

Question

The husband lost his home, which he used as a place of business, as a result of the fraudulent scheme. The husband suffered financial losses due to the emptying of the joint bank account and the concealment of funds. Under 18 U.S.C. § 1964(c), a plaintiff in a civil RICO case must demonstrate injury to their business or property caused by the RICO violation. The husband's loss of his home and financial resources directly resulted from the wife's and stepfather's fraudulent acts, satisfying the injury requirement for a civil RICO claim.

Answer (U.S. Federal)

Short response

The husband's loss of his home used as a place of business and the financial losses from the emptied joint bank account satisfy the "injury to business or property" requirement under [18 U.S.C. § 1964\(c\)](#) for a civil RICO claim. The direct connection between these concrete financial losses and the alleged fraudulent scheme by his wife and stepfather establishes the proximate causation necessary for RICO standing.

Summary

The husband's civil RICO claim is supported by established legal principles requiring a plaintiff to demonstrate injury to "business or property" caused by a RICO violation under [18 U.S.C. § 1964\(c\)](#). The husband has suffered concrete financial losses through the loss of his home (which was also used as a place of business) and through the emptying of a joint bank account and concealment of funds. These injuries represent precisely the kind of concrete, pecuniary injuries to proprietary interests that courts have consistently recognized as satisfying the "business or property" requirement under RICO.

Furthermore, the direct connection between the alleged fraudulent acts committed by the wife and stepfather and the husband's financial losses establishes the proximate causation mandated by Supreme Court precedent interpreting the "by reason of" language in the statute. The fraudulent scheme directly led to the husband's injuries, satisfying the RICO requirement that there be a direct relationship between the alleged violation and the resulting harm. This analysis is supported by multiple federal court decisions that have interpreted the injury and causation requirements under [18 U.S.C. § 1964\(c\)](#).

Background and Relevant Law

Legislative Framework

The Racketeer Influenced and Corrupt Organizations Act (RICO) provides a civil remedy for individuals who have suffered certain types of injuries due to racketeering activity. The relevant statutory provision for civil RICO claims is found in [18 U.S.C. § 1964\(c\)](#), which states:

"Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee..." [18 U.S.C. § 1964\(c\)](#) (2025).

This provision creates a private right of action for individuals who can demonstrate that they have been injured in their "business or property" due to a violation of 18 U.S.C. § 1962, which prohibits various forms of racketeering activity. Successful plaintiffs are entitled to treble damages, as well as the costs of the suit, including reasonable attorney's fees.

Case Law on "Injury to Business or Property"

Federal courts have extensively interpreted the "injury to business or property" requirement under [18 U.S.C. § 1964\(c\)](#), providing clear guidelines for what types of injuries qualify for civil RICO claims.

Supreme Court Precedent

In [Bridge v. Phoenix Bond & Indem. Co., 553 U.S. 639 \(2008\)](#), the Supreme Court explained that "RICO provides a private right of action for treble damages to '[a]ny person injured in his business or property by reason of a violation,' as pertinent here, of § 1962(c), which makes it 'unlawful for any person employed by or associated with' a qualifying enterprise 'to conduct or participate ... in the conduct of such enterprise's affairs through a pattern of racketeering activity,' including 'mail fraud,' § 1961(1)(B)."

In [Holmes v. Securities Investor Protection Corporation, 503 U.S. 258 \(1992\)](#), the Supreme Court further clarified that "RICO authorizes '[a]ny person injured in his business or property by reason of a violation of section 1962' to sue for treble damages in federal court. [18 U.S.C. § 1964\(c\)](#)." The Court also emphasized that "a RICO plaintiff 'only has standing if, and can only recover to the extent that, he has been injured in his business or property by [reason of] the conduct constituting the violation.'"

It should be noted that [Holmes](#) has been stated as vacated by *State v. Swafford*, 654 S.E.2d 297, 375 S.C. 637 (S.C. App. 2007). However, this subsequent treatment appears to be in a state court context and does not affect [Holmes](#)'s authority as binding Supreme Court precedent on federal RICO claims.

Circuit and District Court Interpretations

In [Diaz v. Gates, 420 F.3d 897 \(9th Cir. 2005\)](#), the Ninth Circuit reaffirmed that "the Racketeer Influenced and Corrupt Organizations Act ('RICO'), 18 U.S.C. §§ 1961-68, provides a civil remedy of treble damages to '[a]ny person injured in his business or property by reason of a violation of section 1962 of this chapter.'" The court referenced *Sedima, S.P.R.L. v. Imrex Co.*, which established that "the plaintiff only has standing if, and can only recover to the extent that, he has been injured in his business or property by the conduct constituting the violation."

More recent cases have continued to clarify the requirements for establishing a RICO injury. In [La Ronde-Bey v. Chica](#) (M.D. Pa. 2024), the court emphasized that "a plaintiff only has standing to bring a RICO claim if, and can only recover to the extent that, he has been injured in his business or property by the conduct constituting the violation." The court further explained that "a plaintiff must allege (and eventually prove) that he suffered a concrete financial loss in the form of an injury to business or property. Allegations of 'personal injury or emotional harm are not proper bases for a RICO claim.'"

Similarly, in [Sunbelt Rentals, Inc. v. Second Life Equip., Civil Action 5:20-CV-00070-KDB-DSC \(W.D. N.C. May 06, 2022\)](#), the court outlined the elements of a RICO claim under 18 U.S.C. § 1962(c) as "(1) the conducting; (2) of an enterprise; (3) through a pattern; (4) of racketeering activity." The court noted that [18 U.S.C. § 1964](#) "creates a cause of action for '[a]ny person injured in his business or property by reason of a violation of [18 U.S.C. § 1962].'"

In [Ehmann v. Desert Palace, LLC, Case No. 2:19-cv-01199-APG-BNW \(D. Nev. Sep 29, 2020\)](#), the court reiterated that "in a civil RICO case, the plaintiff must show (1) conduct, (2) of an enterprise, (3) through a pattern, (4) of racketeering activity, (5) causing injury to the plaintiff's business or property." The court also noted that "to have standing to sue under § 1964(c), a plaintiff must show '(1) that his alleged harm qualifies as injury to his business or property and (2) that his harm was 'by reason' of the RICO violation, which requires the plaintiff to establish proximate causation.'"

The "By Reason Of" Requirement and Proximate Causation

Courts have consistently interpreted the "by reason of" language in [18 U.S.C. § 1964](#)(c) to require proximate causation between the RICO violation and the injury to business or property.

In [BCCI Holdings v. Khalil, Civil Action No. 95-1252 \(D. D.C. 6/23/1999\)](#), the court explained that "because Count I is a civil RICO claim, § 1964(c) requires that the Liquidators show injury caused 'by reason of' Khalil's violation of § 1962(b). The statute's 'by reason of' phrase incorporates the principle of proximate causation."

The Supreme Court's decision in [Holmes](#) established that the "by reason of" language in § 1964(c) requires a direct relationship between the injury and

the alleged RICO violation. This principle has been followed in numerous subsequent cases, including [P & P MARKETING, INC. v. Ditton, 746 F. Supp. 1354 \(N.D. Ill. 1990\)](#), where the court rejected attempts to narrow civil RICO actions by requiring a special "racketeering injury," instead holding that any injury resulting from the conduct alleged to constitute the violation of RICO is sufficient.

Secondary Materials on RICO Injury Requirements

Secondary materials provide further clarity on what constitutes a compensable injury under civil RICO. According to [Civil RICO: A Tool of Advocacy](#) (2024), "to recover damages under civil RICO requires proof of concrete financial loss and not merely injury to a valuable intangible property interest. The measure of damages is the harm caused by the predicate acts constituting the pattern of racketeering activity."

Similarly, [Defending RICO Claims In The Business Context Part II: RICO Claims Must Allege Injury To Business Or Property](#) (2022) states that "if a plaintiff brings a civil suit alleging a RICO violation, the plaintiff must plausibly allege that his injury animating the RICO claim is associated with his business or property by reason of the defendant's violation of the RICO laws." The article further notes that "most courts have construed them narrowly to mean that there must be a pecuniary injury to a proprietary interest, and thus a plaintiff must show some sort of concrete financial loss."

[PAYORS, PLAYERS, AND PROXIMATE CAUSE](#) (2022) reinforces the proximate cause requirement, explaining that "when a court evaluates a RICO claim for proximate causation, the central question it must ask is whether the alleged violation led directly to the plaintiff's injuries."

Analysis

The Husband's Loss of Home and Financial Resources Constitute "Injury to Business or Property"

Loss of Home Used as a Place of Business

The husband's loss of his home, which he used as a place of business, clearly constitutes an injury to both his property and business interests under [18 U.S.C. § 1964\(c\)](#). Real property, such as a home, is unquestionably a proprietary interest that falls within the scope of "property" under RICO. When that property is also used as a place of business, its loss represents an even more direct injury to the plaintiff's business interests.

The requirement articulated in [La Ronde-Bey v. Chica](#) (M.D. Pa. 2024) that a plaintiff must demonstrate "a concrete financial loss in the form of an injury to business or property" is clearly satisfied here. The loss of real property represents a definable, concrete financial loss, distinct from mere personal injury or emotional harm, which the court explicitly stated "are not proper bases for a RICO claim."

Similarly, the guidance from *Defending RICO Claims In The Business Context Part II* (2022) that "there must be a pecuniary injury to a proprietary interest" is satisfied by the loss of the home. The article further notes that "the injury must be ascertainable and definable, such as when a plaintiff is deprived of the ability to use or transfer property." The husband's loss of his home represents exactly this type of definable injury, as he has been deprived of the ability to use the property both as a residence and as a place of business.

Financial Losses from Emptied Joint Bank Account and Concealed Funds

The husband's financial losses resulting from the emptying of a joint bank account and concealment of funds also satisfy the "injury to business or property" requirement under [18 U.S.C. § 1964\(c\)](#). Money in a bank account is clearly property, and its loss constitutes a concrete financial injury.

In *BCCI Holdings v. Khalil* (D. D.C. 1999), the court recognized that financial losses resulting from fraudulent schemes can satisfy the injury requirement for civil RICO claims. The court noted that "as a direct and proximate result of Khalil and Akbar's scheme to conduct the affairs of Capcom through a pattern of racketeering activity, in violation of 18 U.S.C. § 1962(c) and (d), the BCCI Group and their innocent creditors and depositors were injured in their business and property, as contemplated by [18 U.S.C. § 1964\(c\)](#)."

The secondary material [Civil Rico: A Tool of Advocacy](#) (2024) confirms that "to recover damages under civil RICO requires proof of concrete financial loss." The husband's loss of funds from the joint bank account represents precisely this type of concrete financial loss, making it a compensable injury under civil RICO.

The Fraudulent Scheme Proximately Caused the Husband's Injuries

Direct Causal Relationship

The husband's loss of his home and financial resources "directly resulted from the wife's and stepfather's fraudulent acts," establishing the proximate causation required under [18 U.S.C. § 1964\(c\)](#).

In [Holmes v. Securities Investor Protection Corporation](#) (1992), the Supreme Court established that a RICO plaintiff "only has standing if, and can only recover to the extent that, he has been injured in his business or property by [reason of] the conduct constituting the violation." While [Holmes](#) has been stated as vacated by *State v. Swafford* (S.C. App. 2007), this subsequent treatment appears limited to a state court context and does not diminish [Holmes](#)'s authority on federal RICO claims.

The requirement of a direct causal relationship was further clarified in [PAYORS, PLAYERS, AND PROXIMATE CAUSE](#) (2022), which stated that "when a court evaluates a RICO claim for proximate causation, the central

question it must ask is whether the alleged violation led directly to the plaintiff's injuries." Here, the fraudulent scheme allegedly perpetrated by the wife and stepfather directly led to the husband losing his home and financial resources, satisfying this requirement.

In [Ehmann v. Desert Palace, LLC](#) (D. Nev. 2020), the court explained that to have standing under § 1964(c), a plaintiff must show "that his harm was 'by reason' of the RICO violation, which requires the plaintiff to establish proximate causation." The direct connection between the fraudulent acts and the husband's losses establishes this proximate causation.

Pattern of Racketeering Activity

If the wife and stepfather engaged in a pattern of fraudulent acts that constitutes racketeering activity under RICO, then the husband's injuries resulting from those acts would satisfy the causation requirement for a civil RICO claim.

As stated in [Chapter 4. Elements of Cause of Action](#), "in civil RICO actions, however, § 1964(c) requires proof that the pattern of mail fraud violations, not some other act, caused the plaintiff's injury to business or property." If the fraudulent scheme involved predicate acts such as mail fraud, wire fraud, or other racketeering activities defined in the RICO statute, then the causal connection between those acts and the husband's injuries would support a civil RICO claim.

[Bridge v. Phoenix Bond & Indem. Co.](#) (2008) confirms that RICO provides a private right of action for treble damages to any person injured in his business or property by reason of a pattern of racketeering activity, including mail fraud. If the wife and stepfather's fraudulent scheme involved such predicate acts, the husband's resulting injuries would be compensable under civil RICO.

Combining Business and Property Injuries

The fact that the husband's home was also used as a place of business strengthens his civil RICO claim by establishing injuries to both business and property interests. While either type of injury alone would be sufficient to satisfy the statutory requirement, the combination of both types of injuries provides an even stronger basis for standing under [18 U.S.C. § 1964\(c\)](#).

In [Arizona Premium Finance, Inc. v. Bielli](#), 77 F.Supp.2d 341 (E.D. N.Y. 1999), the court outlined the requirements for a civil RICO claim, which include proving "that the defendant (2) through the commission of two or more acts (3) constituting a 'pattern' (4) of 'racketeering activity' (5) directly or indirectly invests in, or maintains an interest in, or participates in (6) an 'enterprise' (7) the activities of which affect interstate or foreign commerce."

If the wife and stepfather's fraudulent scheme satisfies these requirements, and that scheme directly caused the husband's loss of his home (used as a

place of business) and financial resources, then the husband has established the necessary elements for a civil RICO claim under [18 U.S.C. § 1964\(c\)](#).

Exceptions and Caveats

Personal Injury and Emotional Harm

While the husband's financial losses and loss of property clearly qualify as injuries to "business or property" under RICO, any claims for personal injury or emotional harm would not be compensable under civil RICO.

As stated in [La Ronde-Bey v. Chica](#) (M.D. Pa. 2024), "allegations of 'personal injury or emotional harm are not proper bases for a RICO claim.'" If the husband is also claiming damages for emotional distress, mental anguish, or other forms of personal injury resulting from the fraudulent scheme, those specific damages would not be recoverable under civil RICO, even if they stemmed from the same fraudulent acts that caused the property and business injuries.

Additional Elements Required for a Civil RICO Claim

While the husband's injuries may satisfy the "injury to business or property" requirement under [18 U.S.C. § 1964\(c\)](#), a successful civil RICO claim requires proving several additional elements beyond injury.

As outlined in [Sunbelt Rentals, Inc. v. Second Life Equip.](#) (W.D. N.C. 2022), the elements of a RICO claim under 18 U.S.C. § 1962(c) are "(1) the conducting; (2) of an enterprise; (3) through a pattern; (4) of racketeering activity." Similarly, [Arizona Premium Finance, Inc. v. Bielli](#) (E.D. N.Y. 1999) lists seven constituent elements for a civil RICO claim.

The husband would need to establish all of these elements, not just injury, to succeed in a civil RICO action. This includes proving that the wife and stepfather were involved in an "enterprise" as defined by RICO, that they engaged in a "pattern" of "racketeering activity" as defined in the statute, and that their activities affected interstate or foreign commerce.

Conclusion

Based on the legislative framework, case law, and secondary materials analyzed above, the husband's loss of his home (used as a place of business) and financial resources due to the fraudulent scheme satisfies the "injury to business or property" requirement under [18 U.S.C. § 1964\(c\)](#) for a civil RICO claim.

The loss of the home represents a concrete, pecuniary injury to a proprietary interest, which is precisely the type of injury that courts have recognized as compensable under civil RICO. This injury is particularly strong because the home was also used as a place of business, establishing injuries to both property and business interests. Similarly, the financial losses from the emptied joint bank account and concealed funds constitute

concrete financial losses that qualify as injuries to property under the statute.

The direct causal connection between the alleged fraudulent acts by the wife and stepfather and the husband's resulting injuries establishes the proximate causation required by the "by reason of" language in [18 U.S.C. § 1964\(c\)](#), as interpreted by the Supreme Court and lower federal courts.

While the husband's injuries satisfy the "injury to business or property" requirement, a successful civil RICO claim would also require proving several additional elements, including the existence of an enterprise, a pattern of racketeering activity, and the impact on interstate or foreign commerce. Additionally, while the property and business injuries are compensable under civil RICO, any claims for personal injury or emotional harm would not be recoverable under the statute.

In conclusion, the husband's loss of his home and financial resources directly resulting from the wife's and stepfather's fraudulent acts satisfies the injury requirement for a civil RICO claim under [18 U.S.C. § 1964\(c\)](#), providing a basis for seeking treble damages and attorney's fees as provided by the statute.

Legal Authorities

[P & P MARKETING, INC. v. Ditton, 746 F. Supp. 1354 \(N.D. Ill. 1990\)](#)

U.S. District Court — Northern District of Illinois

Extract

Civil actions for RICO violations are authorized by Section 1964(c) which provides that 'any person injured in his business or property by reason of a violation of Section 1962' may recover treble damages and costs including attorney's fees. 18 USC § 1964(c)... In *Sedima*, the Court rejected attempts to narrow or limit civil RICO actions by interpreting the injury element to require a special 'racketeering injury' as opposed to just an injury resulting from the conduct alleged to constitute the violation of RICO.

Summary

The passage explains that under 18 U.S.C. § 1964(c), a plaintiff can recover damages if they are injured in their business or property due to a RICO violation. The *Sedima* case further clarifies that the injury does not need to be a special "racketeering injury" but can be any injury resulting from the conduct that constitutes the RICO violation. This supports the proposition that the husband's financial losses and loss of his home, used as a place of business, due to fraudulent acts, satisfy the injury requirement for a civil RICO claim.

[Diaz v. Gates, 420 F.3d 897 \(9th Cir. 2005\)](#)

U.S. Court of Appeals — Ninth Circuit

Extract

The Racketeer Influenced and Corrupt Organizations Act ('RICO'), 18 U.S.C. §§ 1961-68, provides a civil remedy of treble damages to '[a]ny person injured in his business or property by reason of a violation of section 1962 of this chapter.' *Id.* at § 1964(c). See *Sedima, S.P.R.L. v. Imrex Co.*, 473 U.S. 479, 496, 105 S.Ct. 3275, 87 L.Ed.2d 346 (1985) ('[T]he plaintiff only has standing if, and can only recover to the extent that, he has been injured in his business or property by the conduct constituting the violation.').

Summary

For a plaintiff to have standing in a civil RICO case, they must demonstrate an injury to their business or property caused by a RICO violation. The passage from "*Diaz v. Gates*" emphasizes that the injury must be to business or property, not personal injury, and that the plaintiff can only recover if they have been injured in their business or property by the conduct constituting the violation. This supports the proposition that the husband's loss of his home and financial resources, which are considered injuries to business or property, satisfies the injury requirement for a civil RICO claim.

[Bcci Holdings \(Luxembourg\) Societe Anon. v. Khalil, 56 F.Supp.2d 14 \(D. D.C. 1999\)](#)

U.S. District Court — District of Columbia

Extract

A special RICO provision — commonly known as civil RICO — permits '[a]ny person injured in his business or property by reason of a violation' of RICO's criminal provisions to recover treble damages and attorneys fees. § 1964(c). ... Because Count I is a civil RICO claim, § 1964(c) requires that the Liquidators show injury caused 'by reason of' Khalil's violation of § 1962(b). The statute's 'by reason of' phrase incorporates the principle of proximate causation. ... As a direct and proximate result of defendants' agreement to conduct the affairs of the BCCI enterprise through a pattern of racketeering activity, the BCCI Group and its innocent creditors and depositors were injured in their business and property, as contemplated by § 1964(c).

Summary

N example where the BCCI Group and its creditors were injured due to a pattern of racketeering activity, which aligns with the proposition that the husband's financial losses and loss of home were directly caused by fraudulent acts, satisfying the injury requirement.

[BCCI Holdings v. Khalil, Civil Action No. 95-1252 \(D. D.C. 6/23/1999\) \(D. D.C. 1999\)](#)

U.S. District Court — District of Columbia

Extract

A special RICO provision — commonly known as civil RICO permits '[a]ny person injured in his business or property by reason of a violation' of RICO's criminal provisions to recover treble damages and attorneys fees. § 1964(c). ... Because Count I is a civil RICO claim, § 1964(c) requires that the Liquidators show injury caused 'by reason of' Khalil's violation of § 1962(b). The statute's 'by reason of' phrase incorporates the principle of proximate causation. See *Holmes v. Securities Investor Protection Corp.*, 503 U.S. 258, 265-68 (1992). ... As a direct and proximate result of Khalil and Akbar's scheme to conduct the affairs of Capcom through a pattern of racketeering activity, in violation of 18 U.S.C. § 1962(c) and (d), the BCCI Group and their innocent creditors and depositors were injured in their business and property, as contemplated by 18 U.S.C. § 1964(c).

Summary

Requirement under 18 U.S.C. § 1964(c) for a plaintiff in a civil RICO case to demonstrate injury to their business or property caused by a RICO violation. It emphasizes the need for proximate causation between the RICO violation and the injury. The case illustrates how fraudulent schemes resulting in financial losses and property damage can satisfy the injury requirement for a civil RICO claim. This directly supports the proposition that the husband's financial losses and loss of his home, used as a place of business, due to fraudulent acts, meet the injury requirement under civil RICO.

[Bridge v. Phoenix Bond & Indem. Co., 128 S.Ct. 2131, 170 L.Ed.2d 1012, 553 U.S. 639, 8 Cal. Daily Op. Serv. 6929, 21 Fla. L. Weekly Fed. S 295, 76 USLW 4381, 2008 Daily Journal D.A.R. 8339 \(2008\)](#)

U.S. Supreme Court

Extract

RICO provides a private right of action for treble damages to '[a]ny person injured in his business or property by reason of a violation,' as pertinent here, of § 1962(c), which makes it 'unlawful for any person employed by or associated with' a qualifying enterprise 'to conduct or participate ... in the conduct of such enterprise's affairs through a pattern of racketeering activity,' including 'mail fraud,' § 1961(1)(B).

Summary

The passage from the Supreme Court decision clarifies that under 18 U.S.C. § 1964(c), a plaintiff must demonstrate injury to their business or property caused by a RICO violation. The husband's loss of his home and financial resources due to fraudulent acts aligns with the requirement of being "injured in his business or property by reason of a violation" of RICO. The fraudulent scheme involving the wife and stepfather could be considered a pattern of racketeering activity, such as mail fraud, which is covered under RICO.

[Arizona Premium Finance, Inc. v. Bielli, 77 F.Supp.2d 341 \(E.D. N.Y. 1999\)](#)

U.S. District Court — Eastern District of New York

Extract

To state a claim for damages under RICO a plaintiff has two pleading burdens. First, he must allege that the defendant has violated the substantive RICO statute, 18 U.S.C. § 1962 (1976), commonly known as 'criminal RICO.' In so doing, he must allege the existence of seven constituent elements: (1) that the defendant (2) through the commission of two or more acts (3) constituting a 'pattern' (4) of 'racketeering activity' (5) directly or indirectly invests in, or maintains an interest in, or participates in (6) an 'enterprise' (7) the activities of which affect interstate or foreign commerce.... Plaintiff must allege adequately defendant's violation of section 1962 before turning to the second burden — i.e., invoking RICO's civil remedies of treble damages, attorneys fees and costs....

Summary

Requirements for a civil RICO claim, which include demonstrating a violation of the substantive RICO statute and showing a pattern of racketeering activity. The husband's situation, involving financial losses due to fraudulent acts, aligns with the need to demonstrate injury to business or property caused by a RICO violation. The passage supports the proposition by confirming that such injuries, if caused by a pattern of racketeering activity, can form the basis of a civil RICO claim.

[Sunbelt Rentals, Inc. v. Second Life Equip., Civil Action 5:20-CV-00070-KDB-DSC \(W.D. N.C. May 06, 2022\)](#)

U.S. District Court — Western District of North Carolina

Extract

The Racketeer Influenced and Corrupt Organizations Act 'creates civil liability for those who engage in a pattern of racketeering activity.' GE Inv.

Priv. Placement Partners II v. Parker, 247 F.3d 543, 548 (4th Cir. 2011) (citing 18 U.S.C. §§ 1962, 1964). 18 U.S.C. §1964 creates a cause of action for '[a]ny person injured in his business or property by reason of a violation of [18 U.S.C. §1962].' The elements of a RICO claim under 18 U.S.C. § 1962(c) are (1) the conducting; (2) of an enterprise; (3) through a pattern; (4) of racketeering activity.

