

**The Source for Information on EB-5 Visa Investments.**  
“Inform your clients, protect your practice.”

**OCTOBER 2015**


## SEC ADDS MILLIONS TO DEVELOPER’S ALLEGED FRAUD IN SEATTLE [Page 15](#)

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### SEC adds millions to developer’s alleged fraud in Seattle

Originally published October 6, 2015 at 6:15 pm | Updated October 6, 2015 at 7:35 pm

Developer Lobsang Dargey misappropriated as much as \$46 million invested by would-be immigrants in his downtown Seattle Potala Tower, an attorney for a federal regulator claimed Tuesday during a hearing on a court-imposed asset freeze.



## SELDON CLOSURE IS A BLOW TO ECONOMY, SOURCES SAY [Page 16](#)

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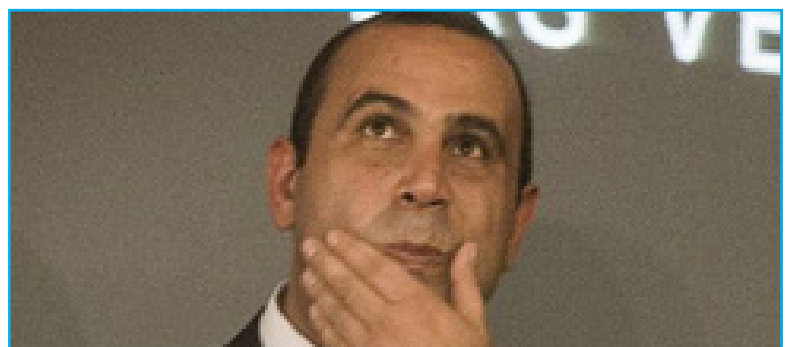
### Seldon closure is a blow to economy, sources say

By [Name] | October 05, 2015

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The Windsor community was shocked last week when Seldon

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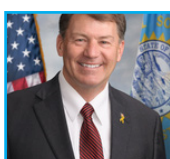
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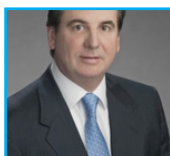
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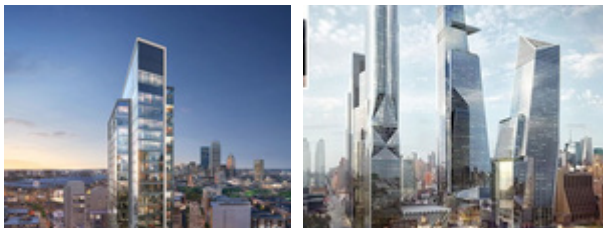
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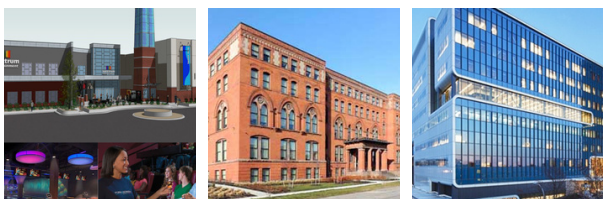
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Project ID	Progress %	Overall Funding Needed	EB-5 Funding Needed
EB5PROJECT-491	53%	N/A (Mio)	N/A (Mio)
EB5PROJECT-340	62%	N/A (Mio)	N/A (Mio)
EB5PROJECT-587	42%	N/A (Mio)	N/A (Mio)
EB5PROJECT-458	28%	N/A (Mio)	N/A (Mio)
EB5PROJECT-318	56%	N/A (Mio)	N/A (Mio)

## The Source for Information on EB-5 Visa Investments

Verification and Due Diligence to help make the **SAFEST PROJECT SELECTION** and to keep clients informed on the Development and Operation of the Asset from Subscription until Exit

# EB-5 Visas Given To Foreign Investors under Fire

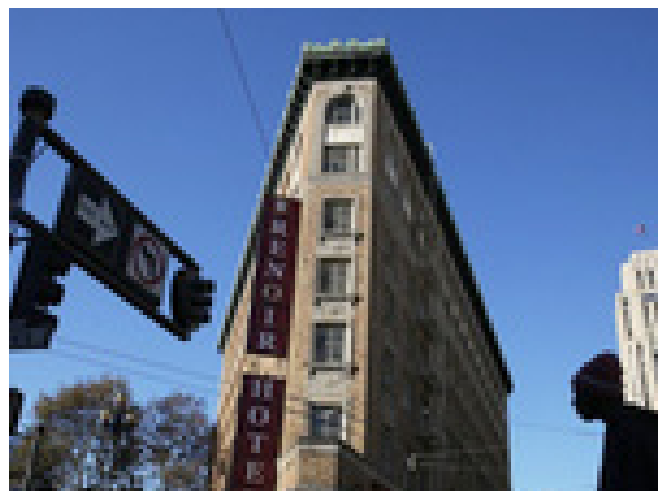
A tiny federal program that grants visas to wealthy foreign investors has generated a major source of cheap money for redevelopment projects in San Francisco, including millions of dollars for the redevelopment of [Hunters Point shipyard](#) and [Candlestick Point](#), of [Treasure Island](#) and the renovation of an old hotel on Market Street.

The EB-5 visa program grants 10,000 visas annually to foreigners and their families who have invested \$1 million into projects in the United States that created at least 10 jobs, or who have invested \$500,000 if the money has gone to areas of high unemployment. Because the investments can be pooled, the visas have become wildly popular among real estate developers across the country, especially in resurgent downtown areas. ([Read more](#))

## Related stories:

- [Group Aims to Market Starved Rock Region to Foreign Investors](#)
- [Overseas Investors Earn Visas While Boosting Jobs in WNY](#)
- [EB-5 Investors Take Advantage of Last-Minute Window to Get In Under Old Rules](#)
- [Congress Should Let EB-5 Visa Program Expire](#)
- [Are Hotels About to Encounter Headwinds?](#)
- [Green Cards Given to Foreign Investors under Scrutiny](#)
- [Senator Grassley Talks Immigration, Iran Nukes](#)
- [EB-5 Tougher For Chinese Rich If Investment Bar Goes Up](#)
- [It May Get Harder For Rich Chinese to Buy Green Cards](#)

- [Green Card-for-Investment Program under Scrutiny](#)
- [EB-5 Legislative Update: EB-5 Regional Center Program is Extended, Senate Bill Proposes Making Program Permanent](#)
- [Sen Grassley Decries Abuses Wealthy Foreign Investor Visa Program](#)
- [Investor Visa Issues Leave Thousands in Limbo](#)
- [Why it is Vital to Find a Middle Ground for Immigrant Investment in the US](#)
- [Senator Rand Paul Introduces Legislation to Expand the EB-5 Program](#)
- [The Flawed Immigration Program Congress Hasn't Changed](#)
- [Kicking the Can on EB-5](#)





## Lake City Senior Project Combines FHA and EB-5

CBRE Group announced financing for construction of Lake City Senior Apartments at 13730 Lake City Way N.E. in Seattle's Lake City neighbourhood. The developer is Steve Smith Development LLC.

The five-story, 80-unit apartment building will have underground parking for 62 vehicles. Apartments will include a mix of one- and two-bedroom units, plus two ground-floor live-work units.

Morgan Design Group is the architect. ([Read more](#))

## China City of America Education Center Project Helps Economy Growth and Benefits the Community in Large

China City of America is excited about its Education Center. The multiple phases of the Center project will include classroom buildings, a student dormitory, apartments/townhouses, faculty houses, a college inn, a college library, museums, an art center, a student conference center, a stadium and an indoor/outdoor recreational facility including playgrounds.

Last year, foreign students contributed about \$24 billion dollars to the U.S. economy. International education programs do much more than advance cultural enrichment, they also assist economically to communities that host the foreign students. Recently, the Hurun Research Institute released their 2014 Paper on Chinese Investment

Immigration. The report shows that in China, the United States is the most popular nation that wealthy immigrants apply to enter. The education system, the environment and the quality and safety of food are three main factors for the U.S. being chosen over other nations. ([Read more](#))



## Annual Form I-924A Seasons Has Arrived re: Immigration



USCIS recently held a stakeholders teleconference as part of its informational series, EB-5 Interactive. The main topic of the teleconference concerned the "time to file" for the Form I-924A, which must be filed annually in order to demonstrate continued eligibility for designation as a regional center. USCIS indicated on the teleconference that a regional center can file the Form I-924A, for a one year reporting period or for a reporting period for multiple years. USCIS did not provide guidance as to when or whether that was necessary.

In order to complete the Form I-924A, the following information must be provided in part 3 for the particular reporting period (i.e. the previous fiscal year). ([Read more](#))

## FIND HUNDREDS OF EB-5 PROJECTS BY CENTER, LOCATION, CATEGORY.

**DUE DILLIGENCE:** search documents, project news, videos, investor updates; download risk analysis reports, background checks, I-924A filings; obtain independent feasibility studies, offering document reviews, economic impact analysis verification reports.

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# Economic Impacts of S. 1501's Redefinition of Targeted Employment Areas (TEA)

Two members of the Senate introduced The American Job Creation and Investment Promotion Reform Act, S. 1501, in June 2015. The bill has many provisions seeking to provide reform to the program, including provisions for integrity measures, increased capital investment amounts, and provisions to redefine Targeted Employment Areas (TEAs).

Under current law, a TEA is defined as "an area which, at the time of investment, is a rural area or an area which has experienced unemployment of at least 150 per cent of the national average rate." The definition of a "high unemployment area" is defined as a "metropolitan statistical area, the specific county within a metropolitan statistical area, or the county in which a city or town with a population of 20,000 or more is located, in which the new commercial enterprise is principally doing business has experienced an average unemployment rate of 150 percent of the national average rate." The state is given the authority to designate TEAs. ([Read more](#))

Related story: [Sen. Flake's Non-Solution to EB-5 Gerrymandering](#)

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### S. 1501's Redefinition of Areas (TEA)

June 2015

Two members of the Senate introduced The American Job Creation and Investment Promotion Reform Act, S. 1501, in June 2015. The bill has many provisions seeking to provide reform to the program, including provisions for integrity measures, increased capital investment amounts, and provisions to redefine Targeted Employment Areas (TEAs).

ARTICLE BY

Kristen W. Ng

Overberg Trust  
EB-5 Insights



# Rounds: Feds Right in Exercising Oversight of EB-5 in SD



U.S. Sen. Mike Rounds said Thursday that the federal government is right in exercising its oversight of an investment-for-visa program pioneered in South Dakota when he was governor.

His comments came in response to questions about a federal notice that the state's participation in the EB-5 visa program, which allows wealthy foreigners to invest in projects in exchange for green cards, could be terminated.

[U.S. Citizenship and Immigration Services](#) determined that [South Dakota's regional center](#) for the program isn't promoting economic growth and said administrators have failed to submit required information to the agency, according to a late September notification. ([Read more](#))

Related stories:

- [Update on EB-5 Scandals in South Dakota](#)
- [State Suing Former EB-5 Administrator](#)
- [Federal Government Ends State's EB-5 Participation: Democrats Say Move Proves Wrong-Doing](#)
- [Finally — USCIS Zaps South Dakota's EB-5 Regional Center](#)
- [Feds Say South Dakota Too Corrupt to Use EB-5](#)
- [Feds Aim to Kick SD out From EB-5 Program](#)
- [Ethics Board Is Good Idea, But...](#)
- [Democrats Plan New Push for Ethics Commission over GEAR UP](#)

## EB5 Capital Expanding into Texas

New EB5 Capital - Texas Regional Center Operated by Experienced Industry Leader with Proven Track Record

Texas commercial real estate developers have an experienced new resource to help meet growing demand for lower-cost foreign investment capital. The new EB5 Capital - Texas Regional Center is owned and operated by a firm with nearly a decade of experience raising and deploying funds through the EB-5 immigrant investor program that grants visas to immigrant entrepreneurs who invest in businesses that create American jobs, and at no cost to taxpayers.

The company's founder and president, [Angelique Brunner](#), announced the new [EB5 Capital - Texas Regional Center](#) while attending the [Invest in the USA \(IIUSA\) 5th Annual EB-5 Market Exchange](#)

International Investment and Economic Development Forum in Dallas. Brunner led a panel on the current EB-5 legislative proposals in Congress and will be meeting with local developers to discuss potential projects. ([Read more](#))



## Civitas Surpasses \$500,000,000 in EB-5 Capital

1,000 Families from Around the World Choose to Invest in Civitas EB-5 Projects

[Civitas EB-5 Capital](#) announces today that more than 1,000 families from overseas have invested in the company's EB-5 projects. Since its founding in 2009, Civitas has successfully subscribed more than 20 funds, investing in a diverse range of projects from hotels and multifamily to assisted living facilities for underserved senior citizens.

The EB-5 Program was created by Congress in 1990 to stimulate the U.S. economy through job creation and capital investment by foreign investors. In return for a minimum investment of \$500,000 and provided that job creation requirements are met, investors are eligible for permanent U.S. residency. ([Read more](#))

# Kuafu Seeks \$50M in EB-5 Funding For 147 East 86th Street

U.S.-based Chinese developer pursuing \$500,000 each from 99 investors.

Kuafu Properties executives are recruiting foreign investors for the firm's 147 East 86th Street development, offering equity stakes and citizenship through the federal EB-5 visa program.

New York-based Kuafu, along with partners Ceruzzi Properties and Stillman Development International, hope to bring in \$49.5 million in total from 99 investors who will cough up \$500,000 a piece toward the \$340 million, 177,000-square-foot project. The project will be split two-thirds traditional debt financing and one-third equity financing. [\(Read more\)](#)



## EB-5 Due Diligence for Investors

What is due diligence?

According to Investopedia, due diligence is "An investigation or audit of a potential investment. Due diligence serves to confirm all material facts in regards to a sale. Generally, due diligence refers to the care a reasonable person should take before entering into an agreement or a transaction with another party."

