

THE UNITED STATES ATTORNEY'S OFFICE
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Department of Justice

U.S. Attorney's Office

Northern District of Ohio

FOR IMMEDIATE RELEASE

Friday, March 31, 2017

Massillon woman charged with defrauding banks out of \$2 million

A Massillon woman was charged with defrauding financial institutions out of more than \$2 million by having escrow funds on home purchases deposited into her personal account, Acting U.S. Attorney David A. Sierleja said.

Kimberlee E. Himmell, 62, was charged with 18 counts of bank fraud and one count of theft of government funds.

Himmell owned and operated Netwide Title Agency, Inc., located at 3711 Lincoln Way East in Massillon. General Title Insurance Company, located in Cleveland, was Netwide's underwriter and responsible for auditing Netwide, according to the information.

Netwide, at the direction of Himmell, began in 2007 instructing all lenders doing business with Netwide as a title agency and utilizing its escrow services to wire all incoming lending proceeds to Himmell's personal account, instead of Netwide's corporate account, according to the criminal information filed in the case.

Himmell then used the deposited funds for her own personal use and for Netwide's operational expenses without disclosing to lenders that she was not holding the funds in escrow, as she represented she would, according to the information.

Himmell closed at least 19 real estate transactions in 2013 and 2014 wherein Netwide received escrow funds and failed to pay or release the funds to the prior owner's pre-existing mortgage. This causes financial losses to lenders and/or sellers of homes in Richmond Heights, North Canton, Willowick, Concord, Strongsville, Newbury, Brunswick, Wadsworth, Medina, Painesville, Parma, Akron, Twinsburg, Brecksville and Millersburg, according to the information.

Netwide's underwriter, General Title, was contractually obligated to make lenders whole. The loss to General Title as a result of Himmell's conduct was at least \$2,111,014, according to the information.

If convicted, the defendant's sentence will be determined by the court after review of factors unique to this case, including the defendant's prior criminal record, if any, the defendant's role in the offense and the characteristics of the violations. In all cases, the sentence will not exceed the statutory maximum and, in most cases, it will be less than the maximum.

This case is being prosecuted by Assistant U.S. Attorney Mark S. Bennett following an investigation by the U.S. Department of Housing and Urban Development – Office of Inspector General, the Federal Housing Finance Agency – Office of Inspector General and the Federal Bureau of Investigation.

An information is a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government's burden to prove guilt beyond a reasonable doubt.

Topic(s):

Financial Fraud

Component(s):

USAO - Ohio, Northern

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