



The City of New York
Department of Investigation
MARK G. PETERS
COMMISSIONER

80 MAIDEN LANE
NEW YORK, NY 10038
212-825-5900

Release 13-2015
nyc.gov/html/doi

FOR IMMEDIATE RELEASE
THURSDAY, MAY 7, 2015

CONTACT: DIANE STRUZZI, BETSY PISIK
212-825-5931

**DOI ARRESTS 23 INDIVIDUALS ON HUNDREDS OF THOUSANDS OF DOLLARS
IN HOUSING FRAUD AND THEFT CHARGES**
***-Arrests are part of a sweep by DOI's NYCHA and HPD Inspectors General
and includes the arrests of four former or current City employees-***

MARK G. PETERS, Commissioner of the New York City Department of Investigation ("DOI"), announced nearly two dozen arrests as part of a coordinated effort by DOI to attack tenant housing fraud and City employee theft. The arrests originate from separate investigations and include charges associated with the theft of public housing funds through schemes that include continuing to receive housing benefits even while living out of state, failing to disclose the familial relationship between a Section 8 landlord and the landlord's purported tenants, and outright theft of NYCHA property. Several of the investigations resulted in the arrest of current and former City employees who stole from the City, including thousands of dollars in workers' compensation funds. These 23 arrests involve a total of more than \$600,000 in housing fraud, according to the charges.

On these cases, DOI referred its findings to, and worked with, the Office of the United States Attorney for the Southern District of New York, the Manhattan District Attorney's Office, the Kings County District Attorney's Office, the Queens County District Attorney's Office, and the Bronx County District Attorney's Office. In all, 23 individuals have been charged.

DOI Commissioner Mark G. Peters said, "These arrests are part of DOI's comprehensive approach to combatting corruption and rooting out fraud where and when we find it. These charged crimes demonstrate how fraud impedes the City's effort to provide housing for needy New Yorkers and undermines government's ability to help its citizens. DOI will remain vigilant and continue to work with its law enforcement partners to expose and prosecute fraud and wrongdoing. Put simply, steal from the City and we will find you, we will arrest you, and we will see that you are prosecuted."

Bronx County District Attorney Robert Johnson said, "This office remains dedicated to ensuring that citizens of the Bronx who need financial assistance, from such programs as Section 8, are not deprived of help because of the misdeeds of others who would illegally usurp these funds. We congratulate the Department of Investigation, NYCHA, and the Bronx D.A.'s Detective Investigators for their diligent work in these cases."

Kings County District Attorney Kenneth P. Thompson said, "Taking advantage of public housing subsidies by committing fraud cheats hardworking and law-abiding families who play by the rules. We are now holding these defendants accountable to ensure that the system is fair. I thank Commissioner Peters for his commitment to eliminating fraud and my prosecutors for their hard work on these cases."

Manhattan District Attorney Cyrus R. Vance, Jr., said, "City funds stolen through housing fraud could otherwise be used to provide a safe and affordable place to live for individuals and families who legitimately require assistance. We cannot allow anyone to slip through the cracks in New York City, and so I thank the prosecutors in my Office, as

more

well as our partners in law enforcement, for protecting our communities by ensuring that this type of fraud is identified and stopped.”

HPD Commissioner Vicki Been said, "I thank DOI Commissioner Peters and his staff for their diligence, and for shining a light on those people who would defraud the government and steal funding that is meant to aid our most vulnerable citizens. In a time when we have seen stark cuts to our critical federal funding sources it is imperative that we ensure these funds are serving the people who are most in need, and not lining the pockets of those who would lie and steal for their own selfish gains."

Arrests began in March, with many taking place this week. The following are some highlights:

- ROSA MONTILLA, 46, of the Bronx, was charged with Grand Larceny in the Second Degree, a class C felony, and related offenses.

According to the criminal complaint, MONTILLA continued to receive Section 8 subsidies for an apartment in the Bronx between August 2008 and November 2014 while, in fact, she was residing in Shelton, Connecticut. As a result of this conduct, HPD was defrauded of approximately \$75,957, the largest fraud associated with the arrests in this sweep.

The office of Bronx County District Attorney Robert Johnson is prosecuting the case.

- ANGELICA ALICEA, 38, and ANGEL CURBELO, 43, of the Bronx, were charged with the federal offenses of Theft of Government Funds. ALICEA was additionally charged with Making False Statements.

According to the criminal complaint, CURBELO was the landlord of a two-family home located in the Bronx, and ALICEA was the Section 8 tenant. Section 8 landlords are prohibited from receiving subsidized housing benefits if the Section 8 landlord is the parent, child, etc. of any member of the Section 8 tenant’s household, and NYCHA must authorize all occupants of the Section 8 apartment. In addition, the Section 8 tenant must report to NYCHA the income earned by any member of the household. ALICEA and CURBELO are charged with failing to report that they were living together, that CURBELO is the father of two of ALICEA’s children residing in the Section 8 apartment, and that CURBELO earned a significant income while residing at the Section 8 apartment. As a result of this conduct the couple defrauded NYCHA of at least \$74,338 between September 2008 and December 2013.

The office of Preet Bharara, United States Attorney for the Southern District of New York, is prosecuting the case.

- MONIQUE LIVINGSTON, 33, of Far Rockaway, N.Y., a clerical aide employed by NYCHA, was charged with Grand Larceny in the Third Degree, a class D felony; and Falsifying Business Records in the First Degree and Offering a False Instrument for Filing in the First Degree, class E felonies.

According to the criminal complaint, LIVINGSTON failed to report to NYCHA the presence and income of her husband between December 2009 and May 2014, resulting in approximately \$27,069 in fraud.

LIVINGSTON was employed by NYCHA since December 2007 and was receiving an annual salary of approximately \$29,897 when she went on leave in March 2015.

The office of Queens County District Attorney Richard A. Brown is prosecuting the case.

- DAVID ANDRE, 35, of the Bronx, was charged with Grand Larceny in the Third Degree and Criminal Possession of Stolen Property in the Third Degree, class D felonies; Grand Larceny in the Fourth Degree, Criminal Possession of Stolen Property in the Fourth Degree, and Offering a False Instrument for Filing in the First Degree, class E felonies; and various misdemeanors.

According to the criminal complaint, he failed to report his employment and income as a teacher with the Department of Education between August 2010 and September 2012, when he was receiving an annual salary between \$39,198 and \$66,414. As a result of that conduct, ANDRE defrauded NYCHA of approximately \$23,576.

ANDRE had been employed by the Department of Education from September 2010 and at the time of his termination in April 2013 he was receiving an annual salary of approximately \$57,276.

The office of Bronx County District Attorney Robert Johnson is prosecuting the case.

The following defendants were also arrested:

Theft cases, according to the criminal complaints and investigations:

- ALICIA PARKER, 28, of New York, N.Y., a NYCHA Caretaker, on charges of receiving wage replacement benefits - after suffering a job-related injury on December 7, 2012 while working for NYCHA and deemed temporarily disabled - and simultaneously working for the New York City Department of Parks and Recreation between August 2013 to February 2014. PARKER failed to report to the Workers' Compensation Board that she was working while receiving benefits and, as a result, received \$4,542 in NYCHA Workers' Compensation benefits to which she was not entitled.

PARKER began employment with NYCHA in June 2012 and was receiving an annual salary of approximately \$26,843 when she left NYCHA in December 2012.

- MICHELLE MARTIN, 49, of Rockaway Beach, N.Y., a NYCHA Caretaker, on charges associated with the theft of a NYCHA generator valued at \$2,300, which was taken in December 2012 and returned in December 2014 as a result of this investigation.

MARTIN began her employment with NYCHA in June 2007 and receives a base annual salary of \$39,019.

Tenant housing fraud cases, according to the criminal complaints and investigations:

- CHANTAL DENIZARD, 55, of Brooklyn, a landlord, on charges of asserting to HPD that the individual she was renting a Section 8-subsidized apartment to was not her sister, when in fact, the tenant was her sibling, a violation of HPD guidelines that prohibits a landlord from renting a Section 8 apartment to a family member, such as a sister. The conduct resulted in approximately \$69,763 in fraud between November 2008 and September 2013.
- MIRBIA POLONIA, 50, of Manhattan, a former Section 8 recipient of an apartment in the Bronx, on charges of continuing to obtain Section 8 benefits but failing to reside in the apartment, defrauding NYCHA of approximately \$50,000 between March 2008 and May 2012.
- JUANA LINO, 40, of Brooklyn, who resides in NYCHA's Gowanus Houses, on charges of failing to report the presence and income of an individual who resided in her NYCHA apartment, defrauding NYCHA of approximately \$48,846 between February 2007 and July 2013.
- MARISOL CASIANO, 44, of the Bronx, a former Section 8 recipient, on charges of failing to report the presence and income of her husband who was residing in her Section 8 apartment, defrauding NYCHA of approximately \$40,336 between February 2009 and March 2013. As a result of the investigation, CASIANO voluntarily relinquished her Section 8 voucher.
- DARLENE McCLAIN, 49, of Brooklyn, who resides in NYCHA's Van Dyke Houses, on charges of failing to report the presence and income of an individual who resided in her apartment, defrauding NYCHA of approximately \$38,040 between May 2007 and February 2013.

- NELIDA MERCADO, 46, of Queens, a Section 8 recipient, on charges of failing to accurately report her employment income while living in a Section 8 apartment in Brooklyn, defrauding NYCHA of approximately \$37,034 between January 2009 and October 2013.
- PATRICIA TALAVERA, 42, of Queens, a Section 8 recipient, on charges of failing to report that she lived in Westchester and not the Section 8 apartment for a period of time, and failing to report the presence and income of an individual who resided in the apartment, defrauding NYCHA of approximately \$27,220 between September 2009 and April 2014.
- LESLIE AGEE, 38, of the Bronx, the daughter of Section 8 recipient, SUSAN AGEE, 79, also of the Bronx, on charges that their actions between September 2008 and August 2013, defrauded NYCHA of approximately \$25,437. According to the charges, LESLIE AGEE reported to NYCHA that she was not employed when, in fact, she was working for a retailer for 10 years, and SUSAN AGEE failed to report her daughter's income to NYCHA.
- SHEILA BURKS, 49, of the Bronx, a Section 8 recipient, on charges of failing to report the presence and income of another individual residing in her Section 8 apartment, defrauding NYCHA of approximately \$20,520 between August 2011 and May 2013.
- AIDA VILLANUEVA, 59, of the Bronx, a Section 8 recipient, on charges of failing to report the presence and income of another individual residing in her Section 8 apartment, defrauding NYCHA of approximately \$18,259 between May 2009 and May 2013.
- EVELYN MANDRY, 33, of Queens, a Section 8 recipient, on charges of failing to report her employment while she was living in a Section 8 apartment in Brooklyn, defrauding NYCHA of approximately \$17,615 between April 2009 and September 2012.
- DENISE VIDAL, 39, a former tenant of NYCHA's Morrisania Air Rights in the Bronx, on charges of failing to report her part-time employment with a security company, instead only reporting her receipt of Social Security benefits received on behalf of her children, defrauding NYCHA of approximately \$11,790 between August 2010 and July 2012.
- KEVIN ADAMS, 42, of Manhattan, a New York City Transit Bus driver since 2011 and a former tenant at NYCHA's Castle Hill Houses in the Bronx, on charges of failing to report the presence and income of another individual residing in his NYCHA apartment, defrauding NYCHA of approximately \$11,216 between March 2009 and May 2012.
- CHRISTINA MUNOZ, 35, of the Bronx, a former Section 8 recipient, on charges of failing to report the presence and income of another individual residing in her Section 8 apartment, defrauding NYCHA of approximately \$9,315 between January 2010 and January 2013. MUNOZ voluntarily relinquished her Section 8 voucher as a result of this investigation.
- RANDY DAVIS, 29, of the Bronx, son of a Section 8 recipient, on charges of signing an affidavit in 2012 that stated he was not employed when, in fact, he was working with a security company in 2011, during the time he resided in his mother's Bronx Section 8 apartment.

