



The City of New York
Department of Investigation

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DOI ARRESTS REPO MAN ON UNLAWFUL EVICTION, BURGLARY, IMPERSONATION CHARGES

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), announced today the arrest of SEAN OVERSTREET, 29, of Brooklyn, who is charged with posing as a City marshal and unlawfully confronting and evicting a tenant from her basement apartment in Hollis, Queens in January. According to the criminal complaint, the day after the eviction, the tenant reported the matter to an actual City marshal and was advised that her eviction was illegal and to call the police. That day, OVERSTREET falsely told the responding police officers that he worked for a City marshal, displayed a badge, and produced a purported "Legal Possession" notice issued by "Top Notch Services," OVERSTREET's asset-recovery business. OVERSTREET's notice was also found on the tenant's door, along with a changed lock. The office of Queens County District Attorney Richard A. Brown is prosecuting the case.

DOI Commissioner Rose Gill Hearn said, "This accused impostor had no authority to evict anyone. His charged conduct was lawless and dangerous and, as these criminal charges show, will absolutely not be tolerated. City marshals carry out court-ordered evictions under strict rules to protect public safety and the rights of the people affected. Lawfully and safely removing a person from his or her residence is one of the most serious responsibilities of any public servant and is no job for a con man displaying a badge and a contrived 'legal' notice. I want to thank District Attorney Brown for his office's strong commitment and assistance in this case."

OVERSTREET has been charged with Burglary in the Second Degree, a class C felony, Criminal Impersonation in the Second Degree, Unlawful Eviction, and Obstructing Governmental Administration in the Second Degree, class A misdemeanors, and with Pretending to be a City Marshal, an unclassified misdemeanor. Upon conviction, a class C felony is punishable by up to 15 years in prison, and a class A misdemeanor by a year's incarceration.

According to the criminal complaint, on January 26, 2010, OVERSTREET, wearing a badge and misrepresenting himself as a City marshal or marshal's employee, banged on the tenant's door and threatened to break it open. OVERSTREET was accompanied by an unidentified female who also wore a badge. Once he was admitted to the apartment, OVERSTREET, calling himself "Sean Q from the marshal's office," told the tenant that she had two minutes to pack her belongings and leave. After further conversation regarding the tenant's pending court case and what would happen to her personal belongings still in the apartment, OVERSTREET gave the tenant his telephone number. The tenant left her apartment as OVERSTREET directed and, the next morning, on January 27, 2010, called the office of City Marshal Bruce Frankenberg, who had a valid warrant of eviction for the apartment, issued by the New York City Civil Court. Marshal Frankenberg had put the eviction on hold under a court-ordered stay and had not scheduled the eviction or authorized anyone to carry it out. Marshal Frankenberg's office employees so informed the tenant, advised her to call the police, and reported the matter to DOI. When police officers responded, OVERSTREET again falsely claimed he worked for a marshal, displayed a badge, and provided the officers with his New York State Department of Motor Vehicles photo identification and the previously-mentioned notice, which falsely stated that the landlord had "legal possession" of the apartment under a warrant of the New York City Civil Court, a business certificate for his asset-recovery business, "Top Notch Services," located at 409 Milford Street Brooklyn, and other documents.

A warrant of eviction issued by the New York City Civil Court may lawfully be executed only by a City marshal, in person, or by an authorized employee of the City Sheriff's Office. It is unlawful for anyone who is not a City marshal

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to pretend to be one or to represent that he or she is authorized to act as a marshal or to perform the duties of a marshal.

Commissioner Gill Hearn thanked District Attorney Brown, New York City Police Commissioner Raymond W. Kelly, City Marshal Bruce Frankenberg, the New York State Office of Court Administration, and their staffs for their assistance in the case.

The investigation was conducted by DOI's Bureau of City Marshals and particularly by Confidential Investigator Michelle Rodriguez and Assistant Inspector General Pamela Woolbright.

The Queens County District Attorney's Office is prosecuting the case. Assistant District Attorney Michelle Cort is assigned to the prosecution, under the supervision of James M. Liander, Chief of the Integrity Bureau.

A criminal complaint is an accusation. A defendant is presumed innocent until proven guilty.

DOI is one of the oldest law-enforcement agencies in the country. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City.

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