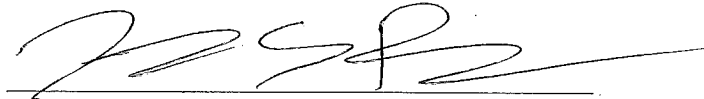


Approved:



KEDAR S. BHATIA  
Assistant United States Attorney

Before: THE HONORABLE GABRIEL W. GORENSTEIN  
Chief United States Magistrate Judge  
Southern District of New York

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UNITED STATES OF AMERICA : SEALED COMPLAINT

- v. - : Violation of  
18 U.S.C.

SALIFOU CONDE, : §§ 1344 and 2

Defendant. : COUNTY OF OFFENSE:  
NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

WAI YU, being duly sworn, deposes and says that he is a Special Investigator with the New York City Department of Investigation and charges as follows:

COUNT ONE  
(Bank Fraud)

1. From at least in or about 2015, up to and including at least in or about 2019, in the Southern District of New York and elsewhere, SALIFOU CONDE, the defendant, willfully and knowingly, did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, CONDE fraudulently deposited rent assistance checks issued to other individuals by the New York City Human Resources Administration into numerous bank accounts he controlled without being authorized to deposit the checks, and then withdrew funds from those accounts.

(Title 18, United States Code, Sections 1344 and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Investigator with the New York City Department of Investigation ("DOI") and have been with the DOI for approximately 2.5 years. Through my conversations, I have become familiar with various public assistance programs that are administered by New York City. Through my training and experience, I have become familiar with bank fraud and check fraud schemes involving false identities.

3. I have participated in the investigation of this matter, and I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents, and conversations that I have had with other law enforcement officers and other individuals. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents, and the actions and statements of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. Based on my conversations with New York City Human Resources Administration ("HRA") employees and my review of publically available information, I have learned the following:

a. The HRA is an agency of the City of New York responsible for administering certain of the City's public assistance programs. Among other things, HRA provides rental assistance to individuals and families with social service and economic needs.

b. For individuals who qualify, HRA provides rental assistance by sending monthly rent supplement checks to landlords to cover a portion of the cost of documented expenses such as rent or storage costs ("HRA Supplement Checks"). HRA disburses monthly rent supplements by issuing checks directly to landlords via mail. The checks are addressed and made payable to the landlords.

5. Based on my conversations with other law enforcement officers and my review of bank records, I have learned that, since at least in or about 2015, a number of HRA Supplement Checks have not been received by the intended

landlord but have nevertheless been deposited into bank accounts.

6. Based on my review of bank records, including surveillance photographs, I have learned that an individual matching the appearance of SALIFOU CONDE, the defendant, based on photographs contained in law enforcement databases, deposited HRA Supplement Checks addressed to various payees into bank accounts CONDE controlled, and then withdrew money from those accounts. For example:

a. On or about July 26, 2018, an individual matching the appearance of CONDE deposited HRA Check No. 42937224, worth \$601.50, into an account belonging to an individual named "Harouna Derme." The "Harouna Derme" account is owned and operated by a national bank and accounts at the bank are insured by the Federal Deposit Insurance Corporation ("Bank-1"). The payee on the check was not CONDE or "Harouna Derme." The deposit was made at an ATM in Manhattan.

b. On or about July 27, 2018, an individual matching the appearance of CONDE deposited HRA Check No. 44688421, worth \$750.00, into the "Harouna Derme" account. The payee on the check was not CONDE, "Harouna Derme," or the payee listed on the check deposited on July 26, 2018. The deposit was made at an ATM in Manhattan.

c. On or about July 29, 2018, an individual matching the appearance of CONDE deposited HRA Check No. 42930568, worth \$537.00, into the "Harouna Derme" account. The payee on the check was not CONDE, "Harouna Derme," the payee listed on the check deposited on July 26, 2018, or the payee listed on the check deposited on July 27, 2018.

d. On or about July 29, 2018, an individual matching the appearance of CONDE withdrew \$780.00 from the "Harouna Derme" account.

e. Between on or about August 1, 2018, and August 21, 2018, 17 HRA Supplement Checks worth \$10,867.99 were deposited into an account belonging to "Simon Sery." None of the payees on the checks was CONDE or "Simon Sery".

f. On or about August 28, 2018, an individual matching the appearance of CONDE withdrew \$600.00 in cash from the "Simony Sery" account. On or about August 30, 2018, an individual matching the appearance of CONDE withdrew \$860.00 in cash from the account.

g. On or about August 31, 2018, an individual matching the appearance of CONDE deposited into the "Simon Sery" account HRA Check No. 20119456, worth \$663.00, and HRA Check No. 20180380, worth \$601.50. The payees listed on the two checks was not CONDE or "Simon Sery." The August 31, 2018, deposits were done at an ATM in Manhattan.

