

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO.: 13-018</b>
<b>v.</b>	*	<b>SECTION: "I"</b>
<b>NEDRA BELL</b>	*	
	* * *	

**FACTUAL BASIS**

Should this matter have gone to trial, the Government would have proved, through the introduction of competent testimony and admissible tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the defendant, **NEDRA BELL**. The defendant has agreed to plead guilty as charged in the Bill of Information, charging her with one count of theft of government funds, in violation of Title 18, United States Code, Section 641, and one count of making false statements to an agency of the United States, in violation of Title 18, United States Code, Section 1001.

**COUNT 1: THEFT OF GOVERNMENT FUNDS**

A representative of the United States Department of Housing and Urban Development (HUD) would testify that from 2005 to present, HUD was and still is a department and agency of the United States government. This person would state, as a result of Hurricane Katrina and the damages caused by flooding in the Southeastern Louisiana area, Congress, with the approval of the President of the United States, appropriated federal money to set up a community development block grant

program to be administered by HUD for individuals affected in the Southeastern Louisiana area by flooding caused by Hurricane Katrina. This witness would state that Congress appropriated billions of dollars to help restore damaged homes in Southeastern Louisiana. HUD rules specifically provide that grant money can only be given to individuals who owned their home in Southeastern Louisiana, the home was damaged by Hurricanes Katrina and/or Rita, and the home had to be the primary residence of the applicant on the date of the storm. Further, this witness would state that all monies received were federal funds distributed to the State of Louisiana, Office of Administration (“Office of Administration”) who used as their agent, ICF International, Inc., to distribute funds to applicants who were eligible for the grant.

A representative of the Office of Administration, would testify that this state office was appointed as an agent for HUD to administer the community development block grant funds under the Louisiana Road Home Program (LRHP). This state office was required to follow all rules and regulations of HUD in distributing block grant funds. The Office of Administration contracted with ICF International, Inc. to act as its agent to prepare the LRHP and distribute the federal block grant funds to eligible applicants. ICF International, Inc. was specifically required to follow all rules and regulations of HUD to distribute community development block grant funds.

The Government would submit a copy of a written application from the files of ICF International, Inc., the administrators of the LRHP for the Office of Administration, for the State of Louisiana demonstrating that on June 26, 2007, the defendant, **NEDRA BELL**, prepared a LRHP application in her brother’s name, listing her email address, [flaminndesign@yahoo.com](mailto:flaminndesign@yahoo.com), and her cell phone number ending in 3006 as belonging to her brother. In the application, **NEDRA BELL** falsely attested to the fact that her brother lived with her at 4317 Annette Street, New Orleans, LA

70122 on the date Hurricane Katrina hit Southeastern Louisiana, August 29, 2005. Specifically, the defendant falsely and fraudulently represented that 4317 Annette Street, New Orleans, LA 70122, which was owned by her brother, was also her brother's primary residence on August 29, 2005. This application was given file number O6HH197954.

The Government would submit certified documents from the Notarial Archives Office of the City of New Orleans showing the defendant's brother purchased the property at 4317 Annette Street, New Orleans, LA 70122 in 1996. Documentation from the Orleans Parish Conveyance Office would demonstrate that on March 17, 2006, the property at 4317 Annette Street, New Orleans, LA was donated by defendant's brother to defendant and her now former husband, E.T. On July 15, 2008, another donation was made by E.T. to defendant **NEDRA BELL** making defendant the sole owner of the property.

On or about March 11, 2008, in the Eastern District of Louisiana, **NEDRA BELL** attended a closing to obtain the LRHP grant funds for the property located at 4317 Annette Street in New Orleans. As part of the closing, the defendant, **NEDRA BELL**, submitted a completed, signed LRHP Grant Recipient Affidavit attesting to the truth of the statements in the application, as well as in the closing documents. In this affidavit, the defendant declared under oath that the property at 4317 Annette Street, New Orleans, LA was her brother's primary residence on August 29, 2005. A certified copy of the executed Affidavit wherein **NEDRA BELL** was notified that any false statements were subject to criminal liability would be offered as evidence at trial.

A Special Agent of the U.S. Department of Housing and Urban Development, Office of Inspector General, (HUD-OIG) would testify that as a result of defendant's misrepresentations, on or about March 19, 2008, **NEDRA BELL** received a LRHP grant in the amount of \$24,371.97, for

repairs to property located at 4317 Annette Street, New Orleans, LA. Additionally on or about September 15, 2008, **NEDRA BELL** received a \$30,000 LRHP elevation grant for the property located at 4317 Annette Street, New Orleans, LA for a grant total of \$54,371.97.

On August 11, 2011, Special Agents of HUD-OIG interviewed **NEDRA BELL**, who stated at the time of the storm, her primary residence was 4317 Annette Street and that 5223 North Claiborne was her business address. **NEDRA BELL** stated that at the time of Hurricane Katrina, her brother owned 4317 Annette Street, but was living elsewhere and she was renting the house from him. **NEDRA BELL** admitted that it was her idea to apply for LRHP benefits for 4317 Annette Street and that her brother was reluctant to apply, but agreed to meet with a LRHP advisor.

On September 20, 2011, **NEDRA BELL**'s brother was interviewed by a Special Agent of HUD-OIG, regarding the Louisiana Road Home grant issued to **NEDRA BELL** for the property he owned at the time of Hurricane Katrina located at 4317 Annette Street, New Orleans, LA. The defendant's brother stated he did not reside at 4317 Annette Street on August 29, 2005, and he was unaware that his sister, **NEDRA BELL**, had received LRHP grants totaling \$54,371,97. He further stated he did not receive any money from LRHP and thought that **NEDRA BELL** had used her own money to make repairs and elevate the property at 4317 Annette Street. After reviewing the LRHP application documents, the defendant's brother confirmed that the signatures and initials appeared to be his, as well as the defendant's. He stated, however, that he was only advised by his sister that she needed help and that she did not tell him that she received any LRHP grants.

## **COUNT 2: FALSE STATEMENTS TO AN AGENCY OF THE UNITED STATES**

At trial, a representative from HUD would testify that HUD provided money to assist low-income citizens with private market rental payments, including utility payments, through a tenant-

based voucher program known as the Housing Choice Voucher Program (HCVP), also known as Section 8. In order to receive HCVP rental assistance from HUD, a prospective tenant must submit an application, which requires that the applicant submit truthful income and tenant information for the tenant's entire family and those who will reside with the tenant. A determination with respect to whether an applicant qualifies for the HUD HCVP program and the amount of any HCVP rental subsidy is based in material part on the information contained in the prospective tenant's application. Each year, a tenant receiving HCVP assistance from HUD must submit an annual re-certification application, which includes current tenant and income information for the tenant's entire family and those who will reside with the tenant in the coming year. A tenant's continued receipt of HUD HCVP assistance, and the amount of such assistance, is determined in material part on the information contained in the prospective tenant's application.

**NEDRA BELL** lived in HUD subsidized housing for many years. On October 20, 2007, she submitted a HANO personal declaration for assistance form for re-certification eligibility for housing and HUD subsidized rent at 3815 Clermont Drive, New Orleans, LA 70122. In her declaration, she indicated that she would be living in the house on Clermont, along with three of her children.

On the HUD income questionnaire included as part of the re-certification application, when asked questions about specific sources of income, including self-employment income, **NEDRA BELL** checked the box with the answer "No." When asked a question if anyone in the household owns a full or partial interest in any real estate or land, **NEDRA BELL** answered "No". **NEDRA BELL** was approved as a tenant and received a rental subsidy from HUD. Documentation would show that on October 20, 2007, during re-certifications for eligibility for federal funds for HCVP assistance, **NEDRA BELL** falsely represented the income of her household and her real estate assets

to HANO.

Thereafter, **NEDRA BELL** applied for re-certification to receive HUD rental subsidies in 2008, 2009, 2010, and 2011. For each re-certification between 2008 and 2011, the sections for income including self-employment and real estate assets all indicate **NEDRA BELL** answered “No”. Copies of defendant’s signed applications would all be offered as evidence at trial.

The re-certification application and the HUD income questionnaire all contained warnings stating essentially that under Title 18, United States Code, Section 1001, it is a criminal offense to make willful false statements or misrepresentations to any Department or Agency of the United States as to matters within its jurisdiction.

On April 30, 2012, HUD-OIG Special Agents interviewed **NEDRA BELL**. She was shown copies of her applications and re-certification forms and **NEDRA BELL** verified that the signatures were hers. Special Agents showed **NEDRA BELL** the section of the applications which indicated she reported no self-employment income with regard to her business as a hair stylist and no assets with regard to the two properties she owned. **NEDRA BELL** admitted that she did not put that information on the forms. When Special Agents asked why she did not report self-employment income or the properties that she owned, located at 5223 North Claiborne and 4317 Annette Street in New Orleans, **NEDRA BELL** said that she did not think it was an issue, but admitted that she knew if she had reported that information, her rental assistance would have at least been reduced. While she was living at 4317 Annette Street in New Orleans, **NEDRA BELL** continued to apply for the HCVP assistance on behalf of her minor son, so he could live in his own apartment.

A representative from HANO would testify and documentary evidence would be offered to show that HANO conducted annual re-examinations of HCVP recipients’ eligibility and required

HCVP recipients to certify in writing during re-examination any changes in household income or assets. The witness would testify that HCVP recipients are not allowed to sublet their HUD financed leases. The HANO witness would further testify that providing a material false statement in a re-certification application is grounds for exclusion or termination from the HCVP program.

A HUD-OIG Special Agent would testify that according to HUD calculations, the total amount HUD overpaid in rental assistance on **NEDRA BELL's** behalf from November 1, 2007 through June 1, 2012, (benefits which she received as a result of her false statements on the rental and re-certification applications and HUD income questionnaire), is \$58,881.

Both the Government and the defendant, **NEDRA BELL**, do hereby stipulate and agree that the above facts set forth a sufficient factual basis for the crimes to which the defendant is pleading guilty and that the Government would have proven these facts beyond a reasonable doubt at trial.

READ AND APPROVED:

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CYNTHIA CIMINO (Date)  
Counsel for Nedra Bell

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JULIA K. EVANS (Date)  
Assistant United States Attorney

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NEDRA BELL (Date)  
Defendant