

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

DEREK T. BARNEY; PRIME MOVING & STORAGE INC.; PRIME MOVING & TRUCKING LLC; AVRAHAM "AVI" COHEN; AVI MOVING & TRUCKING INC. (D/B/A "AVI MOVING & STORAGE"); FRANK LOPEZ JR.; BAYA INC. (D/B/A "BAYA INC., MOVING & STORAGE"); CYNTHIA YEJE RAMSAROOP; GENNOVEE YEJE; FASTRAC PROCESSING LLC (D/B/A "THE OFFICE OF EVICTION SERVICES").

Defendants.

INDICTMENT  
Ind. No.: 1822-2021

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Derek T. Barney, Prime Moving & Storage Inc., and Prime Moving & Trucking LLC of the crime of **GRAND LARCENY IN THE SECOND DEGREE**, in violation of Penal Law § 155.40(1), committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, from on or about January 1, 2014 to on or about July 27, 2021, stole property from the New York City Human Resources Administration and the value of said property exceeded fifty thousand dollars.

**COUNT TWO**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Avraham "Avi" Cohen and Avi Moving & Trucking Inc. (d/b/a "Avi Moving & Storage") of the crime of **GRAND LARCENY IN THE SECOND DEGREE**, in

violation of Penal Law § 155.40(1), committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, from on or about January 1, 2014 to on or about July 27, 2021, stole property from the New York City Human Resources Administration and the value of said property exceeded fifty thousand dollars.

### **COUNT THREE**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Frank Lopez Jr. and Baya Inc. (d/b/a “Baya Inc., Moving & Storage”) of the crime of **GRAND LARCENY IN THE SECOND DEGREE**, in violation of Penal Law § 155.40(1), committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, from on or about January 1, 2014 to on or about July 27, 2021, stole property from the New York City Human Resources Administration and the value of said property exceeded fifty thousand dollars.

### **COUNT FOUR**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants, Derek T. Barney; Prime Moving & Storage Inc.; Prime Moving & Trucking LLC; Avraham “Avi” Cohen; Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”); Frank Lopez Jr.; Baya Inc. (d/b/a “Baya Inc., Moving & Storage”); Cynthia Yeje Ramsaroop; Gennovee Yeje; and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”), of the crime of **SCHEME TO DEFRAUD IN THE FIRST DEGREE**, in violation

of Penal Law § 190.65(1)(b), committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, from on or about June 13, 2001 to on or about August 11, 2021, engaged in a scheme constituting a systematic ongoing course of conduct with intent to defraud more than one person and to obtain property from more than one person by false and fraudulent pretenses, representations and promises, and so obtained property with a value in excess of one thousand dollars from one or more such persons, to wit: the New York State Office of Victim Services and the New York City Human Resources Administration.

#### **COUNT FIVE**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants, Derek T. Barney (hereafter “Barney”); Prime Moving & Storage Inc.; Prime Moving & Trucking; Avraham “Avi” Cohen (hereafter “Cohen”); Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”); Frank Lopez Jr. (hereafter “Lopez”); Baya Inc. (d/b/a “Baya Inc., Moving & Storage”); Cynthia Yeje Ramsaroop (hereafter “Ramsaroop”); Gennovee Yeje (hereafter “Yeje”); and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”), of the crime of **CONSPIRACY IN THE FOURTH DEGREE**, in violation of Penal Law § 105.10(1), committed as follows:

The defendants and Unindicted Co-conspirator #1, in the County of New York and elsewhere in the State of New York, during the period from on or about June 13, 2001, to on or about August 11, 2021, with intent that conduct constituting a class C felony, to wit, Grand Larceny in the Second Degree, be performed, agreed with one or more persons to engage in and cause the performance of such conduct.

## **PREAMBLE**

During the course of the above-described conspiracy it was the goal of its members to wrongfully take, obtain, and withhold by false pretenses more than \$50,000 from the New York City Human Resources Administration (“HRA”) by devising an agreement to submit false, rigged, and inflated bids to HRA for the payment of moving expenses for public benefits recipients.

## **OVERT ACTS**

In the course of and in furtherance of the conspiracy, the conspirators committed and caused to be committed the following overt acts:

- 1) On or about June 13, 2001, Lopez; Unindicted Co-conspirator #1; Barney; Baya Inc. (d/b/a “Baya Inc., Moving & Storage”), acting through Lopez, its president; Unindicted Co-conspirator #2, acting through Unindicted Co-conspirator #1, its president; Unindicted Co-conspirator #3, acting through Barney, its president; and Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”), acting through Unindicted Co-conspirator #4, signed a letter addressed to the Rental Assistance Unit of HRA.
- 2) On or about June 13, 2001, Unindicted Co-conspirator #1 caused the letter described in Overt Act # 1 to be delivered to the Rental Assistance Unit of HRA in New York County.
- 3) On or about June 13, 2001, Lopez; Unindicted Co-conspirator #1; Barney; Cohen; Baya Inc. (d/b/a “Baya Inc., Moving & Storage”), acting through Lopez, its president; Unindicted Co-conspirator #2, acting through Unindicted Co-conspirator #1, its president; Unindicted Co-conspirator #3, acting through Barney, its president; and

Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”), acting through Cohen, its president, exchanged with each other blank signed bids sheets for each of the four moving companies.

