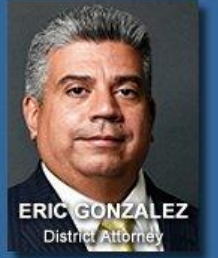




## THE BROOKLYN DISTRICT ATTORNEY'S OFFICE

KEEPING BROOKLYN SAFE AND STRENGTHENING COMMUNITY TRUST



**FOR IMMEDIATE RELEASE**

**Tuesday, March 22, 2022**

# **Construction Company and Owner Indicted for Manslaughter in Death of 5-Year-Old Girl Struck by Pillars Following Wall Collapse**

***Defendant Allegedly Built Dangerously Flawed Stone Fence in  
Violation of Numerous Provisions of the NYC Building Code***

Brooklyn District Attorney Eric Gonzalez, together with New York City Department of Investigation Commissioner Jocelyn E. Strauber and New York City Department of Buildings Acting Commissioner Constadino "Gus" Sirakis, P.E., today announced that the owner of a Nassau County construction company has been indicted on manslaughter and other charges after a wall he built collapsed on a child, killing her.

District Attorney Gonzalez said, "The wall that this defendant allegedly built was a disaster waiting to happen. He allegedly failed to obtain the proper permits and failed to reinforce and secure the structure as required by law. As a direct consequence of his alleged recklessness, the wall collapsed and caused the senseless death of a precious 5-year-old child. My heart is with the victim's family, and we will now seek to hold this defendant accountable."

Commissioner Strauber said, "The New York City Building Code exists to ensure the safety of construction in the city. Mr. Anwar and his company allegedly violated numerous Code requirements when they built a stone wall without proper anchors or permits. Their obviously dangerous conduct had tragic consequences; as charged, the wall collapsed, causing the death of a 5-year-old girl. We thank the Brooklyn District Attorney's Office and the city's Department of Buildings for their partnership in this important investigation and we will continue to work with them to hold accountable those who flout their responsibilities with respect to construction safety."

Acting Commissioner Sirakis said, "Performing construction work without the necessary permits can have devastating consequences. This indictment sends a strong message to the construction industry that this City will not tolerate bad actors who cut corners and jeopardize the safety of our fellow New Yorkers. I would like to personally thank our partners at the District Attorney's Office and at the Department of Investigation for bringing criminal charges in this important case."

The District Attorney identified the defendant as Nadeem Anwar, 46, of Valley Stream and his company, City Wide Construction and Renovations, Inc., also of Valley Stream. They were arraigned today before Brooklyn Supreme Court Justice Danny Chun on an indictment in which they are charged with second-degree manslaughter, criminally negligent homicide, second-degree reckless endangerment, first-degree offering a false instrument for filing, and second-degree falsifying business records. Anwar was released without bail and ordered to return to court on May 11, 2022.

The District Attorney said that, according to the investigation, on August 29, 2019, at approximately 8:23 p.m., Alysson Pinto-Chaumana, 5, was with her mother and several friends while they were visiting a friend at 444 Harman Street, a three-story building in Bushwick, Brooklyn.

The group was outside waiting near the front door on an enclosed patio next to a 68" tall wall that fenced in the patio and had a base of heavy stone pillars topped with stone horizontal plates. Suddenly, the pillars and a horizontal plate fell inward onto Alysson, crushing her skull and causing her death.

An investigation into the collapse determined that the defendant, a licensed contractor, who was hired to renovate the façade of the property and build the wall in September 2018 allegedly committed numerous violations of the New York City Building Code. Although he was licensed as a contractor in Nassau County, he was not authorized to file for work permits with the NYC Department of Buildings and had another contractor file the application for the work on the façade, but not for building the wall.

The defendant allegedly did not acquire a DOB permit to build a stone wall at 444 Harman Street, which was required, nor did he have a licensed engineer or architect conduct a post-construction analysis of the wall's stability as required. A row of stone pillars must have at least one pillar every 48 inches with a steel reinforcing bar anchoring that pillar to the base. All of the pillars must also be secured to the base with an engineer-grade adhesive. The horizontal plates must be secured to the pillars with engineer-grade adhesive.

A DOB engineer who responded to the collapse allegedly observed there were no steel reinforcing bars in any of the pillars. Furthermore, he determined that there was no engineer-grade adhesive securing any of the wall's component parts. Therefore, he determined, the wall was highly unstable and held together mostly by its own weight and gravity, an egregious violation of multiple provisions of the Building Code. The engineer described the conditions as "imminently perilous to life."

The case was investigated by New York City Department of Buildings Director of Forensic Engineering Unit, Marco Frias, PE and New York City Department of Investigation Chief Investigator James McElligott and Confidential Investigator Eliza Kopelman, under the supervision of Senior Inspector General Gregory Cho, Deputy Commissioner/Chief of Investigations Dominic Zarrella and First Deputy Commissioner Daniel G. Cort.

The case is being prosecuted by Senior Assistant District Attorney Linda Hristova, of the District Attorney's Frauds Bureau, under the supervision of Assistant District Attorney Michel Spanakos, Deputy Chief of the District Attorney's Investigations Division, and the overall supervision of Assistant District Attorney Patricia McNeill, Chief of the Investigations Division.

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