



The City of New York  
Department of Investigation

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### **DOI INVESTIGATION LEADS TO ARREST OF FORMER FDNY FIRE PROTECTION INSPECTOR ON CHARGES OF FALSIFYING INSPECTIONS**

Margaret Garnett, Commissioner of the New York City Department of Investigation (“DOI”), announced today the arrest of a former New York City Fire Department (“FDNY”) Fire Protection Inspector on charges of issuing violations for inspections he never conducted between December 2017 and March 2018. DOI began its investigation after receiving reports that summonses submitted by the defendant contained false information. DOI worked with the office of Kings County District Attorney Eric Gonzalez, which is prosecuting the case.

DOI Commissioner Margaret Garnett said, “Falsifying a fire inspection is a crime that potentially can place New Yorkers’ lives and property at risk. Moreover, issuing summonses for non-existent violations is a gross abuse of authority, and damages public confidence in the City’s inspection and summons system and in all City inspectors. I thank and commend those who stepped forward to let us know about this alleged illegal conduct by a City employee, which allowed us to uncover the crimes charged today.”

Brooklyn District Attorney Eric Gonzalez said, “Falsifying inspections as this defendant is alleged to have done undermines the integrity of the process which is in place to keep us safe and needlessly puts people’s lives at risk. This defendant further allegedly violated the trust we place in our public servants, eroding faith in our system of oversight.”

BARRY PARMANAN, 64, of Soundview in the Bronx, is charged with three counts each of Offering a False Instrument for Filing in the First Degree, a class E felony; and Offering a False Instrument for Filing in the Second Degree, Making an Apparently Sworn False Statement in the Second Degree and Perjury in the Third Degree, all class A misdemeanors. Upon conviction, a class E felony is punishable by up to four years in prison and a class A misdemeanor is punishable by up to a year’s incarceration.

According to the criminal complaint and DOI’s investigation, PARMANAN was a FDNY Fire Protection Inspector during the time of the alleged illegal conduct, who inspected businesses ensuring that they complied with the City’s Fire Code. When a violation is found, Inspectors are empowered to issue a FDNY summons, which includes the business’ name and address, the time of the inspection, and other relevant information. These summonses are typically filed at FDNY headquarters at 9 MetroTech Center in Kings County. The Inspector certifies on the summonses, under penalty of perjury, that the Inspector observed the violation and verifies the existence of the violation. The complaint detailed the following three fraudulent inspections:

- On February 28, 2018, at about 5:45 p.m., the defendant issued a summons to a pizza restaurant on West 171<sup>st</sup> St. in Manhattan for failure to provide affidavit documentation for the hydrostatic test on the automatic kitchen fire suppression system and failure to maintain records for hood cleaning in the kitchen. The defendant indicated on the summons that no officer, director or managing agent was present and the summons was affixed to the door. However, a manager at the restaurant told investigators that the defendant was never at the

premises and cell site records obtained for the defendant's cell phone showed that 43 minutes prior to the purported inspection, the defendant's phone was in the Parkchester section of the Bronx.

- On March 1, 2018, at about 12:10 p.m., the defendant issued a summons to a parochial school on West 187<sup>th</sup> Street in Manhattan for failure to provide affidavit documentation for the hydrostatic test on the automatic kitchen fire suppression system. The defendant certified on the summonses that he was told by a school employee that no officer, director or managing agent was present and the summons was affixed to the door of the kitchen. The investigation found that the defendant's name was not in the school's sign-in book for that day; that the school employee whom the defendant named as providing the information that no officer, director or managing agent was present, was a former employee who no longer worked at the school; and that the violation the defendant cited does not exist since the hydrostatic test had been conducted. In addition, cell site records for the defendant's phone indicated that 14 minutes prior to the purported inspection, the defendant was in the Parkchester section of the Bronx.
- On March 2, 2018, at about 4:05 p.m., the defendant issued a summons to a restaurant on West 181<sup>st</sup> Street in Manhattan for failure to provide affidavit documentation for a hydrostatic test on the automatic kitchen fire suppression system. The defendant certified on the summons that he was advised by a restaurant employee that no officer, director or managing agent was present and he affixed the summons to the door of the building. Surveillance footage in the vicinity did not show any FDNY employee present during that timeframe and there is no record of the restaurant employee whom the defendant named as providing the information that no officer, director or managing agent was present. In addition, cell site records for the defendant's phone indicated that 16 minutes after the purported inspection, the defendant's phone was in the Soundview section of the South Bronx.

PARMANAN had been an FDNY employee since September 1997 and received an annual salary of approximately \$ 53,740 at the time of his retirement in June 2018.

DOI Commissioner Garnett thanked Kings County District Attorney Eric Gonzalez and FDNY Commissioner Daniel A. Nigro, and their staffs, in particular FDNY's Bureau of Fire Prevention, for their cooperation and assistance in this investigation.

The investigation was conducted by DOI's Office of the Inspector General for FDNY, specifically Assistant Inspector General Zeola Fox, under the supervision of Inspector General Shannon K. Manigault, Associate Commissioner Paul Cronin, First Deputy Commissioner Daniel Cort and Deputy Commissioner /Chief of Investigations Dominick Zarrella.

The Kings County District Attorney's Office is prosecuting the matter, specifically Assistant District Attorney Adam Libove, under the supervision of Chief of the Public Integrity Unit Michel Spanakos.

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 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.*

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