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Multiple Defendants Indicted for Allegedly Concealing Asbestos and Filing False Documents in Connection with Renovation Of Four Properties in Greenwood Section of Brooklyn

Defendants Allegedly Sought to Maximize Profits on Renovated Residential Properties

Brooklyn District Attorney Eric Gonzalez, together with New York City Department of Investigation Commissioner Mark G. Peters, today announced that five people and two businesses have been indicted in connection with the illegal renovation of four properties in Brooklyn. They allegedly conspired to bypass safety protocols, including asbestos abatement, using forged documents and falsifying business records to maximize profits.

District Attorney Gonzalez said, “These defendants are accused of greedily taking dangerous shortcuts – bypassing safety measures that are put in place to protect the public from serious and unnecessary health risks – to maximize profits at any cost, including the well-being of employees and prospective tenants. This recklessness will not be tolerated in Brooklyn. We will now seek to hold these defendants accountable.”

Commissioner Peters said, “Over the past four years, DOI and its partners, including the Brooklyn District Attorney, have repeatedly exposed the dangers of property owners and contractors who hide the presence of asbestos at construction sites through false filings and the impact it can have on unsuspecting workers who labor under those conditions. The facts behind today’s arrests add another chapter to that disturbing narrative: Defendants told workers to continue demolishing a site despite the presence of asbestos, misled them, and falsified documents to the City to cover up the illegal work, according to the charges. DOI will continue to pursue arrests for any individuals who endanger workers and submit fraudulent paperwork to the City.”

The District Attorney identified the defendants as Carmine Casale, 45, of Brooklyn; Edmund Farkouh, 55, of Queens; Richard Juliano, 43, of Brooklyn; Scott Schnall, 50, of Brooklyn; Shirley Swift, 55, of Brooklyn; 5th Avenue 816, L.L.C.; and Scott Schnall, P.E. They were arraigned today on a 61-count indictment in which they are variously charged with fifth-degree conspiracy, first-degree offering a false instrument for filing, first-degree falsifying business records, second-degree

forgery, second-degree criminal possession of a forged instrument, second-degree reckless endangerment, and willful failure to contribute. Brooklyn Supreme Court Justice Danny Chun set bail at \$20,000 cash for Juliano and Casale; \$10,000 cash for Schnall and Farkouh; and released Swift without bail. The defendants were ordered to return to court on November 28, 2018.

The District Attorney said that, according to the indictment, between June 24, 2015 and October 18, 2016, the defendants allegedly conspired to maximize the profits on the sale of renovated residential properties at 816 and 816A Fifth Avenue and 817 and 817A Fifth Avenue, in the Greenwood section of Brooklyn.

It is alleged that the defendants conspired to avoid the high costs associated with legally required asbestos abatement prior to the issuance of building permits by concealing the existence of asbestos at the properties. Furthermore, it is alleged, as part of the conspiracy the defendants created and filed false documents with the New York City Department of Environmental Protection and the New York City Department of Buildings in support of the applications for building permits authorizing demolition and renovation of the Fifth Avenue properties, including the filing of asbestos assessment reports containing false entries regarding the inspection for the presence of asbestos; forging the signature and registration number of a DOB licensed general contractor on work permit applications; certifying and filing forged applications with the DOB in order to obtain final DOB approval to begin renovations at the properties.

The case was investigated by the Detective Investigators with District Attorney's Investigations Bureau, with the assistance of DOI Investigative Attorney Marc Assa and Deputy Inspector General Michael Antolini, under the supervision of Associate Commissioner Jay Flaherty, Deputy Commissioner/Chief of Investigations Susan Lambiase and First Deputy Commissioner Lesley Brovner.

The case is being prosecuted by Senior Assistant District Attorney Nicholas J. Batsidis, of the District Attorney's Organized Crime and Racketeering Bureau, under the supervision of Assistant District Attorney Christopher Blank, Bureau Chief, and the overall supervision of Assistant District Attorney Patricia McNeill, Deputy Chief of the District Attorney's Investigations Division.

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An indictment is an accusatory instrument and not proof of a defendant's guilt.