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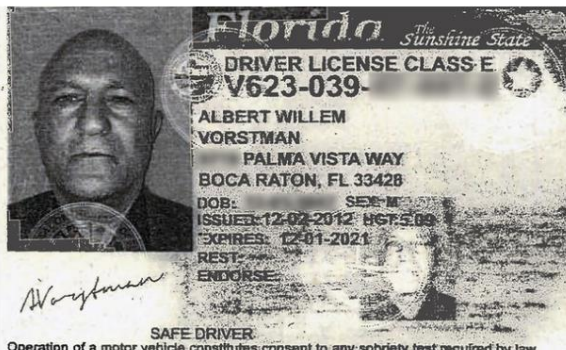
How a New Kind of Fraud Puts South Florida Real Estate Owners, Lenders at Risk

By Samantha Joseph

A con man is exploiting a loophole in public records access to target South Florida real estate lenders and landowners.

Based on little more than his charm, a fake driver's license and forged corporate documents altered on a government-run website for \$50, he posed as a Boca Raton doctor and walked away with \$550,000 from hard-money lenders in Fort Lauderdale.

People involved in the transaction say he spoke at length about his real estate holdings, didn't flinch when questioned, and was so convincing that when a private detective later inquired about the deal, lenders were suspicious of the investigator, not the fraudster.



Operation of a motor vehicle constitutes consent to any sobriety test required by law.
Fake Florida driver's license that was used to take a fraudulent \$550,000 mortgage loan on a Miami Beach vacant lot.

"Next thing we know, we found out this person isn't who they said they were," said Alain Villar, the independent mortgage broker who originated the deal. "The person who went to the closing was not really the owner."

It was too late.

A fake Florida driver's license was used to take a fraudulent \$550,000 mortgage loan on a Miami Beach vacant lot.

What remained was a smattering of clues—all eventual dead ends—and a real-life whodunit, complete with finger-pointing, misdirection, burner phones, cold trails, a mystery woman and plenty of unanswered questions about the high-stakes shakedown.

"Who was this guy?" asked Yves Naman, a landowner who filed suit March 16 against lenders seemingly duped into placing a six-figure lien on his vacant 9,750-square-foot residential lot along a Miami Beach golf course. "To be honest with you, I thought he had sold my property."



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But the man hadn't sold the parcel at 2850 Prairie Ave. Instead, he'd used it as collateral in an informal market where private lenders use fewer controls than traditional banks and offer expensive capital to borrowers who can show proof of equity.

Yves Naman filed suit against lenders seemingly duped into placing a six-figure lien on his vacant 9,750-square-foot residential lot along a Miami Beach golf course.

By the end of his first deal, the mystery man was hundreds of thousands of dollars richer and already eyeing his next mark: another \$1 million fraud secured by property belonging to a second target.

He has since vanished. But those left in his wake are now gearing for a legal battle—with each other—to avoid responsibility for the six-figure debt.

Naman's company, Namron Miami LLC, filed a quiet-title suit in Miami-Dade Circuit Court seeking injunctive and declaratory relief against lenders Edward J. Bohne III and Roman J. Szymansky, and a third defendant—John Doe, the mystery man behind the heist.

"We want the mortgage off our property," **plaintiffs lawyer David Haber** said.

"Bohne and Szymansky can go and fight with their title insurance carrier, and the title insurance company can go and chase down John Doe."

THE ONLY NEW FACE

Naman attempted his own chase when he first discovered the lien. He hired David Bolton, of Coral Gables-based Bolton Investigations Inc., who was the first to discover the string of fake identities.

Bolton seemed to narrow the list of suspects by tracing a lengthy working relationship among the brokers, title agent and lenders involved in the deal.

"They've all known each other a very long time and communicate regularly, so I don't believe they were involved," he said. "The only person who was a new face was Dr. Albert Vorstman."

The real Vorstman is a Coral Springs urologist, who said he knew nothing of the transaction until the Daily Business Review called to inquire.



"When you look at all the dots and connect them, you know that this is not just a fly-by-night scenario here," he said. "These aren't amateurs."

Vorstman was the man Villar thought had attended the closing. His name fraudulently appeared on the corporate documents for Namron Miami LLC, but he really was one of the principals of another company that owned a prime piece of real estate in the Florida Keys.

That parcel—the one the impostor had discussed using as collateral for the \$1 million mortgage—is a 3.8-acre waterfront assemblage at 82900 Old State Highway, Islamorada. It had last listed for nearly \$12 million.

The grifter had presented lenders a Florida driver's license bearing Vorstman's name.

The Daily Business Review independently confirmed the validity of the license number and date of birth. However, the address listed was not Vorstman's, but had once belonged to his business partner, Dr. Dawn Scarzella, who said she was surprised to see her personal information on a forged document.

"The person in this ... license isn't Dr. Vorstman," Diana Arenas, an employee in the medical practice responded when she first saw a copy of the license showing a photograph of the alleged scam artist.

SUNBIZ BACK DOOR?

So how did Vorstman become the scam's fall guy?

Namron's lawsuit suggests the property owners were victims of identity thieves exploiting a vulnerability in the Florida State Department Division of Corporation's Sunbiz.org website.

It claims fraudsters accessed the site to take control of Namron's corporate identity by altering public records, then used those counterfeit documents to secure the loan.

"Some guy figured out there was a piece of property with no mortgage, nothing built on it and he just stole the LLC," **attorney Haber** said. "The weird part is that the State of Florida Division of Corporations has not caught on to the fact that for \$50 someone can steal a company by merely checking a box, changing the information and paying."



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Plaintiffs lawyers David Haber and Katrina Sosa of Haber Slade.

