

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 17-
	:	
SIMON CURANAJ	:	18 U.S.C. § 1349
	:	

INFORMATION

The defendant having waived in open court prosecution by Indictment, the Acting United States Attorney for the District of New Jersey charges:

COUNT ONE
(Bank Fraud Conspiracy)

BACKGROUND

1. At various times relevant to this Information:
 - a. Defendant SIMON CURANAJ was a resident of New York and a licensed real estate broker;
 - b. Rafael Popoteur ("Popoteur"), a co-conspirator not named as a defendant in this Information, resided in or near Ridgelfield Park, New Jersey;
 - c. Michael Arroyo ("Arroyo"), a co-conspirator not named as a defendant in this Information, was a resident of New York and a licensed real estate broker;
 - d. "Victim Bank 1," "Victim Bank 2," and "Victim Bank 3" (collectively, the "Victim Banks") were federally regulated national banking associations, the accounts of which were insured by the FDIC, making them

“financial institutions” as that term is defined in Title 18, United States Code, Section 20.

THE CONSPIRACY

2. From in or around 2012 through in or around January 2014, in the District of New Jersey, and elsewhere, defendant

SIMON CURANAJ

did knowingly and intentionally conspire and agree with Rafael Popoteur, Michael Arroyo, and others to devise a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, namely the Victim Banks, and others, whose deposits were insured by the Federal Deposit Insurance Corporation, and to obtain money, funds, assets, and other property owned by, and under the custody and control of such financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for Defendant CURANAJ, Popoteur, Arroyo, and others, to profit by obtaining multiple Home Equity Lines of Credit (“HELOCs”) from the Victim Banks on the basis of materially false and fraudulent pretenses, representations, and promises by, among other things: (a) using the name and personal information of a homeowner to apply for HELOCs; (b) making various false representations on loan documents about the homeowner in order to obtain the necessary bank approvals for the HELOCs; and (c) pledging the same residential property more than once as

collateral for the multiple HELOCs — all within a short span of time to conceal from the Victim Banks that the same residential property had been pledged for multiple HELOCs.

MANNER AND MEANS OF THE CONSPIRACY

4. It was part of the conspiracy that, beginning at least as early as in or around 2012, through Defendant CURANAJ's real estate brokerage businesses, defendant CURANAJ, co-conspirator ARROYO, and other uncharged co-conspirators, identified homeowners who were either seeking bank loans or were seeking to purchase property.

5. It was further part of the conspiracy that Defendant CURANAJ would transfer property into the homeowner's name, often by quitclaim deed for a nominal purchase price.

6. It was further part of the conspiracy that, using the identities of the homeowners, Defendant CURANAJ, co-conspirator ARROYO, co-conspirator POPOTEUR, and other uncharged co-conspirators, submitted multiple HELOC applications pledging the same property over and over again as collateral. These HELOC applications contained a variety of false statements, including false information about the HELOC applicant's income, occupancy of the home, and the true owner of the home.

7. It was further part of the conspiracy that Defendant CURANAJ and his co-conspirators did not disclose to the HELOC lenders that the properties offered as collateral were either already subject to senior liens that had not yet

been recorded, or that the same property was offered as collateral for a HELOC sought from another lender.

8. It was further part of the conspiracy that the temporal proximity of the HELOC applications and the failure of Defendant CURANAJ, and others, to disclose the other HELOCs on the property to the banks, prevented the banks from discovering the other HELOCs and properly assessing the HELOC applications.

9. It was further part of the conspiracy that Defendant CURANAJ, and other uncharged co-conspirators, often attended the closings for the HELOCs with the homeowners in order to ensure the transaction closed as planned.

10. As a result of the conspiracy, Defendant CURANAJ and others caused the Victim Banks to suffer a loss of over \$3,500,000.00.

All in violation of Title 18, United States Code, Section 1349.

FORFEITURE ALLEGATION

1. The allegations contained in this Information are incorporated by reference as though set forth in full here for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant charged in this Information, that upon conviction of such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which requires any person convicted of such offense to forfeit any property constituting or derived from proceeds obtained directly or indirectly as a result of such offense.

3. If any of the above-described forfeitable property, as a result of any act or omission of a 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;

It is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any

other property of such defendant up to the value of the forfeitable property described in this forfeiture allegation.


WILLIAM E. FITZPATRICK
Acting United States Attorney

CASE NUMBER: _____

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

SIMON CURANAJ

INFORMATION FOR

18 U.S.C. § 1349

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