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**QUEENS LANDLORD CHARGED WITH ILLEGAL CONVERSION OF FOUR HOUSES  
AND THREE GARAGES INTO SINGLE ROOM OCCUPANCY RESIDENCES**

*46 Individuals, Including 12 Children, Relocated By Red Cross;  
Defendant Faces Up To Seven Years in Prison and \$1.6 Million Civil Forfeiture Lawsuit*

Queens District Attorney Richard A. Brown, joined by New York City Department of Investigation Commissioner Rose Gill Hearn and New York City Buildings Commissioner Robert LiMandri, announced today that a Queens landlord has been charged with endangering the lives of more than 46 individuals – including a dozen children ranging in age from one to twelve – living in converted one- and two-family houses and garages that he owns in Jackson Heights and Elmhurst. The defendant was arrested yesterday following the execution of multiple search warrants as part of Operation Safe Buildings – a multi-agency initiative to crackdown on dangerous and illegal housing in Queens County.

The District Attorney said that the 46 residents were relocated by the Red Cross as a result of the allegedly dangerous situations that had been created at the locations – including but not limited to fire hazards, illegal construction and unauthorized gas lines.

District Attorney Brown said, “It is alleged that as many as 46 individuals – including 12 children – were living in the converted houses and garages and paying rents ranging from \$850 to \$1,4000 a month. In addition to putting a strain on City services, such as parking, transportation, waste disposal and schools, illegal conversions endanger the lives of building residents as well as firefighters and other personnel who in responding to an emergency are confronted by a maze of rooms with no way out. Working with the NYPD, the FDNY, the Department of Buildings and the Department of Investigation, I will utilize all of the resources of my office to vigorously prosecute those who profit from such illegal housing.”

Department of Investigation Commissioner Gill Hearn said, “Property owners who ignore vacate orders and allow illegal residences break the law and endanger lives, a problem that is prevalent in Queens. This investigation exposed a particularly egregious case of four overcrowded properties whose owner flouted orders to vacate them, according to the charges. DOI thanks the Queens District Attorney and the Department of Buildings for their partnership in this important effort.”

Commissioner LiMandri said, “Illegal conversions can kill, and this arrest sends a clear message that property owners who create these dangerous living conditions will face serious consequences. Illegal dwellings pose a serious risk to tenants, neighbors and first responders, and this Department has done more to combat illegal dwellings than ever before – including performing undercover operations to find illegal units, conducting safety outreach campaigns and working with multiple agencies to target properties most at risk. I would like to thank District Attorney Brown and DOI Commissioner Gill Hearn and their investigators, as well as my staff, for their important work in bringing this owner to justice.”

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The District Attorney identified the defendant as Segundo Chimbay, 48, of 48-14 94<sup>th</sup> Street in Elmhurst, Queens. As the owner of the properties, he is presently awaiting arraignment in Queens Criminal Court on a criminal complaint charging him with first-degree scheme to defraud, second-degree reckless endangerment and violation of the New York City Administrative Code for failing to comply with an order to vacate. If convicted, Chimbay faces up to seven years in prison.

District Attorney Brown said that in addition to the criminal charges, Chimbay has been named as a respondent in a \$1.6 million civil asset forfeiture action – which includes more than \$600,000 in fines payable for allegedly failing to comply with prior vacate orders and the resulting building code violations – filed in Queens Supreme Court by the District Attorney’s Special Proceedings Bureau. Liens have also been placed on the four properties.

District Attorney Brown said that the matter was brought to the attention of his office approximately six weeks ago by the Building Department’s Quality of Life and Queens Borough Enforcement Units, which had found alleged egregious conditions at four Elmhurst and Jackson Height properties: a two-family house located at 48-14 94<sup>th</sup> Street in Elmhurst; a two-family house located at 35-39 92<sup>nd</sup> Street in Jackson Heights; a two-family house located at 35-41 92<sup>nd</sup> Street in Jackson Heights; and a one-family house located at 40-33 Forley Street in Elmhurst.

According to the criminal complaint, Chimbay, as the owner of the properties, repeatedly ignored multiple vacate orders that had been issued against the locations between 2007 and 2012 due to the properties – including the cellars and garages – having been unlawfully converted into multiple dwellings. It is further alleged that Chimbay continued to illegally rent out the converted premises to an excessive number of tenants and failed to provide minimal safety measures.

Investigators, who were assisted by the District Attorney’s NYPD Detective Squad – specifically Detective James Monaco, under the supervision of Lieutenant Keith Gallagher and Captain John M. Zanfardino – executed seven search warrants at the locations last night and found unpermitted and unlawful construction, including electrical, plumbing and connections of natural gas lines, and a lack of egress.

The investigation was conducted by Chief Investigator James McElligott and Special Investigators Faye Stephan, Tiffany Dumas and Erin Schultz, of the New York City Department of Investigation, and Chief Inspector Philip Mattera, Inspector Igor Solovyanchik and attorney Lucinda Latimer, of the Department of Buildings.

The District Attorney also thanked the New York City Police Department, the New York City Fire Department and the American Red Cross for their assistance and cooperation in the investigation.

Assistant District Attorneys Jasmine Chang and Nicole Lane, of the District Attorney’s Special Proceedings Bureau, are prosecuting the criminal case, with the assistance of Assistant District Attorney Andrew H. Kaufman, Chief of the District Attorney’s Crimes Against Revenue Unit. Assistant District Attorney David S. Zadnoff, of the District Attorney’s Special Proceedings Bureau, is handling the civil case. The criminal and civil matters are under the supervision of Assistant District Attorneys Anthony M. Communiello, Bureau Chief, and Oscar W. Ruiz, Deputy Chief and the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni.

It should be noted that a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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