Due diligence in the context of EB-5 investments

At a high level, an EB-5 investment is an at-risk investment made into a qualifying business that creates or preserves at least 10 full-time jobs. At the time of the writing of this article, the minimum investment amount is \$1,000,000, or \$500,000 in the case of an area that, at the time of investment, is a rural area or an area experiencing unemployment of at least 150 percent of the national average rate. [\(Read more\)](#)

**EB-5 Due Diligence for Investors**  
By Ian Lee, Esq.

**What is due diligence?**  
According to Investopedia, due diligence is "An investigation or audit of a potential investment. Due diligence serves to confirm all material facts in regards to a sale. Generally, due diligence refers to the care a reasonable person should take before entering into an agreement or a transaction with another party."

**Due diligence in the context of EB-5 investments**  
At a high level, an EB-5 investment is an at-risk investment made into a qualifying business that creates or preserves at least 10 full-time jobs. At the time of the writing of this article, the minimum investment amount is \$1,000,000, or \$500,000 in the case of an area that, at the time of investment, is a rural area or an area experiencing unemployment of at least 150 percent of the national average rate. The primary objective of an EB-5 investment is usually to obtain a 10% return. However, since the visa requires an investment, the secondary objective is often to meet investment return or at least a return of capital invested. As a result, due diligence for EB-5 investors generally centers around successfully (1) obtaining the EB-5 visa and (2) receiving investment, a return of the capital invested.

**risks**  
risks are high with an EB-5 investment. Not only is the dollar amount large, but the migration penalties that may occur with a failed investment are severe. It is important for investors to hire the necessary experts to help them analyze an EB-5 investment. Investors should consider hiring the following advisors:

## Calvo Says Interest in Guam High

There's so much interest in Guam, according to Governor Eddie Calvo, who is back from leading a trade mission in China last week. Governor Calvo says he met with interested investors in areas of logistics and transportation, infrastructure, tourism services and immigration policy.

"There was also interesting on particular to the EB5 Visa where obviously there are many individuals in China who look toward investing in Guam and the United States and also looking toward potential immigration policy such as what the EB5 Visa affords, but it was very successful and now its importantly for our governmental agencies that were involved to continue the dialogue and connect potential investors with businesses and entities in Guam as well," he said. [\(Read more\)](#)





# Woman Admits Defrauding Immigrants with Promises of Legal Status



A former resident of Mercer Island, who stole more than \$220,000 from immigrants with promises of immigration assistance, pleaded guilty in federal court Wednesday to wire fraud, following a probe by U.S. Immigration and Customs Enforcement's Homeland Security Investigations (HSI) and its Office of Professional Responsibility (OPR).

Dalia Ivette Singh, aka Dalia Pena, 61, who most recently resided in Clearwater, Florida, defrauded more than 40 immigrants from the Caribbean and Latin America. Singh charged some families as much as \$36,000, claiming she had a contact with [U.S. Citizenship and Immigration Services \(USCIS\)](#) who could provide the immigrants with

legal status in the United States. Singh claimed her USCIS contact ran a special program the immigrants could use to get legal status. There was no such program and no USCIS contact – Singh fabricated the story to defraud the victims. Singh's sentencing before U.S. District Judge Richard A. Jones is scheduled for Jan. 22, 2016. The case is being prosecuted by Assistant U.S. Attorney Erin Becker. ([Read more](#))

Related stories:

- [Former Mercer Island Resident Pleads Guilty to Defrauding Immigrants with Promises of Legal Status](#)
- [Former Washington State Woman Admits Defrauding Immigrants with Promises of Legal Status](#)

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# Counting Construction Jobs for EB5 Regional Center Job Creation

## Do Construction Jobs Count?

When starting an EB-5 regional center many want to know if direct construction jobs can be counted. The applicable rule for counting construction jobs in an EB-5 regional center project is that the construction time for the project must be two years in duration, from start to finish. If the project qualifies, direct construction jobs can be counted, but due to the nature of construction (teams work for relatively short time periods) these jobs must be calculated by an economist. Indirect construction jobs calculated by an economist are always allowable.

## How is 2 Years Defined?

There is some question as to when the construction period starts; is it when demolition or digging begins or is it when concrete is poured (i.e. the beginning of vertical construction)? USCIS does not have a definitive guideline on this point, however, we do try to encourage clients to try to focus on vertical construction in order to mitigate the risk that USCIS may not view demolition or digging as construction. ([Read more](#))

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# NES Financial to Be a Gold Sponsor at the 2015 IIUSA EB-5 Market Exchange



New solutions and programs will be highlighted at Silicon Valley Company's booth

The EB-5 industry continuously grows each year, and this event also presents an opportunity to meet new stakeholders and let them know about our leading solutions that can help them streamline their business processes.

NES Financial, the leading provider of EB-5 administration

solutions on the market, will be a gold sponsor at the Annual IIUSA EB-5 Market Exchange, October 21-23 in Dallas, Texas.

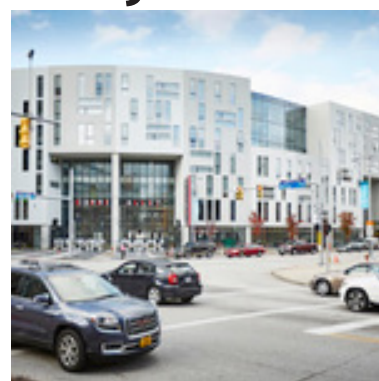
IIUSA is the leading trade association for the EB-5 industry. The IIUSA EB-5 Market Exchange is a unique event that brings together professionals from around the globe, gathering to network and discuss infrastructure and development opportunities in the U.S. Expert speakers from across the industry, including NES Financial Executive Vice President, Reid Thomas, will speak on trending topics such as immigration and investment. ([Read more](#))

# The Uptown Expansion EB-5 Project

The [Uptown Expansion Project](#) is CiF's fourth EB-5 project and the second development in Cleveland's University Circle neighborhood to receive EB-5 funding (CiF also issued an EB-5 loan to University Hospitals that partially financed construction of the Seidman Cancer Center in University Circle.) Developed by local real estate company MRN Ltd., the Uptown Expansion is a mixed-use project located on corner of Euclid Avenue and Ford Drive and builds off of the initial Uptown development.

The first Uptown development saw the construction of two three-story buildings, each divided into market-rate apartments on the top floors and retail space on the ground floor. The Uptown expansion mimics this layout, placing living space on the upper floors and retail space on the ground floor of a single, six-story building. The expansion

is located just south of the original Uptown project site, situated across Euclid Avenue from Cleveland's new Museum of Contemporary Art (MoCA) and a block southeast of the Cleveland Institute of Art (CIA) main campus. ([Read more](#))



# Thanks to EB-5 Provision, Witkoff's 1 Park Lane is in a Low-Income Neighborhood



The "Billionaires' Row" project is in a census tract with East Harlem public-housing projects

Under the EB-5 program, [Steve Witkoff's](#) skyscraper on "Billionaires' Row" is considered to be in a low-income area.

