

Thomas Klemm

From: Diana Lin
Sent: Friday, April 08, 2016 11:09 AM
To: 'Leron Ben'; Shane Creamer
Cc: Maya Nayak; Michael Cooke; Jordan Segall
Subject: RE: Creamer v. Ben, Matter No. 1510ET17
Attachments: Letter to Parties enclosing Transcript of Hearing 04 08 2016.pdf; Transcript of Hearing - Full.pdf; Transcript of Hearing - Exhibits.pdf

Please find attached correspondence related to Administrative Adjudication Matter #1510ET17.

Sincerely,
Diana

Diana J. Lin, Esq.
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CITY OF PHILADELPHIA

BOARD OF ETHICS
ONE PARKWAY BUILDING
1515 Arch Street
18TH Floor
Philadelphia, PA 19102-1504
(215) 686 – 9450
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Confidential

April 8, 2016

Via email (rent2158332547@gmail.com)

Liran Ben Shoshan
22 Evergreen Way
Philadelphia, PA 19115

Via email (shane.creamer@phila.gov)

J. Shane Creamer, Jr.
Executive Director
Philadelphia Board of Ethics
1515 Arch Street, 18th Floor
Philadelphia, PA 19102

Re: Administrative Adjudication Matter #1510ET17

Dear Mr. Ben Shoshan and Mr. Creamer,

I am providing you with electronic copies of the hearing transcript and related exhibits from the March 1, 2016 administrative hearing regarding the above-referenced matter. It is my understanding that sending these documents in electronic format is acceptable to you. If you would like a hard copy of any of these documents, please let me know by email.

According to Paragraph 10 of the Board of Ethics' Procedures for Administrative Enforcement Proceedings that Supplement Board Regulation No. 2 (11/19/14), you may file with the Board proposed findings of fact and conclusions of law no later than **April 15, 2016**. Such proposed findings of fact and conclusions of law must be set forth in numbered paragraphs. A party must support each proposed finding of fact by citing to a specific part of the record of this administrative enforcement proceeding, which includes filings, the hearing transcript, and hearing exhibits, unless the fact is undisputed.

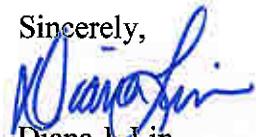
Re: Administrative Adjudication Matter #1510ET17

April 8, 2016

Page 2 of 2

Please let me know if you have any questions regarding the Board's procedures.

Sincerely,



Diana J. Lin

Associate General Counsel

cc (via email):

Maya Nayak, General Counsel

BOARD OF ETHICS
OF THE
CITY OF PHILADELPHIA
MATTER NO. 1510ETI7

J. SHANE CREAMER, JR.,)
Executive Director Board)
of Ethics of the CITY of)
PHILADELPHIA)
)
- vs -)
)
LERON BEN a/k/a LERON)
SHOSHANA)
 Respondent)
-----)

TRANSCRIPT OF HEARING, taken by
and before KATHLEEN M. RIGBY, Professional Reporter
and Notary Public, at the OFFICES of the BOARD OF
ETHICS, 1515 Arch Street, 18th Floor, Philadelphia,
Pennsylvania, on Tuesday, March 1, 2016, commencing
at 10:40 a.m.

ERSA COURT REPORTERS
30 South 17th Street
United Plaza - Suite 1520
Philadelphia, PA 19103
(215) 564-1233

HEARING

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A P P E A R A N C E S:

HEARING OFFICER:

RICHARD GLAZER

GENERAL COUNSEL STAFF:

MAYA NAYAK, General Counsel

DIANA LIN, Associate General Counsel

THOMAS KLEMM, Staff Attorney

PARTIES:

J. SHANE CREAMER, JR., Executive Director

BY: MICHAEL J. COOKE, Director of Enforcement

JORDAN E. SEGALL, Staff Attorney

Board of Ethics of the City of

Philadelphia

1515 Arch Street, 18th Floor

Philadelphia, PA 19102

-- (215) 686-9459

LIRAN BEN SHOSHAN, Respondent

**BY: LIRAN BEN SHOSHAN (pro se/representing
himself)**

22 Evergreen Way

Philadelphia, PA 19115

(215) 833-2547

ALSO PRESENT:

