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DISTRICT ATTORNEY

DISTRICT ATTORNEY – NEW YORK COUNTY

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**BUILDING OWNER, FOUR OTHERS INDICTED IN CONNECTION WITH  
FATAL EAST VILLAGE BUILDING EXPLOSION**

*Defendants Set Up Illegal Gas Delivery System, Causing Deadly Explosion and Fire*

Manhattan District Attorney Cyrus R. Vance, Jr., New York City Police Commissioner William J. Bratton, Department of Investigation Commissioner Mark G. Peters, and New York City Fire Commissioner Daniel A. Nigro today announced the indictment of MARIA HRYNENKO, 56, MICHAEL HRYNENKO, 30, ATHANASIOS IOANNIDIS, 59, DILBER KUKIC, 40, and ANDREW TROMBETTAS, 57, in connection with a deadly gas explosion that occurred at 121 Second Avenue on March 26, 2015. The defendants are charged in a New York State Supreme Court indictment with Manslaughter in the Second Degree, Criminally Negligent Homicide, Assault in the Second Degree, and Offering a False Instrument for Filing in the First Degree, among other charges.<sup>[1]</sup>

“The seven-alarm fire that killed two people and engulfed three buildings in March 2015 was caused by a foreseeable, preventable, and completely avoidable gas explosion,” said District Attorney Vance. “Development, construction, and renovation is happening across the City at breakneck speed. In this market, the temptation for property owners, contractors, and managers to take dangerous—and, in some instances, deadly—shortcuts has never been greater. As alleged in the indictment, the defendants created a deadly inferno fueled by an illegal gas delivery system installed at 121 Second Avenue, leading to the loss of two young lives, and leaving more than a dozen others with serious, permanent injuries. Today’s case demonstrates the outstanding coordination between the NYPD, FDNY, DOI, and DOB on this investigation, and I thank our partners for their commitment to ensuring the public safety of City residents and visitors.”

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<sup>[1]</sup> The charges contained in the indictment are merely allegations, and the defendants are presumed innocent unless and until proven guilty. All factual recitations are derived from documents filed in court and statements made on the record in court.

NYPD Commissioner William J. Bratton said: “These defendants unnecessarily put a number of people in a highly dangerous situation, one that ultimately proved deadly and which jeopardized the lives of countless others, including first-responders. I want to commend both the emergency personnel who answered the call-for-duty on that day, as well as the investigators and prosecutors who worked diligently over a long period in developing this case.”

DOI Commissioner Mark G. Peters said: “These indictments show that falsifying documents and other dishonest practices not only corrupt the City’s oversight of construction sites, but can have real life-threatening consequences. DOI investigators were on the scene from day one with our partners, investigating criminal conduct and determining the integrity of the professionals responsible for the safety of those inside the building. Today, we hold them accountable for intentionally defying regulations and breaking the law—in the name of the victims and for the safety of all New Yorkers.”

FDNY Commissioner Daniel A. Nigro said: “Last March, we saw that when the callous choice is made to put money before common sense and safety, innocent people lose their lives. The defendants’ actions displayed a total disregard for the laws and rules in place to protect all New Yorkers—both residents and first responders. Tragically, two people were killed that day and the Department was extremely lucky to not lose any of its members fighting this difficult, deadly fire. I want to thank the Manhattan District Attorney’s office, the Department of Investigation, the NYPD and our FDNY Fire Marshals who vigorously investigated the case.”

According to the indictment and documents filed in court, in 2013, MARIA HRYNENKO hired KUKIC as a general contractor to renovate several of MARIA HRYNENKO properties in New York City, including 121 Second Avenue, a five-story building in the East Village that housed four floors of residential housing and a street-level Japanese restaurant called Sushi Park.

