



Department of Justice

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OAKVILLE MAN CHARGED WITH DISASTER FRAUD AND MAKING A FALSE STATEMENT IN RELATION TO 2008 OAKVILLE FLOODING

Davenport, IA - On February 25, 2011, Neil Ron Bazan, age 34, of Oakville, Iowa, appeared in federal court on an Indictment that charged him with disaster benefit fraud and making a false statement, announced United States Attorney Nicholas A. Klinefeldt. The Federal Emergency Management Agency (FEMA) is an agency within the United States Department of Homeland Security (DHS) that provides assistance to victims of federal disasters. To be eligible for FEMA assistance based on housing needs and rental assistance, the damaged residence must be where the applicant usually lives and where the applicant was living at the time of the disaster. Effective as of May 27, 2008, and thereafter, the President of the United States declared a major disaster for the State of Iowa under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Title 42, United States Code, Sections 5121-5206. As a result, all counties within the State of Iowa were eligible to apply for certain federal disaster assistance.

The Indictment alleges that Neil Ron Bazan filed an Application/Registration for Disaster Assistance with FEMA, in which he made false factual assertions that his primary residence was located in the 200th block of 8th Street, Oakville, Iowa, that his home and personal property were damaged by flood/hail/rain/wind driven rain and sewer backup, and that he was the only person living in the home at the time of the disaster. Based on these factual assertions, FEMA

determined that Bazan was eligible for disaster assistance and distributed \$21,811.07 of disaster benefits during July of 2008.

The Indictment further alleges disaster fraud and making a false statement in that Bazan knowingly falsified, concealed, and covered up a material fact by means of trick, scheme and device, made a materially false, fictitious and fraudulent statement and representation, and made and used a false writing and document knowing the same to contain materially false, fictitious, and fraudulent statements and representations, because the residence in the 200 block of 8th Street was not Bazan's primary residence, Bazan's home and personal property were not so damaged, and Bazan was not the person living in the home at the time of the disaster.

The Indictment is merely an accusation and the defendant is presumed innocent until and unless proven guilty. If convicted of disaster fraud, then Bazan could face up to 30 years in prison, a \$250,000 fine, or both fine and imprisonment, a period of supervised release of not more than 5 years, and a \$100 special assessment to the Crime Victims Fund. If convicted of making a false statement, Bazan could face up to 5 years in prison, a \$250,000 fine, or both fine and imprisonment, a period of supervised release of not more than 3 years, and a \$100 special assessment to the Crime Victims Fund.

Trial in this matter was set for May 2, 2011.

This investigation was conducted by the United States Department of Homeland Security, Office of Inspector General, Chicago Field Office, and the Louisa County Sheriff's Department, and the case is being prosecuted by the United States Attorney's Office, Southern District of Iowa.

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