



RICHARD A. BROWN
DISTRICT ATTORNEY

**DISTRICT ATTORNEY
QUEENS COUNTY**
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568
718-286-6000

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www.queensda.org

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CONTACT: QDA PRESS OFFICE
718-286-6315

DOI PRESS OFFICE
212-825-5931

UNLICENSED LONG ISLAND CONTRACTOR CHARGED
WITH STEALING \$530,000 FROM SIX QUEENS HOMEOWNERS
Money Was To Pay For Renovation On Homes; Work Allegedly Never Started

Queens District Attorney Richard A. Brown, joined by New York City Department of Investigation Commissioner Rose Gill Hearn, today announced that a Long Island contractor has been charged with bilking six Queens homeowners out of more than \$537,000 paid to him for renovations to their residences. The contractor allegedly failed to begin the work or put the money into a designated contractor's escrow account as required by law.

District Attorney Brown said, "The victims in this case, it is alleged, hired the defendant in some instances more than three years ago and paid him considerable amounts of money to remodel their residences. Instead, it is alleged that he began demolition work on their properties and then took the money and ran."

District Attorney Brown added, "In this market when more and more people are doing renovations and repairs on their residences instead of moving, consumers should be cautious when hiring a home improvement contractor. Defective or incomplete home improvement repairs are among the top consumer complaints my office receives. To avoid being a victim of a home repair scheme, consumers should request and check a contractor's references. Any contract payments given to a contractor should be put into an escrow account in a bank. Consumers should also avoid paying for a remodeling job up-front."

Commissioner Gill Hearn said, "This defendant billed himself as a bonafide home improvement contractor. But according to the indictment he was nothing more than a con artist who bilked unsuspecting homeowners out of hundreds of thousands of dollars and left their homes in disrepair. There is no tolerance for individuals who fraudulently evade the City's construction regulations and betray the public's trust and their safety. DOI was pleased to work with the Queens County District Attorney's Office and the NYPD to expose and stop this home improvement scheme."

District Attorney Brown identified the defendant as Wayne T. Drinkwine (a/k/a/ Wayne Thomas, Duke Russo) 59, of 328 Moriches Road in St James, Long Island. Drinkwine was arraigned Friday, August 19, 2011, before Queens Criminal Court Judge Gene R. Lopez, on a criminal complaint charging third-degree grand larceny, third-degree criminal possession of stolen property and third-degree criminal mischief. Drinkwine was arraigned the same day before Acting Queens Supreme Court Justice Joel L. Blumenfeld on a 21-count indictment charging him with four counts of second-degree grand larceny, four

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counts of second-degree grand larceny in violation of New York State Lien Law 79-A (misappropriation of funds of trust), two counts of third-degree grand larceny, four counts of second-degree criminal possession of stolen property, one count of third-degree criminal possession of stolen property, one count of first-degree scheme to defraud and five violations of the New York City Administrative Code (conducting a home improvement business without a license). Drinkwine, who faces up to 15 years in prison if convicted, was ordered held without bail and to return to court on October 31, 2011.

According to the criminal charges, a Springfield Gardens homeowner signed a \$50,000 contract with Drinkwine to remodel and to add an extension to her residence. The homeowner allegedly made a partial payment of \$15,000 to Drinkwine in the form of checks made out to Domcan Development, which lists its office address as Drinkwine's home address.

Similarly, a South Ozone Park homeowner retained Drinkwine (under his alias Wayne Thomas) to remodel his residence, which would include new air conditioning, new windows, new electrical, a new roof and siding and a new kitchen. Drinkwine was allegedly paid approximately \$103,143 of the \$118,500 contract amount.

It is further alleged that four other Queens homeowners contracted with Drinkwine for home improvements to their residents and paid him a total of more than \$419,000 in partial payments.

Finally, it is alleged that in all six instances Drinkwine began demolition work at the locations but failed to return or perform any work on the residences despite repeated requests by the homeowners to either do so or return their funds.

The investigation was conducted by Detective Eric Weshner of the New York City Police Department's Special Frauds Squad, under the supervision of Lieutenant Christopher Flanagan and Deputy Inspector Gregory Antonsen, and under the command of Chief Jeremiah Quinlan, Commanding Officer of the Special Investigations Division, and by the New York City Department of Investigation's Office of Inspector General for the Department of Buildings, and the Buildings Special Investigations Unit, a specialized unit supervised by the Departments of Investigation and Buildings and staffed by Building Department personnel, in particular, Chief Investigator James McElligott and Investigator Faye Stephan.

A separate parallel investigation was conducted by Detective Dominick DiGennaro, of the District Attorney's NYPD Squad, under the supervision of Sergeant Francis Teran, Lieutenant Keith P. Gallagher and Captain John F. Zanfardino and the overall supervision of Chief Louis M. Croce, Jr. and Chief of Detectives Phil T. Pulaski.

Senior Assistant District Attorney Neil F. Gitin, of the District Attorney's Economic Crimes Bureau, is prosecuting the case under the supervision of Assistant District Attorneys Gregory C. Pavlides, Bureau Chief, and Christina Hanophy, 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 and an indictment are merely accusations and that a defendant is presumed innocent until proven guilty.

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Note to Editor: An e-version of this press release is posted on QDA website at www.queensda.org