

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

*

CRIMINAL NO. 18-186

v.

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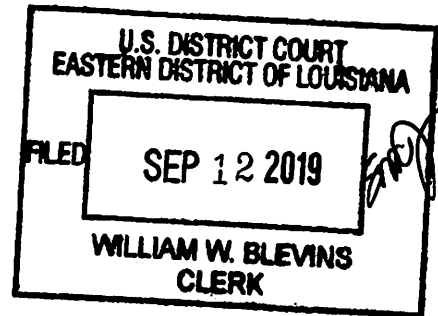
SECTION: "G"

THEODORE KURZ

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* * *

FACTUAL BASIS



The defendant, **THEODORE KURZ**, (**KURZ**) has indicated that he intends to plead guilty as charged to Count One of the Indictment against him, that is, mortgage fraud, in violation of 18 U.S.C. § 1014.

The United States and defendant **KURZ** do hereby stipulate and agree that the following facts are true and correct and that, should this matter have proceeded to trial, the government would have proven them beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible and documentary exhibits. This Factual Basis does not attempt to set forth all of the facts known to the United States at this time. The limited purpose of this Factual Basis is to demonstrate that there exists a sufficient legal basis for defendant **KURZ**'s guilty plea. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea that the defendant will tender. The parties also agree that this Factual Basis may, but need not, be used by the United States Probation Office and the Court in determining the applicable advisory guideline range under the United States Sentencing Guidelines or the appropriate sentence under 18 U.S.C. § 3553(a).

The U.S. Department of Housing and Urban Development (HUD) provides flexible grants to help cities, counties, and states recover from presidentially-declared disasters, especially in low and moderate income areas. In this matter, HUD provided Community Development Block Grant

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funding to the State of Louisiana's Office of Community Development (OCD). OCD utilized the funds to administer the Small Rental Property Program (SRPP). SRPP provides incentives to owners of small scale rental properties to help restore their damaged units and offer them at affordable rents to income eligible tenants.

On April 15, 2009, **KURZ** entered into a mortgage agreement with the State of Louisiana, Division of Administration for property located at 9170-72 Bunker Hill Road, for the SRPP incentive payment of \$141,000. On September 27, **KURZ** entered into mortgage agreements with the State for property located at 9000-006 Bunker Hill Road, for the SRPP incentive payment of \$138,000; and for property located at 9010-12 Bunker Hill Road, for the SRPP incentive payment of \$144,000.

In or around January 2016, **KURZ** obtained unsigned cancellation of mortgage forms for properties located at 9000-06, 9010-12, and 9170-72 Bunker Hill Road. He then forged the signatures of a representative of the State of Louisiana, Division of Administration and two witnesses. On January 5, 2016, **KURZ** visited a notary public to get paperwork done for his motorcycle, and while the notary was out of the room, **KURZ** used the notary's stamp without authorization and forged the notary's signature on the mortgage cancellation records.

Between January 7, 2016 and January 13 2016, **KURZ** filed the fraudulent mortgage cancellations with the Orleans Parish Clerk of Court. **KURZ** then used the fraudulently recorded cancellations to obtain three new loans through Visio Financial Services, Inc: \$113,750 for 9000-06 Bunker Hill Rd., \$107,250 for 9010-12 Bunker Hill Rd., and \$107,900 for 9170-72 Bunker Hill Rd. Specifically, **KURZ** furnished to Visio Financial Services, Inc. three false title affidavits stating that there were no other mortgages or liens against the properties to secure the loans.



Special Agents of HUD-OIG and the FBI interviewed **KURZ** on April 26, 2018. During that interview, **KURZ** confessed to the details of the above scheme.

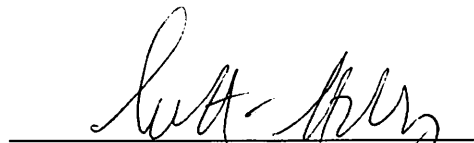
APPROVED AND AGREED TO:



G. DALL KAMMER
Assistant United States Attorney

9/12/19

Date



SCOTT STANSBURY
Attorney for Theodore Kurz

9/12/19

Date



THEODORE KURZ
Defendant

9/12/19

Date