

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	CRIMINAL NO. 13-_____
v.	:	
ARVITA PHILLIPS-HENDERSON	:	DATE FILED: December 3, 2013
	:	
	:	VIOLATION:
		18 U.S.C. § 641 (conversion of government funds – 1 count)
		Notice of Forfeiture

INFORMATION

COUNT ONE

(Conversion of Government Funds)

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. The United States Department of Housing and Urban Development (“HUD”), an agency of the United States, administered certain government benefit programs, including Housing Assistance Payments (“HAP”). In the City of Philadelphia, HUD payments were administered by the Philadelphia Housing Authority (“PHA”).

2. Through HAP, HUD paid rental subsidies so that eligible families could afford decent, safe, and sanitary housing. HAP provided a portion of an approved recipient’s rent directly to the recipient’s landlord. HUD benefits were available based on several factors, including the monthly income of a household.

3. The Social Security Administration (“SSA”), an agency of the United

States, administered certain government benefit programs, including the Supplemental Security Income (“SSI”) program, pursuant to Title 42, United States Code, Sections 1381-1383f.

4. The SSI program, which was funded through general tax revenues of the United States, provided monthly cash benefits to individuals who were age sixty-five or over, or who were “disabled” and who demonstrated financial need, as determined by his or her “income” and “resources,” as those terms were defined for purposes of the Social Security Act.

5. In or about March 1963, upon application to the Social Security Administration, defendant ARVITA PHILLIPS-HENDERSON was issued a Social Security Number (“SSN”), xxx-xx-8127, by the Commissioner of Social Security.

6. In or about October 1970, defendant ARVITA PHILLIPS-HENDERSON fraudulently obtained a second Social Security Number from the Commissioner of Social Security, by failing to disclose that she had previously been issued a SSN. Defendant PHILLIPS-HENDERSON was issued SSN xxx-xx-3116.

7. In or about October 1975, defendant ARVITA PHILLIPS-HENDERSON obtained employment with the Philadelphia School District using the SSN xxx-xx-3116. Defendant PHILLIPS-HENDERSON was employed with the Philadelphia School District until she retired in or about February 2004. Defendant PHILLIPS-HENDERSON later applied for and received retirement benefits from the Social Security Administration based on her work activity under SSN xxx-xx-3116.

8. In or about October 1978, defendant ARVITA PHILLIPS-HENDERSON applied for Housing Assistance from HUD under the SSN xxx-xx-8127. Defendant PHILLIPS-HENDERSON failed to report that she was working under SSN xxx-xx-3116.

9. Between on or about January 1, 1998 and on or about December 31, 2011, defendant ARVITA PHILLIPS-HENDERSON failed to report the entirety of her income to HUD through the PHA. The failure to report and fraudulent concealment by defendant PHILLIPS-HENDERSON of her work and retirement income that she was receiving under SSN xxx-xx-3116 led to HUD providing more Housing Assistance Payment benefits to defendant PHILLIPS-HENDERSON than she was entitled to receive.

10. As a result of defendant ARVITA PHILLIPS-HENDERSON's failure to report and fraudulent concealment of income received under SSN xxx-xx-3116, defendant PHILLIPS-HENDERSON received HAP benefits of approximately \$26,550.00 that she was not entitled to receive.

11. In or about May 2001, defendant ARVITA PHILLIPS-HENDERSON applied for Supplemental Security Income benefit payments from the Social Security Administration under SSN xxx-xx-8127. Defendant PHILLIPS-HENDERSON was subsequently approved for SSI benefits, and received these benefits until in or about September 2011.

12. When she applied for SSI, and during the time in which she received it, defendant ARVITA PHILLIPS-HENDERSON failed to disclose that she had a second SSN, xxx-xx-3116, and that she had work activity under this SSN.

13. As a result of defendant ARVITA PHILLIPS-HENDERSON's failure to report and fraudulent concealment of income received under SSN xxx-xx-3116, defendant PHILLIPS-HENDERSON received SSI benefits of approximately \$61,277.25 between in or about May 2001 and in or about September 2011 that she was not entitled to receive.

14. Beginning in or about January 1, 1998 and continuing through in or about December 31, 2011, in the Eastern District of Pennsylvania and elsewhere, the defendant

ARVITA PHILLIPS-HENDERSON

knowingly converted to her own use money of the United States in excess of \$1,000, that is, approximately \$26,550.00 in HUD benefits, and \$61,277.25 in SSA benefits, for a total of approximately \$87,827.25 in government benefit payments to which she knew she was not entitled.

In violation of Title 18, United States Code, Section 641.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Sections 641, set forth in this information, defendant

ARVITA PHILLIPS-HENDERSON,

shall forfeit to the United States of America:

- (a) any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense; including but not limited to the sum of \$87,827.25.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,
United States Code, Section 981(a)(1)(C).



ZANE DAVID MEMEGER
United States Attorney