KUKIC, in turn, hired IOANNIDIS to perform plumbing work at 121 Second Avenue. During this time, IOANNIDIS—who was not professionally licensed—paid a former partner, TROMBETTAS, to use his master plumbing license and professional credentials to submit required paperwork to the New York City Department of Buildings (“DOB”) and Con Edison (“Con Ed”). A master plumber is prohibited by law to lend his or her stamp to any other person for any reason. TROMBETTAS never went to 121 Second Avenue and is accused of renting his license to IOANNIDIS and others, enabling the filing of false paperwork.

In early 2014, MARIA HRYNENKO entered into lease agreements with tenants for all of the apartments at 121 Second Avenue. At the time, however, Con Ed had not yet approved the installation of gas meters for residential units in the building, which was managed by the defendant’s son, MICHAEL HRYNENKO.

In July 2014, MARIA HRYNENKO informed KUKIC that gas for the apartments should be taken from Sushi Park’s gas meter. Shortly thereafter, IOANNIDIS illegally connected flexible hosing to the restaurant’s gas meter in order to provide gas to the building’s tenants, who were not informed of the source of the gas. A subsequent inspection performed by Con

Ed and FDNY revealed the set-up to be unsafe and likely to disconnect, break, or leak. Con Ed promptly turned off the gas supply, leaving both Sushi Park and apartment tenants without gas, and advised MARIA HRYNENKO to hire a licensed plumber to rectify the situation.

Instead, the defendants constructed another illegal, unsafe gas delivery system by installing a series of pipes and valves connecting the units in 121 Second Avenue to an uncapped, commercial-grade gas meter in the adjacent, vacant property at 119 Second Avenue, which was also owned by MARIA HRYNENKO. The system was set up in the back of the building basement, behind locked doors, hidden from Con Ed, and obscured from view by tenants, workers, and potential inspectors. While constructing the makeshift gas delivery system, the defendants failed to obtain proper permits, submit gas tests to Con Ed and DOB, install fire stopping to impede the spread of fire between buildings and floors, put protective sleeving between foundation walls, and support the piping with proper brackets. In order to prevent anyone from tampering with the system, IOANNIDIS also removed the handles of shut-off valves that controlled the gas flow, effectively limiting the ability to determine whether gas valves were closed or open and potentially enabling dangerous, multidirectional gas flow through the pipes.

In August 2014, IOANNIDIS—using TROMBETTAS’ license—sent an affidavit to Con Ed claiming that a pressure test on the restaurant’s gas meter had been performed successfully. By the middle of the month, Con Ed restored gas to the restaurant, while upstairs tenants continued to receive gas by way of the defendants’ illegal gas delivery system.

At approximately 2:00 p.m. on March 26, 2015, two Con Ed employees arrived at 121 Second Avenue to perform an inspection. Prior to the inspection, IOANNIDIS and KUKIC manipulated the gas delivery system by shutting off the gas supply connecting 119 and 121 Second Avenue and opening the shut-off valves. Because of several deficiencies with the proposed gas meter location, Con Ed employees did not approve their installation. At the time, there was no sign of leakage or odor, and the full extent of the unauthorized gas delivery system remained hidden from inspectors’ view.

After failing the inspection, KUKIC and MICHAEL HRYNENKO went down into the building basement and turned on the gas supply from 119 Second Avenue without checking whether the gas valves were open. The shut-off valves, which were in fact open, allowed gas to flow through the pipes and out of the uncapped meter bars into the restaurant.

At approximately 3:00 p.m., a Sushi Park employee smelled gas and notified MARIA HRYNENKO, who instructed KUKIC to check on the source of the odor. Surveillance footage depicts KUKIC and MICHAEL HRYNENKO entering the Sushi Park basement and then swiftly sprinting out of the restaurant without warning any of the patrons or workers and running toward the East 7<sup>th</sup> Street entrance to the building basement, where the illegal gas delivery system was set up.

Soon thereafter, the gas—which had been flowing through the pipes and out of the uncapped meter bars—ignited and caused an explosion. Moises Locon, an employee of Sushi Park, and Nicholas Figueroa, a diner, who were both inside the restaurant at the time

of the explosion, were killed. At least 13 other individuals suffered serious injuries as the lower floors of 121 Second Avenue buckled and caught fire, which quickly spread and destroyed adjacent properties, leading to the eventual collapse of the properties at 119, 121, and 123 Second Avenue.

