies, deed recording systems, and notarization requirements. However, modern fraudsters can spoof phone numbers, fabricate ID documents, create fake email domains, manipulate electronic signature platforms, and produce convincing remote notarization records.



The Illusion of Legitimacy

Scammers do not always use a real estate brokerage. In some instances, fraudsters bypass professionals entirely by posting a parcel online as a "For Sale By Owner" (FSBO) transaction. They can bring the entire transaction to closing without an agent or title company ever being involved. To put an anxious buyer's mind at ease, tech-savvy scammers can easily create fake phone numbers and email addresses that make it look like a legitimate agent or title company is overseeing the escrow.

The Danger of Sophisticated Interception

Even when phone and email communications occur, they can be weaponized. In a recent wire fraud attempt, scammers hacked an email account and intercepted emails regarding a cash real estate transaction. The criminals registered a fraudulent .net version of the legitimate title company's domain name. Operating under this fake domain, they emailed the real estate agent, requesting the buyer's phone number to "update their system." A few days before closing, the buyer received a phone call from someone claiming to be with the title company, stating that they could no longer accept checks over \$10,000 and that the remaining funds had to be wired immediately. The buyer wrote down the wiring instructions but wisely called their agent right away. When the agent and the actual title company called the scammer's number back, the fraudster answered the phone using the title company's actual business name.

Real Estate Professionals Face Growing Challenges

Realtors® (agents belonging to the National Association of Realtors®), real estate brokers, and agents are confronting increasingly sophisticated fraud operations. Because agricultural transactions frequently occur remotely with absentee landowners, there is immense pressure to move quickly and rely heavily on electronic communication.

Professionals are targets themselves, regularly facing:

- Phishing phone calls to list vacant homes and land.
- "WhatsApp" fraud attempts.
- Hacked email and social media accounts.
- The Zoom Exploit: Scammers frequently send their own Zoom links to agents. This can be used to harvest data or execute a malware installation on the agent's computer the moment the link is clicked.

Newer agents are often the most vulnerable to these high-pressure, deceptive tactics. Listing valuable rural property without rigorous identity verification exposes brokers and agents to immense legal liability if the listing proves fraudulent. In fact, agents are catching these scams mid-transaction; in one recent brokerage office, an agent representing a buyer discovered the entire property listing was a fraudulent setup halfway through the escrow process.



The Rural Title Technology Gap

While some major corporate title companies have implemented advanced security measures - such as multi-factor identity verification, video authentication, remote notarization safeguards, and fraud detection software - this technology is severely lacking or entirely non-existent in many rural areas. This digital divide leaves rural title infrastructure uniquely exposed to sophisticated identity theft.

Note: In rural counties, the local notary is often an administrative assistant at a local elevator, bank, or insurance agency. Scammers are now utilizing highly sophisticated, forged out-of-state driver's licenses to trick local or remote online notaries (RONs). If a notary fails to exercise due diligence, the chain of title is broken the moment that acknowledgment is stamped and sent to the recorder

The Risks Extend Far Beyond a Failed Sale

If a fraudulent transaction is not detected in time, the consequences for the true landowner can be severe:

- Clouded titles
- Extensive litigation expenses
- Delayed financing on other projects
- Fraudulent liens or recorded instruments
- Insurance complications
- Disrupted mineral leases and royalty payments
- Severe emotional stress and uncertainty

If forged documents are recorded before discovery, untangling ownership rights can become extraordinarily expensive and time-consuming. Innocent third-party purchasers frequently become entangled, creating complicated chain-of-title disputes that can take years to resolve in court.

Note: In almost all jurisdictions, a forged deed is void *ab initio* (void from the beginning). Even if an innocent buyer pays full market value and has no knowledge of the fraud, they do not acquire valid legal title. However, the true owner must still file a Quiet Title Action in the local district/county court to remove the cloud on the title. This process is slow, expensive, and completely freezes the landowner's ability to secure operating loans, execute I.R.C. §1031 exchanges, or sign new agricultural leases while the litigation is pending.

Practical Steps Landowners Should Consider

Landowners, particularly absentee owners, must take proactive steps to reduce the risk of title fraud:

- **Monitor County Records:** Many counties now offer free property fraud alert systems that notify owners if documents are recorded against their names or parcels. Contact your local Register of Deeds or recorder's office to enroll.