- 4) On or about October 25, 2017, Ramsaroop emailed multiple HRA employees: “Our office is having an issue with emails, therefore, all emails sent after Friday the October 20th 2017 were not received. Please forward previous emails sent after Friday the 20th to this email.”
- 5) On or about March 27, 2018, Yeje sent an HRA employee an email attaching “an electronic brochure” for the Office of Eviction Services.
- 6) On or about January 15, 2019, in New York County, Ramsaroop caused bid sheets for Individual-1 to be filed with HRA.
- 7) On or about April 18, 2019, in New York County, Yeje caused bid sheets for Individual-2 to be filed with HRA.
- 8) On or about May 31, 2019, in New York County, Baya Inc., through its employees and agents, relocated Individual-2 from 1875 Third Avenue in New York County to 20 Avenue D in New York County.
- 9) On or about June 3, 2019, Yeje emailed Baya Inc. employees an invoice for a kickback related to the relocation of Individual-2.
- 10) On or about June 13, 2019, Lopez and Baya Inc. caused a check to be sent to Fastrac Processing LLC.
- 11) On or about October 18, 2019, in New York County, Cynthia Ramsaroop caused bid sheets for Individual-3 to be filed with HRA.
- 12) On November 27, 2019, Lopez sent Yeje an email regarding the payment of

kickbacks for rigged bids.

- 13) On or about December 13, 2019, in New York County, Prime Moving & Storage Inc. and Prime Moving & Trucking LLC, through its employees and agents, relocated Individual-3 from 868 Amsterdam Avenue in New York County to 845 Columbus Avenue in New York County.
- 14) On or about January 2, 2020, Yeje emailed Barney, Prime Moving & Storage Inc., and Prime Moving & Trucking LLC, an invoice for a kickback related to the relocation of Individual-3.
- 15) On or about April 10, 2020, Yeje sent Unindicted Co-conspirator # 5 an email explaining her schedule of kickbacks for rigged bids.
- 16) On or about May 4, 2020, Ramsaroop emailed Yeje an intake form for Individual-4.
- 17) On or about May 12, 2020, Unindicted Co-conspirator # 5 emailed Ramsaroop with the subject line "RE: [Individual-4]" and wrote: "Avi moving is asking \$1725.00. NOT include the 25%."
- 18) On or about May 12, 2020, Ramsaroop sent Yeje a Google chat message, stating: "AVI Moving Priced [Individual-4] \$1725 + 431.25% but I want to price this move at \$2,415. making it \$690 for EV what do you think."
- 19) On or about May 13, 2020, in New York County, Cynthia Ramsaroop caused bid sheets for Individual-4 to be filed with HRA.
- 20) On or about July 6, 2020, in New York County, Avi Moving & Trucking Inc., through its employees and agents, relocated the belongings of Individual-4 from 28 Jackson Street in New York County to 359 Madison Street in New York County.
- 21) On or about August 5, 2020, Fastrac Processing LLC emailed Avi Moving &

Trucking Inc. employees an invoice for a kickback related to the relocation of Individual-4.

22) On or about December 1, 2020, in New York County, Ramsaroop caused bid sheets for Individual-5 to be filed with HRA.

23) On or about March 1, 2021, Yeje emailed Barney an invoice for a kickback related to the relocation of Individual-5.

24) On or about January 14, 2021, in New York County, Ramsaroop caused bid sheets for Individual-6 to be filed with HRA.

25) On or about March 2, 2021, Yeje emailed Avi Moving & Trucking Inc. employees an invoice for a kickback related to the relocation of Individual-6.

## **COUNT SIX**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Derek T. Barney; Prime Moving & Storage Inc.; Prime Moving & Trucking LLC; Avraham “Avi” Cohen; Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”); Frank Lopez Jr.; Baya Inc. (d/b/a “Baya Inc., Moving & Storage”); Cynthia Yeje Ramsaroop; Gennovee Yeje; and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **CONTRACT, AGREEMENT, ARRANGEMENT OR COMBINATION IN RESTRAINT OF TRADE**, in violation of General Business Law §§ 340(1) and 341, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, from on or about June 13, 2001, to on or about August 11, 2021, made and entered into a contract, agreement, arrangement and combination whereby a monopoly in the conduct of

business, trade and commerce and in the furnishing of any service in this state, was or may have been established and maintained; whereby competition and the free exercise of any activity in the conduct of any business, trade and commerce and in the furnishing of any service in this state was and may have been restrained; and whereby for the purpose of establishing and maintaining any such monopoly and unlawfully interfering with the free exercise of any activity in the conduct of any business, trade and commerce and in the furnishing of any service in this state any business, trade and commerce and the furnishing of any service was or may have been restrained.

#### **COUNT SEVEN**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”), Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about September 1, 2016, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-7 submitted to the New York State Office of Victim Services.



## **COUNT EIGHT**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendant Baya Inc. (d/b/a “Baya Inc., Moving & Storage”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendant, in the County of New York and elsewhere in the State of New York, on or about April 27, 2017, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-8 submitted to the New York State Office of Victim Services.

## **COUNT NINE**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”), Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about May 24, 2018, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a

public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-9 submitted to the New York State Office of Victim Services.

#### **COUNT TEN**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Cynthia Yeje Ramsaroop and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about January 15, 2019, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York and a political subdivision thereof, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-1 submitted to the New York City Human Resources Administration.

#### **COUNT ELEVEN**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Baya Inc. (d/b/a “Baya Inc., Moving & Storage”), Cynthia Yeje

Ramsaroop, Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about March 21, 2019, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York and a political subdivision thereof, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-2 submitted to the New York City Human Resources Administration.

## **COUNT TWELVE**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Prime Moving & Storage Inc., Prime Moving & Trucking LLC, Cynthia Yeje Ramsaroop, Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about October 18, 2019, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York and a political subdivision thereof, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and

recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-3 submitted to the New York City Human Resources Administration.

### **COUNT THIRTEEN**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”), Cynthia Yeje Ramsaroop, Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about May 13, 2020, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York and a political subdivision thereof, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-4 submitted to the New York City Human Resources Administration.

### **COUNT FOURTEEN**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Prime Moving & Storage Inc., Prime Moving & Trucking LLC, Cynthia Yeje Ramsaroop, Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction

Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about December 1, 2020, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York and a political subdivision thereof, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-5 submitted to the New York City Human Resources Administration.

#### **COUNT FIFTEEN**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”), Cynthia Yeje Ramsaroop, Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about January 14, 2021, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York and a political subdivision thereof, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant,

public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-6 submitted to the New York City Human Resources Administration.

#### **COUNT SIXTEEN**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Avi Moving & Trucking Inc. (d/b/a “Avi Moving & Storage”), Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**, in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about February 3, 2021, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-10 submitted to the New York State Office of Victim Services.

#### **COUNT SEVENTEEN**

AND THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendants Prime Moving & Storage Inc., Prime Moving & Trucking LLC, Gennovee Yeje, and Fastrac Processing LLC (d/b/a “the Office of Eviction Services”) of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE**,

in violation of Penal Law § 175.35, committed as follows:

The defendants, in the County of New York and elsewhere in the State of New York, on or about March 5, 2021, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: a package of bid sheets for the relocation of Individual-11 submitted to the New York State Office of Victim Services.

LETITIA JAMES  
New York State Attorney General

Filed:

N/A

# GRAND JURY 6

AUG 12 2021

Grand Jury: 6 Case No.: 7 <i>01822.2021</i>
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THE PEOPLE OF THE STATE OF NEW YORK

-against-

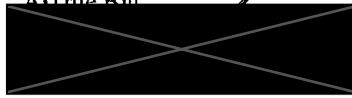
DEREK T. BARNEY; PRIME MOVING & STORAGE INC.; PRIME MOVING & TRUCKING LLC; AVRAHAM "AVI" COHEN; AVI MOVING & TRUCKING INC. (D/B/A "AVI MOVING & STORAGE"); FRANK LOPEZ JR.; BAYA INC. (D/B/A "BAYA INC., MOVING & STORAGE"); CYNTHIA YEJE RAMSAROOP; GENNOVEE YEJE; FASTRAC PROCESSING LLC (D/B/A "THE OFFICE OF EVICTION SERVICES"),

Defendants.

## INDICTMENT

GRAND LARCENY IN THE SECOND DEGREE, P.L. § 155.40(1) (Barney, Prime Moving & Storage Inc., Prime Moving & Trucking LLC, Cohen, Avi Moving & Trucking Inc., Lopez, Baya Inc.)  
 SCHEME TO DEFRAUD IN THE FIRST DEGREE, P.L. § 190.65(1) (All defendants),  
 CONSPIRACY IN THE FOURTH DEGREE, P.L. § 105.10(1) (All defendants)  
 CONTRACT, AGREEMENT, ARRANGEMENT OR COMBINATION IN RESTRAINT OF TRADE, G.B.L. §§ 340(1) & 341 (All defendants)  
 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, P.L. § 175.35(1) (1 Count: Baya Inc.;  
 3 Counts: Prime Moving & Storage Inc., Prime Moving & Trucking LLC; 5 Counts: Avi Moving & Trucking Inc.; 6 Counts: Ramsaroop; 9 Counts: Yeje; 10 Counts: Fastrac Processing LLC)

LETITIA JAMES  
 Attorney General of the State of New York

A True Bill  


Foreperson

AAG Greg Morril  
 New York State Office of the Attorney General  
 28 Liberty Street, 14th Floor, New York, NY 10005  
 Gregory.Morril@ag.ny.gov | (212) 416-6020

ADJOURNED TO PART \_\_\_\_\_ ON \_\_\_\_\_