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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MA
FILED

MAY 3 2018

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

)

) No.

)

v.

)

) Violations: Title 18, United

IRMA HOLLOWAY, aka "Irma Ratliff
Holloway"

) States Code, Sections 1014 and

) 1344

COUNT ONE

18CR 270

JUDGE BUCKLO

The SPECIAL FEBRUARY 2017 GRAND JURY charges:

MAGISTRATE JUDGE ROWLAND

1. At times material to this indictment:

a. Defendant IRMA HOLLOWAY controlled ICM Construction.

b. Individual A was a loan officer.

c. Individual B was a loan processor who worked with Individual A

at mortgage brokerages.

d. Individual C was an employee of Bank A.

e. Lenders required mortgage loan applicants to provide truthful information, including truthful information about: the applicant's financial condition, employment, income, assets, and intention to occupy the property; the source of the applicant's earnest money payment; and money paid to the applicant for purchasing the property, which information was material to lenders' approval, terms, and funding of loans.

f. Lenders often sold the mortgage loans to other lenders and institutions ("successors"). Lenders disclosed that the mortgage loans could be sold

and the likelihood that the mortgage loans would be sold. The information provided in loan applications and supporting documents, including the buyer's financial condition and money paid to the buyer for purchasing the property, was material to the successors' decision to purchase the mortgage loans.

g. Countrywide Bank FSB was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, and was a lender that made mortgage loans to finance the purchase of residential properties.

2. Beginning no later than in or around 2007 and continuing until in or around 2009, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

IRMA HOLLOWAY,
aka "Irma Ratliff Holloway,"

defendant herein, along with others known and unknown to the Grand Jury, knowingly participated in a scheme to defraud financial institutions and lenders and to obtain money and funds owned by and under the custody and control of financial institutions and lenders by means of materially false and fraudulent pretenses, representations, and promises, and concealment of material facts, which scheme is further described below.

3. It was part of the scheme that defendant IRMA HOLLOWAY and others caused buyers to fraudulently obtain mortgage loans from lenders in a total amount of at least approximately \$5,000,000 for properties by making and causing to be made materially false representations in documents submitted to the lenders, including, but not limited to, loan applications, HUD-1 settlement statements, verifications of

deposit, real estate contracts, and other documents concerning, among other things, the buyers' financial condition, employment, income, assets, and intent to occupy the properties.

4. It was further part of the scheme that defendant IRMA HOLLOWAY recruited and caused to be recruited buyers to purchase properties, knowing that the buyers would be fraudulently qualified for mortgage loans to purchase these properties.

5. It was further part of the scheme that defendant IRMA HOLLOWAY referred buyers to Individual A, knowing that Individual A and Individual B would cause to be prepared and submitted to lenders false and fraudulent information about the buyers' employment, income, assets, and intent to occupy the properties.

6. It was further part of the scheme that defendant IRMA HOLLOWAY and others arranged for Individual C to provide verifications of deposit for buyers, knowing that these verifications included false information about the buyers' assets, and would be submitted to lenders as part of the buyers' loan applications.

7. It was further part of the scheme that defendant IRMA HOLLOWAY received proceeds from transactions involving buyers who defendant knew were qualified for mortgage loans based on false information, and sometimes paid portions of those proceeds to the buyers for purchasing properties, knowing that these payments had been concealed from lenders that financed the mortgage loans.

8. It was further part of the scheme that defendant IRMA HOLLOWAY and others caused to be prepared and submitted to lenders HUD-1 settlement

statements that defendant HOLLOWAY knew contained false and fraudulent information, including false and fraudulent information about payments to buyers purchasing properties.

5840 S. Rockwell Street

9. It was further part of the scheme that defendant IRMA HOLLOWAY recruited Buyer A to purchase properties, including but not limited to 5840 S. Rockwell Street, Chicago, Illinois, knowing that Buyer A would be fraudulently qualified for a mortgage loan to purchase this property.

10. It was further part of the scheme that defendant IRMA HOLLOWAY referred Buyer A to Individual A, knowing that Individual A and Individual B would cause to be prepared and submitted to the lender false and fraudulent information about Buyer A's employment, income, assets, and intent to occupy the property.

11. It was further part of the scheme that defendant IRMA HOLLOWAY arranged for Individual C to provide a verification of deposit for Buyer A, knowing that this verification included false information about Buyer A's bank account number and assets, and would be submitted to the lender as part of Buyer A's loan application.

12. It was further part of the scheme that, after the closing of the sale of 5840 S. Rockwell Street, defendant IRMA HOLLOWAY caused to be paid approximately \$8,514 to Buyer A for purchasing 5840 S. Rockwell Street, knowing that this payment had been concealed from the lender.

1533 E. 65th Place

13. It was further part of the scheme that defendant IRMA HOLLOWAY recruited Buyer A to purchase 1533 E. 65th Place, Chicago, Illinois, knowing that Buyer A would be fraudulently qualified for a mortgage loan to purchase this property.

