

New York City Housing Authority Office of the Inspector General

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Inspector General



OFFICE OF THE INSPECTOR GENERAL

The New York City Housing Authority Office of the Inspector General (“NYCHA OIG”) is an independent law enforcement agency, within the New York City Department of Investigation (“DOI”), responsible for investigating allegations of criminal activity, fraud and misconduct involving NYCHA employees, tenants, or contractors/vendors.

DOI is the oldest law enforcement agency in the United States and is the City’s independent inspector general with criminal and civil investigatory authority over more than 45 mayoral agencies, entities/boards/commissions/authorities, elected officials, employees, contractors, and those who receive benefits from the City.

NYCHA OIG AUTHORITY

NYCHA OIG has the authority to:

- Investigate complaints/allegations against NYCHA employees, tenants, contractors and vendors
- Perform investigations on behalf of COIB
- Execute search warrants and issue subpoenas
- Make arrests and refer for prosecution
- Conduct system-wide investigations, reviews, studies, and audits, and issue recommendations regarding NYCHA operations, policies, programs, and practices

DOI / NYCHA OIG AUTHORITY

- **Chapter 34 of the NYC Charter**
 - Establishes DOI as a law enforcement agency and sets the agency's powers and jurisdiction
- **NYC Conflicts of Interest Law**
 - Chapter 68 2603 (e)(2): gives DOI power to investigate COI allegation
- **New York City Whistleblower Law**
 - Protects employees from retaliation and gives DOI authority to investigate claims of retaliation
- **Mayoral Executive Order 16**
 - DOI responsibilities, processes of investigation and disciplinary proceedings, duties to cooperate and report.

EO-16: DUTY TO COOPERATE

Under EO-16, all NYCHA employees **MUST** cooperate fully with the Commissioner of DOI and the Inspectors General.

Failure to cooperate or interference with, any investigation conducted by the Commissioner, or any Inspector General “shall constitute cause for removal from office or employment or other appropriate penalty.”

EO-16: DUTY TO REPORT

Under EO-16, all NYCHA employees are **REQUIRED** to report all information that they know, or should reasonably know, concerning any misconduct, criminal activity, corruption, etc., to the OIG.

Failure to report as required “above shall constitute cause for removal from office or employment or other appropriate penalty.”

Note: Your identity as a complainant will be protected, and complaints may be made anonymously.

RETALIATION

The NYC Whistleblower Law prohibits retaliation (demotion, suspension, termination, poor performance evaluation) against an employee that reports corruption or any other misconduct to NYCHA OIG or DOI.

If an employee thinks they have been retaliated against, they must report it to NYCHA OIG, and we will investigate the issue. If we find that there was retaliation, we may recommend that the employee be restored to their status before the employee made the complaint.

NYCHA OIG INVESTIGATIONS

- Tenant Fraud: underreporting income, unauthorized occupants
- Contractor/Vendor Fraud: bribing NYCHA employees, providing false or incorrect information to win bids, failing to pay prevailing wage
- Employee Misconduct: Misuse of resources, taking bribes, fraud, corruption, criminal activity, conflicts of interest, etc.

TENANT FRAUD

- Former Tenant 1: Defrauded NYCHA of approximately \$114,000 charged with conspiracy to steal government funds (federal)
 - Did not report that her husband lived with her, or his income
 - Moved out of her apartment into a home with her husband, then rented the Section 8 apartment to an unauthorized occupant for approximately \$1,000 a month

CONTRACTOR/VENDOR FRAUD

- Contractor 1: Bribery
 - Offered money to NYCHA staff in order to secure work in a development
- Contractor 2: Fraud and failure to pay prevailing wage
 - Submitted false certified payrolls to NYCHA
 - Failed to pay “prevailing wages” on NYCHA jobs, by using day laborers, paying only 1/3 of the prevailing wage
 - Demanded kick-backs of up to \$2,000 from workers

EMPLOYEE MISCONDUCT

NYCHA Property:

- Employees **MAY NOT** use NYCHA resources, including time, computers, staff, equipment, vehicles, property, etc., for any non-NYCHA purpose.
- NYCHA employees **MAY NOT** borrow or take any NYCHA property or equipment, new, old, or going in the trash.

Employment:

- Employees may work second jobs, but it cannot conflict with your NYCHA job. Before taking a second job, contact the NYCHA Law Department for guidance.
- Employees **CANNOT** discuss possible future employment with a company with which you are currently dealing in your NYCHA job.
- Employees **CANNOT** participate in a not-for-profit organization's business dealings with NYCHA or any other City agency.
- After you leave NYCHA, you can NOT appear before NYCHA on behalf of a private entity for one year. Also, you may never disclose or use for private advantage any confidential NYCHA information that you learn while working at NYCHA.

EMPLOYEE MISCONDUCT

Supervisors and Subordinates:

- Supervisors **CANNOT** enter financial relationships with subordinates.
- Supervisors **CANNOT** ask a subordinate to work on a political campaign or make a political contribution.
- Supervisors **CANNOT** hire subordinates for any outside work
- Supervisors **CANNOT** request or demand that subordinates perform personal errands for them

Interactions with Tenants and Contractors

- Employees **MAY NOT** accept bribes, gifts, tips, or anything of value from tenants, contractors/vendors, or anyone doing or wanting to do business with NYCHA, simply for performing your NYCHA job. (or for any other reason!)
- Employees **MAY NOT** solicit, perform or accept any outside work/jobs from tenants, contractors/vendors
- Employees **MAY NOT** perform any unsanctioned work for NYCHA tenants or contractors.

EMPLOYEE MISCONDUCT

Criminal Activity- Bribes, Tips, and Gratuities

Bribery: any offer of a benefit to a public servant on the understanding that the public servant's official action will be influenced. (*NYS Penal Law, Section 200.00*)

Gratuity: Any unauthorized payment or other benefit, even a "tip" or lunch money, beyond the salary and official benefits paid by NYCHA, to public servants for doing anything in connection with their job (*NYS Penal Law, Section 200.35*)

Official Misconduct: When a public servant purposely commits an unauthorized act related to their job or does not perform a duty related to the job or required by law, in order to obtain some benefit, or injure or deprive another person of a benefit. (*NYS Penal Law, Section 195.00*)

EMPLOYEE MISCONDUCT

Former Employee A: Official misconduct

- Employee arrested for “selling” a recently vacated NYCHA apartment to someone for \$2,000 and altering NYCHA records to make it look like the former authorized tenant still lived in the apartment.
- In addition to official misconduct, employee was charged with:
 - Bribe Receiving in the Third Degree
 - Tampering with Public Records in the First Degree
 - Offering a False Instrument for Filing in the First Degree
 - Falsifying Business Records in the First Degree
 - Receiving Reward for Official Misconduct in the Second Degree
- Charges carry a sentence of up to seven (7) years in prison

EMPLOYEE MISCONDUCT

Honorable Mentions

Off the Clock Behavior:

Employees may violate Code of Conduct even when you are NOT on the clock!

Social Media Use

Instagram, Facebook, Clubhouse, SnapChat, TikTok, etc., all forms social media and contact.

- Posts/Comments
- Instant/direct messages
- Text/photo messages
(personal or NYCHA)
- Email (personal or NYCHA)

Make smart decisions about what you post/comment and your overall online activity

Off-Site/After Hours Activities

(with co-workers)

- Happy Hour
- Parties
- Dates and other personal settings

The Code of Conduct and all responsibilities follow you any time and any place you are interacting with other NYCHA or City employees

REQUIRED NOTIFICATIONS

You **MUST** notify NYCHA OIG within three (3) days if you:

- Get arrested
- Receive a criminal summons or desk appearance ticket (“DAT”)
- Are indicted or convicted of any crime

You may report this by phone, email, and/or in person.

Failure to make this required notification may result in disciplinary action.

OIG CONTACT INFORMATION

Email:

ig@nycha.nyc.gov

Phone:

(212) 306-3355 / 3356

Online:

DOI Website

(<https://www1.nyc.gov/site/doi/contact/contact-doi.page>)

Mail:

NYCHA Office of the Inspector General
NYC Department of Investigation
180 Maiden Lane
New York, NY 10038

The End.