



# Department of Investigation

## *Press Release*

Release #050-99

### **BRIGHTON BEACH DAY CARE CENTER OPERATOR CHARGED WITH \$5,000 "C of O" PAYOFF IN DOI STING**

THURSDAY, OCTOBER 7, 1999 -- EDWARD J. KURIANSKY, Commissioner of the Department of Investigation (DOI), today announced the felony arrest of INNA TULCHINSKAYA, the operator of a Brighton Beach day care center under construction at 3037 Brighton 3<sup>rd</sup> Street in Brooklyn, for paying \$5,000 in bribes to a DOI undercover agent posing as a City Department of Buildings (DOB) inspector. The payoffs were allegedly made to remove all building code violations filed against the premises, which had been illegally converted from a single-room occupancy (SRO) to a 3-family dwelling, and to obtain a fraudulent Certificate of Occupancy (C of O).

According to Commissioner Kuriansky, before DOB will issue a permit to alter or demolish an SRO, the property owner must first obtain a certificate of no harassment from the City's Department of Housing Preservation and Development (HPD), the agency that oversees SROs. A certificate of no harassment essentially states that no SRO residents have been harassed by the current or prior owner, he said.

When an HPD inspector went to the Brighton 3<sup>rd</sup> Street address to confirm that the new owners had such a certificate -- which they did not -- he met with TULCHINSKAYA, who had bought the building with family members and planned to operate a day care center on the ground floor. During their meeting, TULCHINSKAYA asked the inspector if he knew anyone who could take care of the outstanding building code violations -- for lack of required annual boiler inspections -- previously filed against the property. The inspector said that he would get back to her. After leaving the building, the inspector immediately reported the matter to DOI.

In August 1999, the HPD inspector introduced TULCHINSKAYA to a DOI undercover agent, posing as a DOB inspector and wearing a concealed recording device. TULCHINSKAYA explained to the undercover that her mortgage lender was holding \$20,000 of her money in escrow and that, to have the money released, she needed to present the bank with a C of O reflecting that the Brighton 3<sup>rd</sup> Street address was a legal 3-family dwelling, together with documentation that all pending building code violations had been corrected. TULCHINSKAYA told the undercover that she would be willing to pay \$5,000 to obtain the necessary papers.

The undercover informed TULCHINSKAYA that to obtain a C of O legally she would need to hire a contractor and an architect, and proper plans would have to be filed with DOB. The undercover further told TULCHINSKAYA that what she was proposing was illegal and that the documents she would be purchasing would not be real.

Later that month, the undercover again met with TULCHINSKAYA, who gave him a \$2,500 down payment, with the understanding that the undercover would soon deliver the fraudulent C of O and have the building violations deleted from DOB's files.

TULCHINSKAYA was arrested today when she again met with the undercover, paid him an additional \$2,500, and accepted hand delivery of the fraudulent documents.

TULCHINSKAYA, 49, of Brooklyn, presently operates Innas Child Care, a day care center at 3042 Brighton 4<sup>th</sup> Street in Brooklyn.

TULCHINSKAYA was charged with Bribery in the Third Degree, a Class D felony punishable by up to 7 years in prison, and Rewarding Official Misconduct, a Class E felony punishable by up to 4 years in prison.

The investigation was conducted by Brian D. Foley, DOI's Inspector General for HPD, and members of his staff, including Deputy Inspector General Frank Florida, Assistant Inspector General Daniel Alejandro, and Special Investigator Caroline Tang.

The Office of Brooklyn District Attorney Charles J. Hynes is prosecuting the case. Assistant District Attorney Joseph A. DiBenedetto is handling the matter under the supervision of Assistant District Attorney Melissa Jackson.