J. SHANE CREAMER, JR., Executive Director

HEARING

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HEARING

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1 PROCEEDINGS

2 HEARING OFFICER: We are now on
3 the record. Good morning. Today we're
4 going to consider the Board of Ethics
5 matter Number 1510ET17, J. Shane Creamer,
6 Jr., Executive Director of Philadelphia
7 Board of Ethics, versus Respondent Leron
8 Ben Shoshan and provide Respondent the
9 hearing he requested in this matter.

10 My name is Richard Glazer. I'm
11 the Board's hearing officer presiding over
12 this hearing. The date is Tuesday, March
13 1, 2016, and the time is approximately
14 10:40 a.m. The location of this hearing
15 is The Board of Ethics' conference room,
16 18-009, located at 1515 Arch Street, 18th
17 Floor in Philadelphia, PA 19102.

18 As the Hearing Officer, it's my
19 duty to conduct a fair hearing. I will do
20 this by allowing the parties to present
21 their positions at reasonable length by
22 following the Board's procedures and by
23 ensuring that a complete record is made of
24 the proceedings.

1 I will issue oaths of testimony,
2 rule on admissibility of evidence, and
3 maintain order. I may also ask questions
4 of the witnesses and the parties.

5 Finally, I will make
6 recommendations to the Board regarding its
7 final determination.

8 The Board's General Counsel Maya
9 Nayak, Associate General Counsel Diana
10 Lin, and Staff Attorney Thomas Klemm are
11 seated beside me and will assist me.

12 The Board observes walls of
13 division. And what that means, that the
14 adjudicative function is separated from
15 the investigatory prosecutorial functions
16 in all adjudicated enforcement matters.

17 During an administrative
18 enforcement proceeding such as this, the
19 Executive Director and professional staff
20 directed by the Executive Director will
21 carry out the investigatory or
22 prosecutorial function.

23 The individual members of the
24 Board, myself, General Counsel Nayak,

HEARING

6

1 Associate General Counsel Lin and Staff
2 Attorney Klemm will carry out the
3 adjudicative function.

4 The Board of Ethics observes the
5 walls of division with respect to all its
6 adjudicative enforcement matters and has
7 observed the walls of division in this
8 particular matter, Number 1510ET17.

9 The court reporter -- this
10 hearing is being transcribed. Kathleen
11 Rigby is the court reporter.

12 Board members will rely upon the
13 transcript in their deliberations on this
14 matter.

15 Please speak loudly, slowly and
16 clearly so that Ms. Rigby can make an
17 accurate record. This transcript will
18 become public after the Board renders its
19 final determination in this matter.

20 Identification of the parties:
21 Executive Director, please identify
22 yourself for the record.

23 MR. COOKE: My name is Michael
24 Cooke, I'm the Director of Enforcement for

HEARING

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1 the Board, and I'm serving as the
2 Executive Director's designee. And I'm
3 responsible in that capacity for handling
4 this hearing today in conjunction with my
5 colleague Jordan Segall.

6 HEARING OFFICER: Spell your
7 name for the court reporter.

8 MR. COOKE: It's M-I-C-H-A-E-L,
9 C-O-O-K-E.

10 HEARING OFFICER: Thank you.

11 Mr. Ben Shoshan, would you
12 identify yourself for the record, please,
13 and spell your name.

14 MR. BEN SHOSHAN: Liran Ben
15 Shoshan, L-I-R-A-N, B-E-N, S-H-O-S-H-A-N.

16 HEARING OFFICER: Thank you.
17 And you may need to talk up a
18 little bit for everyone in the room; okay?

19 MR. BEN SHOSHAN: I'll do my
20 best.

21 HEARING OFFICER: Jurisdiction
22 and procedural history: The hearing is
23 convened under Section 41100 of the Home
24 Rule Charter, Section 20-6061H of the

HEARING

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1 Philadelphia Code of Board Regulation 2.

2 On November 12, 2015, Executive

3 Director served the Respondent, Liran Ben

4 Shoshan, with a Notice of Administrative

5 Enforcement Proceeding. The notice

6 alleges that Respondent violated the City

7 Gift Ordinance, which is found in Code

8 Section 20-604. The Executive Director is

9 seeking a penalty of \$2,000 based on an

10 aggravating factor Respondent allegedly

11 acted knowingly.

12 On December 1, 2015 Respondent

13 timely responded to the Executive

14 Director's notice and denied the

15 allegations. In his response, Respondent

16 also requested a hearing in this matter,

17 in which we are holding today.

18 After this hearing is concluded

19 and Respondent has been provided with an

20 opportunity to contest the alleged

21 violations, the Board will deliberate on

22 the evidence and determine by a

23 preponderance of the evidence whether any

24 violation of law has occurred, and the

1 Board will assess penalties for any such
2 violation.

3 Confidentiality: The parties
4 have previously been advised that the City
5 Code and Board Regulation 2 require that
6 the Board's Administrative Enforcement
7 Proceedings, including filings and
8 testimony, remain confidential while the
9 adjudication is pending unless the
10 Respondent provides written consent to a
11 public proceeding, which Respondent has
12 not done; therefore, this hearing is
13 confidential.

14 Once the Board has served notice
15 of its final determination on the
16 Respondent, this adjudication will no
17 longer be pending and the Board and Board
18 staff, Respondent and witnesses may
19 disclose information about the proceeding.

20 Offering and admitting evidence:
21 The Board is not bound by technical rules
22 of evidence in administrative enforcement
23 proceedings, and I may admit on the
24 Board's behalf all relevant evidence of

1 reasonably probative value. The parties
2 should make their objection to evidence
3 and I'll rule on the objections.

4 Opening statements: If the
5 parties wish to make opening statements,
6 you may do so at this time beginning with
7 the Executive Director. I ask that the
8 parties permit each other to make opening
9 statements without interruption. Please
10 limit your opening statements to ten
11 minutes or less.

12 Mr. Ben Shoshan, you're not
13 required to make an opening statement, but
14 you're certainly welcome to do so.

15 The purpose of an opening
16 statement is to provide a preview of your
17 defense and describe the issues as you see
18 them in the case.

19 I want to say one other thing
20 before we start, and that is, Mr. Ben
21 Shoshan, you do not have an attorney
22 present. You are entitled obviously to
23 have an attorney. You have chosen not to.
24 And that's fine. And we certainly can

1 proceed without your being represented by
2 counsel. In light of that, I am going to
3 give great deference to you in terms of
4 explaining, when necessary, if you have
5 questions, but in return, I'd like your
6 agreement that you will listen to my
7 rulings, pay attention to them, respect
8 them, and proceed accordingly. We do not
9 want this to turn into a free-for-all.

10 Do you understand?

11 MR. BEN SHOSHAN: Yes.

12 HEARING OFFICER: Thank you.

13 Does the Executive Director have
14 an opening statement?

15 MR. COOKE: Yes, we do, Mr.
16 Hearing Officer.

17 Before then, though, I'd like to
18 just raise one question to make sure we're
19 on the same page in terms of the exhibits?

20 HEARING OFFICER: Sure.

21 MR. COOKE: My understanding,
22 based on the submission of the pre-hearing
23 memoranda and the various rulings made by
24 you regarding exhibits, is that I believe

1 that every exhibit that has been listed
2 either by the Executive Director or the
3 Respondent is a part of the record and is
4 admissible whether due to lack of
5 objection to it or because, in our case,
6 if there were a couple objections, you
7 overruled them. And so those documents
8 would be admissible as per Regulation
9 Number 2 in the Board's Procedures on
10 Administrative Hearings.

11 I note that yesterday Mr. Ben
12 submitted several documents that he asked
13 to supplement his pre-hearing memorandum.
14 We had a chance to review them. And we
15 have no objection to their authenticity or
16 admissibility.

17 I believe those were the only
18 documents that were outstanding as to
19 whether there was a question of their
20 admissibility.

