



The City of New York
Department of Investigation
ROSE GILL HEARN
COMMISSIONER

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

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**CONTACT: DIANE STRUZZI
(212) 825-5931**

**DOI ARRESTS MAN ON CHARGES OF SUBMITTING A
FRAUDULENT EPA LEAD ABATEMENT CERTIFICATE TO THE CITY HEALTH DEPARTMENT**

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation (“DOI”), announced today the arrest of a New Jersey man on charges of submitting to the City Department of Health and Mental Hygiene (“DOHMH”) a fraudulent lead abatement certificate purportedly issued by the United States Environmental Protection Agency (“EPA”). The certificate was submitted by the defendant in January 2012 in connection with lead abatement work at an apartment building on West 182nd Street in northern Manhattan. DOI began its investigation after DOHMH reported seeing discrepancies in the EPA certificate submitted by the defendant. The investigation was conducted by DOI with the assistance of the EPA Criminal Investigation Division. The office of New York County District Attorney Cyrus R. Vance, Jr., is prosecuting the case.

DOI Commissioner Rose Gill Hearn said, “The City has zero tolerance for individuals who falsify records in safety-related matters. I thank the Department of Health for reporting this to DOI and allowing investigators to expose and stop the fraud.”

MIROSLAW MACIAG, 50, of Trenton, N.J., was charged with Forgery in the Second Degree, and Tampering with Public Records in the First Degree, both class D felonies, and Offering a False Instrument for Filing in the First Degree, a class E felony. 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.

The mission of DOHMH’s Lead Poisoning Prevention Program is to prevent and control lead poisoning in children by early detection screening and providing services for women and children who have been exposed to lead. If a Health Inspector identifies high levels of lead in a dwelling, the City requires landlords to abate the lead by hiring an EPA-certified contractor. The landlord must notify DOHMH with the name of the certified contractor.

According to the criminal complaint and DOI’s investigation, the defendant was an EPA-certified lead abatement contractor from April 2005 through April 2008. The investigation determined the defendant was hired in January 2012 to abate lead at two apartments at 570 West 182nd St., and that he submitted to DOHMH an altered EPA certificate falsely indicating he was a certified lead abatement contractor, when in fact his certification had lapsed. The investigation found the certificate submitted by the defendant had an erroneous date and the signature of a retired EPA official.

DOHMH has re-inspected the apartments and determined there are no lead safety issues.

DOI Commissioner Gill Hearn thanked New York County District Attorney Cyrus R. Vance, Jr.; DOHMH Commissioner Thomas Farley; Special Agent-In Charge William Lometti and Special Agent Robert Mutto of the EPA’s Criminal Investigation Division, and their staffs, for their assistance in the investigation.

The investigation was conducted by DOI’s Office of the Inspector General for DOHMH.

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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