



The City of New York  
Department of Investigation

ROSE GILL HEARN  
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**DOI ARRESTS MAN FOR FILING FORGED DOCUMENTS**  
**-- Tried to clear violations and pay reduced fines for hotel code violations--**

ROSE GILL HEARN, Commissioner of the Department of Investigation (DOI), announced today the felony arrest of Harvey Scher, the former engineering director of a Manhattan-based hotel management company, for allegedly offering false evidence to trick Environmental Control Board (ECB) administrative law judges into reducing fines for violations issued at two of the management company's properties. Scher was arrested this morning in Manhattan.

Scher, 50, of Staten Island, has been charged with two counts of Criminal Possession of a Forged Instrument in the Second Degree, a class D felony, three counts of Offering a False Instrument for Filing in the First Degree, and two counts of Tampering with Physical Evidence, both class E felonies. If convicted, he faces up to seven years in prison.

Commissioner Gill Hearn said, "The five borough offices of the Environmental Control Board provide a fair and impartial forum for people to dispute violations issued by City departments. Today's charges depict a calculated effort on Mr. Scher's part to undermine the integrity of that judicial process. Where and when such fraud is detected, DOI will investigate, arrest, and seek criminal prosecution of those responsible."

Commissioner Gill Hearn said that in December 2000 and July 2001, Scher testified at hearings at ECB's Manhattan office, located at 66 John Street, that necessary repairs and inspections had been performed in connection with two Department of Buildings elevator violations at the Hotel Wales on Madison Avenue on the upper east side of Manhattan and one Fire Department cooling system violation at The Roger Williams hotel in midtown. Scher offered as proof to the administrative law judges, who later imposed minimum fines, forged letters of correction and other false documents in the names of mechanical maintenance companies, which Scher claimed had fixed the problems.

DOI began its investigation after ECB staff reported that it had received two letters, each bearing entirely different signatures, in the name of a principal of an elevator maintenance company, said Commissioner Gill Hearn. One of the two letters had been submitted by Scher at a hearing as proof of correction of the elevator violations at the Hotel Wales. Investigators determined that this letter was not prepared by the elevator

maintenance company and that the company had never performed the services described in the letter. During a review of nearly 50 ECB violation files with which Scher may have been involved, DOI investigators discovered that Scher allegedly had submitted another false letter at the ECB hearing on the cooling system violation at the Roger Williams Hotel.

Both the elevators at the Hotel Wales and the cooling system at the Roger Williams Hotel were subsequently re-inspected and cleared by the City agencies which had originally issued the violations.

Commissioner Gill Hearn thanked Christopher O. Ward, Commissioner of the New York City Department of Environmental Protection, and members of his staff for their assistance in the investigation.

The investigation was conducted by Clive I. Morricks, DOI's Inspector General for the Department of Environmental Protection, and Christopher S. Staackmann, Acting Assistant Inspector General.

The office of the New York County District Attorney Robert M. Morgenthau is prosecuting the case, which has been assigned to Assistant District Attorney Judy Salwen of the Special Prosecutions Bureau, under the supervision of Bureau Chief Leroy Frazer and Deputy Bureau Chief Tom Wornom.

Criminal complaints are merely accusations; defendants are presumed innocent unless convicted in court.

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