14. It was further part of the scheme that defendant IRMA HOLLOWAY referred Buyer A to Individual A, knowing that Individual A and Individual B would cause to be prepared and submitted to the lender false and fraudulent information about Buyer A's employment, income, assets, and intent to occupy the property.

15. It was further part of the scheme that defendant IRMA HOLLOWAY arranged for Individual C to provide a verification of deposit for Buyer A, knowing that this verification included false information about Buyer A's bank account number and assets, and would be submitted to the lender as part of Buyer A's loan application.

16. It was further part of the scheme that, after the closing of the sale of 1533 E. 65th Place, defendant IRMA HOLLOWAY caused to be paid approximately \$1,900 to Buyer A for purchasing 1533 E. 65th Place, knowing that this payment had been concealed from the lender.

917 West 51st Place

17. It was further part of the scheme that defendant IRMA HOLLOWAY fraudulently obtained a mortgage loan from a lender for defendant's purchase of 917 West 51st Place, Chicago, Illinois, by making and causing to be made false

representations in documents submitted to the lender, including a HUD-1 settlement statement, loan application, real estate contract, bank statement, W-2 Wage and Tax Statements, paystub, and receipt, concerning defendant's employment, income, assets, earnest money, and the payment to defendant for purchasing the West 51st Place property.

18. It was further part of the scheme that defendant IRMA HOLLOWAY signed and caused to be prepared and submitted to a lender a real estate sales contract, knowing that the contract contained false information about defendant's earnest money.

19. It was further part of the scheme that defendant IRMA HOLLOWAY signed and caused to be submitted to a lender a HUD-1 settlement statement, knowing that the statement contained false information about defendant's earnest money and the payment to defendant for purchasing the West 51st Place property.

20. It was further part of the scheme that defendant IRMA HOLLOWAY caused to be prepared and submitted to a lender a loan application, knowing that it contained false information about defendant's earnest money, employment, income, and assets.

21. It was further part of the scheme that defendant IRMA HOLLOWAY caused to be prepared and submitted to a lender other fraudulent documents, including a receipt that represented that defendant provided partial payment of the earnest money to the seller of the West 51st Place property, a bank statement that represented defendant had an account at Bank A ending in 4959 with a balance of

approximately \$115,000 in or around April 14, 2008, and a paystub that represented defendant received a net pay of \$3,319 from ICM Construction on February 25, 2008, knowing that such documents made defendant falsely appear to qualify for a loan.

22. It was further part of the scheme that defendant IRMA HOLLOWAY and others did misrepresent, conceal and hide, and caused to be misrepresented, concealed and hidden, the acts done in furtherance of the scheme and the purposes of those acts.

23. On or about May 5, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

IRMA HOLLOWAY,
aka "Irma Ratliff Holloway,"

defendant herein and others, knowingly executed and attempted to execute the scheme to defraud by causing Countrywide Bank FSB, a financial institution, to fund a mortgage loan in the amount of approximately \$337,250 for defendant's purchase of 917 West 51st Place, Chicago, Illinois;

In violation of Title 18, United States Code, Section 1344.

COUNT TWO

The SPECIAL FEBRUARY 2017 GRAND JURY further charges:

On or about May 5, 2008, in the Northern District of Illinois, Eastern Division,
and elsewhere,

IRMA HOLLOWAY,
aka "Irma Ratliff Holloway,"

defendant herein, knowingly caused a false statement to be made to a financial institution, namely, Countrywide Bank FSB, for the purpose of influencing the action of Countrywide Bank FSB, upon a mortgage loan for purchase of a property located at 917 West 51st Place, Chicago, Illinois, in that defendant caused to be stated in a bank statement that defendant had a balance in her bank account of approximately \$115,000 for the time period ending April 14, 2008, when defendant knew that such statement was false;

In violation of Title 18, United States Code, Section 1014.

FORFEITURE ALLEGATION

The SPECIAL FEBRUARY 2017 GRAND JURY further alleges:

1. The allegations in Counts One and Two of this indictment are incorporated here for the purpose of alleging forfeiture to the United States pursuant to Title 18, United States Code, Section 982(a)(2).

2. As a result of defendant's violations as alleged in Counts One and Two of the foregoing indictment,

IRMA HOLLOWAY
aka "Irma Ratliff Holloway,"

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2) any and all right, title, and interest she may have in any property, real and personal, which constitutes and is derived from proceeds obtained directly and indirectly as the result of the offenses charged in Counts One and Two.

24. The interests and property of defendant subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 982(a)(2) as incorporated by Title 28, United States Code, Section 2461(c), include but are not limited to at least approximately \$505,973.

25. If any of the forfeitable property described above, as a result of any act or omission by defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;

- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c);

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(2).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY