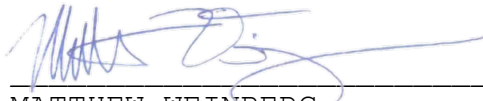


Approved: 
MATTHEW WEINBERG
Assistant United States Attorney

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

22 MAG 5325

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UNITED STATES OF AMERICA

- v. -

RUDEAN WEIR and
JEROME WEAH,

Defendants.

: **COMPLAINT**
:
:
: Violations of
: 18 U.S.C. §§ 1343, 1349,
: 1028A, and 2
:
: COUNTY OF OFFENSE:
: NEW YORK, BRONX
:
:

- - - - - X

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 ("DOI"), and charges as follows:

COUNT ONE
(Conspiracy to Commit Wire Fraud)

1. From at least in or about October 2020 up to and including May 2022, in the Southern District of New York and elsewhere, RUDEAN WEIR and JEROME WEAH, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

2. It was a part and object of the conspiracy that RUDEAN WEIR and JEROME WEAH, the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, knowingly transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of

executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

(Title 18, United States Code, Section 1349 and 2.)

COUNT TWO
(Wire Fraud)

3. From at least in or about October 2020 up to and including May 2022, in the Southern District of New York and elsewhere, RUDEAN WEIR and JEROME WEAH, the defendants, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, knowingly transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, WEIR and WEAH caused the electronic submission of fraudulent applications to the New York City Human Resources Administration ("HRA") in connection with an HRA social services program that provides cash assistance to homeless veterans of the United States armed services ("Veterans") seeking permanent housing, and received payments from HRA in connection with those fraudulent applications.

(Title 18, United States Code, Section 1343 and 2.)

COUNT THREE
(Aggravated Identity Theft)

4. From at least in or about October 2020 up to and including May 2022, in the Southern District of New York and elsewhere, RUDEAN WEIR and JEROME WEAH, the defendants, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, WEIR and WEAH used names and other identifying information of Veterans and real estate brokers in connection with fraudulent applications for cash assistance payments from the HRA made during and in relation to the conspiracy to commit wire fraud and wire fraud violations charged in Count One and Count Two of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

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

5. I am a Special Investigator with the DOI and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with other law enforcement officers and government employees, as well as my examination of reports and other records. Because this affidavit is being submitted for the limited purpose of demonstrating 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, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

The HRA Enhanced One Shot Deal Program and Veteran's Initiatives

6. Based on my review of publicly available information and my communications with employees of the HRA, I know the following:

a. HRA is a New York City agency within the city's Department of Social Services ("DSS") and is responsible for administering social service and cash assistance programs on behalf of New York City.

b. Among the programs administered by HRA are "One Shot Deal" and "Enhanced One Shot Deal" ("EOSD") cash assistance payments. The EOSD is an emergency assistance program pursuant to which HRA makes a one-time cash assistance payment to qualifying individuals.

c. EOSD payments are often used to help individuals move out of homeless shelters and/or other temporary housing into permanent housing. In order to be approved for an EOSD, applicants must first find housing that they can afford on their own income. After identifying the housing, the applicant may request an EOSD payment to help cover certain costs, including rent, moving expenses, security deposits, broker's fees, payments for furniture and other household items, and payments relating to the storage of furniture and other personal belongings.

d. EOSD applications for permanent housing are typically completed with the assistance of the shelter and/or temporary housing provider where the applicant is residing while seeking to obtain the permanent residence.

e. The HRA also offers and administers services and programs for Veterans. In connection with these services, sometimes referred to as "Veteran's Initiatives," the HRA has a designated group responsible for receiving and reviewing EOSD requests made on behalf of homeless Veterans seeking permanent housing.

The Defendants Submit Hundreds of Fraudulent EOSD Applications and Cause Over \$5.4 Million in Fraudulent Payments

The Landlord-1 EOSD Applications

7. Based on my review of bank account statements and records from the New York State Department of Labor, I know that RUDEAN WEIR and JEROME WEAH, the defendants, are employed by or otherwise receive compensation from a New York City based organization ("Organization-1") that provides temporary housing to Veterans experiencing homelessness and assists those Veterans in finding permanent housing.