[Witkoff](#) is among several developers benefiting raking in financing, in part, due to census tracts shaped in order to comply with a stipulation of EB-5. The

provision requires that qualifying urban projects be constructed in rural places or areas with unemployment rates at least 150 percent of the national average, the Wall Street Journal reported. ([Read more](#))

Related stories:

- [Critics Decry Luxe Tower's 'Widespread Abuse' of Aid Program](#)
- [Swanky New York Condo Project Exploits Aid Program](#)

# Driftwood Hospitality Cuts Hotel Development Costs with EB-5 Funds

[Driftwood Hospitality Management](#) is doing more than simply taking checks from foreign investors seeking to buy residency in the United States through the EB-5 visa program.

The North Palm Beach-based company, which develops, manages and acquires hotel properties across the country and beyond, says it's using its EB-5 division in South Florida to build relationships and form future partnerships with wealthy visa-seekers. The goal is to churn out two hotels or more a year.

"The issue is that there's a lot of people asking for EB-5 [funds] without having the proper amount of capital. They are expecting to capitalize their deals through these investors," said [Carlos J. Rodriguez](#), executive vice president at Driftwood. "In those kinds of deals, the investor is running the risk. For us, EB-5 just lowers costs. We have the capital no matter what." ([Read more](#))



# The VIP Welcome Program Comes To Your Location!

The VIP Welcome program is now in Minnesota, Georgia, and California. We bring rapid results to incoming EB-5 applicants so they can travel, go sightseeing, and live everyday life comfortably during their first six months in the USA. Call Philip Cassone at 404-538-5063 today to book your next group! ([Read more](#))

# Need A Fast Track To Citizenship? Invest In These Orange County Luxury Hotels

[The Pasea Hotel](#), rising just “steps from the Huntington Beach pier,” offers the ultimate in luxury.

Restaurants, bars and suites feature ocean views. Guests paying more than \$300 a night can relax in a Balinese-inspired spa. Surf instructors are waiting “at the touch of a button.”

The hotel, under construction at the new Pacific City mall, sits in one of the swankiest spots on the coast.

On paper, however, it’s part of a high-unemployment zone, worthy of special federal treatment originally reserved for rural and blighted areas that struggle to attract

development dollars.

The Pasea Hotel is one of five Orange County developments qualifying as “targeted employment areas,” or TEAs, under the federal EB-5 program. The controversial program gives green cards – and a fast track to citizenship – to foreigners who invest in job-creating projects in the U.S. ([Read more](#))



## Will Rochester Rail Plan Leave River Cities in the Dust?



The latest plans for high-speed rail in Minnesota and the Upper Midwest would bypass Winona and other Mississippi River Valley communities in favour of Rochester.

In private discussions with top state officials this spring, a company called

North American High Speed Rail Group (NAHSR) proposed the construction of an elevated high-speed rail line following Highway 52 from the Minneapolis-St. Paul (MSP)

Airport area to Interstate 90 south of Rochester. According to the Minnesota Department of Transportation’s (Mn/DOT) records obtained through a data request, the rail line would be situated on platforms above the ground, within the highway right-of-way. The trains would travel at 260-280 miles per hour, fast enough to deliver travelers from Rochester to the MSP Airport in 30 minutes. Ultimately, NAHSR officials have said they hope to extend the high-speed line to Chicago. If they succeed, Winona and other Mississippi River Valley communities would likely lose out on the high-speed rail development — and its potential economic benefits — they have been looking forward to. ([Read more](#))

## EB-5 Loans: Low Rates, Big Reward

EB-5 investments take a variety of forms.

In some cases, the investor gets an ownership stake in a property, as with the Orange Medical Plaza, an office building across from St. Joseph Hospital being built with \$5 million in EB-5 investments.

Most typically, though, the EB-5 investment serves as mezzanine financing, or a subordinate loan that fills the gap between a company’s senior debt and its equity.

In those cases, investors get their money back, with a low return, after they get their permanent green cards – a process that takes up to five years.

Because investors’ primary concern is getting a green card, they’re willing to accept low interest rates, usually for less than 1 percent a year. ([Read more](#))



## MONTHLY HIGHEST RATED, LOWEST RISK SUITABLE PROJECTS DISCUSSION

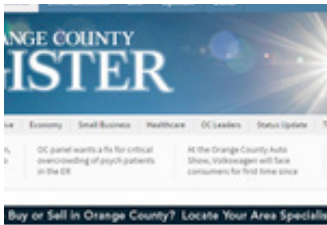
Q&A for investors, attorneys & advisors with analysts on which EB-5 projects contain the most and least risk and which are most suitable for investing. Free to USAvisors clients.



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# UCI Oddity A Gift For Developer



Gift for developer

How could Orange County's highest unemployment rate be at the leafy UC Irvine campus, set amid some of the lushest, priciest neighborhoods in the region?

The answer is, it's not.

State officials determined that in 2012 the jobless rate for the census tract encompassing the top-rated university was 27.8 percent – the highest in the county that year and four times greater than federal figures reported for the same tract.

A year later, however, the Employment Development Department changed its method for determining census tract unemployment rates. ([Read more](#))

# West Oakland Supermarket on Hold as Owners Fight in Court

A dispute between the owners of a West Oakland shopping center has derailed plans for the district's first supermarket in nearly a decade, leaving a prominent Oakland businessman facing a possible \$500,000 fine and his third lawsuit in the past year.

Hopes were high for the long-struggling Jack London Gateway shopping center last year when Thomas bought a majority stake in the property with the promise of renovating it and operating a high-end grocery store as the anchor tenant.

But the storefront at 800 Market St. remains an empty shell, as it has since 2007. And, the non-profit West Oakland Marketplace Advancement Company, which brought Henderson aboard as its partner, has filed a lawsuit against him charging that he has not made required payments on the \$3.7 million he owes in connection with buying the property. ([Read more](#))



# New Re-Development Project in Northern Fort Collins to Target Millennials



Energy-efficient living spaces, an indoor vertical farming and aquaponics center, a public market and collaborative workspaces are all expected features of the Sugar Beet District Project, proposed for north Fort Collins by developer [Mickey Willis](#) and his team.

constructed adjacent to the former Fort Collins Sugar Beet Factory, just north of the Cache la Poudre River, Mickey Willis said. It could be an outlet for Fort Collins' working-age population, particularly Colorado State University graduates, with spaces for living, work and play.

The final proposal will be submitted in the next six months to the Fort Collins City Council, Willis said.

"We want to create that space that will encourage graduates to stick around and make a life here," said Carson Willis, son of Mickey and the community benefit director. ([Read more](#))

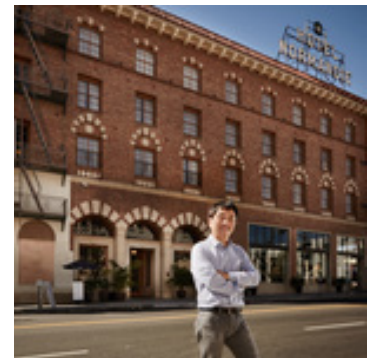
The comprehensive planned community would be

# Jingbo Lou: The Accidental Hotelier

Jingbo Lou did it for love. Why else would an ordinarily rational architect from Pasadena, Calif., buy a 1926 Renaissance-style hotel loaded with drug addicts and prostitutes and situated on a dodgy stretch of downtown Los Angeles's pre-gentrified Koreatown? The property, after all, had been hanging in foreclosure and was ultimately bailed on by the previous owner, who had brought Mr. Lou in for architectural consulting.

