

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 10-**  
**v.** : **DATE FILED: September 29, 2010**  
**KIYA McNEIL** : **VIOLATIONS:**  
: **18 U.S.C. § 1343 (wire fraud - 2 counts)**  
: **18 U.S.C. § 2 (aiding and abetting)**  
: **Notice of forfeiture**  
:

**INFORMATION**

**COUNTS ONE AND TWO**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times material to this information:

1. Defendant KIYA McNEIL was the co-owner and operator of a real estate title agency known as Lloyds and Handson Abstracts of Philadelphia (“LHAP”). LHAP provided title insurance and closing services in real estate settlement transactions involving conventional mortgages and mortgages insured by the Federal Housing Administration. Defendant McNEIL was responsible for the preparation of U.S. Department of Housing and Urban Development Settlement Statements, also known as “HUD-1 Forms,” and the disbursement of funds during real estate closings handled by LHAP.

2. Defendant KIYA McNEIL owned 40 percent of LHAP and T.L., a person known to the United States Attorney, owned 40 percent. LHAP entered into a partnership with Lloyds and Handson of New Jersey, which owned 20 percent of LHAP.

**THE SCHEME**

3. From in or about May 2008 until in or about January 2009, defendant

**KIYA McNEIL**

devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

#### **MANNER AND MEANS**

It was part of the scheme that:

4. Defendant KIYA McNEIL prepared false and fraudulent HUD-1 Forms and diverted funds from settlement transactions to her own use or the use of others.

5. In approximately May 2008, defendant KIYA McNEIL was the title agent for the sale of a property in Philadelphia, Pennsylvania. During the settlement transaction, defendant McNEIL caused the diversion of approximately \$3,480 due to the seller of the property to be transferred to a joint checking account defendant McNEIL controlled. To disguise the transfer of the funds to her joint checking account, defendant McNEIL prepared a fraudulent HUD-1 form which falsely described the \$3,480 transfer as going to real estate taxes in the name of L.M., a person known to the United States Attorney, with whom defendant McNEIL shared the joint checking account.

6. In or about January 2009, defendant KIYA McNEIL was the title agent for the sale of a property at 6505 N. 8<sup>th</sup> Street, Philadelphia, Pennsylvania. During the settlement transaction defendant McNEIL caused the diversion of approximately \$186,088.92 due to the seller's mortgage lender to be transferred to the credit union account of defendant McNEIL's relative, W.G., a person known to the United States Attorney. To disguise the transfer of the funds, defendant McNEIL prepared a fraudulent HUD-1 form which falsely described the transfer as going to W.G. as a payoff per a divorce decree.

7. On approximately 21 occasions between May 2008 and January 2009, defendant KIYA McNEIL fraudulently diverted to her own use or the use of others approximately \$225,001.34 due to either the sellers or their creditors in real estate settlement transactions for which she served as the title agent.

8. As a result of defendant KIYA McNEIL's fraudulent scheme, her victims lost a total of \$225,001.34.

9. On or about the dates set forth below, in the Eastern District of Pennsylvania, and elsewhere, defendant

**KIYA McNEIL,**

for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

<b><u>Count</u></b>	<b><u>Date</u></b>	<b><u>Description</u></b>
1	12/9/08	A wire transfer from the LHAP checking account in the amount of \$4,000, through North Carolina, to the joint account of defendant McNEIL and L.M.
2	1/16/09	A wire transfer from the LHAP checking account in the amount of \$186,088.92, through North Carolina, to the account of W.G.

All in violation of Title 18, United States Code, Sections 1343, 1349 and 2.

**NOTICE OF FORFEITURE**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Section 1343 set forth in this information, defendant

**KIYA McNEIL**

shall forfeit to the United States of America any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense, including, but not limited to the sum of \$225,001.34.

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

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of this Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21 United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), 28 U.S.C.

§ 2461.

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**ZANE DAVID MEMEGER**  
**United States Attorney**