8. Based on my review of materials provided by the HRA, I know that, between October 2020 and May 2022, HRA received at least 340 EOSD applications which claimed that the applicants had entered into a lease agreement with a particular landlord ("Landlord-1"). Each of these applications (the "Landlord-1 EOSD Applications") claimed that a particular company provided broker's services in connection with the lease agreement ("Broker Company-1"). HRA paid over \$5.4 million in EOSD payments and broker's fees pursuant to the Landlord-1 EOSD Applications.

9. Based on my review of approximately 60 of the more than 340 Landlord-1 EOSD Applications (the "Reviewed Landlord-1 EOSD Applications"), I know the following:

a. The Reviewed Landlord-1 EOSD Applications claim that the applicant seeking the EOSD payment is a Veteran (the "Purported Homeless Veterans").

b. The Reviewed Landlord-1 EOSD Applications were submitted by email to HRA's dedicated group for Veterans' housing programs.

c. The vast majority of the Reviewed Landlord-1 EOSD Applications were sent from an email address at Organization-1 held in the name of RUDAEN WEIR, the defendant (the "Weir Organization-1 Email Address"). The applications submitted via

email by the Weir Organization-1 Email Address also cc'd a particular email address ("Email Address-1") maintained by a provider of Internet and email services ("Email Service Provider-1"). Certain other of the Reviewed Landlord-1 EOSD Applications were submitted via email to the HRA by Email Address-1, rather than by the Weir Organization-1 Email Address.¹

d. Each of the Reviewed Landlord-1 EOSD Applications included, among other things:

i. A completed application for "Emergency Assistance" on an HRA designated form;

ii. A copy of a purported lease agreement between the Purported Homeless Veteran and Landlord-1;

iii. Forms requesting payment to Landlord-1 and Broker Company-1 for services provided;

iv. Personal identifying information, such as copies of identification cards and military and/or employment records for the Purported Homeless Veteran; and

v. An identification card purportedly issued by the New York State Department of State ("DOS"), Division of Licensing Services, reflecting one of two individuals ("Purported Individual Broker-1" and "Purported Individual Broker-2") and identifying Purported Individual Broker-1 and Purported Individual Broker-2 as a licensed "Real Estate Salesperson" with Broker Company-1.

10. The Landlord-1 EOSD Applications were fraudulent. Specifically, based on my participation in this investigation, and as detailed below, I know that Landlord-1 and the Purported Homeless Veterans did not, in fact, enter into the lease agreements submitted to HRA in connection with the Landlord-1 EOSD Applications, and Broker Company-1 did not provide real estate brokerage services to either Landlord-1 and/or the Purported Homeless Veterans. Furthermore, the identification cards reflecting Purported Individual Broker-1 and Purported Individual Broker-2 were forged, in that Purported Individual Broker-1 and Purported Individual Broker-2 are not affiliated

¹ Based on my review of records from Email Service Provider-1, I understand that Email Service Provider-1 does not have email servers in New York state. Therefore, I understand that emails sent from Email Address-1 necessarily travelled interstate before being received by the HRA in New York.

with Broker Company-1 and did not provide any real estate brokerage services to either Landlord-1 and/or the Purported Homeless Veterans.

The Landlord-1 EOSD Applications Contained Fraudulent Information and False Documents

11. Based on my review of publicly available sources, including Internet searches, I have identified no evidence that Landlord-1 owns any residential real estate properties in New York City, much less that Landlord-1 owns the 60 properties identified in the Reviewed Landlord-1 EOSD Applications or the additional properties identified in the over 340 Landlord-1 EOSD Applications. For example, I have searched for the name of Landlord-1 in a widely used, publicly available real estate website which contains information about residential listings in New York City, and have not identified any buildings, agents, and/or management companies affiliated with Landlord-1. Nor have I identified a public website for Landlord-1 advertising residential real estate listings, as I know that landlords often use to attract potential tenants. In fact, based on my review of records provided by the DOS, I understand that the DOS has no record of Landlord-1 being registered as a business in the state of New York in any capacity.

12. Based on my review of personnel files obtained from the United States Department of Veteran Affairs (the "VA"), I know that at least seven of the Purported Homeless Veterans are actually employed by the VA. These seven individuals have each worked outside of New York City for at least the past four years. According to VA records, they do not presently reside in New York City and did not reside in New York City during the time period that the Reviewed Landlord-1 EOSD Applications were submitted to the HRA.

13. In the course of this investigation, I have interviewed two of the Purported Homeless Veterans who received EOSD payments in connection with Landlord-1 EOSD Applications. These Purported Homeless Veterans both reported that they do not currently live in New York City and have never lived in New York City. Both of these Purported Homeless Veterans stated that they were told by a friend that they could be eligible for benefits relating to the COVID-19 pandemic available to Veterans and to contact a particular email address ("Email Address-2") maintained by an email service provider ("Email Service Provider-2") to apply for those benefits. Specifically:

a. One Veteran ("Veteran-1") reported that he was told by a friend about a COVID-19 relief fund for Veterans. The friend told Veteran-1 to send an email to Email Address-2 in order to apply for funds. Veteran-1 contacted Email Address-2 in or about December 2021. Veteran-1 received a check that he understood to be related to COVID-19 relief funds. Veteran-1 was not familiar with Landlord-1 or Broker Company-1.

b. The second Veteran ("Veteran-2") reported that he was told about a COVID-19 relief fund for Veterans by Veteran-1. Veteran-2 contacted Email Address-2 to apply for the funds in or about February 2022. Veteran-2 submitted his identification and proof of veteran status to Email Address-2 and stated that he was seeking "COVID VA Support." Email Address-2 responded to confirm that the materials received from Veteran-2 would be submitted on his behalf. Veteran-2 was not familiar with Landlord-1 or Broker Company-1, and did not know why he had received a check that appeared to be issued by New York City in connection with rental assistance. Veteran-2 also provided to the DOI copies of emails he exchanged with Email Address-2 and another email address ("Email Address-3") about his application and receipt of funds.

14. In April 2022, DOI personnel visited six of the addresses included in the Landlord-1 EOSD Applications as purportedly being residences subject to a lease agreement between a Purported Homeless Veteran and Landlord-1. The DOI personnel identified no evidence suggesting that Landlord-1 was affiliated with any of the residential addresses and/or that the Purported Homeless Veteran identified in the EOSD applications ever lived at any of the addresses. Rather, based on my own participation in these visits and my communications with other DOI personnel, I know the following:

a. At two of the six addresses, DOI personnel spoke to the current tenant. Those tenants were not the Purported Homeless Veteran and were not familiar with the Purported Homeless Veteran.

b. At three of the six addresses, DOI personnel knocked on the door but did not speak to the tenant. At one of these three addresses, DOI personnel spoke to a neighbor who provided a name for the tenant that did not match the name of the Purported Homeless Veteran on the lease agreement for the address. That neighbor was not familiar with the Purported Homeless Veteran. At the other two addresses, DOI personnel reviewed the building intercom and/or directory, and observed

that the name listed for the tenant(s) of the relevant addresses did not match the name of the Purported Homeless Veterans.

c. At the sixth address, DOI personnel could not identify a building bearing the address. DOI personnel spoke to an individual employed at a nearby building who confirmed that there is no residential building bearing that address.

d. At the five of the six addresses that DOI personnel confirmed were actual residential addresses, DOI personnel either spoke to a tenant of the building or an employee of the building, and/or otherwise identified information about the landlord and/or management company of the building available in the building's common areas. None of these sources indicated that Landlord-1 owned or was otherwise affiliated with the building in any way.

15. Based on my communications with the DOS, I understand that the name, picture, and license number on the identification cards submitted for Purported Individual Broker-1 and Purported Individual Broker-2 were true and correct, that is to say, Purported Individual Broker-1 and Purported Individual Broker-2 are, in fact, registered real estate brokers. However, Purported Individual Broker-1 and Purported Individual Broker-2 are not affiliated with Broker Company-1; rather, they are affiliated with different real estate brokerage companies. According to the DOS, there are no records reflecting that Broker Company-1 is licensed to engage in real estate brokerage services by New York State. Therefore, I understand that the identification cards submitted to HRA depicting Purported Individual Broker-1 and Purported Individual Broker-2 were doctored in order to claim that those real estate agents were affiliated with Broker Company-1.