It started in March of 2011 with a call from a remote relative of Mr. Lou's wife who worked as a real estate broker. The relative was looking to negotiate a deal for a local

investor who wanted to purchase the decrepit and poorly located Hotel Normandie, rename it the 420 and—pending the legalization of marijuana in California—turn the structure into the state's first pot-friendly hotel. ([Read more](#))



# Allied Orion Group Breaks Ground on Block 384 in Houston, Texas

Allied Orion Develops Class a Downtown Mid-Rise Apartment Community

Allied Orion Group breaks ground on Block 384—a Class A, Mid-Rise Apartment Community in Downtown Houston. Pictured L to R: Ed Gonzalez, Houston Mayor Pro-Tem, Emilio Guzman - Houston EB5, Roberto Contreras - Houston EB5, Dick Sadka.

Allied Orion Group has broken ground on Block 384—a 242-unit exclusive apartment home community located in the heart of downtown Houston. The property is targeted to open 3rd quarter of 2017.

Allied Orion Group partnered with [Houston EB5](#) and ATMA to provide the equity for Block 384 development, and BancorpSouth Bank provided project financing. Located

at 1825 San Jacinto Street just off I-45 and U.S. 59, Block 384 is convenient to downtown businesses and a wide array of dining and entertainment options. St. Joseph's Medical Center, Discovery Green Park, Minute Maid Park, the Houston Museum District, Texas Medical Center and University of Houston are nearby, and both Houston airports are easily accessible. ([Read more](#))



# Woman Sues New World Technologies & Innovations LLC over Allegations Breach of Contract, Fraud

A Chinese citizen is suing a Johnstown-based company over claims of breach of contract and fraud.

Aihong Shao filed suit on Sept. 24 in the U.S. District Court for the Western District of Pennsylvania against New World Technologies & Innovations LLC; Juliet Zhang, also known as Juliet Luo, and Hong Luo; CaerVision Corp.; and CaerVision Technology Center Inc.

According to the complaint, Zhang befriended Shao and persuaded Shao to invest \$500,000 with Zhang's husband, Hong Luo, in New World, claiming the money would be invested in manner that qualified for EB-5, thereby allowing the plaintiff to obtain permanent residency in the United States. ([Read more](#))

# SEC Adds Millions to Developer's Alleged Fraud in Seattle



Developer [Lobsang Dargey](#) misappropriated as much as \$46 million invested by would-be immigrants in his downtown [Seattle Potlatch Tower](#), an attorney for a federal regulator claimed Tuesday during a hearing on a court-imposed asset freeze.

Dargey and his company, [Path America](#), on Aug. 24 for securities fraud.

SEC attorney Susan LaMarca said during a hearing before U.S. District Judge James Robart that after reviewing a nearly 1,000-page accounting ordered by the court, the agency concluded that only \$17 million of the \$63 million in immigrant-investor funds received for the tower was spent on "legitimate" purposes.

That would be more than twice the amount the [Securities and Exchange Commission \(SEC\)](#) alleged when it sued

The rest was used to pay other companies Dargey controls, sales commissions to investor-recruitment agents and expenses unrelated to the 40-story Seattle project, she said. ([Read more](#))

# Sonoma Developmental Center Closure Plan Goes to Legislature

The final plan to shutter the Sonoma Developmental Center in 2018 was submitted last week. A response from the state Legislature may not come until early next year.

After just three months of an accelerated public input period regarding the planned closure of the Sonoma Developmental Center, the Department of Developmental Services submitted its required Plan for Closure to the California State Legislature on Oct. 1.

As expected from the earlier draft closure plan released two scant weeks earlier, on Sept. 15, the final plan hews closely to the department's model of the Lanterman

closure in 2014, and seems to give scant weight to the hours of public testimony from guardians and parents of SDC residents, current and past employees, the Transform SDC coalition and other stakeholders.



"I think it is a continuation towards a fast track to closure," said Kathleen Miller of the SDC Parent Hospital Association. "Our loved ones appear expendable." ([Read more](#))

# Warner Robins Changes Gift Policy, Pushes Forward with TAD



Daniel Cummings of the Middle Georgia Regional Commission talks about the proposed tax allocation district at a public hearing during the Warner Robins City Council meeting 10-5-15.

The council did not vote on the proposal.

Daniel Cummings, senior government service specialist for the Middle Georgia Regional Commission, explained the TAD was proposed under the city's 2012 Urban Redevelopment Plan.

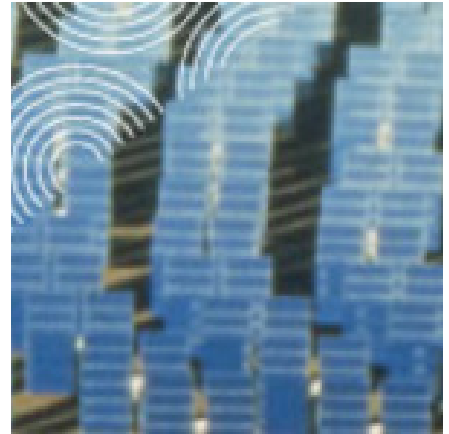
"In 2012, the timing wasn't cohesive to getting the tax allocation district solidified," Cummings said. "So council has determined, along with the mayor, that now is a good time to engage that." ([Read more](#))

A public hearing on a recently proposed tax allocation district drew only one question from the public at a City Council meeting Monday night.

# SEC Charges EB-5 Brokers for Not Registering

Multiple firms involved in the solicitation of investment capital for the Immigrant Investor Program (also known as "EB-5") have recently been charged by the SEC with acting as unregistered brokers. Neither [In re Ireeco, LLC](#), nor [SEC v. Luca Int'l Group, LLC](#), the first cases of this type, comes as a complete surprise (see "Immigrant Investor Program Raises SEC Broker Registration Issues" in the Summer 2014 Expect Focus).

create U.S. jobs. Because these investments frequently take the form of securities, firms that receive fees for facilitating the transactions



The EB-5 program allows foreign investors to qualify for U.S. residency by investing in new commercial enterprises that

may be required to register as brokers under the Securities Exchange Act of 1934. ([Read more](#))

# Seldon Closure is a Blow to Economy, Sources Say



The Windsor community was shocked last week when Seldon Technologies — which had been a great local success story — suddenly shut down its operations, leaving more than 30 employees out of work.

Local and regional officials familiar with the company said the closure left a huge void in the local economy.