- **Keep Contact Information Current:** Ensure county tax offices and deed records contain updated mailing addresses, phone numbers, and email addresses. Outdated information delays the discovery of fraudulent activity.
- **Maintain Local Relationships:** Neighbors, tenants, farm managers, veterinarians, agronomists, and local operators are the first line of defense because they physically see the property. Ensure these trusted local contacts have your direct contact information.
- **Monitor Online Listings:** Periodically search online real estate platforms for unauthorized listings involving your property to catch fraud early.
- **Demand Secure Communication:** Real estate professionals should bypass standard video conferencing links provided by unknown clients. Instead, secure communications should be utilized. Utilizing "FaceTime" or a verified, agent-generated video link remains one of the most reliable ways to combat AI-driven video impersonation and malware loops.

How Rural Attorneys Can Address the Issues

Rural attorneys must move from reactive litigation to proactive, defensive entity structuring. The following planning strategies are suggested to address the problem:

- **Utilize Entity Ownership to Obscure Targets.** Scammers scan public records looking for individual, out-of-state names (e.g., "Sarah Jones, Trustee, Chicago, IL"). Rural attorneys should advise clients to hold land in a localized LLC or trust named after a geographic feature or farm number (e.g., "Deer Creek Flats, LLC"), with a local law firm or registered agent listed as the contact address. This breaks the easy public data-mining trail.
- **Draft Stringent "Closing Instructions" for Real Estate Closings.** When representing sellers or buyers, attorneys should draft closing instructions that require a mandatory, recorded "Live Visual Verification" or a secondary phone confirmation using a number sourced independently from the county tax rolls - not the number provided on an electronic signature packet.
- **Record Defensive Affidavits.** For high-value, highly vulnerable tracts (like vacant hunting land or non-operating mineral acres), attorneys can preemptively draft and record an Affidavit of Owner Identity and Activity in the local Register of Deeds office. This document publicizes the true owner's contact information and explicitly states that the land is not for sale and that any transfer requires specific, in-person verification.



How Title Companies Can Help Address These Issues

The "Rural Title Technology Gap" is the single largest point of exposure. Local, independent abstract and title companies can implement immediate, low-tech safeguards to protect their communities:

- **Implement "tenant/neighbor verification" protocols:** In rural communities, everyone knows who farms any particular section of ground. Title underwriters should implement a standard practice for vacant or absentee land of calling the operator or the tenant farmer listed on the lease (if there's a written lease). If a title company clerk calls a local producer and says, *"Hey, we are closing a sale on the north 160 from John Doe,"* a local operator will instantly sound the alarm if John hasn't mentioned selling.
- **Mandate Separate "Wire Instructions" Verification.** To defeat the domain-spoofing and interception tactics highlighted in the text, title companies must completely outlaw sending wire instructions via email. Instructions should be handed over physically, sent via a secure, password-protected portal, or verified strictly via a callback to a known, landline business number.
- **Drive Adoption of County Property Alerts:** Title companies should print out the local Register of Deeds' "Property Fraud Alert" signup sheet and include it in every single closing packet for buyers. Making enrollment a standard part of the closing process builds a massive defensive wall across the county over time.

When Fraud Is Suspected

When a fraudulent listing or attempted sale is discovered, speed matters. Landowners and agents should immediately:

1. Contact local title companies.
2. Notify the Register of Deeds.
3. Alert local law enforcement.
4. Preserve all text messages, emails, digital footprints, and documents.
5. Contact qualified legal counsel.
6. Notify the real estate agent's supervising broker.
7. Consider recording an affidavit disputing unauthorized activity to put the public on notice.
8. Report interstate fraud activity to federal authorities (such as the FBI's IC3).

The primary goal is to stop fraudulent documents from reaching the recording stage before permanent damage occurs.



Conclusion

What makes these schemes uniquely devastating is the vulnerability of older landowners, heirs, trusts, and absentee owners who cannot regularly inspect property or monitor county records. Farmland is far more than a financial asset; it represents family history, legacy, retirement security, and generational wealth. Fraud involving agricultural land is not merely an economic crime - it threatens the very stability and continuity of rural landownership. Critical awareness, technological caution, and local vigilance are the only ways to safeguard these generational legacies.

For more information about this publication and others, visit AgManager.info.
K-State Agricultural Economics | 342 Waters Hall, Manhattan, KS 66506-4011 | www.ageconomics.k-state.edu
[Copyright 2026: AgManager.info](https://AgManager.info) and K-State Department of Agricultural Economics