16. For the reasons described above, I understand that the Landlord-1 EOSD Applications contained fake documentation and information, and fraudulently induced HRA into making EOSD payments. In addition, I understand that the identities of the Purported Homeless Veterans, Purported Individual Broker-1, and Purported Individual Broker-2 were transferred, possessed, and used without lawful authority during and in relation to the submission of the Landlord-1 EOSD Applications to the HRA.

The Defendants Control Landlord-1 and Broker Company-1, Submitted the Fraudulent Applications, and Received the Funds

17. Based on my review of HRA records, I know the following:

a. When the HRA approved EOSD payments in connection with the Landlord-1 EOSD Applications, the payments were typically issued by check. Specifically, separate checks were issued to Landlord-1, Broker Company-1, and the Purported Homeless Veteran. On certain occasions, payments to the Purported Homeless Veteran were also issued through an Electronic Benefit Transfer ("EBT") card.

b. The checks issued in connection with the Reviewed Landlord-1 EOSD Applications were picked up in person at an HRA office in Manhattan. At the time that the checks were picked up, the individual collecting the check was required to present photographic identification and to sign an HRA form confirming receipt of the check. For each of the Reviewed Landlord-1 EOSD Applications, the individual who picked up the check signed in as "Rudean Weir" and presented a photographic identification card appearing to depict RUDEAN WEIR, the defendant. Specifically, the individual picking up the check presented WEIR's employee identification card for Organization-1.

18. Based on my review of records for a bank account held in the name of Landlord-1 (the "Landlord-1 Bank Account") at a particular bank ("Bank-1"), I know the following:

a. "Rudean Weir" is the signatory for the Landlord-1 Bank Account.

b. Between October 2020 and March 2022, at least 1,019 checks issued by the DSS totaling at least \$3,608,950 were deposited into the Landlord-1 Bank Account.²

c. Surveillance camera footage taken by ATMs operated by Bank-1 appear to depict RUDEAN WEIR, the defendant, accessing the Landlord-1 Bank Account. Specifically, immediately below is a Georgia Department of Motor Vehicles ("DMV") photograph of WEIR. Below that photograph are two images of WEIR accessing the Landlord-1 Bank Account from ATMs located in the state of Georgia.

² As stated *supra* paragraph 6.a, the HRA is an agency within the DSS. Based on my training and experience and communications with employees of the HRA, I understand that EOSD checks are issued from a bank account held by the DSS.



19. Based on my review of records for a bank account held in the name of Broker Company-1 (the "Broker Company-1 Bank Account") at a particular bank ("Bank-2"), I know the following:

a. "Jerome Weah" is the signatory for the Broker Company-1 Account.

b. Between October 2020 and March 2022, at least 335 checks issued by the DSS totaling at least \$1,089,227 were deposited into the Broker Company-1 Bank Account.

c. Surveillance camera footage taken by ATMs operated by Bank-2 appear to depict JEROME WEAH, the defendant, accessing the Broker Company-1 Bank Account. Specifically, below on the left is a New Jersey DMV photograph of WEAH. Below on the right is an image of WEAH accessing the Broker Company-1 Bank Account at a branch in Staten Island in December 2021.³

³ WEAH is wearing a mask in the photograph of him accessing the bank account at a branch in Staten Island and, therefore, it is difficult to compare his appearance to the photograph from the DMV. However, as noted in paragraph 20, an individual matching WEAH's appearance was also captured by ATM footage depositing



20. Based on my review of records from Bank-1, I know that a Bank-1 ATM was used to withdraw funds from an EBT card distributed by the HRA to a Purported Homeless Veteran in connection with a Landlord-1 EOSD Application. I have reviewed ATM camera footage taken from a location in New Jersey in January 2022 depicting the withdrawal of funds from that EBT card, which reflects the below individual, who I believe to be JEROME WEAH, the defendant, accessing the account.