Seldon Technologies, started in 2002, created cutting-edge water filtration systems using nanotechnology. It recently signed a \$20 million contract with a Mexican company to provide the water filtration technology to schools in that country. The deal was the Windsor firm's first major commercial contract. At the time of the announcement in July, Seldon Technologies officials expected to grow from 37 employees to 60 employees by early next year. ([Read more](#))



The screenshot shows the EB-5 Investments website with a navigation menu including PROJECTS, REGIONAL CENTERS, FIRMS, PROFESSIONALS, REPORTS, LITIGATION, MAPS, QUESTIONS, UPDATES, EVENTS, DUE DILIGENCE, and CONTACT. The main content area features several articles under the heading 'Project Updates':

- University Hospitals Project: Why EB-5** (July 30, 2015) - University Hospital's (UH) 'Vision 2010' expansion campaign saw the construction of several new hospital facilities and upgrades to existing facilities, that significantly increased UH's ability to serve patients. Thanks to imaginative leaders...
- Help Wanted As Burke Expands Ski Resort in Northeast Kingdom** (July 24, 2015) - There's a hiring spree going on in the ski resort town of Burke in the Northeast Kingdom. A new hotel and conference center due to open in December will need as many as 200 workers. The rush is on to find them as construction moves ahead. A...
- Northeast Kingdom's Q Burke Resort Gets Conditional Approval To Pitch Foreign Investors**
- EB-5 Articles, Firms, Regional Center & Project Updates** (August 01, 2015) - Orlando-based entrepreneur Todd Wilcox says that it was around April of last year that he first thought about the possibilities of running for U.S. Senate, a considerable feat to undertake for a lifelong nonpolitician in the nation's third-lar...
- Should you file an I-924 "Exemplar" Petition before September 30th?** (August 01, 2015) - Since the introduction on June 3, 2015 of the bipartisan American Job Creation and Investment Promotion Reform Act by Senators Patrick Leahy (D-Vt.) and Chuck Grassley (R-Iowa) the Grassley / Leahy Bill, there is increased discussion on whethe...
- Coventry Airport To Grow As Developers Look To Attract Visitors, Residents To**

On the right side of the screenshot, there is a 'Subscribe for News' form with a 'Subscribe' button and a 'Categories' list including Professional Updates (1), Firm Updates (3), Event Updates (9), Industry Updates (124), Direct Project Updates (18), Real Estate and Rental and Leasing (18), Construction (1), Educational Services (1), and Finance and Insurance (2). There is also a 'Leave a message' button at the bottom right.

# Immigrant Investors Key to Building Green Valley Hospital

The first U.S. hospital built from the ground up through a foreign-investment program was celebrated Monday by investors from nine countries.

Sparking interest in the new [Green Valley Hospital](#) was not a hard sell in Beijing, from where the majority of the investment came, said [Kyle Walker](#), principal with [Green Card Fund](#), which worked to secure financing for the project in China.

"We said, 'The average age in the community is 71 but there isn't a hospital within an hour's drive,'" he said. "The response was, 'Oh?'"

The Immigrant Investor Program, also known as EB-5, was created by Congress in 1990 to stimulate the U.S. economy. If job-creating requirements are met, investors can receive an expedited green card. ([Read more](#))

# Feds Wrest Control of Everett Developer's Company

Company was developing year-round farmers market site in Everett; CEO accused of fraud.

A federal judge late last week stripped developer Lobsang Dargey of control of his company Path America, which is building a large project in Everett, placing control in the hands of a third party. The judge's order allows a third party called a receiver to assess the situation and also potentially attempt

to untangle assets.

Path America is building the Potala Place apartment-and-retail high rise in Everett at the corner of Rucker and Grand avenues as well as a prominent 40-story tower in Seattle. ([Read more](#))

Related Story: [A Peek Inside Potala Place Everett](#)



# Panorama Tower Begins Accepting EB-5 Funding with Lower Goal

The developer of the 83-story [Panorama Tower](#) in Miami announced that it's now permitted to accept applications for funding through the city's regional EB-5 visa program; however, its funding goal has been lowered.

The EB-5 program allows foreign nationals to apply for a visa in exchange for making an investment of at least \$500,000 in a venture that

creates jobs in the United States. The city set up a regional center that can be used to fund these projects throughout South Florida.

The EB-5 program was set to expire on Sept. 30, yet Congress granted it a short term extension until Dec. 11. Many experts believe the program could have new terms should it be re-approved. ([Read more](#))



# Big Fenway Project with Chinese Backers Breaks Ground



[Pierce Boston](#), a 30-story residential tower, is planned for the junction of Boylston Street and Brookline Avenue in the Fenway.

The first big residential project in Boston financed in part by money from China broke ground Thursday.

It probably won't be the last. When developer Steve Samuels, Mayor Martin J. Walsh, and others lined up

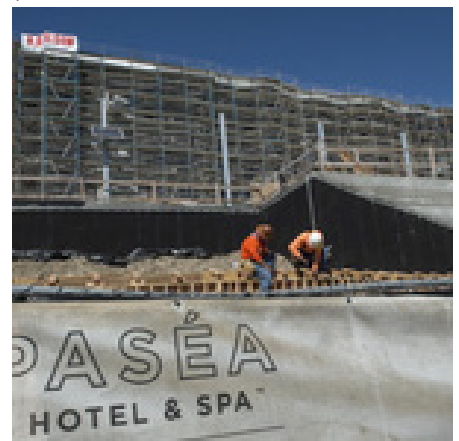
for a ceremonial groundbreaking at Pierce Boston, a 30-story luxury residential tower in the Fenway, one of the men hoisting a golden shovel was a top executive at one of the biggest home builders in China. ([Read more](#))

# Census Quirk Lets Wealthy Foreigners Seeking Green Cards Invest in O.C. Luxury at a Discount

Foreigners seeking green cards invested \$500,000 apiece to help build the [Pasea Hotel](#). The Huntington Beach project is considered in a high-unemployment zone.

The Pasea Hotel, rising just "steps from the Huntington Beach pier," offers the ultimate in luxury. Restaurants, bars and suites feature ocean views. Guests paying more than \$300 a night can relax in a Balinese-inspired spa. Surf instructors are waiting "at the touch of a button."

The hotel, under construction at the new Pacific City mall, sits in one of the swankiest spots on the coast. On paper, however, it's part of a high-unemployment zone, worthy of special federal treatment originally reserved for rural and blighted areas that struggle to attract development dollars. ([Read more](#))





## Related's 10 Hudson Yards to open March 2016

The 1.7M-square-foot office tower is 85 percent rented. The first skyscraper at [Hudson Yards](#) will open in just a few months, [Related Companies'](#) CEO Jeff Blau announced at a ceremony celebrating the building's topping off.

85 percent of the tower's 1.7 million square feet, Bloomberg reported.

"This building is basically full," said Blau. "Some of the tenants are not announced yet. But in a very short time you will hear some big announcements." ([Read more](#))

10 Hudson Yards, which reached its full 52-story height Wednesday, is also already mostly rented out, with Related obtaining commitments for

Related Story: [UPDATE 1-'Last Bucket' Hailed at NY Hudson Yards Project's First Building](#)

## New Canopy by Hilton Hotel Coming to Palm Beach County

West Palm Beach will be home to one of eight new Canopy by Hilton hotels.

The approximately \$37 million [Canopy hotel in West Palm Beach](#) is being developed by [Driftwood Hospitality Management](#) of North Palm Beach. Ground breaking is expected in May 2016, said Mike Diaz, Driftwood's chief operating officer.

