

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

SEALED INDICTMENT

- v. - :

12 C. **12 CRIM 05 05**

SATNARINE SEEBACHAN, :

Defendant. :

- - - - - x

COUNT ONE

(Bribery)

The Grand Jury charges:

Relevant Individuals, Entities, and Programs

1. At all times relevant to this Indictment, Bronx Shepherds Restoration Corporation ("Bronx Shepherds") was a New York not-for-profit corporation with a charitable purpose of providing housing and housing restoration in the Bronx, New York.

2. At all times relevant to this Indictment, two of the programs administered by Bronx Shepherds were federally funded, namely, the Weatherization Assistance Program ("Weatherization Program") and the Home Program ("Home Program").

3. The Weatherization Program is a federal program funded by the U.S. Department of Energy ("DOE") and the U.S. Department of Health and Human Services ("HHS"). The objective of the Weatherization Program is to provide weatherization assistance to buildings with low-income residents. Weatherization assistance includes renovations to a particular residence in order to make it

more energy efficient, such as improved lighting and heating systems, window caulking, and wall and ceiling insulation.

4. The Home Program is a federal program funded by the U.S. Department of Housing and Urban Development ("HUD"). The objective of the Home Program is to provide renovation assistance to low-income individuals who reside in small family homes. The Home Program covers various renovations to a family home, such as repairs to ceilings, bathrooms, kitchens, windows, and sidewalks.

5. The federal funds from both the Weatherization Program and the Home Program were dispersed to Bronx Shepherds through an agency of the State of New York (the "State Agency"). In order to administer both the Weatherization Program and the Home Program, Bronx Shepherds entered into contracts with the State Agency under which Bronx Shepherds agreed to oversee both programs, including the selection of buildings, apartments, and/or homes eligible for renovation under the programs; the identification of the scope of work to be performed at the selected properties; the administration of the bidding process to perform the renovation work, which included reviewing the bids and entering into contracts with the winning bidder; the oversight of the construction work to ensure that it was properly performed; and the payments to the construction companies after the work was completed successfully.

6. Bronx Shepherds used the federal funds it received

from both the Weatherization Program and the Home Program through the State Agency to pay its expenses and reimburse itself for the monies it paid to the construction companies with which it contracted to perform the actual renovation work.

7. SATNARINE SEEBACHAN, the defendant, has been employed by Bronx Shepherds as a Director since in or about 1993. At all times relevant to this Indictment, SEEBACHAN was in charge of administering the Weatherization Program and the Home Program.

8. At all times relevant to this Indictment, in addition to administering the Weatherization Program and the Home Program, Bronx Shepherds also owned and managed apartment buildings in the Bronx, New York.

SEEBACHAN's Work At Bronx Shepherds

9. At all times relevant to this Indictment, SATNARINE SEEBACHAN, the defendant, was in charge of the bidding selection process to select the construction companies to perform the necessary work on the buildings, apartments, and houses that Bronx Shepherds had selected to participate in the Weatherization Program and the Home Program. These responsibilities included reviewing the scope of work for bids, overseeing solicitation for bids, receiving and collecting the bids, opening the bids, selecting the winning bidder, preparing and signing the contract between the construction company and Bronx Shepherds on behalf of Bronx Shepherds, and handling invoicing and payments to the

construction companies after they successfully completed the work on the qualified properties.

SEEBACHAN'S Personal Use Of
Companies Under Contract With Bronx Shepherds

10. In or about the end of 2005, SATNARINE SEEBACHAN, the defendant, purchased a home in Glen Cove, New York ("SEEBACHAN's house").

11. In or about the spring and summer of 2006, at the request of SATNARINE SEEBACHAN, the defendant, certain construction companies that bid for and received numerous contracts from Bronx Shepherds to perform renovation work under the Weatherization Program and the Home Program (the "Contractors") supplied materials and labor for construction and renovation work performed at SEEBACHAN's house.

12. The scope of work performed by the Contractors at SEEBACHAN's house included interior renovation and repair work, roof repair work, and outside stone and concrete work. At the request of SATNARINE SEEBACHAN, the defendant, the Contractors also purchased and/or ordered certain materials for SEEBACHAN's house renovation, including stones, sand, concrete, and windows, using their trade discount. The total dollar value of the labor, materials, and discounts on materials that SEEBACHAN obtained from the Contractors was approximately \$100,000.

13. In or about 2006, SATNARINE SEEBACHAN, the defendant, asked one of the Contractors ("Contractor-1") to refer

him to a vendor who could supply SEEBACHAN with marble for SEEBACHAN's house. Contractor-1 introduced SEEBACHAN to a marble vendor (the "Marble Vendor") from whom SEEBACHAN obtained marble and its installation on at least three occasions, two times in or about 2006 and again in or about 2010 (the "Marble Invoices"). When SEEBACHAN made the purchases from the Marble Vendor referred to the preceding sentence, SEEBACHAN obtained Contractor-1's trade discount on the marble and its installation. In addition, SEEBACHAN gave or directed the Marble Invoices to Contractor-1 and asked Contractor-1 to pay them. Contractor-1 paid the Marble Invoices in the total amount of approximately \$41,445.

14. At the time Contractor-1 performed work at SEEBACHAN's house, SATNARINE SEEBACHAN, the defendant, told Contractor-1, in sum and substance, that SEEBACHAN would make it worth his while and would help him win contracts to perform repairs on the apartment buildings Bronx Shepherds owned and managed.

15. Before, during, and after the time the Contractors performed work on and supplied materials to SEEBACHAN's house, they bid for and received numerous contracts with Bronx Shepherds under the Weatherization Program and the Home Program. Many of the Contractors' bid documents and contracts, however, were forged, meaning that the handwriting on the bid and/or the contract was not the respective Contractor's handwriting and/or

signature. The forged handwriting and signatures on some of these documents are similar to the handwriting and signatures of SATNARINE SEEBACHAN, the defendant.

Statutory Allegations

16. From in or about February 2006 through in or about April 2010, in the Southern District of New York and elsewhere, SATNARINE SEEBACHAN, the defendant, being an agent and employee of an organization, to wit, Bronx Shepherds, that received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, to wit, the Weatherization Program funded by DOE and HHS and the Home Program funded by HUD, willfully, knowingly, and corruptly, solicited and demanded for the benefit of a person, and accepted and agreed to accept, something of value from a person, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of such organization, involving something of value of \$5,000 and more, to wit, SEEBACHAN solicited, agreed to accept, and accepted at least \$5,000 worth of labor and supplies directly and indirectly from contractors in exchange for assisting and/or promising to assist those contractors in obtaining work from Bronx Shepherds.

(Title 18, United States Code, Section 666(a)(1)(B).)

FORFEITURE ALLEGATION

17. As the result of committing the bribery offense in violation of Title 18, United States Code, Section 666(a)(1)(B) as alleged in Count One of this Indictment, SATNARINE SEEBACHAN, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense.

Substitute Asset Provision

18. If any of the above-described forfeitable property, 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 person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable

property described above.

(Title 18, United States Code, Section 981(a)(1)(C);
Title 21, United States Code, Section 853(p);
and Title 28, United States Code, Section 2461.)



PREET BHARARA

United States Attorney

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12 Cr. ____

(18 U.S.C. § 666.(a) (1) (B).)

PREET BHARARA
United States Attorney.

A TRUE BILL