21 HEARING OFFICER: My personal
22 view is the fact that they were allowed to
23 be considered for this hearing would not
24 affect their admissibility. And if there

1 were tendered a proper objection, that
2 objection could be sustained.

3 (At this time, a discussion was
4 held off the record.)

5 HEARING OFFICER: Upon advice of
6 my attorney, it was my intent and agreed
7 to, I believe, to give latitude for good
8 cause shown to consider objections.

9 So it is abundantly clear, we
10 will consider objections to exhibits
11 notwithstanding some of the language
12 agreed to; okay?

13 MR. COOKE: Understood.

14 HEARING OFFICER: Please.

15 MR. COOKE: Thank you.

16 Mr. Hearing Officer, members of
17 the general counsel staff, and Mr. Ben, my
18 name is Michael Cooke. I'm the Director
19 of Enforcement for the Board of Ethics.
20 And I'm serving today as the designee of
21 the Executive Director to handle this
22 hearing on his behalf, Creamer versus Ben.

23 I'm joined today by my
24 colleague, Jordan Segall, a staff attorney

1 with the Board, who will be assisting me
2 in conducting the hearing.

3 The question before the Board at
4 this hearing today is whether or not the
5 Respondent, Mr. Ben, violated Ethics Code
6 Section 20-604(2) when on May 21st of 2015
7 he offered a gift of cash to a hearing
8 officer of the City at an Office of
9 Administrative Review Hearing.

10 20-604(2) is part of the gift
11 rule in the City's Ethics Code. And it
12 provides that no person can offer gifts of
13 cash to a City officer if the person is
14 seeking official action from that City
15 officer or if the person has a financial
16 interest at the time the gift is offered
17 or in close proximity to that time that
18 the City officer can affect --
19 substantially affect through official
20 action.

21 This ban on people making gifts
22 of cash to City officers is one of the
23 core components of the Ethics Code. And
24 its existence and enforcement ensures that

1 people cannot buy special treatment from
2 City officers.

3 Now, the basic facts of this
4 case are actually not in dispute.

5 Parties agree that on May 21,
6 2015 Mr. Ben appeared at a hearing at the
7 Office of Administrative Review.

8 The hearing officer at the
9 hearing was Mr. Stephen St. Vincent.

10 And Mr. Ben was there to contest
11 three tickets that had been issued to
12 properties in the City of Philadelphia.

13 One of the tickets was issued to
14 a property owned by a company called
15 ELISRA, LLC, of which Mr. Ben is and was
16 at the time a 50 percent owner.

17 The other two tickets at the
18 hearing were issued for properties owned
19 by a company called 5001 Oxford Ave, LLC.

20 At the hearing, after hearing
21 evidence from Mr. Ben, the hearing officer
22 dismissed all of the tickets.

23 The parties agree on those basic
24 facts and they are not in dispute.

1 What is in dispute is what
2 happened next. You will hear testimony
3 from that hearing officer, Mr. Stephen St.
4 Vincent, that after he informed Mr. Ben
5 that he was going to dismiss all three of
6 the tickets, Mr. Ben approached him and
7 shook his hand and in doing so attempted
8 to pass him a wad of cash bills.

9 Mr. Ben -- Mr. St. Vincent,
10 rather, will further testify that he
11 refused to accept the proffered money. He
12 told Mr. Ben that he could not accept it
13 and told Mr. Ben he needed to take his
14 money and leave the hearing.

15 I anticipate that Mr. Ben when
16 he testifies will deny that he offered the
17 gift of cash to Mr. St. Vincent.

18 And the Board is going to have
19 to weigh the credibility between Mr. Ben's
20 testimony and Mr. St. Vincent's testimony.