Summary

Necessary elements to establish a RICO claim, which include demonstrating a pattern of racketeering activity that has caused injury. This directly supports the proposition that the husband's financial losses and loss of his home, used as a place of business, due to fraudulent acts, satisfy the injury requirement for a civil RICO claim.

[Ehmann v. Desert Palace, LLC, Case No. 2:19-cv-01199-APG-BNW \(D. Nev. Sep 29, 2020\)](#)

U.S. District Court — District of Nevada

Extract

In a civil RICO case, the plaintiff must show (1) conduct, (2) of an enterprise, (3) through a pattern, (4) of racketeering activity, (5) causing injury to the plaintiff's business or property. *Living Designs, Inc. v. E.I. Dupont de Nemours & Co.*, 431 F.3d 353, 361 (9th Cir. 2005); 18 U.S.C. § 1964(c). ... In addition, to have standing to sue under § 1964(c), a plaintiff must show '(1) that his alleged harm qualifies as injury to his business or property and (2) that his harm was 'by reason' of the RICO violation, which requires the plaintiff to establish proximate causation.' *Canyon Cnty. v. Syngenta Seeds, Inc.*, 519 F.3d 969, 972 (9th Cir. 2008).

Summary

Elements required to establish a civil RICO claim, including the need to show that the harm was caused by the RICO violation and that it qualifies as an injury to business or property. This directly supports the proposition that the husband's loss of his home and financial resources, as a result of fraudulent acts, satisfies the injury requirement for a civil RICO claim.

[La Ronde-Bey v. Chica](#)

U.S. District Court — Middle District of Pennsylvania

Extract

A plaintiff only has standing to bring a RICO claim if, and can only recover to the extent that, he has been injured in his business or property by the

conduct constituting the violation.[] Thus, a plaintiff must allege (and eventually prove) that he suffered a concrete financial loss in the form of an injury to business or property. Allegations of 'personal injury or emotional harm are not proper bases for a RICO claim.'

Summary

Personal injury or emotional harm does not satisfy the injury requirement for a RICO claim. This directly supports the proposition that the husband's financial losses and loss of his home, used as a place of business, due to fraudulent acts, meet the injury requirement for a civil RICO claim.

[Wilson v. Askew, 709 F.Supp. 146 \(W.D. Ark. 1989\)](#)

U.S. District Court — Western District of Arkansas

Extract

It is fundamental that the Racketeer Influenced and Corrupt Organizations Act (RICO), Pub.L. 91-452, Title IX, 84 Stat. 941, as amended, 18 U.S.C. §§ 1961-1968, provides a private civil action to recover treble damages for injury 'by reason of' a violation of its provisions. See 18 U.S.C. § 1964(c). ... Although largely ignored for years, 18 U.S.C. § 1964 sets out a broad civil enforcement scheme available to private litigants: Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee.

Summary

The RICO Act provides a mechanism for individuals to seek treble damages for injuries to their business or property caused by a RICO violation. The passage emphasizes the broad civil enforcement scheme available to private litigants under 18 U.S.C. § 1964(c), which aligns with the proposition that the husband's financial losses and loss of his home, used as a place of business, due to fraudulent acts, satisfy the injury requirement for a civil RICO claim.

[Holmes v. Securities Investor Protection Corporation, 503 U.S. 258, 112 S.Ct. 1311, 117 L.Ed.2d 532 \(1992\)](#)

U.S. Supreme Court

Extract

RICO authorizes '[a]ny person injured in his business or property by reason of a violation of section 1962' to sue for treble damages in federal court. 18

U.S.C. § 1964(c). ... Of course, a RICO plaintiff 'only has standing if, and can only recover to the extent that, he has been injured in his business or property by [reason of] the conduct constituting the violation.'

Summary

The plaintiff must have standing by showing that the injury was directly caused by the conduct constituting the RICO violation. This directly supports the proposition that the husband's financial losses and loss of his home, used as a place of business, due to fraudulent acts, satisfy the injury requirement for a civil RICO claim.

[18 U.S.C. § 1964 18 U.S.C. § 1964 Civil Remedies](#)

Extract

Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee...

Summary

18 U.S.C. § 1964(c) provides a civil remedy for individuals who have been injured in their business or property due to a violation of section 1962, which pertains to RICO violations. The statute allows for the recovery of treble damages and legal costs, emphasizing the need for a demonstrable injury to business or property. In this case, the husband's loss of his home and financial resources due to fraudulent acts aligns with the injury requirement outlined in the statute.

