

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

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
CLEVELAND POWELL : **VIOLATIONS:**
: **18 U.S.C. § 1001(a)(2)**
: **(making false statements - 3 counts)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. The Department of Housing and Urban Development (“HUD”) was a department of the executive branch of the United States. HUD administers a program providing rental assistance to qualified individuals, including those with low incomes, known as the Section 8 program.

2. The Overmont House, located at 4001 Monument Avenue, Philadelphia, Pennsylvania, participated in the Section 8 program and provided occupancy to tenants qualifying for rental subsidies. Individuals seeking occupancy at the Overmont House under the Section 8 program were required to provide information, including information regarding their income and assets, to allow a determination of whether they qualified for rental subsidies. Tenants were required to certify to the accuracy of the information provided. In addition, tenants who qualified for rental subsidies and secured housing under the Section 8 program were required to complete annual re-certifications that included a re-examination of the tenant’s

finances in order to maintain eligibility for rental subsidies. The re-certifications were provided in a HUD form known as the “Owner’s Certification of Compliance with HUD’s Tenant Eligibility and Tenant Procedures” form that was to be signed by the tenant and by, or on behalf of, the owner after completion.

3. Between in or about mid-1994 and in or about August 2003, defendant CLEVELAND POWELL was a tenant in the Overmont House receiving rental subsidies under the Section 8 program. During his tenancy, defendant CLEVELAND POWELL was required to provide re-certifications which included information regarding his income and assets.

4. On or about June 6, 2001, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLEVELAND POWELL,

in a matter within the jurisdiction of the Department of Housing and Urban Development, a department of the executive branch of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in that defendant CLEVELAND POWELL represented in an “Owner’s Certification of Compliance with HUD Tenant Eligibility and Tenant Procedures” that he had no employment or business income and that his only assets and income were social security benefits and approximately \$44 in a checking account when, as the defendant knew, he operated businesses including “1502 C.P. Corporation” and owned property located at 1502 Brown Street, Philadelphia, Pennsylvania.

In violation of Title 18, United States Code, Section 1001(a)(2).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 of Count One are incorporated here.
2. On or about June 7, 2002, in Philadelphia, in the Eastern District of

Pennsylvania, defendant

CLEVELAND POWELL,

in a matter within the jurisdiction of the Department of Housing and Urban Development, a department of the executive branch of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in that defendant CLEVELAND POWELL represented in an “Owner’s Certification of Compliance with HUD Tenant Eligibility and Tenant Procedures” that he had no employment or business income and that his only assets and income were social security benefits and approximately \$224 in a checking account when, as the defendant knew, he operated businesses including “1502 C.P. Corporation” and owned property located at 1502 Brown Street, Philadelphia, Pennsylvania.

In violation of Title 18, United States Code, Section 1001(a)(2).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 of Count One are incorporated here.
2. On or about June 10, 2003, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLEVELAND POWELL,

in a matter within the jurisdiction of the Department of Housing and Urban Development, a department of the executive branch of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in that defendant CLEVELAND POWELL represented in an "Owner's Certification of Compliance with HUD Tenant Eligibility and Tenant Procedures" that he had no employment or business income and that his only assets and income were social security benefits and approximately \$1 in a checking account when, as the defendant knew, he operated businesses including "1502 C.P. Corporation" and owned property located at 1502 Brown Street, Philadelphia, Pennsylvania.

In violation of Title 18, United States Code, Section 1001(a)(2).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY