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EASTERN DISTRICT OF CALIFORNIA
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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

2:13-CR. 084 LKK

UNITED STATES OF AMERICA, Plaintiff, v. SURJIT SINGH, RAJESHWAR SINGH, and ANITA SHARMA, Defendants.	CASE NO. VIOLATION: 18 U.S.C. § 1341 – Mail Fraud (4 Counts); 18 U.S.C. § 1344 – Bank Fraud (4 Counts); 18 U.S.C. § 1014 – False Statements on Loan and Credit Applications (4 Counts); 18 U.S.C. § 982(a)(2)(A) - Criminal Forfeiture

INDICTMENT

COUNT ONE THROUGH FOUR: [18 U.S.C. § 1341 – Mail Fraud]

The Grand Jury charges:

SURJIT SINGH,
RAJESHWAR SINGH, and
ANITA SHARMA,

defendants herein, as follows:

I. INTRODUCTION

At all times relevant to this Indictment,

1. Defendant SURJIT SINGH was the father of RAJESHWAR SINGH.

2. SURJIT SINGH recruited individuals with sufficient credit scores to act as buyers for

residential properties located in Sacramento, Stanislaus, and San Joaquin Counties (hereinafter referred to as "straw buyers") in the fraudulent scheme described herein.

3. Defendant RAJESHWAR SINGH was issued a California Department of Real Estate salesperson license on January 19, 2006, which expired on January 18, 2010. Defendant RAJESHWAR SINGH sold properties to straw buyers recruited by his father defendant SURJIT SINGH and recruited other sellers to sell properties to straw buyers recruited by defendant SURJIT SINGH. In addition, defendant RAJESHWAR SINGH helped prepare paperwork submitted to mortgage lending institutions on behalf of straw buyers and submitted some Uniform Residential Loan Applications (hereinafter "URLA"s) to lending institutions on behalf of the straw buyers recruited by defendant SURJIT SINGH. RAJESHWAR SINGH knowingly submitted these URLAs that contained false statements regarding a straw buyer's income, employment, liabilities, and his/her intent to live in the properties purchased.

4. Defendant ANITA SHARMA was a straw buyer who was recruited by SURJIT SINGH to purchase properties in Sacramento and Stanislaus Counties in the fraudulent scheme described herein.

II. SCHEME TO DEFRAUD

5. Between in or about September 2006 and in or about May 2007, in the State and Eastern District of California and elsewhere, defendants SURJIT SINGH, RAJESHWAR SINGH, and ANITA SHARMA knowingly devised, participated in, and executed a material scheme to defraud mortgage lending institutions and to obtain money and property from said institutions by means of materially false and fraudulent pretenses, representations, and promises, and the concealment of material facts.

6. Between on or about February 12, 2007 and April 18, 2007, the defendants were responsible for the origination of over $2.1 million in residential mortgage loans for the four properties listed below:

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	Property Address	Straw Buyer
1	10254 Gilliam Drive, Elk Grove, CA	ANITA SHARMA
2	8001 Cavalier Way, Sacramento, CA	ANITA SHARMA
3	1977 San Ramos Way, Modesto, CA	D.C.
4	648 Queensland Circle, Stockton, CA	D.C.

All of these properties were foreclosed upon, resulting in a total loss of over $1.2 million. Additional properties not listed in this Indictment were also subject to the fraud scheme and resulted in further losses to various lenders.

III. WAYS AND MEANS

7. The scheme to defraud was carried out, in substance, in the following manner:

a. Defendant SURJIT SINGH recruited individuals with adequate credit scores to act as buyers for residential properties, knowing that these buyers did not, in fact, have sufficient income or assets to qualify for the residential mortgage loans for which they were applying. SURJIT SINGH recruited these straw buyers to purchase properties owned by SURJIT SINGH's relatives or his associates, including defendant RAJESHWAR SINGH.

b. Defendants RAJESHWAR SINGH and SURJIT SINGH prepared URLAs that contained false information as to the loan applicant's income, employment, liabilities, and/or intent to occupy the property as a primary residence. Defendant RAJESWAR SINGH submitted these fraudulent URLAs to lenders. Furthermore, the loan application packages sometimes contained false and fabricated supporting documentation, including false Certified Public Accountant (hereinafter "CPA") letters, a false Verification of Rent, and a false Verification of Employment. This information and documentation was material to a lender's decision to approve or disapprove a loan.

c. Defendants RAJESWAR SINGH and SURJIT SINGH knew the URLAs and supporting documentation submitted to lenders contained materially false and fraudulent statements and/or omitted material facts.

d. Defendant ANITA SHARMA signed the URLA's for the 10254 Gilliam Drive and 8001 Cavalier Way properties knowing that they contained false and fraudulent information as to

her income, employment, liabilities and intent to occupy the properties as her primary residences. In addition, defendant SHARMA signed a letter submitted to the lender for the 8001 Cavalier Way property knowing that it falsely indicated that she was planning to move to Sacramento and falsely described the nature of her employment. This information was material to the lenders' decisions to approve or disapprove the loans.

e. Defendant RAJESHWAR SINGH received loan origination fees or commissions for the false loans.

f. Defendant SURJIT SINGH directed an associate to make multiple mortgage payments on the behalf of a straw buyer. The mortgage payments were made on the subject properties for a limited period of time. SURJIT SINGH took such action in an attempt to conceal the scheme from lenders by preventing immediate defaults on the fraudulently obtained loans.

IV. MAILINGS

8. On or about the dates set forth below, in the State and Eastern District of California, for the purpose of executing and attempting to execute the aforementioned scheme and artifice to defraud, the defendants did knowingly cause to be placed in a post office or authorized depository for mail matter to be sent and delivered by the United States Postal Service, and deposited or caused to be deposited any matter or thing whatever to be sent and delivered by any private or commercial interstate carrier, and knowingly caused to be delivered by mail or such carrier, the items listed below:

Ct.	Date	Mailing	To	From	Defendants
1	4/04/07	Deed of Trust for ANITA SHARMA's purchase of 10254 Gilliam Drive, Elk Grove, CA	CitiMortgage, FDIC and CitiBank, FDIC	Sacramento County Recorder	SURJIT SINGH RAJESHWAR SINGH ANITA SHARMA
2	4/18/07	Deed of Trust for ANITA SHARMA's purchase of 8001 Cavalier Way, Sacramento, CA	JPMorgan Chase, FDIC	Sacramento County Recorder	SURJIT SINGH RAJESHWAR SINGH ANITA SHARMA

3	2/23/07	Deed of Trust for D.C.'s purchase of 1977 San Ramos Way, Modesto, CA	JPMorgan Chase, FDIC	Stanislaus County Recorder	SURJIT SINGH RAJESHWAR SINGH
4	2/21/07	Deed of Trust for D.C.'s purchase of 648 Queensland Circle, Stockton, CA	IndyMac, FDIC	San Joaquin County Recorder	SURJIT SINGH RAJESHWAR SINGH

All in violation of Title 18, United States Code, Section 1341.

COUNTS FIVE THROUGH EIGHT: [18 U.S.C. § 1344 – Bank Fraud]

The Grand Jury further charges: T H A T

SURJIT SINGH,
RAJESHWAR SINGH, and
ANITA SHARMA,

defendants herein, as follows:

1. The Grand Jury realleges and incorporates by reference the allegations set forth in paragraphs 1 through 7 of Counts 1 through 4 of this Indictment; and

2. On or about the dates listed below, in the State and Eastern District of California and elsewhere the defendants SURJIT SINGH, RAJESHWAR SINGH, and ANITA SHARMA, did knowingly execute and attempt to execute a material scheme and artifice to defraud federally insured financial institutions, and to obtain the moneys, funds, and other property owned by and under the custody of said financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, as more specifically charged below:

Ct.	Date	Address	Lender	Defendants
5	4/04/07	10254 Gilliam Drive, Elk Grove, CA	CitiMortgage, FDIC, and CitiBank, FDIC	SURJIT SINGH RAJESHWAR SINGH ANITA SHARMA
6	4/18/07	8001 Cavalier Way, Sacramento, CA	JPMorgan Chase, FDIC	SURJIT SINGH RAJESHWAR SINGH

				ANITA SHARMA
7	2/23/07	1977 San Ramos Way, Modesto, CA	JPMorgan Chase, FDIC	SURJIT SINGH RAJESHWAR SINGH
8	2/21/07	648 Queensland Circle, Stockton, CA	IndyMac, FDIC	SURJIT SINGH RAJESHWAR SINGH

All in violation of Title 18, United States Code, Section 1344.

COUNT NINE THROUGH TWELVE: [18 U.S.C. § 1014 – False Statements on Loan and Credit Applications]

The Grand Jury further charges: T H A T

SURJIT SINGH,
RAJESHWAR SINGH, and
ANITA SHARMA,

defendants herein, on or about the dates listed below, in the State and Eastern District of California and elsewhere, knowingly made and caused to be made false statements and reports for the purpose of influencing the actions of the lenders set forth below, the accounts of which were then insured by the Federal Deposit Insurance Corporation ("FDIC"), in connection with home loans being sought in the names of straw buyers, by among other things, falsely inflating income and assets, falsely reporting employment, and falsely reporting a straw buyer's intention to occupy the properties set forth below:

Ct.	Date	Address	Lender	Defendants
9	4/04/07	10254 Gilliam Drive, Elk Grove, CA	CitiMortgage, FDIC and CitiBank, FDIC	SURJIT SINGH RAJESHWAR SINGH ANITA SHARMA
10	4/18/07	8001 Cavalier Way, Sacramento, CA	JPMorgan Chase, FDIC	SURJIT SINGH RAJESHWAR SINGH ANITA SHARMA
11	2/23/07	1977 San Ramos Way, Modesto, CA	JPMorgan Chase, FDIC	SURJIT SINGH RAJESHWAR SINGH
12	2/21/07	648 Queensland Circle, Stockton, CA	IndyMac, FDIC	SURJIT SINGH RAJESHWAR SINGH

All in violation of Title 18, United States Code, Section 1014.

FORFEITURE ALLEGATION: [18 U.S.C. § 982(a)(2)(A) – Criminal Forfeiture]

1. Upon conviction of one or more of the offenses alleged in Counts One through Twelve of this Indictment, defendants SURJIT SINGH, RAJESHWAR SINGH, and ANITA SHARMA shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), all property, real and personal, which constitutes or is derived from proceeds obtained directly or indirectly as the result of said violations, including but not limited to:

a. A sum of money equal to the total amount of proceeds obtained as a result of the offenses, for which the defendants are convicted.

2. If any property subject to forfeiture, as a result of the offenses alleged in Counts One through Twelve of this Indictment, for which the defendants are convicted:

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 18, United States Code, Section 982(b)(1), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the property subject to forfeiture.

A TRUE BILL.

/s/ Signature on file w/AUSA

FOREPERSON

BENJAMIN B. WAGNER
United States Attorney

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

vs.

SURJIT SINGH,
RAJESHWAR SINGH, and
ANITA SHARMA,

INDICTMENT

VIOLATION(S): 18 U.S.C. § 1341 - Mail Fraud (4 Counts); 18 U.S.C. § 1344 - Bank Fraud (4 Counts); 18 U.S.C. § 1014 - False Statements on Loan and Credit Applications (4 Counts); 18 U.S.C. § 982(a)(2)(A) - Criminal Forfeiture

A true bill,

/s/ Signature on file w/AUSA

Foreman.

Filed in open court this 14 *day*

of March *, A.D. 20* 13

Clerk

Bail, $ _____

summons issue to all Ds

GPO 863 525

PENALTY SLIP for US v. SINGH, et al.

Defendants
SURJIT SINGH (All Counts)
RAJESHWAR SINGH (All Counts)
ANITA SHARMA (Counts 1, 2, 5, 6, 9-10)

COUNTS 1-4

VIOLATION:	18 U.S.C. § 1341 - Mail Fraud
PENALTY:	Not More Than 30 Years, and Not more than $1,000,000.00 fine, and Both 5 years TSR

COUNTS 5-8

VIOLATION:	18 U.S.C. § 1344 - Bank Fraud
PENALTY:	Not More Than 30 Years, and Not more than $1,000,000.00 fine, and Both 5 years TSR

COUNTS 9-12

VIOLATION:	18 U.S.C. § 1014 - False Statements on Loan and Credit Application
PENALTY:	Not More Than 30 years, Not more than $1,000,000.00 fine, and Both 5 years TSR

FORFEITURE ALLEGATION

VIOLATION:	18 U.S.C. § 982(a)(2)(A)
PENALTY:	As indicated in the indictment

ASSESSMENT: $100.00 special assessment (each count)