



WINK NEWS

Thieves steal and sell French woman's Southwest Florida property

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Sarah Girard/Reporter

UPDATE: Since this story aired, WINK News learned the Elseroads paid \$7,800 for the Cape Coral property, while the current assessed value is \$8,200. David Elseroad said he paid taxes for the property for the year and he is still hoping to move to the area, but has not been given much information on what to do next.

Imagine if your property was stolen right out from under you while you're halfway across the world. It often involves identity fraud, forged signatures, made-up notaries and a too-good-to-be-true selling price.

It's a growing problem in Southwest Florida, and Cape Coral Police Department say it caught a man part of a scheme to sell land that's not his.

CCPD released information Thursday describing a [six-month investigation](#) conducted by its Financial Crimes Unit and announced the arrest of Edwin Swanson of Houston, Texas.

U.S. Marshals arrested Swanson July 14. He's accused of impersonating landowners and selling their Cape Coral property all throughout 2020. WINK News couldn't reach him by phone for comment.

One woman from France told WINK News that's what happened to her late last year, and we're working to confirm whether Swanson is connected. Now, she's fighting to get it back.

In November 2020, Michele Vidal managed to discover a crook falsified her deeds and signed them over without her knowing. Now, her lots in Port Charlotte and Cape Coral technically don't belong to her anymore.

"I wouldn't have imagined having this problem one day," Vidal said, speaking via Zoom from her living room in France. WINK News translated the interview from French.

Vidal said she only found out because she likes to pay her property taxes on time, but never received her tax bill.

"I didn't receive my tax," Vidal said. "So I called my agent right away and said there's a problem."

She paid close to \$100,000 for land in Cape Coral and Port Charlotte back in 2014. She hoped one day she'd build.

"I like Florida a lot," Vidal said. "I told myself one day I might have the opportunity to live there. Not tomorrow morning, but one day maybe."

But in August 2020, someone else sold the land to two unsuspecting couples out of state and at a bargain.

The Conways bought the Port Charlotte lot for \$20,700. The Elseroads bought the Cape Coral lot for just \$7,800.

"You see it's far, far from the reality," Vidal said.

Real estate attorney Kara Jursinski-Murphy, who's not connected to this case, says at least 10 others like it have come through her office lately.

"We're seeing this quite frequently on vacant property, typically with a foreign seller or a foreign property owner," Jursinski-Murphy said. "It's causing a lot of problems. And unfortunately, people are not monitoring the county records on a daily basis to see if somebody is committing fraud upon them."

Someone pretending to be Vidal used a realtor to find real buyers who put the contract through a real title company. And no one caught the biggest red flag of all.

"It's a notary that doesn't exist," Vidal said.

The deeds are signed and stamped by M. Michel Montier, Notaire Associé. WINK News quickly used France's online notary directory to search his name and got no results.

"Notaries are not as easy to find in some of these countries because of the COVID lockdown. So, you know, people were having, using that as an opportunity to falsify," Jursinski-Murphy said.

Vidal is frustrated and didn't think it could go this far in the states. She's hired a lawyer and thinks the realtor and title company should've done more to check things out.

WINK News contacted the listing agent on the sale, Claude Thomas, who represented both the buyers and the fake seller.

Thomas didn't want to talk on camera, but we asked Thomas if he attempted to verify the identity of the fake seller posing as Vidal, by speaking over the phone or getting a copy of her ID. Thomas said he did.

But in his 20 year career, Thomas said he has never been tricked like this, and he thinks the title company was tricked too.

WINK News also contacted Agent Title Services, the company responsible for researching the properties and preparing the deeds. Licensed Title and Closing Agent Lisa Gavin said she could not provide specifics on the case, but said the situation is in the claims department and under investigation.

A partially redacted report from CCPD shows the sale went through a financial advisor. Agent Title Services says it has made changes now, instead only working with sellers directly, and using a remote online notary service or requiring sellers to go to the embassy in their country.

Vidal told WINK News both Thomas and Agent Title Services haven't been returning her calls, but she's confident she'll recoup what she's lost either by getting her properties back or their current value in her pocket.

"And to see the fraudsters punished, really, because I care about justice and the law," Vidal said.

As for the buyers, WINK News contacted both the Conways and the Elseroads for comment.

Debra Conway, who bought the Port Charlotte lot, told WINK News they only found out in April of this year that the land never should have been for sale. Luckily, last week they got a check back from their title insurance for the price they paid. However, they also paid the property tax and hired a company to clear the land, so they don't know yet if they'll get their money back for that.

To avoid this happening to you, Jursinski-Murphy says buyers, realtors and anyone involved in a sale should not communicate by email alone. Landowners living out of state or out of the country can ask to use their law firm or another local address for their tax information, so as not to look vulnerable to potential fraudsters targeting foreign proprietors.

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