



The City of New York
Department of Investigation

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DOI ARRESTS CITY CORRECTION OFFICER ON HOUSING FRAUD CHARGES

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), announced today the arrest of an Officer with the City Department of Correction ("DOC") on charges of filing false income statements and underreporting her income to the Queens housing cooperative where she resided to avoid paying approximately \$5,297 in rental surcharges. The office of Queens County District Attorney Richard A. Brown is prosecuting the case.

DOI Commissioner Rose Gill Hearn said, "Everyone should know that intentionally underreporting income to obtain a lower rent than their income warrants is unlawful. Today's arrest is even more disappointing because it involves a City Correction Officer who should have known that the charged conduct would mean arrest and prosecution."

YVETTE BIVENS, 46, of Queens, has been charged with Grand Larceny in the Third Degree, a class D felony, and five counts each of Falsifying Business Records in the First Degree and Offering a False Instrument for Filing in the First Degree, which are class E felonies. Upon conviction, a class D felony is punishable by up to seven years in prison and a class E felony is punishable by up to four years in prison.

BIVENS has been employed as a Correction Officer since June 2000 and currently receives an annual salary of approximately \$82,990.

Rochdale Village is a residential cooperative in South Jamaica, Queens, and is part of the New York State-sponsored Mitchell Lama program, which provides affordable rental and cooperative housing to moderate- and middle-income families. Rent is based on the size of the apartment. Tenants must submit annual affidavits of income. If a tenant's income is higher than the "maximum allowable income limit" set by the State, he or she must pay a surcharge.

According to the criminal complaint, BIVENS has rented an apartment in the Mitchell Lama Project at Rochdale Village since July 1996. DOI's investigation found that between 2005 and 2009 BIVENS submitted five affidavits of income reporting annual income ranging from approximately \$37,500 to \$70,717, when in fact her income ranged from approximately \$52,742 to \$85,664. Had she accurately reported her income in those years, BIVENS would have been required to pay a surcharge. As a result of BIVENS'S underreporting her annual income, she avoided paying surcharges amounting to approximately \$5,297, described in the criminal complaint as rental subsidies.

Commissioner Gill Hearn thanked DOC Acting Commissioner John J. Antonelli and Queens County District Attorney Richard A. Brown, and their staffs, for their assistance and cooperation in the investigation.

The investigation was conducted by DOI's Office of Inspector General for the City Department of Correction.

Assistant District Attorney Rosemary Buccheri of the Economic Crimes Bureau at the Queens County District Attorney's Office is prosecuting the case.

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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