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**D.A. BROWN: BROOKLYN MAN PLEADS GUILTY IN CONNECTION
WITH FRAUDULENT SALE OF RETIRED CORRECTION OFFICER'S HOME**

Immediately Pays \$50,000 in Restitution

Queens District Attorney Richard A. Brown today announced that a Brooklyn man has pleaded guilty to fifth-degree criminal possession of stolen property in connection with the fraudulent sale of a retired New York City correction officer's Cambria Heights house. The defendant, who works in his family's fish market, was charged in the case along with his brother, who was employed at a Queens real estate brokerage firm. The brother is a fugitive who is being sought internationally.

District Attorney Brown said, "This defendant took advantage, allegedly along with his brother, of an elderly man's poor health by swindling him out of his home. Fortunately, the victim, who suffers from dementia, was able to remain in his home and civil litigation is underway to ensure that he may remain there as the rightful owner. Fortunately, the scheme was uncovered after the victim's eldest daughter, a New York City police officer, became suspicious of various transactions and reported the matter to my Economic Crimes Bureau."

The District Attorney identified the defendants as Moses Brach, 31, of 182 Lynch Street in Brooklyn, and his brother, Joel Brach, 27, who lived at 137-68th 70th Avenue in Flushing and is believed to have fled to Israel. Moses Brach, who is employed at the family-owned 18th Avenue Kosher Fish Store in Borough Park, Brooklyn, pleaded guilty yesterday in Supreme Court in Kew Gardens before Queens Supreme Court Justice Kenneth C. Holder to one count of fifth-degree criminal possession of stolen property. He was sentenced to pay \$50,000 in restitution and his check in that amount was personally delivered to the victim hours later by the prosecution.

District Attorney Brown said that, according to the charges, 71-year-old Hoesey Walker sought the aid of Home Energizer, Inc., a real estate brokerage company formerly located at 189-07 Jamaica Avenue in Hollis, in February 2007 to assist him in the purchase of real estate. Joel Brach, an employee of Home Energizer, allegedly handled the transaction involving Mr. Walker's purchase that same month of two properties – one in Brooklyn and the other in Queens – for a total of \$1,370,000.

The District Attorney said it was further charged that shortly after the purchase of the two investment properties, Mr. Walker's daughter, New York City Police Officer Kim Walker, discovered that her father had begun to exhibit signs of dementia and did not understand the financial consequences of purchasing the two investment properties. Officer Walker also discovered, it was alleged, that her father's primary residence at 114-121 228th Street in Cambria Heights had been sold.

It is further alleged that the Cambria Heights residence was sold in March 2007 to Joel Brach and his brother, Moses Brach, for \$440,000 and that the equity proceeds from the sale of the house – \$211,000 – were placed in a Wachovia joint banking account in which the two Brachs and Mr. Walker were listed as the account holders. An investigation by the District Attorney's Office determined that the account had allegedly been opened in March 2007 in Joel Brach's name only and then his brother's name was added as an account holder, and then finally that Mr. Walker's name was added as an account holder – unbeknownst to him and only after the sale of his residence.

Finally, it is alleged that Mr. Walker was not present at the closing, which took place at 8:00 p.m. at the defendant Joel Brach's Flushing residence. As a result of the sale, it is alleged, a check was made payable to Mr. Walker in the amount of \$211,000 – which was then deposited into the Wachovia account that the Brachs had established.

District Attorney Brown said that the existence of the check and the account came to light when a Wachovia representative contacted Mr. Walker and his family due to the suspicious nature of the deposit. At the request of the District Attorney's Office, the account's assets have been frozen and remain frozen.

The District Attorney noted that, as a result of the sale, a mortgage in the amount of \$407,537 in the names of the Brachs was filed against Mr. Walker's property and that mortgage is near foreclosure. Prior to the sale, Mr. Walker only had a mortgage of \$187,633 on his property.

The investigation was conducted by Detectives Jerome D. Pugh, Richard A. Lewis and Patrick F. Dolan of the District Attorney's Detective Bureau, under the supervision of Sergeant John W. Kenna and Lieutenant Robert J. Burke, and under the overall supervision of Chief Investigator Lawrence J. Festa and Deputy Chief Investigator Albert D. Velardi.

Assistant District Attorney Khadijah Muhammad-Starling, of the District Attorney's Elder Fraud Unit, is prosecuting the case under the supervision of Assistant District Attorney Kristen A. Kane, Chief of the Elder Fraud Unit, and Assistant District Attorneys Gregory Pavlides, Bureau Chief of the District Attorney's Economic Crimes Bureau, and Christina Hanophy, Deputy Bureau Chief, and the overall supervision of Executive Assistant District Attorney Peter Crusco and Deputy Executive Assistant District Attorney Linda Cantoni of the Investigations Division.

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