Hilton Worldwide launched Canopy in October 2014, touting it as an energizing new neighborhood hotel concept. Each hotel will embrace local elements in its design and food and beverage.

The 150-room, 14-story Canopy hotel will be built about two blocks from CityPlace, West Palm Beach's downtown retail, dining and entertainment complex. It will be Driftwood's second hotel constructed through its EB-5 division, which allows foreigners to invest in new hotels. ([Read more](#))

Still in the dark about which investments are in the market?

**HARD TO TELL FACT FROM FICTION?**



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# Nazarian to Sell Stake in SLS Las Vegas Hotel

Sam Nazarian, founder and CEO of the SBE Entertainment Group, said of the deal: "The resort remains a valued member of the expanding collection of SBE branded and managed luxury hotels across the country and the globe."

Hotelier's company also giving up management of the money-losing property.

Hotelier Sam Nazarian has agreed to sell his minority stake in the [SLS Las Vegas hotel](#) and for his company to give up management of the money-losing property on the Las Vegas Strip.

Stockbridge Capital Partners, the San Francisco-based real-estate investor that owns 90% of the hotel, has agreed to buy the remaining 10% owned by Mr. Nazarian and his family, according to people familiar with the matter. ([Read more](#))



# 'Most Luxurious' Condo in Houston Gets Financing

Transwestern has arranged construction financing for the [Arabella](#), a 33-story luxury condominium tower in Houston on behalf of developer, Randall Davis of D.C. Partners.

private elevator entrances and private swimming pools on the balconies. The penthouses will have 12-foot ceilings and heated floors in the master bathrooms."

Arabella's financing structure was comprised of numerous tranches of capital, including a first lien construction loan, mezzanine construction loan and multiple EB-5 investors, along with local and international equity partners. ([Read more](#))

"The Arabella will be one of the most luxurious residential towers in the city," Michael Snodgrass, Transwestern's managing director, structured finance, told Commercial Property Executive. "Some of the residences will have

Related Story: [Latest Randall Davis Tower Receives Financing](#)


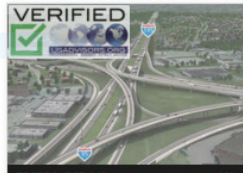



# Federal Express Facility in Oak Park, Michigan Ground Breaking

Press Release from Federal Express ([Read more](#))



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### The Source for Information on EB-5 Visa Investments

Verification and Due Diligence to help make the **SAFEST PROJECT SELECTION** and to keep clients informed on the Development and Operation of the Asset from Subscription until Exit

### SPECTRUM FAMILY ENTERTAINMENT CENTER



HAPPY HOLLOW CHARTER  
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HEALTH SCIENCES  
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MULTI-MODAL  
TRANSPORTATION STRUCTURE



GATES VASCULAR INSTITUTE



COAST TO COAST LINENS WEST PALM







## EB-5 Regional Centers

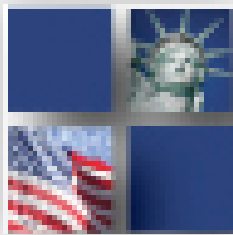
Regional Centers on Map TOP Rating

Filter by Name: I-924A? Select State: With Projects?: Select Project Category: Certified?: Designated?: Terminated?: Filter Reset

Displaying regional centers 1 - 30 of 659 in total

Regional Center	Firm & Managers	Certified	Projects	Mentions & Participations	I-924a	I-526	I-829	Media	Profile Rating	Activity
<p>Delaware Valley Regional Center                      (48%)                      ID: 1313451137                      Designation Date: May 27, 2014                      States: Delaware, Maryland, New Jersey, Pennsylvania                      NAICS: ?</p>	<p>Managers:</p> <ul style="list-style-type: none"> <li>Young Min Ban</li> </ul>	No	<p>Open Projects:</p>	<p>Mentions</p>	2014	-	-	<p>Reports: 0                      Video: 1                      Audio: 0                      Photos: 0                      Updates: 0</p>	<p>Rating: <span style="color: orange;">●●○○○</span>                      Profile Completion: <span style="color: orange;">Low</span>                      Projects Completion: <span style="color: green;">Good</span>                      Site Activity: <span style="color: green;">Excellent</span>                      Knowledge: <span style="color: gray;">Not Rated</span>                      Experience: <span style="color: orange;">Low</span>                      I-924A Rating: <span style="color: green;">Transparent</span></p>	<p>Followers: 3                      Fans: 0                      Last Update:                      Last Login:</p>

### [New England Regional Center for Economic Development Inc.](#)



### [Lexden-Hawaii Regional Center, LLC](#)



### [White Lotus Group Regional Center](#)



### [Golden Lamp Regional Center](#)



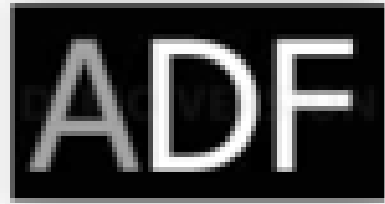
### [Pathway Capital Partners](#)



[Utah Regional Investment Fund, LLC](#)



[AMERICAN DREAM FUND  
Los Angeles Regional Center](#)



[New Hampshire EB-5 Regional Center](#)



[Guam Strategic Development Regional Center](#)



[Synergy California Green Hospitality Regional  
Center, LLC](#)



[Star of Texas Regional Center](#)



[Local Government Regional Center of Illinois](#)



[Oriental Dolphins EB-5 Regional Center](#)



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[EB-5 Jobs for Massachusetts, Inc.](#)



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Registered Investment Advisory firm specializing in performing due diligence and risk analysis on EB-5 visa projects

Law Office of Fred Voigtmann, P.C.  
Rating: 4.0/5.0 (47%)  
Fredrick W. Voigtmann is an attorney with experience in individual

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US EB-5 Program v. Canadian Investment Visa Program  
Valuation  
Visa Selection Process

Latest Questions

- Question on how long bridge financing can be in place - 22nd April 2015 (0 answers)
- Question on source of funds regarding using loan proceeds as qualifying capital - 22nd April 2015 (0 answers)
- Is there any kind of supervisor review before RFEs go out? - 22nd April 2015 (0 answers)
- Question on requirements for what is needed to prove capital - 22nd April 2015 (0 answers)
- Question on new policy memo - 22nd April 2015 (0 answers)
- Question on investment from proceeds of loan - 22nd April 2015 (0 answers)

**EB-5 Questions & Answers**

**EB-5 Immigration Process**

Can all of the invested funds be a gift?  
EB5Projects.com, February 07, 2015 05:40 AM 1

How are EB-5 funds usually returned after I-829 approval?  
EB5Projects.com, January 09, 2015 05:05 AM 1

How can I split my \$1 million investment between land purchase and working costs?  
I am planning to be an EB-5 investor (direct investment) and would like to invest \$1 million for a residential home developm...  
EB5Projects.com, April 21, 2015 03:53 AM 2

How can I stay in the United States for EB-5 if my J-1 visa will expire?  
I am in the United States on a J-1 visa which will expire in 10 weeks. I filed my I-526 four months ago for a direct EB-5 inv...  
EB5Projects.com, March 30, 2015 04:40 AM 1

