



## U.S. Department of Justice

United States Attorney  
Southern District of Florida

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99 N.E. 4 Street  
Miami, FL 33132

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### **NEWS RELEASE:**

#### **Vero Beach Attorney, Property Developer, and Buyer Sentenced to Prison for Conspiracy and Making False Statements to a Federally Insured Institution**

Today, three individuals, a Vero Beach attorney, a property developer and a condominium buyer were sentenced to prison for participating in a criminal conspiracy and making false statements to a federally insured institution. Two of the three men were ordered to forfeit a total of approximately \$290,000.

Benjamin G. Greenberg, United States Attorney for the Southern District of Florida; Robert F. Lasky, Special Agent in Charge, Federal Bureau of Investigation (FBI), Miami Field Office; and Edwin Bonano, Special Agent in Charge, Tampa, Florida, Federal Housing Finance Agency, Office of Inspector General (FHFA-OIG) made the announcement.

According to the court record, in 2009, **Eric Granitur**, age 60, a member of the Florida Bar, owned and operated Live Oak Title, which conducted two real estate closings for the purchase of five condominiums at the Vero Beach Hotel and Spa. The seller and developer of the Vero Beach Hotel and Spa, **George Heaton**, age 75, of West Palm Beach, paid numerous incentives to buyer **Stephen McKenzie**, age 46, of Melbourne, to purchase the condominiums. Heaton agreed to pay the "cash-to-close" amount that the buyer McKenzie was expected to bring to closing, and nearly \$380,000 in additional cash after closing.

Granitur's title company, Live Oak Title, conducted the closings for the sales of the Vero Beach Hotel and Spa condominium units sold to buyer McKenzie. As an escrow agent, Granitur was required to truthfully and accurately prepare and distribute a settlement statement to the financial institutions, known as a "HUD-1," in preliminary form for review by the financial institution, prior to the closing of escrow. The closing statement was required to accurately reflect, among other information, the sales price, the closing funds provided by the borrower and all of the seller's contributions. As an escrow agent, Granitur was responsible for receiving and holding in trust, in an escrow account, the mortgage loan proceeds from the financial institutions that financed the purchase of the

condominium units, and he was responsible for disbursing those loan proceeds only after final approval by the financial institutions.

On two occasions, involving Vero Beach Hotel and Club condo units sold by Heaton to McKenzie, Granitur knowingly caused a false closing statement to be transmitted to a federally insured financial institution. The HUD-1 closing statements failed to truthfully disclose seller credits and incentives. Additionally, the closing statements failed to disclose that the seller was paying the buyer's "cash-to-close." The financial institutions relied upon the closing statement in authorizing the release of funds.

U.S. District Judge Robin L. Rosenberg sentenced Granitur, Heaton and McKenzie to prison today.

Granitur was sentenced to 12 months and one day in prison, to be followed by 5 years of supervised release. He was ordered to forfeit approximately \$28,000.

Heaton, who pleaded guilty and cooperated with the government, was sentenced to 6 months in prison, 3 years of supervised release, and forfeited approximately \$263,000.

McKenzie, who pleaded guilty and cooperated with the government, was sentenced to 4 months in prison and 3 years of supervised release.

Mr. Greenberg commended the investigative efforts of the FBI and FHFA-OIG in this matter. This case was prosecuted by Special Assistant U.S. Attorney Joseph A. Capone and Assistant U.S. Attorney Daniel E. Funk.

Related court documents and information may be found on the website of the District Court for the Southern District of Florida at [www.flsd.uscourts.gov](http://www.flsd.uscourts.gov) or on <http://pacer.flsd.uscourts.gov>.