21 In the case of Mr. St. Vincent,
22 however, you will hear testimony from
23 another person, his former supervisor,
24 Paula Weiss, the Director of the Office of

1 Administrative Review, that will
2 corroborate much of what he says and will
3 support his credibility.

16 Thank you.

17 HEARING OFFICER: Thank you.

MR. BEN SHOSHAN: I can make an

HEARING

18

1 opening --

2 COURT REPORTER: I'm sorry?

3 MR. BEN SHOSHAN: I can make an
4 opening statement right now.

5 HEARING OFFICER: You'll need to
6 speak up a little bit louder, please.

7 MR. BEN SHOSHAN: If you don't
8 mind, I'll read from the writing because
9 I'm a little bit excited.

10 HEARING OFFICER: No problem.

11 MR. BEN SHOSHAN: I'm not
12 regular to this --

13 HEARING OFFICER: I'm sorry, the
14 court reporter is not able to hear you.
15 Because your testimony is being written
16 down, you need to be clear, please.

17 MR. BEN SHOSHAN: My name is
18 Liran Ben Shoshan. And I'm standing here
19 today not with the fear of justice, but
20 with a comfort of my truth.

21 I would like to start with a
22 fact that will not change the outcome of
23 this hearing, but I must say that my civil
24 rights was violated by Mr. Segall and Mr.

1 Cooke by questioning me without telling me
2 that I'm under investigation. I was
3 called to talk and nothing more than that,
4 but that was my initial investigation.
5 And my later e-mails can prove it.

6 I'm here today to protect my
7 name, my good name, my clean history from
8 allegations that I'm disputing with both
9 hands. As I said, I deny the allegations
10 and I'm hoping to wake up from this dream
11 of being accused and to prove something
12 that never happened.

13 It's my testimony I asked both
14 lawyers to see the camera recording from
15 that day, but they didn't give me any
16 answer. Not presenting such evidence is
17 solid proof of my honesty and the
18 invalidation of this allegation. With no
19 eye witness, no camera recording, and no
20 visible evidence, this case can't be
21 continued.

22 The only argument today will be
23 my word against Mr. Vincent's word. And
24 to remind you, Mr. Vincent was a temporary

1 worker with the City of Philadelphia and
2 no longer working there. If I remember
3 right, his time frame was less than three
4 months with the City.

5 Going back to my first meeting
6 with Board of Ethics lawyers, Mr. Segall
7 and Mr. Cooke, they put on the table the
8 hearing schedule from Mr. Vincent of May
9 21st. If I remember right, it had ten
10 people that day attending. And they
11 claimed that -- they said that he claimed
12 that someone gave him a fruit basket and
13 someone gave him money. And they asked me
14 if I gave him fruit or money, which means
15 that he, himself, couldn't relate between
16 the people and the gifts that he claims
17 that he received that day. By the way, my
18 answer was no to both.

19 Again, I offered to look at the
20 cameras, but -- and find out if these
21 allegations are true or false and then to
22 take proper action if corroborated. I
23 assumed that nothing was found. But after
24 shooting in the dark, they decided to

1 proceed against me.

2 The allegation started with
3 attempt of bribery. This is the testimony
4 that Mr. Vincent gave, attempt to bribery.

5 Look at his -- it's one of your exhibits,
6 attempt of bribery or bribery attempt.

7 And now it became a gift violation. I
8 think that that should have been the first
9 sign that there's a problem with Mr.
10 Vincent's testimony.

11 On the alleged Violation Number
12 22, gift violation, Subsection 20-604
13 says, prohibit any person from offering,
14 making or rendering any gift or money to
15 any City officer or employee if that
16 person is seeking official action from him
17 or her.

18 In my presentation I will prove
19 that this law is not applicable in that
20 matter and Board of Ethics made a mistake
21 by taking such action against me.

22 On alleged Violation Number 23,
23 Board of Ethics stating, Respondent Ben,
24 acted knowingly; that is, voluntarily and

1 intentionally and not because of a
2 mistake. And more than that, Board of
3 Ethics lawyers' e-mail response on
4 February 12, 2016 when I requested to
5 question them, their answer, well, we
6 raise our objection to Mr. Ben's attempt
7 to call me, Mr. Cooke and Jordan, as
8 witnesses at the hearing. Neither of us,
9 and this is what I wanted to emphasize,
10 neither of us can provide competent
11 testimony in that matter because we do not
12 have personal knowledge of the event that
13 gave rise to the underlaying alleged
14 violation.