21. In addition, based on my review of records from Bank-1 and another bank ("Bank-3") I know the following:

a. Between approximately December 2020 and March 2022, the Landlord-1 Bank Account at Bank-1 held in the name "Rudean Weir" issued approximately 133 checks to "Jerome Weah" totaling at least \$1,009,000.

funds which had been sent by the DSS to a Purported Homeless Veteran on an EBT card. I believe that WEAH is the masked individual depicted at the branch in the photograph at paragraph 19.c in part because the individual at the branch is wearing the same distinctive sweater as WEAH is wearing in the ATM footage depicted in paragraph 20.

b. The 133 checks issued by the Landlord-1 Bank Account were all deposited into an account at Bank-3 held in the name of "Jerome Weah" (the "Bank-3 Weah Account").⁴

c. The account opening documents for the Bank-3 Weah Account include a copy of the driver's license for JEROME WEAH, the defendant, which bears the same New Jersey DMV photograph of WEAH depicted in paragraph 19.c *supra*.

d. In addition to the 133 checks issued from the Landlord-1 Bank Account and deposited into the Bank-3 Weah Account, on or about December 2, 2020, the Landlord-1 Bank Account sent a wire transfer in the amount of \$24,000 to the Bank-3 Weah Account.

22. In addition, based on my review of records from Email Service Provider-1, Email Service Provider-2, and cellular phone service providers, I know the following:

a. The recovery phone number for Email Address-1 - that is, the phone number which can be used to access Email Address-1 if the user of the account loses the password - is a phone number subscribed to by JEROME WEAH, the defendant.⁵

b. The email address for Email Address-2 is the name of an individual ("Individual-1") that I understand based on publicly available websites and mortgage records to be in a personal relationship with RUDEAN WEIR, the defendant.⁶ The

⁴ Based on my review of HRA records, I know that the checks issued to Landlord-1 in connection with the Landlord-1 EOSD Applications were generally in greater amounts than the checks issued to Broker Company-1. Therefore, based on my training and experience, I believe that the checks written from the Landlord-1 Bank Account to WEAH and the wire transfer from the Landlord-1 Bank Account to the Bank-3 Weah Account were sent in order to provide WEAH with additional proceeds from the scheme beyond the amounts he received from the checks issued to Broker Company-1.

⁵ As noted *supra* paragraph 9.c, Email Address-1 submitted certain of the Reviewed Landlord-1 EOSD Applications, and was cc'd on other applications submitted by the Weir Organization-1 Email Address.

⁶ I have identified a publicly available website which advertises a "baby registry" for "Rudean Weir" and Individual-1. In addition, based on my review of mortgage records for RUDEAN

phone number associated with Email Address-2 is subscribed to by Individual-1.

c. The email address for Email Address-3 includes the name "Rudean Weir." The recovery phone number for Email Address-3 is a phone number subscribed to by RUDEAN WEIR, the defendant.⁷

d. As noted above, the email address for Email Address-3 includes the name "Rudean Weir." Based on my review of records from Email Services Provider-1 and a cellular service provider, I know that the recovery phone number for Email Address-3 - that is, the phone number which can be used to access Email Address-3 if the user of the account loses the password - is a phone number associated with RUDEAN WEIR, the defendant.

WEIR, the defendant, I understand that Individual-1 is included on his mortgage application.

As noted *supra* paragraph 13, Email Address-2 is the email address which Veteran-1 and Veteran-2 contacted in order to apply for purported Covid-19 benefits for Veterans.

⁷ As noted *supra* paragraph 13.b, Email Address-3 is another email address which communicated with Victim-2 in connection with his purported application for Covid-19 benefits for Veterans.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrests of RUDEAN WEIR and JEROME WEAH, the defendants, and that they be arrested, and imprisoned or bailed, as the case may be.

/s/ sworn telephonically

Special Investigator Wai Yu
New York City Department of Investigations

Sworn to me through the transmission of this Affidavit by reliable electronic means, pursuant to Federal Rules of Criminal Procedure 41(d)(3) and 4.1 this 24th day of June 2022



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