



Release # 26-2008
www.queensda.org

DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568
718-286-6000

RICHARD A. BROWN
DISTRICT ATTORNEY

FOR IMMEDIATE RELEASE
WEDNESDAY, FEBRUARY 6, 2008

CONTACT: KEVIN RYAN
HELEN PETERSON
(718)286-6315

D.A. BROWN: REALTOR AND LOAN OFFICER
CHARGED IN IDENTITY FRAUD SCHEME

Allegedly Stole Identity of Former Client To Purchase \$589,000 Property

Queens District Attorney Richard A. Brown today announced that two Queens women, a realtor and a loan officer, have been charged with stealing the personal identity of a former client to purchase a Brooklyn property. It is alleged that they initially tried to get her to participate in the scheme, then used her identity after she refused.

District Attorney Brown said, “This case is the latest in a number of disturbing instances of identity theft – particularly cases that also involve real estate and mortgage fraud – that we have seen over the last year. Our Economic Crimes Bureau will vigorously prosecute this case.”

District Attorney Brown identified the defendants as Elba A. Garcia, 50, of 92-16 Whitney Avenue in Elmhurst, and Yanet Salazar a.k.a. Janet Salazar, 35, of 88-49 Francis Lewis Boulevard in Queens Village.

The District Attorney said that the investigation began in August 2007 when Queens resident Aurora Solano received notice in the mail indicating that a mortgage for \$589,000 had been issued in her name and that a monthly payment of over \$5,000 was due on September 1, 2007. Solano, who did not apply for a mortgage or authorize anyone to use her personal identification, reported the incident to the police.

District Attorney Brown said that, according to the charges, Solano provided her personal identification information to defendants Garcia and Salazar, a realtor and loan officer, respectively, in early 2007 for a loan application for a property in Queens. The deal subsequently fell through and the sale did not go forward.

According to the criminal complaint, Solano was contacted by Garcia a few days before July 31, 2007, and offered money to go to a closing to sign for a property for which Garcia was the realtor. The property, in Brooklyn, was being purchased by a man named Aquilino Sanchez, who had bad credit but had the money to make mortgage payments, according to the charges. Solano refused to take part in the scheme and said she does not know Sanchez.

According to the charges, Solano said that on July 31, 2007, both Garcia and Salazar came to her home and spent hours trying to convince her to attend the closing for the \$589,000 property located at 328 Euclid Avenue in Brooklyn. Solano told investigators that she again refused to attend the closing and that Garcia and Salazar reluctantly left.

An attorney who represented the lender at the closing said that Garcia and Salazar were several hours late for the closing. They arrived with a woman who purported to be Solano, but failed to provide identification when asked for it saying she left it home. Salazar provided a photocopy of Solano's purported driver's license and the closing went forward. Several weeks later another attorney, who also attended the closing, met Solano and verified that she was not the same woman who identified herself by that name at the closing. According to the criminal complaint the scheme unraveled when the mortgage bill was sent to Solano's home instead of to the Euclid Avenue address, which is where Sanchez said Garcia told him it would be sent.

Garcia was ordered held on \$100,000 bail at her arraignment before Criminal Court Judge Eugene Lopez on February 1, 2008. Salazar was ordered held on \$25,000 bail at her arraignment before Criminal Court Judge Suzanne Melendez on February 5, 2008. Both women are charged with first-degree identity theft and third-degree unlawful possession of personal identification information. If convicted, each defendant faces up to seven years in prison.

The investigation was conducted by Detective Raymond Phillips of the 110th Precinct Detective Squad under the supervision of Sergeant Eugene Marcadia and Lieutenant Anthony Mottola.

Assistant District Attorney Allison Wright, of the District Attorney's Economic Crimes Bureau, is prosecuting the case under the supervision of Assistant District Attorney Gregory C. Pavlides, Bureau Chief, and Christina Hanophy, Deputy Bureau Chief, and the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney Linda M. Cantoni.

It should be noted that a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

#

Note to Editors: Press release e-version posted at www.queensda.org.