How can someone without an employment history apply for EB-5?  
EB5Projects.com, January 09, 2015 05:10 AM 1

How much time it takes to process I-526 Petition?  
EB5Projects.com, December 01, 2014 11:47 PM 3

Is an investment in a regional center guaranteed?  
EB5Projects.com, February 07, 2015 05:36 AM 1

Question on Job creation asked during USCIS conference  
Thank you. My name is John Pratt. I'm an immigration practitioner for Miami Florida. Following up on

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- [How do investors become permanent residents if EB-5 is a visa program?](#)
- [How does an EB-5 investor's family member adjust their status after I-526 approval?](#)
- [How safe is an EB-5 investment?](#)
- [How will a spouse's I-485 denial affect an EB-5 investor's I-829?](#)
- [If I receive a visa eb-5 can i then leave the us and continue to work overseas after my initial arrival to validate the visa and how long can you remain outside the USA?](#)
- [How would an EB-5 policy change affect submitted I-526 applications?](#)

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9	10	11	12	13	14	15
				EB-5 in		
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				USCIS		
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				EB-5 Investors S	EB-5 Investors S	
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**EB-5 Visa Events**

- AUG 02** **4th Annual California EB-5 Conference**  
Hyatt Regency Century Plaza, 2025 Avenue of the Stars | Los Angeles, California, United States  
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4th Annual California EB-5 Conference With Keynote Speaker House Judiciary Chairman Bob Goodlatte EB5 Investors Magazine welcomes returning Keynote Speaker and House Judiciary Chairman Congressman Bob Goodlatte to the 4th Annual California EB...
- AUG 06** **BISNOW** **The Real Estate Money Machine: Chicago's Capital Markets Power Brokers**  
401 N Wabash Ave Chicago, IL 60611, Chicago, US  
**Price: \$85**
- AUG 13** **EB-5 Immigrant Investor Program: Stakeholder Engagement from Los Angeles**  
USCIS District Office, Los Angeles, CA, Los Angeles, US  
**Price: Free**
- AUG 20** **USCIS EB-5 Adjudication Trends: I-526/I-829 Petitions & I-924 Applications**  
Washington, DC 20001, US  
**Price: \$100**  
With investor demand reaching heights not seen before in 24-year history of the EB-5 Program, IIUSA has observed multi-year trends that shed light on new realities facing EB-5 stakeholders and how investor petitions are adjudicated by U.S. Citizen...
- AUG 27** **EB-5 Investors Summit: Representing EB-5 Investors & Regional Centers**  
The Venetian Resort Hotel Casino 3355 Las Vegas Boulevard South Las Vegas, NV, Las Vegas, US  
**Price: \$935**  
EB-5 Investors Summit: Representing EB-5 Investors & Regional Centers Two Days of Introductory and Advanced Content The EB-5 immigrant visa program was created to attract immigrant investors to invest capital, create jobs, and stimulate th...

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EB-5 PROJECT MARKETING OPPORTUNITY: AREA A NATIONAL  
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## FORM I-924A: STRATEGIES FOR FULFILLING THE ANNUAL EB-5 REGIONAL CENTER REPORTING REQUIREMENT



## 2015 出国移民中介行业交流峰会暨海外移民项目对接会 THE 4TH IMMIGRATION ABROAD AGENT CONGRESS



## ПРИЕЗД GARY ROYLE В РОССИЮ



**EB-5 INVESTMENTS**  
THE EB-5 VISA INVESTMENT MARKETPLACE

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ID	Plaintiffs	Defendants	Filing Date	Jurisdiction	Status	Causes of Action	Description	Attorneys, Regional Centers & Firms	Views
20	AWA LLC Mehrdad Elle	<a href="#">U.S. Immigration Investment Center LLC</a> <a href="#">U.S. Immigration Investment Center LLC</a> USIIC LLP USIIC ILP Mahnaz Khazen and Michael Shadman	July 27, 2015	Federal District Court for the Northern District of California	Pending	Securities Violations	In approximately October 2010, Elle sought to invest in a bank located in Washington, D.C. that was in jeopardy of failing due to a diminution in the value of the Bank's total assets. Several other... Documents: 1	<a href="#">U.S. Immigration Investment Center LLC</a>	33
19	Darley International LLC	<a href="#">South Dakota International Business Institute (SDIBI)</a>	October 06, 2014	Federal District Court for the Central District of California	Pending	Retaliation	The South Dakota Board of Regents said Friday that a California arbitrator has denied its attempt to recover attorney fees and costs in a lawsuit related to the state's EB-5 investment-for-green... Documents: 1 Posts: 1		27
18	<a href="#">USA Access the USA, LLC</a>	<a href="#">Citi Group Inc.</a> <a href="#">J.P. Morgan Securities</a> <a href="#">Merrill Lynch</a> Washington State	May 26, 2015	Federal District Court for the Western District of Washington	Pending	Due process violations	An investment firm specializing in helping wealthy foreigners buy into American public projects to secure green cards has sued Washington state claiming Chinese investors were unfairly cut out of... Posts: 2		61

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## U.S. DEPARTMENT OF JUSTICE VS. A LIMITED PARTNERSHIP INTEREST HELD IN THE NAME OF OR FOR THE BENEFIT OF SANG AH PARK IN THE PHILADELPHIA U.S. IMMIGRATION FUND



Action for forfeiture in rem of the defendant Sang Ah Park's Limited Partnership interest in the Philadelphia US Immigration Fund, a fund created and overseen by PIDC Regional Center. Park's \$500,000 EB-5 investment was allegedly traceable to corruption proceeds of the former President of Korea. Default judgment was entered.

## SANG GEUN AN, ET AL. VS. UNITED STATES OF AMERICA

Here, the 19 individual Plaintiffs are citizens of different Asian countries who participated in the EB-5 Program. In their complaint, Plaintiffs allege 1) improper retroactive application of the new rules, 2) estoppel preventing the government from denying Plaintiffs' I-829 petitions, 3) violation of the Administrative Procedures Act ("APA") for failing to issue the new rules through notice and comment rule-making procedures, 4) abuse of discretion in retroactively applying the new rules, 5) action exceeding statutory authority, and 6) violation of due process and equal protection.

## NICHOLAS MASTROIANNI II U.S. IMMIGRATION FUND – NY VS. DAVID FINKELSTEIN



Nicholas Mastroianni II, chief executive of Allied Capital and Development of South Florida and the public face of Harbourside, is in a legal war with a lesser-known figure: David Finkelstein, Allied's former chief financial officer. In a lawsuit in Palm Beach County Circuit Court, Mastroianni's Allied Capital sued Finkelstein, seeking a judge's ruling that Finkelstein is not entitled to any ownership interest in Allied Capital and Harbourside. Now Finkelstein has counter-claimed, alleging breach of contract due to Mastroianni's failure to abide by his promise to give Finkelstein equity interest.

# EB-5 INVESTMENTS

THE EB-5 VISA INVESTMENT MARKETPLACE

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