



Department of Investigation

Press Release

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WEDNESDAY, MARCH 27, 2002

DOI BRIBERY STING NABS MAN WHO PAID UNDERCOVER HPD INSPECTOR TO IGNORE HOUSING CODE VIOLATIONS IN QUEENS

ROSE GILL HEARN, Commissioner of the Department of Investigation (DOI), today announced the felony arrest of ALBERTO ROBAYO, a/k/a ALBERTO HERRERA, for paying a \$200 bribe to an undercover City Department of Housing Preservation and Development (HPD) Code Enforcement inspector assigned to DOI. The payoff allegedly was in return for the inspector not reporting an illegal basement apartment in a 2-story commercial/residential dwelling owned by ROBAYO's fiancée, located at 30-50 14th Street in Queens.

Commissioner Gill Hearn said that DOI began an investigation in February 2001 when an HPD housing inspector reported that, during the course of a routine "Dismissal Request Inspection," ROBAYO had asked the inspector, "Is there anything I can do so that you can remove the violation of the illegal apartment in the basement?" The inspector did not respond, left the premises, and immediately reported the incident to DOI.

Commissioner Gill Hearn explained that a Dismissal Request Inspection is normally conducted prior to the sale or refinancing of property. In this case, the owner had requested the inspection of the property, which had been cited 8 times, between 1985 and 1998, for such violations as an illegal basement apartment, inadequate entryway lighting, and broken tiles.

On March 9, 2001, DOI sent an undercover inspector, wearing a concealed recording device, to the 14th Street property. ROBAYO met with the undercover, who conducted a re-inspection and found the illegal basement apartment. ROBAYO asked the inspector to not report the unauthorized apartment, and then handed him \$200 cash.

ROBAYO, 29, of 10 Washington Court, Hempstead, New York, was charged with Bribery in the Third Degree, a Class D felony, and Rewarding Official Misconduct in the Second Degree, a Class E felony. If convicted, he faces up to 7 years in prison.

Commissioner Gill Hearn expressed her sincere appreciation to HPD Commissioner Jerilyn Perine and members of her staff for their cooperation and assistance in the investigation.

The investigation was conducted by Brian D. Foley, DOI's Inspector General for HPD, and members of his staff, including Confidential Investigator Trina R. Jones.

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

DOI Bribery Sting Nabs Man Who Paid Undercover HPD Inspector To Ignore Hsg Violations In Queens

Attorney Yvonne Creque of the DA's Integrity Bureau is handling the matter.

Members of the public are reminded that a criminal complaint is merely an accusation and that the defendant is presumed innocent until proven guilty.