**The Hidden Dangers: Identity Theft in Zimbabwe's Real Estate Market**

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Zimbabwe has a vibrant real estate market, with the surge in transactions involving immovable land, a new threat has gathered steam - identity theft. This nefarious practice involves criminals stealing personal information to carry out fraudulent land sales, leaving unsuspecting victims in financial turmoil. The transfer of property is primarily governed by the **Deeds Registry Act [Chapter 20:05]**.

Identity theft in the selling of immovable property typically begins with criminals gaining access to sensitive personal information such as identification documents, through phishing scams or data breaches. Once armed with this data, they can pose as legitimate property owners or real estate agents, forging documents and signatures to finalize fraudulent land deals. In the case of *Elison Kudakwashe Mariko and Another v Stonhill Investments (Private) Limited t/a Stohill Properties* (279 of 2023) [2023] ZWHHC 241 (8 May 2023) a fraudster had the identity document that had all the particulars of the owner of a certain piece of immovable property, who was deceased. The parties could not tell therefore that the fraudster was not the real owner.

Evidence of ownership of immovable land is through Title Deeds issued by the Deeds Office. A title deed conveys rights of ownership on the holder and can be enforced against anyone who breaches such right of ownership. One must note that Title Deeds are public records, meaning they are not confidential, they can be accessed by anyone. A deeds search can be done by any individual and a certified copy obtained. A title deed is required to effect transfer of ownership and an unsuspecting purchaser can be convinced to conclude a sale after being shown a certified copy of a title deed.

 **The Devastating Impact on Victims**

The consequences of fraudulent sales of immovable property are loss of assets and extreme financial prejudice, especially where loans are obtained for the purchase of property. Victims of identity theft in real estate deals often face a long and arduous journey to either reclaim their lost assets or financial investments and further clear their tarnished reputations. As stated, the financial losses incurred can be substantial, with many individuals finding themselves in debt and struggling to regain their financial footing. Moreover, the emotional toll of being defrauded in such a significant transaction can be immense, leading to feelings of mistrust and vulnerability. A fraudulent sale of property can only be reversed at the Deeds Registry by a court order.

To protect oneself from falling victim to identity theft in the selling of immovable land, it is crucial to exercise caution and due diligence throughout the entire transaction process. Always verify the legitimacy of the parties involved, conduct thorough background checks, and never share sensitive personal information over unsecured channels. Additionally, consider utilizing secure payment methods and seeking legal advice to ensure the validity of the transaction. Conveyancing practice dictates that a purchase price is held in trust until transfer of property is finalized. However common practice has resulted in this legal practice being ignored to the fatality of purchasers in fraudulent sales. Often times the purchase price is released to the seller before transfer is effected either in its entirety or as a sizeable deposit.

In response to the rising incidents of identity theft in real estate deals, Zimbabwean authorities have taken steps to enhance cybersecurity measures and crackdown on fraudulent practices. By collaborating with law enforcement agencies and implementing stricter regulations, the Deeds Registry aims to create a safer and more secure environment for property transactions. However, it remains imperative for individuals to remain vigilant and proactive in safeguarding their identities and assets. Certain future proposals for combating theft can include the following;

1. Placing owners’ picture on title deed
2. Verifying fingerprints on identification documents at police stations
3. Further linking the Zimbabwe Revenue Authority ZIMRA with the fingerprint system to identify legitimate sellers
4. Placing Caveats on Title Deeds that have been targeted for fraudulent sales

Identity theft poses a significant threat to individuals engaging in immovable land transactions in Zimbabwe. By understanding the methods employed by fraudsters, taking proactive measures to safeguard personal information, and remaining vigilant throughout the transaction process, individuals can mitigate the risk of falling victim to this insidious crime. In a market driven by opportunity and risk, knowledge and vigilance are the most potent weapons against the specter of identity theft.