

**FILED**

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UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

CLERK, US DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 6:10-cr-302-011-22 KRS  
18 U.S.C. § 1343

BENJAMIN K. GRAVES,

Defendant.

**INFORMATION**

The United States of America charges:

**A. Background**

At all times material to this Information:

1. For purposes of this Information, the "relevant period" is the period beginning at least as early as January 2006 and continuing until at least as late as March 2007. During the relevant period, the Defendant was employed as a Residential Sales Manager ("RSM") (also known as a Residential Sales Consultant ("RSC")) by Ocwen Loan Servicing, LLC ("Ocwen"), a property management company organized and existing under the laws of Delaware, with its headquarters in West Palm Beach, Florida. During the relevant period, Ocwen managed foreclosed properties under contract with the U.S. Department of Veterans Affairs ("the VA") in the Middle District of Florida, and throughout the

United States. Throughout and prior to the relevant period, the VA guaranteed qualifying residential mortgages for veterans. Under the contract between the VA and Ocwen, if a veteran defaulted (and after foreclosure), Ocwen completed necessary repairs and re-sold the property. This process of repairing and re-selling is colloquially called VA-REO. The Ocwen employees who handled VA-REO were called RSMs or RSCs (hereinafter referred to collectively as "RSMs"). Throughout the relevant period, for purposes of VA-REO, Ocwen's principal place of business was in Orlando, Florida.

**B. Scheme and Artifice**

2. During the relevant period, the Defendant knowingly and wilfully participated in a scheme and artifice to defraud the VA, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and intending to defraud the VA, which scheme and artifice is described as follows:

**C. Manner and Means**

3. During the relevant period, and with the assistance of another RSM ("RSM A"), the Defendant agreed to steer repair contracts for VA-REO houses to several companies owned by a single housing repair contractor ("Contractor B"). Since VA rules usually required multiple bids for any particular repair contract, the Defendant would either (a) solicit multiple bids from Contractor B's companies (including shell companies created to submit sham bids); or (b)

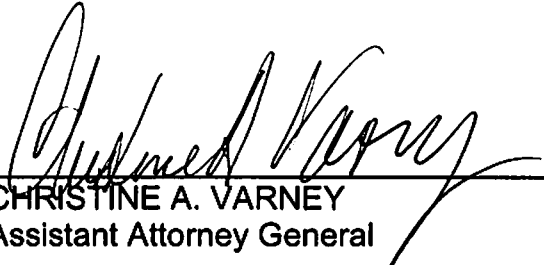
provide Contractor B with competitive bids from unrelated companies, so that Contractor B could undercut those competitive bids. The Defendant, RSM A, and Contractor B all took steps (a) to hide the fact that Contractor B's companies were related, thus giving the false appearance of competition where, in fact, there was none; and (b) otherwise to give the appearance that Contractor B's companies were awarded contracts as the result of honest competition, when, in fact, no such competition existed. In return for steering jobs to Contractor B, the Defendant received payments, through RSM A, from Contractor B. Throughout the relevant period, the Defendant received at least \$9,400 in payments. The portion of the scheme and artifice in which the Defendant participated affected repair contracts for twenty-five properties in the Middle District of Florida and elsewhere throughout the United States.

#### **D. Wires**


4. Throughout the relevant period, in Orlando, in the Middle District of Florida, and elsewhere, the Defendant, RSM A, and Contractor B, for the purpose of executing the scheme and artifice described above, caused to be transmitted by means of wire communication in interstate commerce numerous writings, signals, and sounds, including emails, facsimiles, and telephone calls, all in violation of Section 1343 of Title 18 of the United States Code. Many, though not all, of these interstate wire communications were sent and made from

Orlando, Florida, to McHenry, Illinois, where Contractor B's offices were located, and from McHenry, Illinois, to Orlando, Florida. These communications included sending competitive bid information to Contractor B and transmitting sham bids to Ocwen.


ALL IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 1343.

  
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