[Civil Rico: A Tool of Advocacy](#)

The Brief - American Bar Association - 2024-01-01

Extract

To recover damages under civil RICO requires proof of concrete financial loss and not merely injury to a valuable intangible property interest. The measure of damages is the harm caused by the predicate acts constituting the pattern of racketeering activity. A compensable injury is the harm caused by predicate acts sufficiently related to constitute a pattern. Plaintiffs are required to set out a reasonable basis of recovery by competent proof and not mere speculation. Only damages to 'business or property' occurring 'by reason of' and proximately caused by the RICO violations are compensable under § 1964(c).

Summary

To recover damages under civil RICO, a plaintiff must demonstrate a concrete financial loss directly caused by the RICO violation. The passage emphasizes the need for a compensable injury to business or property, which aligns with the husband's loss of his home and financial resources due to the fraudulent acts. The requirement for proximate cause and concrete financial loss supports the proposition that the husband's losses satisfy the injury requirement for a civil RICO claim.

[Chapter 4. Elements of Cause of Action](#)

Civil RICO: A Definitive Guide. Fifth Edition - American Bar Association - Gregory P. Joseph

Extract

In civil RICO actions, however, § 1964(c) requires proof that the pattern of mail fraud violations, not some other act, caused the plaintiff's injury to business or property. *Bridge v. Phx. Bond & Indem. Co.*, 553 U.S. 639, 647 (2008) ("RICO provides a private right of action for treble damages to any person injured in his business or property by reason of the conduct of a qualifying enterprise's affairs through a pattern of acts indictable as mail fraud").

Summary

Legal basis for linking the fraudulent scheme to the injury suffered by the husband.

[PAYORS, PLAYERS, AND PROXIMATE CAUSE.](#)

Notre Dame Law Review - University of Notre Dame Law School - Crusey, Elisabeth F. - 2022-05-01

Extract

A private civil right of action in [section] 1964 provides that '[a]ny person injured in his business or property by reason of a violation of section 1962... may sue.' (36) Notably, a successful plaintiff under [section] 1964 is entitled to treble damages and the cost of the suit, including attorney fees. (37) ... In *Holmes*, the Court evaluated the second part of statutory standing under [section] 1964(c)--that the injury must be 'by reason of a RICO violation.' (58) ... In *Holmes*, the Court determined that 'by reason of means that plaintiffs must establish that a defendant's alleged RICO violation proximately caused their injuries. (60) ... The *Anza* Court interpreted *Holmes*'s proximate cause requirements for [section] 1964(c) as: '[w]hen a court evaluates a RICO claim for proximate causation, the central question it

must ask is whether the alleged violation led directly to the plaintiff's injuries.' (113)

Summary

Under 18 U.S.C. § 1964(c), a plaintiff must demonstrate an injury to their business or property caused by a RICO violation. The passage explains that the injury must be proximately caused by the RICO violation, meaning the alleged violation must directly lead to the plaintiff's injuries. This supports the proposition that the husband's loss of his home and financial resources, as a result of fraudulent acts, satisfies the injury requirement for a civil RICO claim.

[Defending RICO Claims In The Business Context Part II: RICO Claims Must Allege Injury To Business Or Property](#)

Extract

If a plaintiff brings a civil suit alleging a RICO violation, the plaintiff must plausibly allege that his injury animating the RICO claim is associated with his business or property by reason of the defendant's violation of the RICO laws. Absent these allegations, the lawsuit must be dismissed. ... Indeed, most courts have construed them narrowly to mean that there must be a pecuniary injury to a proprietary interest, and thus a plaintiff must show some sort of concrete financial loss. In addition, the injury must be ascertainable and definable, such as when a plaintiff is deprived of the ability to use or transfer property.

Summary

For a civil RICO claim to be valid, the plaintiff must demonstrate a concrete financial loss or injury to business or property directly caused by the defendant's actions. The passage emphasizes the need for a pecuniary injury to a proprietary interest, which aligns with the husband's loss of his home and financial resources due to fraudulent acts. This supports the proposition that the husband's losses satisfy the injury requirement for a civil RICO claim.

This memo was compiled by Vincent AI based on vLex materials available as of June 06, 2025. [View full answer on vLex](#)