When **plaintiffs lawyer, Katrina Sosa of Haber Slade in Miami**, walked through the process of altering a company's principals online, it took less than two minutes.

Once the fraudsters had changed the company file to substitute Vorstman's name, they then sent an impostor using Vorstman's name to meet lenders.

"This scenario is an oldie but goodie," said long-time title insurance fraud attorney Robert Cohen, senior partner at Cohen|Ruiz in Miami. "If you go back into the 1990s, there were officers of corporations being changed at the Secretary of State Office. You're talking pre-Sunbiz, but the same concept: Send the papers, change the officers and try to make real estate transactions. It's only been made simpler because of electronic filing with Sunbiz. It's even easier to change officers today."

Companies that own vacant land are especially at risk,

because appraisers and other professionals unwittingly working for impostors might never have to interact with the real owners.

"They've been very vulnerable for years," Cohen said.

Florida Department of State spokesman Mark Ard did not comment on Naman's allegations, but suggests the onus is on users to ensure accuracy.

"The Division of Corporations serves as a ministerial filing agency and accepts documents at face value," he said. "False information submitted on a document constitutes a third-degree felony.

The department encourages business owners and managers to monitor their business entity filings and paperwork on Sunbiz.org to ensure our records reflect their intended filings."

Naman said the ploy started to unravel in January when he attempted to pay his company's property taxes and discovered someone had already covered the nearly \$22,300 debt.

"I called my accountant and we saw that something was crooked," he said.

Beyond crooked. His attorneys suspect scammers paid the taxes to smooth the way for a loan worth more than 20 times as much.

"But that's not my client's problem," **Haber** said. "My client has a fake mortgage on his property and he wants the mortgage rescinded."

'I FEEL VIOLATED'

Lender attorney and title agent William Anderson, of Florida Title & Escrow Services LLC and William J. Anderson P.A. in Fort Lauderdale, declined comment on behalf of his clients. He said Bohne and Szymansky "don't want to poison the well" and would not comment on active litigation. But the defendants are likely to seek to recoup their losses from their title insurance carrier by arguing they too were victims of an elaborate fraud—one so intricate it crossed county lines and ensnared multiple real estate industry veterans.

"This situation happened to be a nightmare," said Villar, a 10-year mortgage consultant who was not named in the litigation. "I feel violated."

In retrospect, Villar said the man pretending to be Vortsman had a ready explanation for each lender query. For instance, he regaled the group with a tale about his Russian great-grandfather's immigration to the Caribbean after a commenter noted his pronounced Latin accent did not match his last name.

"He didn't speak much English," Villar said. "He was clearly of Cuban descent."

And what about the change to the Sunbiz file days before the transaction?

Villar said the fraudster explained that away by claiming the previous owner was a brother-in-law who had left the partnership. Because the mailing address and all other information remained the same, Villar said lenders saw no cause for concern.

But that decision surprised Bolton during his investigation.

"This individual must have been savvy enough to know the Florida Division of Corporations will now notify both parties of a change of address to the corporation, but they do not notify when there's an ownership change ... maintaining the same address," he said. "But it's unusual that the title insurance company and the attorney for the title insurance company that actually did the closing did not notice that the ownership had very recently changed on the corporation."

There was also the mystery woman who introduced the fake Vortsman to the mortgage broker.

Villar said he got a call from a woman who claimed she'd met him at an industry networking party in Kendall. He didn't remember meeting her, but that wasn't unusual for that sort of event, where he estimates he handed dozens of cards to prospective business associates over cocktails.

The woman wanted to send deals his way, he said, and after walking her through several parameters, like rates and terms, she sent him what seemed to be a promising lead: a man looking for a mortgage on Namron Miami LLC's parcel, which had last sold for nearly \$1.6 million in 2015.

Villar said he never met the woman but exchanged several text messages with her. She would later call to bow out of the meeting between the lenders and prospective borrower, claiming she had to stay home to nurse ailing children.

"We generate business from referrals. This is something that happens every single day," he said. "My job is not to be worried about what this lady is doing. I usually focus on getting a deal done."

And the deal being shopped would have paid a 4 percent commission and 10 percent interest

for the lenders, he said.

"Obviously these guys are very slick," Vorstman said. "They're not just targeting anybody. They're targeting credit-worthy folks."

The doctor appears to have fared better than Namron, but his luxury real estate broker suggests he might have come dangerously close to lenders placing a million-dollar lien on his property. That broker, who asked not to be named because the incident might jolt wealthy clients who fear being targeted, recalls a strange encounter involving Vorstman's parcel.

A prospective buyer had exchanged multiple messages with the realtor, asking detailed questions about the property, but never showed up for scheduled viewings. The would-be buyer had sought details about the precise amount of water frontage, building permits, site plans and the parcel's identification number in property appraiser records. The deal fizzled, but a few weeks later, a mortgage broker contacted the realtor, claiming to be working with Vorstman to secure a loan against the property.

The realtor informed the owners about the call.

"I just blew it off," Vorstman said.

Villar's story suggests this might have been the second deal the fraudster had offered lenders after cinching the loan for Naman's land.

But by then, Naman had already contacted the FBI and filed a report with the Miami Beach Police Department, naming Vorstman as the suspect. Neither law enforcement agencies had responded to Naman by press time. And Miami Beach Police spokesman Ernesto Rodriguez told the DBR he had no information about the case.

"I think I've seen too much TV. I thought the cops would have jumped all over this," Naman said. "I got scammed in the easiest way. I was horrified that the Department of State has less security than my email, and that someone could go onto Sunbiz and make a change without a special login and password. I just don't understand."

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