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**D.A. BROWN: QUEENS CONTRACTOR SENTENCED TO UP TO 7 ½ YEARS  
IN STATE PRISON FOR \$672,000 HUD REAL ESTATE SWINDLE**

*Defrauded 9 Individuals By Taking Money For Purported Home Purchases and Renovations*

Queens District Attorney Richard A. Brown today announced that a Queens contractor who defrauded nine individuals – including a teacher, a pharmaceutical sales representative and a medical doctor – out of more than \$672,000 in savings through a real estate scheme has been sentenced to 2 ½ years to 7½ years in state prison. The money was for the purchase and renovation of HUD residential houses which, in fact, never took place.

District Attorney Richard A. Brown said, “The defendant has admitted to having cheated honest, hardworking individuals out of, in some cases, their life savings by showing them U.S. Department of Housing and Urban Development properties in several Queens neighborhoods and falsely claiming to be able to purchase the properties for them. In furtherance of his scheme and to build trust with his victims, the defendant even showed some of them houses that he was in the process of renovating – yet failed to ever complete. As a result, the victims agreed to have the defendant undertake renovations on the various properties that they were shown and had agreed to buy. The end result was that instead of helping these individuals live the ‘American Dream’ by becoming homeowners, the defendant built them a ‘House of Cards’ that fell apart soon after the money was deposited in their account.”

The District Attorney identified the defendant as Dennis Barnaby, 55, of 141-24 181 Street in Springfield Gardens. Barnaby, the owner of East Coast Construction, which he operates out of his residence, pleaded guilty on September 12, 2006, to second-degree grand larceny before Acting Supreme Court Justice Joseph Grosso, who yesterday afternoon imposed a sentence of 2 ½ to 7 ½ years in prison. Barnaby had previously signed a confession of judgment for \$641,000 to the victims. His wife, Pauline Davis, 50, who also participated in the scheme and was held in jail in lieu of bail since her arrest in May, pleaded guilty in September to first-degree scheme to defraud and was sentenced to time served.

According to the District Attorney, the investigation began in June 2004 when a 41-year-old Jamaica, Queens, woman contacted the District Attorney’s Economic Crimes Bureau and complained that she had been cheated by the defendant Barnaby in a real estate purchase. Thereafter, additional complainants came forward. The defendants were arrested on May 4, 2006.

District Attorney Brown said that, between February 15, 2002 and March 28, 2006, the defendants stole a total of \$672,500 from nine individuals who had given the defendants large sums of money – ranging from \$17,500 to \$150,000 – with the understanding that the money would be used toward the purchase of eight single-family residences that were U.S. Housing and Urban Development properties. In one instance, the defendants sold the property to two different individuals.

According to District Attorney Brown, Barnaby, while doing renovations on houses in the Rosedale and Jamaica sections of Queens belonging to two of the victims, showed the properties to other victims and indicated that he would sell them the HUD-listed properties. In the case of the Jamaica property, the actual owner of the house, a medical doctor, had already given Barnaby \$130,000 to renovate and expand his one-story residence into a two-story dwelling. However, the renovations were never completed.

The District Attorney said that in furtherance of their scheme, Davis, who, at the time, was employed at BISA Check Cashing, located at 61-20 Springfield Boulevard in Bayside, deposited checks for home renovations in the amounts of \$130,000 and \$84,000 at her place of employment, as well as at

another check-cashing outlet in Springfield Gardens. The couple also deposited the monies received from their victims into Davis's bank account and unlawfully retaining the proceeds.

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-2-

The eight properties involved in the defendants' scheme were: 223-02 114<sup>th</sup> Avenue in Queens Village – purportedly sold to two different individuals; 227-20 137<sup>th</sup> Street in Laurelton ; 227-20 Merrick Boulevard in Springfield Gardens; 118-61 Farmers Boulevard in St. Albans; 217-36 110<sup>th</sup> Avenue in Queens Village; 114-51 226<sup>th</sup> Street in Jamaica; 152-07 125<sup>th</sup> Avenue in South Ozone Park and (8) 193-06 99<sup>th</sup> Avenue in Hollis. The residences are all listed as U.S. Housing and Urban Development properties

The investigation was conducted by Detective Richard A. Lewis of the District Attorney's Detective Bureau under the supervision of Lieutenant Robert J. Burke and Sergeant John W. Kenna and the overall supervision of Chief Lawrence J. Festa and Deputy Chief Albert D. Velardi.

Assistant District Attorney Mariana Zelig of the District Attorney's Economic Crimes Bureau, prosecuted the case under the supervision of Assistant District Attorneys Gregory C. Pavlides, Bureau Chief, and Christina Hanophy, Deputy Bureau Chief, and the overall supervision of Executive District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni.

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