

THE UNITED STATES ATTORNEY'S OFFICE
DISTRICT *of* MARYLAND

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Department of Justice

U.S. Attorney's Office

District of Maryland

FOR IMMEDIATE RELEASE

Thursday, January 13, 2022

**Baltimore City State's Attorney Marilyn Mosby Facing Perjury
and False Mortgage Application Charges Related to Her Purchase
of Two Vacation Properties**

**Allegedly Claimed to Have Experienced Financial Hardship Resulting from
Coronavirus to Obtain Distributions from the City of Baltimore's Deferred
Compensation Plan, Which She Used Toward Down Payments for Vacation Homes in
Florida**

Baltimore, Maryland – A federal grand jury today returned an indictment charging Marilyn J. Mosby, age 41, of Baltimore, Maryland, on federal charges of perjury and making false mortgage applications, relating to the purchases of two vacation homes in Florida.

The defendant will have an initial appearance in U.S. District Court in Baltimore, but the hearing has not yet been scheduled.

The indictment was announced by United States Attorney for the District of Maryland Erek L. Barron; Special Agent in Charge Thomas J. Sobocinski of the Federal Bureau of Investigation, Baltimore Field Office; and Special Agent in Charge Darrell J. Waldon of the Internal Revenue Service - Criminal Investigation, Washington, D.C. Field Office.

According to the four-count indictment, on May 26, 2020 and December 29, 2020, Mosby submitted "457(b) Coronavirus-Related Distribution Requests" for one-time withdrawals of \$40,000 and \$50,000, respectively, from City of Baltimore's Deferred Compensation Plans. In each request, the indictment alleges that Mosby falsely certified that she met at least one of the qualifications for a distribution as defined under the CARES Act, specifically, that she experienced adverse financial consequences from the Coronavirus as a result of being quarantined, furloughed, or laid off; having reduced work hours; being unable to work due to lack of childcare; or the closing or reduction of hours of a business she owned or operated. In signing the forms, Mosby "affirm[ed] under penalties for perjury the statements and acknowledgments made in this request." The indictment alleges that Mosby did not experience any such financial hardships and in fact, Mosby received her full gross salary of \$247,955.58 from January 1, 2020 through December 29, 2020, in bi-weekly gross pay direct deposits of \$9,183.54.

Further, the indictment alleges that on July 28, 2020 and September 2, 2020, as well as on January 14, 2021 and February 19, 2021, Mosby made false statements in applications for a \$490,500 mortgage to purchase a home in Kissimmee, Florida and for a \$428,400 mortgage to purchase a condominium in Long Boat Key, Florida. As part of both applications, Mosby was required to disclose her liabilities. Mosby did not disclose on either application that she had unpaid federal taxes from a number of previous years and that on March 3, 2020, the Internal Revenue Service (IRS) had placed a lien against all property and rights to property belonging to Mosby and her husband in the amount of \$45,022, the amount of unpaid taxes Mosby and her husband owed the IRS as of that date. In each application, Mosby also responded “no” in response to the question, “Are you presently delinquent or in default on any Federal debt or any other loan, mortgage, financial obligation, bond, or loan guarantee,” even though she was delinquent in paying federal taxes to the IRS.

Finally, according to the indictment, one week prior to closing on the Kissimmee vacation home, on or about August 25, 2020, Mosby executed an agreement with a vacation home management company giving the management company control over the rental of the property she ultimately purchased in Kissimmee. On September 2, 2020, Mosby signed a “second home rider” which provided, among other things, that the borrower occupy and use the property as their second home; that the borrower maintain exclusive control over the ownership of the property, including short-term rentals, and not subject the property to any... agreement that requires the borrower either to rent the property or give a management firm or any other person or entity any control over the occupancy or use of the property; and that the borrower keep the property available primarily as a residence for their personal use and enjoyment for at least one year, unless the lender otherwise agrees in writing. The indictment alleges that by falsely executing the “second home rider” Mosby could obtain a lower interest rate on the mortgage for the property than she would have received without it.

If convicted, Mosby faces a maximum sentence of five years in federal prison for each of two counts of perjury and a maximum of 30 years in federal prison for each of two counts of making false mortgage applications. Actual sentences for federal crimes are typically less than the maximum penalties. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

An indictment is not a finding of guilt. An individual charged by indictment is presumed innocent unless and until proven guilty at some later criminal proceedings.

United States Attorney Erik L. Barron commended the FBI and IRS-CI for their work in the investigation. Mr. Barron thanked Assistant U.S. Attorneys Leo J. Wise, Sean R. Delaney, and Aaron S.J. Zelinsky, who are prosecuting the federal case.

For more information on the Maryland U.S. Attorney’s Office, its priorities, and resources available to help the community, please visit www.justice.gov/usao-md and <https://www.justice.gov/usao-md/community-outreach>.

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Attachment(s):

[Download u.s. v. mosby cr. no. lkg-7-22 docketed indictment 004 0.pdf](#)

Topic(s):

Financial Fraud

Mortgage Fraud

Public Corruption

Component(s):
USAO - Maryland

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