Upon conviction, a class C felony is punishable by up to 15 years in prison, a class D felony is punishable by up to seven years in prison, a class E felony by up to four years in prison and a class A misdemeanor is punishable by up to a year's incarceration.

Upon conviction, the federal offense of Theft of Government Funds is punishable by up to ten years in prison, and the federal offense of Making False Statements is punishable by up to five years in prison.

DOI Commissioner Peters thanked Preet Bharara, United States Attorney for the Southern District of New York, Manhattan District Attorney Cyrus R. Vance, Jr., Kings County District Attorney Kenneth P. Thompson, Queens

County District Attorney Richard A. Brown, Bronx County District Attorney Robert Johnson, NYCHA Chair and Chief Executive Officer Shola Olatoye, HPD Commissioner Vicki Been, and their staffs, for their cooperation and assistance in these investigations.

These investigations were conducted by DOI's Office of the Inspector General for NYCHA, specifically Assistant Inspectors General Robin Jacknow and John Reatz, Chief Investigators Louis Vega and Emily Bizzarro, Special Investigator Dianna Oglio, and Confidential Investigators Patricia Sedacca, Ryan Covino and Briglantina Bujaj under the supervision of Associate Commissioner William Jorgenson and Inspector General Ralph Iannuzzi and with assistance from Counsel to the Inspector General Lauren Hintz; and DOI's Office of the Inspector General for HPD, specifically Special Investigators Michael Antolini and Noah Mohney, Assistant Inspector General Ondie Frederick, Deputy Inspector General David Jordan, under the supervision of Inspectors General Gregory Cho and Jessica Heegan, and Senior Associate Commissioner Michael Carroll.

The following prosecutors worked on these investigations. Their assigned case(s) are in parentheses:

From the office of Bronx County District Attorney Robert Johnson – Assistant District Attorney Kate Christobek (DAVID ANDRE and ROSA MONTILLA), Assistant District Attorney Agata DiGiovanni (MIRBIA POLONIA), Assistant District Attorney Michelle Milanese (KEVIN ADAMS), Assistant District Attorney Monica Huang (AIDA VILLANUEVA), Assistant District Attorney Tama Monoson (SHEILA BURKS), Assistant District Attorney Marcus Szejnberg (CHRISTINA MUNOZ), Assistant District Attorney Stephanie Taylor (MARISOL CASIANO), Assistant District Attorney Jennifer Menna (RANDY DAVIS, LESLIE and SUSAN AGEE), Assistant District Attorney Peter D'Angelo (DENISE VIDAL), under the supervision of Assistant District Attorneys Cristina Park and William Zelenka, respectively, Supervisor and Chief of the Arson/Auto/Economic Crime Bureau.

From the office of Kings County District Attorney Kenneth P. Thompson – Senior Assistant District Attorney Diana Villanueva (CHANTAL DENIZARD, JUANA LINO, EVELYN MANDRY, DARLENE MCCLAIN and NELIDA MERCADO), under the supervision of Gregory Mitchel, Chief of the Asset Forfeiture and Tax Crimes Bureau, and the overall supervision of William Schaeffer, Chief of Investigations.

From the office of Queens District Attorney Richard A. Brown – Assistant District Attorney Rosemary Buccheri (MICHELLE MARTIN and PATRICIA TALAVERA), under the supervision of Gregory Pavlides, Chief of the Economic Crimes Bureau; and Assistant District Attorney Christine Oliveri (MONIQUE LIVINGSTON) under the supervision of James Liander, Chief of the Integrity Bureau.

From the office of Preet Bharara, United States Attorney for the Southern District of New York – Assistant U.S. Attorney Noah Solowiejczyk (ALICEA and CURBELO).

From the office of Manhattan District Attorney Cyrus R. Vance, Jr. – Assistant District Attorney Jonathan Gross (ALICIA PARKER).

Criminal complaints are accusations. Defendants are presumed innocent until proven guilty.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. 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. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

**DOI's press releases can also be found at twitter.com/doinews
See Something Crooked in NYC? Report Corruption at 212-3-NYC-DOI.**