

Austin Jury Finds Danish Woman Was Defrauded in \$1.35M Condo Sale

A Travis County jury has returned a verdict against Chicago Title of Texas, LLC and other real estate-related businesses, finding they defrauded a young Danish woman of all proceeds from the sale of her \$1.35 million condominium at the exclusive Residences at W Austin, according to a post on the website of **Androvett Legal Media & Marketing**.

The scheme involved a falsified power of attorney to execute contracts and closing documents in the sale of the condo, and a forgery in connection with a subsequent sale of a promissory note.

The Androvett post continues:

Mari-Louise Larsen, a Danish citizen, filed the breach of fiduciary duty and fraud claim in 2013 against her estranged husband, Andre Jones, an Austin-area resident, as well as Chicago Title and the other firms. Larsen, now 30, first met Jones in Austin's Sixth Street entertainment district while visiting the area in 2007. After a long-distance courtship, the couple married in Denmark in 2009.

While in Denmark and waiting to move to Austin, Larsen testified she agreed to buy the luxury high-rise condo in Austin with funds from a family inheritance. However, Jones convinced her that Texas law required the names of both spouses to be on the title, despite the fact it was her separate property. Larsen and Jones later decided to divorce and sell the property. Jones then convinced Chicago Title's contracted fee attorney, Wally Tingley, to use falsely notarized documents to close the sale without his wife's knowledge. Jones pocketed all of the profits as the marriage

deteriorated.

“This is a case of a con artist taking advantage of a wealthy young woman and actively working with others to violate the law and professional standards in the real estate industry,” said Larsen’s lawyer, **Brian N. Hail** of **Gruber Elrod Johansen Hail Shank LLP** in Dallas. “As acknowledged by Chicago Title and its fee attorney, this was one of the worst real estate transactions anyone has ever seen.”

Hail believes the jury’s finding that Chicago Title is responsible for the actions of its fee attorneys may have significant implications on future litigation involving the real estate industry.

“The jury finding that Chicago Title is vicariously liable for its fee attorney, due to the control it exerted throughout the entire transaction, may call into question the company’s entire business model of attempting to delegate closing and escrow responsibilities in the Texas market, and perhaps nationwide.”

In addition to Chicago Title and Jones, the Austin firm of Wally Tingley & Associates, P.C., and Austin-based JTRE0, Inc. were found liable in the scheme.

Hail plans to file a proposed final judgment order of more than \$3.7 million in Travis County’s 419th District Court. The order will be based on a request for all proceeds from the condo sale, in addition to pre-judgment interest and costs. Punitive damages were assessed against Jones in the amount of \$2 million.

The case is *Larsen v. Jones, et al.*, No. D-1-GN-13-004321. Ms. Larsen is represented by Brian N. Hail, Brian E. Mason, and Gaby Gutierrez Rawlings.