7. Based on my review of bank records, I have learned that between June 2016 and January 2017, approximately 38 HRA Supplement Checks were deposited into an account belonging to an individual named "Salifou Conde." The account opening documents list a date of birth and social security number that match the date of birth and social security number for SALIFOU CONDE, the defendant, in law enforcement records. The "Salifou Conde" account is owned and operated by a national bank and accounts at the bank are insured by the Federal Deposit Insurance Corporation ("Bank-2").

8. Based on my review of bank records, I have learned the following:

a. Like in the "Harouna Derme" and "Simon Sery" accounts, HRA Supplement Checks were deposited into an account belonging to an individual named "Jeffrey Bohrer." The "Jeffrey Bohrer" account is owned and operated by a national bank and accounts at the bank are insured by the Federal Deposit Insurance Corporation ("Bank-3").

b. Between October 4, 2017, and March 14, 2018, 132 HRA Supplement Checks were deposited into the "Jeffrey Bohrer" account.

c. On or about February 8, 2018, a credit card associated with the "Jeffrey Bohrer" account was used to pay for services from a telecommunications service provider ("Service Provider-1"). The charge was for \$364.91.

9. Based on my review of records from Service Provider-1, I have learned that the "Jeffrey Bohrer" credit card was used to pay for services for an account belonging to "Salifou Conde."

10. All of the deposits or withdrawals specifically identified in this Affidavit were made at ATMs. Based on my training and experience, I know that an individual engaged in fraudulent activity is more likely to use ATMs to deposit checks or make withdrawals than to use human tellers. The reason for this is that the individual engaged in fraudulent activity will

not be prompted to show identification if he uses an ATM, which could happen if he transacted with human tellers.

11. Based on my own observations, my conversations with other law enforcement officers, and my review of sign-in sheet from the United States Post Office at Church Street in Manhattan (the "Church Street Post Office"), I have learned the following:

a. When HRA Supplement Checks cannot be delivered to their intended recipients via mail, they are returned to Post Office Box 181 at the Church Street Post Office.

b. SALIFOU CONDE, the defendant, works for a courier company that has been hired by New York City to pick up the undeliverable checks from the Church Street Post Office and deliver them back to the HRA office.

c. On or about July 3, 2019, a law enforcement officer observed CONDE picking up a United States Postal Service mail bin from Post Office Box 181 at the Church Street Post Office. CONDE then took the mail bin to his vehicle and left the Church Street Post Office.

12. Since in or about 2015, more than 3,000 HRA Supplement Checks have been deposited in the manner described above into more than 50 different accounts. Thirty-nine HRA Supplement Checks were deposited into the "Harouna Derme" and "Simon Sery" bank accounts. The thirty-nine checks were addressed to thirty-six different payees. Based on my training and experience, I believe it is unlikely that the many payees on these checks authorized SALIFOU CONDE, the defendant, to deposit those checks and withdraw money based on those deposits. Furthermore, based on my training and experience, CONDE's use of names and identities other than his own suggests that he is trying to conceal his fraudulent activity.

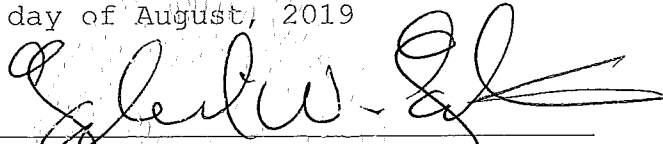
13. When the HRA Supplement Checks are deposited, the account holder is typically permitted to withdraw a certain amount of cash based on the purportedly valid deposit. In some instances, the deposited check was rejected by the bank as potentially fraudulent or otherwise defective. In these instances, the account holder was liable for the value of the cash dispensed by the bank. If the account holder declined to pay or was unable to pay, the bank was liable for the value of the cash that it dispensed.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of SALIFOU CONDE, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.



SPECIAL INVESTIGATOR WAI YU  
New York City Department  
of Investigation

Sworn to before me, this  
\_\_\_ day of August, 2019



THE HONORABLE GABRIEL W. GORENSTEIN  
CHIEF UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK