



CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

DISTRICT ATTORNEY – NEW YORK COUNTY

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DA VANCE ANNOUNCES CONVICTION OF ELECTRICAL CONTRACTORS FOR CORRUPT SCHEME TO DEFRAUD CITY AGENCIES

Manhattan District Attorney Cyrus R. Vance, Jr., today announced the conviction of JACOB LEVITA, 63, and SCHLESINGER ELECTRICAL CONTRACTORS, INC. (“SCHLESINGER”) on charges related to a scheme to defraud the NYC Department of Buildings (“DOB”) and the NYC Department of Environmental Protection (“DEP”). Both LEVITA and SCHLESINGER, which is an affiliate of Schlesinger-Siemens Electrical LLC (“SSE”), an electrical contracting firm, were found guilty on Tuesday by a jury in New York State Supreme Court of Scheme to Defraud in the First Degree. SCHLESINGER was also found guilty of Offering a False Instrument for Filing in the First Degree. LEVITA is expected to be sentenced on November 24, 2014.

“The defendants in this case hired a no-show Master Electrician in order to obtain more than \$200 million in city contracts,” said District Attorney Vance. “Thanks to our partners in this investigation, this corrupt enterprise will no longer be taking advantage of public agencies, and New York City residents can be assured that their taxpayer dollars will be protected.”

DOI Commissioner Mark G. Peters said: “City construction safety codes are not optional, especially on multi-million dollar municipal projects paid for by taxpayers. This joint investigation exposed and stopped the illegal conduct and meant the City buildings and environmental agencies could take proper actions. I congratulate District Attorney Vance and the team of diligent investigators on this successful result.”

As proven at trial and as admitted in the guilty plea of co-defendant ROBERT SOLOMON, 75, SSE was formed in 2004 for the purpose of bidding and performing DEP projects. Between mid-2005 and early 2007, DEP awarded five contracts to SSE with a total value of approximately \$234.8 million. DEP specifies that all contracts for electrical work be awarded to licensed electrical contractors who comply with the New York City Electrical Code, which requires all electrical companies doing business in the City to have a licensed Master

Electrician. Between 2005 and 2008, SSE was not in compliance with the Electrical Code because it did not properly employ a Master Electrician who had responsibility for supervising employees conducting electrical work on DEP projects. As an entity, SSE had no electrical employees of its own.

When SSE was formed, it did not have a Master Electrician on staff. From 2006 to 2008, LEVITA and SOLOMON – two members of the SSE Board of Managers – on behalf of SSE, paid \$1,500 a month for two years to a Master Electrician working full-time for a different, unaffiliated electrical contracting firm to activate his inactive license and place it with SSE.

In 2007 and 2008, the electrician submitted Electrical License Renewal Application forms to DOB falsely naming SSE as the electrical company for which he was responsible. In fact, during that time period, SSE used SCHLESINGER employees to do the electrical work at the Wards Island Water Pollution Control Plant in Manhattan and the Croton Water Treatment Plant in the Bronx. The Master Electrician hired by the defendants on SSE's behalf had no knowledge of these jobs and did not supervise the SCHLESINGER employees working on the projects. In fact, LEVITA applied for the permits for the three DEP projects at issue, despite not being the Master Electrician for SSE.

Co-defendant SOLOMON previously pleaded guilty to Scheme to Defraud and Offering a False Instrument for Filing, both in the First Degree. In 2013, SSE forfeited \$10 million pursuant to a Deferred Prosecution Agreement for filing false documents with DOB and DEP.

Assistant District Attorneys John Chiara and Thomas Mooney, Senior Investigative Counsel, handled the prosecution of the case, under the supervision of Assistant District Attorney Jodie Kane, Chief of the Rackets Bureau, and Executive Assistant District Attorney David Szuchman, Chief of the Investigation Division. Trial Preparation Assistant Kristin Schwam assisted in the case.

District Attorney Vance thanked DOI Commissioner Peters, Acting Port Authority Inspector General Michael Nestor, Acting Port Authority Assistant Inspector General Steve Pasichow, Port Authority Deputy Assistant Inspector General Salvatore Dalessandro, Supervisory Police Investigator Jeffrey Schaffler, and Forensic Supervisor Fred Ferrone.

Defendant Information:

JACOB LEVITA, D.O.B. 01/10/51
Brooklyn, New York

Convicted:

- Scheme to Defraud in the First Degree, a class E felony, 1 count

ROBERT SOLOMON, D.O.B. 12/09/38
Port St. Lucie, Florida

Convicted:

- Scheme to Defraud in the First Degree, a class E felony, 1 count
- Offering a False Instrument for Filing in the First Degree, a class E felony, 1 count
- Conspiracy in the Fifth Degree, a class A misdemeanor, 1 count

SCHLESINGER ELECTRICAL CONTRACTORS, INC.

Brooklyn, New York

Charges:

- Scheme to Defraud in the First Degree, a class E felony, 1 count
- Offering a False Instrument for Filing in the First Degree, a class E felony, 1

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