



The City of New York  
Department of Investigation

ROSE GILL HEARN  
COMMISSIONER

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

Release #35-2009  
[nyc.gov/html/doi](http://nyc.gov/html/doi)

**FOR IMMEDIATE RELEASE**  
**WEDNESDAY, APRIL 22, 2009**

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

**DOI ARRESTS CITY DEPARTMENT OF CORRECTION CAPTAIN AND HIS HOUSEMATE  
ON CHARGES OF DEFRAUDING CITY HOUSING AUTHORITY OF APPROXIMATELY \$59,484**

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), announced today the arrest of a City Department of Correction ("DOC") Captain and his live-in companion of more than six years on charges that they defrauded the New York City Housing Authority ("NYCHA") of approximately \$59,484 in Section 8 rental subsidies by misrepresenting their relationship as one of landlord and tenant and concealing their personal relationship, sharing the Captain's house, and failing to report his City income. The office of Richmond County District Attorney Daniel M. Donovan, Jr. is prosecuting the case.

CLARENCE MCGANN, 54, and MARIA TORRES, 46, both of Staten Island, have each been charged with acting in concert while committing Grand Larceny in the Second Degree, a Class C felony. TORRES has also been charged with six counts of Offering a False Instrument for Filing in the First Degree, a Class E felony. Upon conviction, a class C felony is punishable by up to 15 years in prison and a class E felony by up to four years in prison.

DOI Commissioner Rose Gill Hearn said, "Section 8 subsidies are supposed to help needy families afford decent housing, not underwrite the living expenses of individuals who benefit from home ownership and good-paying, taxpayer-funded jobs. DOI will continue to expose and stop fraud that robs taxpayers and needy City residents of precious funding."

According to the criminal complaint, between February 2002 and December 2008, TORRES was a participant in NYCHA's Section 8 Housing Voucher Program and supposedly was a tenant in two properties owned by MCGANN on Doreen Drive and, later, on South Avenue. NYCHA paid rental subsidies directly to MCGANN in his role as TORRES'S supposed landlord.

The monthly Section 8 subsidies are determined, in part, by the household composition and income the tenant reports to NYCHA.

According to the criminal complaint, DOI's investigation found that TORRES submitted Affidavits of Income to NYCHA stating that she and her children were the sole occupants of apartments in MCGANN'S houses and her income was based solely on her employment and/or child support. The investigation also found that TORRES and MCGANN were living together in the Section 8 apartments or premises at both Doreen Drive and South Avenue during this timeframe and that both of these properties are listed with the

more

City Department of Buildings as single-family residences. MCGANN also signed contracts in which TORRES and her children were the only individuals authorized by NYCHA to reside in the apartments.

MCGANN has been employed with DOC since December 1984, currently receives a salary of approximately \$90,670 and between 2000 and 2008 received an annual salary of more than \$70,000. The investigation found that if TORRES had revealed MCGANN resided with her, TORRES would have been ineligible for Section 8 rental subsidies, according to the criminal complaint

As a result of these misrepresentations, NYCHA was defrauded of approximately \$59,484 between 2002 and 2008, according to the criminal complaint.

Commissioner Gill Hearn thanked NYCHA Chairman Ricardo Elías Morales and Richmond County District Attorney Daniel M. Donovan, Jr., and their staffs for their assistance on this investigation.

This investigation was conducted by DOI's Inspector General for NYCHA Robert J. McSweeney and members of his staff, including Deputy Inspector General Bergia Telesford, First Assistant Inspector General Rosemary Caruso, Special Investigator Stephen Mattei and Confidential Investigator Samuel Polland. The investigation was assisted by DOI's Office of the Inspector General for DOC.

Assistant District Attorney Jeffrey Curiale of the Richmond County District Attorney's Office has been assigned to the case.

Criminal complaints are accusations. Defendants are 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.*

**Get the worms out of the Big Apple.  
To report someone ripping off the City, call DOI at (212) 825-5959.**