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**FLUSHING FAMILY CHARGED WITH ILLEGALLY TURNING
TWO-FAMILY HOUSE INTO 15-ROOM HOTEL CATERING TO ASIAN TOURISTS**

*Next-Door Neighbor Charged With Possessing More Than 1,000 Cartons
Of Untaxed American And Illegal Asian Cigarettes*

Queens County District Attorney Richard A. Brown, along with Department of Buildings Commissioner Robert LiMandri and Investigation Commissioner Rose Gill Hearn, today announced that a Flushing man, his wife and their son have been charged with second-degree reckless endangerment for allegedly turning their two-family house into a 15-room hotel that catered to Asian tourists. Their next door neighbor, meanwhile, has been charged with illegally possessing untaxed cigarettes out of his house.

District Attorney Brown said, "While investigating allegations of illegal cigarettes being sold out of one location in Flushing detectives assigned to my office noticed unusual activity at the house next door – numerous people entering and leaving the premises with suitcases. Upon further investigation it was discovered that the high-traffic house was being advertised as a hotel on Chinese language websites. I would like to commend my detectives for their sharp observations as numerous alleged building violations were discovered, making the premises dangerous to both occupants and, in case of an emergency, first responders.

The District Attorney further said that, "Selling illegal and untaxed cigarettes is a highly profitable tax-free cash business for those involved in it, but it cheats taxpayers and it cheats the government out of much needed State and City revenue. And in this case, it is alleged, Asian cigarettes that are illegal to sell in the United States because they do not carry the Surgeon General's warning were also recovered."

Commissioner LiMandri said, "Illegal conversions can kill – and any property owner who puts lives in danger in order to line their own pockets must be held accountable. These charges send a clear message that our law enforcement partners are cracking down on the creation of illegal units, and there are serious consequences for putting the safety of New Yorkers at risk. I would like to commend the diligent work of our inspectors, as well as investigators from the offices of the Queens District Attorney and the Department of Investigation, who all helped to bring these owners to justice."

Commissioner Gill Hearn said, "A cigarette tax investigation led to the discovery of illegal and dangerous living conditions. So two separate criminal schemes that put the health and safety of New Yorkers and visitors at risk were exposed and shut down by this multi-agency investigation. DOI was pleased to join in this effort with District Attorney Brown and the other City agencies."

District Attorney Brown identified the defendants as Qiumin He, 55, his wife, Chun Y Tu, 56, and their son, Xiaoshan He, 34, all of 42-03 Saull Street in the Flushing section of Queens. The defendants are presently awaiting arraignment in Queens Criminal Court on a complaint charging them with second-degree reckless endangerment. Xiaoshan He was additionally charged with second-degree obstructing governmental administration for allegedly interfering with the arrests. The defendants face up to one year in jail if convicted.

District Attorney Brown identified the fourth defendant as Qinghai Wei, 50, of 42-05 Saull Street in the Flushing section of Queens. He is presently awaiting arraignment in Queens Criminal Court on a complaint charging him with various violations of New York State Tax Law 1814 (Cigarettes and Tobacco Tax). He faces up to four years in prison if convicted.

(MORE)

The District Attorney said that, according to the criminal charges, while investigating illegal cigarette trafficking in Queens detectives assigned to his office obtained a court-authorized search warrant for the premises located at 42-05 Saull Street. During the execution of the search warrant on October 3, 2013, approximately 1,151 cartons of illegal cigarettes, both American and Asian brands, were allegedly recovered from inside of the house.

The District Attorney further said that, according to the criminal charges, during the course of a year-long investigation of a two-family house located at 42-03 Saull Street allegedly operating as an illegal hotel numerous individuals were repeatedly observed entering and leaving the location with luggage. Upon further investigation, it was discovered that the location was being advertised on various websites, including "Chinatowninus.com" as a 15-room hotel with double, triple or quadruple occupancy options. Rooms for two people were listed at \$60 per night, rooms for three people were \$70 per night and rooms for four people were \$90 per night. A premium was charged for private bathrooms and the location was touted as being near shopping, subways and gas stations.

The District Attorney further said that, Department of Buildings (DOB) inspectors have attempted to enter the premises several times over the last year but were denied access. DOB records indicate the property is listed as a two-family residential house.

Finally, the District Attorney said, a court-authorized search warrant was executed at 42-03 Saull Street on October 3, 2013, by detectives assigned to his office, who were joined by DOI investigators, inspectors of the Buildings Department and subsequently, inspectors assigned to the New York City Fire Department, who discovered numerous egregious violations, including insufficient egress and lack of required sprinkler systems and fire alarms and no exit signs.

The investigation was conducted by Detectives Jeffrey A. Boyce, Joseph Brancaccio, John J. Keeley, David Matos and John R. Warner, of the District Attorney's Detective Bureau, under the supervision of Sergeant Liz Curcio and Lieutenant Robert J. Burke, and the overall supervision of Chief Investigator Lawrence J. Festa.

The investigation was also conducted by Department of Investigation investigators and by Supervising Inspector Igor Solovyanchik of the Department of Buildings under the supervision of Assistant Chief Inspector Philip Mattera.

District Attorney Brown also thanked the United States Department of Homeland Security Immigration and Customs Enforcement, the New York City Fire Department and the Red Cross for their assistance at the scene during the execution of the search warrants.

Assistant District Attorney Andrew H. Kaufman, Chief of the Crimes Against Revenue Unit, is prosecuting the case under the supervision of Assistant District Attorneys Anthony M. Communiello, Bureau Chief of the District Attorney's Special Proceedings Bureau, and Oscar W. Ruiz, Deputy Bureau 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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Note to Editors: Press release e-version posted at www.queensda.org.