Assistant District Attorney Rachana Pathak is handling the prosecution of the case, under the supervision of Assistant District Attorney Deborah Hickey, Senior Supervising Attorney of the Rackets Bureau, Assistant District Attorney Judy Salwen, Principal Deputy Chief of the Rackets Bureau, Assistant District Attorney Michael Ohm, Deputy Chief of the Rackets Bureau, Assistant District Attorney Jodie Kane, Chief of the Rackets Bureau, and Executive Assistant District Attorney David Szuchman, Chief of the Investigation Division. Assistant District Attorney Harrison Schweiloch, Trial Preparation Assistant Alexandra Oviedo and Former Investigative Analyst Michael Segnan, Assistant Media Services Technician James Oliva, and Cell Site Analyst Nathan Weber provided additional assistance with the investigation.

District Attorney Vance thanked the following agencies for their assistance with the investigation: NYPD Arson & Explosion Squad, and in particular, Detectives Louis Ducheschi, Edward Simonetti, Andy Cohen, John Dimare, Lt. Steven Russell, and Det. Jose Flores, of the Manhattan South Homicide Squad; DOI, and in particular, Forensic Investigator Erskine Fleming, Special Investigator Dan Taylor, and Chief Investigator James McElligott; FDNY, and in particular, Battalion Chiefs John Dunne and Edward Tierney, Firefighter Mike Shepherd, Fire Marshals from the Bureau of Fire Investigation, and countless others; DOB, and in particular, Assistant Chief of Plumbing Raphael Truelsen; and Gregg M. Mokrzycki, of the Federal Bureau of Investigation's Questioned Documents Unit.

Defendant Information:

MARIA HRYNENKO, D.O.B. 11/26/1959  
Rockland, NY

Charged:

- Manslaughter in the Second Degree, a class C felony, 2 counts
- Assault in the Second Degree, a class D felony, 9 counts
- Criminally Negligent Homicide, a class E felony, 2 counts
- Assault in the Third Degree, a class A misdemeanor, 4 counts
- Reckless Endangerment in the Second Degree, a class A misdemeanor, 1 count

MICHAEL HRYNENKO, D.O.B. 11/30/1985  
Sparkill, NY

Charged:

- Manslaughter in the Second Degree, a class C felony, 2 counts
- Assault in the Second Degree, a class D felony, 9 count

- Criminally Negligent Homicide, a class E felony, 2 counts
- Assault in the Third Degree, a class A misdemeanor, 4 counts
- Reckless Endangerment in the Second Degree, a class A misdemeanor, 1 count

ATHANASIOS “JERRY” IOANNIDIS, D.O.B. 6/15/1956  
Queens, NY

Charged:

- Manslaughter in the Second Degree, a class C felony, 2 counts
- Assault in the Second Degree, a class D felony, 9 count
- Criminally Negligent Homicide, a class E felony, 2 counts
- Assault in the Third Degree, a class A misdemeanor, 4 counts
- Reckless Endangerment in the Second Degree, a class A misdemeanor, 1 count
- Falsifying Business Records in the Second Degree, a class A misdemeanor, 2 counts

DILBER KUKIC, D.O.B. 6/9/1975  
Bronx, NY

Charged:

- Manslaughter in the Second Degree, a class C felony, 2 counts
- Assault in the Second Degree, a class D felony, 9 count
- Criminally Negligent Homicide, a class E felony, 2 counts
- Assault in the Third Degree, a class A misdemeanor, 4 counts
- Reckless Endangerment in the Second Degree, a class A misdemeanor, 1 count

ANDREW TROMBETTAS, D.O.B. 11/18/1958  
Queens, NY

Charged:

- Offering a False Instrument for Filing in the First Degree, a class E felony, 2 counts

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