15 And I would ask Board of Ethics
16 lawyers, Mr. Segall and Mr. Cooke, if they
17 weren't in that room on May 21st to make
18 such a strong statement, how do they know
19 what I did or felt if this accusation were
20 not coming from Mr. Vincent's testimony?

21 I think that this case can be
22 narrowed to Mr. Segall and Mr. Cooke
23 versus Mr. Ben since some of the
24 allegations are not lined up with Mr.

1 Vincent's testimony. And by adding
2 disputed facts, they are taking position
3 in Mr. Vincent's testimony, even though
4 they weren't present on May 21, 2015 in
5 that room.

6 And I would request the Board to
7 dispute all these allegations.

8 Thank you.

9 HEARING OFFICER: Thank you.
10 We will now go into the
11 presentation of the facts through the
12 witnesses and exhibits. Each party will
13 have an opportunity to present its case by
14 calling witnesses and questioning them.
15 The parties may also offer exhibits into
16 evidence.

17 As to exhibits, the parties
18 should follow these general guidelines to
19 introduce exhibits: A party who wishes to
20 use an exhibit should identify the exhibit
21 according to its premarked number or
22 letter as provided in each party's
23 respected pre-hearing memorandum, which
24 were both timely filed.

1 After ensuring that the opposing
2 party has had an opportunity to review the
3 document, the party should show the
4 exhibit to the witness and then use the
5 exhibit to ask the witness preliminary
6 questions that establish the witness'
7 knowledge of the exhibit and allow the
8 witness to explain what the exhibit is.

9 The parties should then request
10 that the exhibit be admitted. The
11 opposing party should make any objection
12 to the exhibit at this time.

13 I will rule on the objection or
14 defer ruling and allow the witness to
15 answer the questions about the exhibit.

16 Direct examination of witnesses:
17 The parties will also question witnesses.
18 The Executive Director will present his
19 case first and offer his witnesses. After
20 each witness has testified, Respondent
21 then will have the opportunity to question
22 each of the Executive Director's
23 witnesses.

24 Once the Executive Director has

1 presented all of his witnesses, Respondent
2 will have the opportunity to present his
3 case and offer his own witnesses.

4 After each of the Respondent's
5 witnesses has testified, Executive
6 Director will have the opportunity to
7 question each of the Respondent's
8 witnesses.

9 A party may question a witness
10 that party has called, this is called
11 direct examination. Once one party has
12 presented and questioned a witness, the
13 other party is entitled to question that
14 same witness about the matters that have
15 been testified on direct exam. Such
16 questioning is called cross-examination.
17 On cross-examination, each party will
18 attempt to challenge the testimony given
19 by the other party's witnesses.

20 During both direct and cross,
21 the party or counsel questioning witnesses
22 must give the witness the opportunity to
23 fully respond to the question and complete
24 his or her answer before continuing to

1 question the witness.

2 Do either of you have any
3 questions about this procedure in terms of
4 questioning witnesses or presenting
5 documents?

6 MR. BEN SHOSHAN: I would just
7 like to mention that since I'm not a
8 lawyer, I do not know if what they will
9 ask is allowed or not, and I can't object
10 to almost anything because I don't know
11 where the law stands. So I'm just hoping
12 that they will be honest enough to ask
13 proper questions, not to go beyond it,
14 that's it.

15 HEARING OFFICER: Okay.

16 MR. COOKE: Mr. Hearing Officer,
17 one thing that I want to clarify, the
18 notice and the response and the undisputed
19 facts that have been listed in both the
20 pre-hearing memorandum, my understanding
21 is that they are part of the record.
22 Those documents do not need to be offered
23 as exhibits, but I want to just ensure
24 about that before we proceed, that you

1 agree with that?

2 (At this time, a discussion was
3 held off the record.)

4 HEARING OFFICER: We would agree
5 with that, Mr. Cooke.

6 So you may call your --

7 MR. COOKE: Thank you, Mr.
8 Hearing Officer.

9 I was just going to say we have
10 binders of the exhibits that were listed
11 in the Executive Director's pre-hearing
12 memorandum. And then also, I believe, we
13 have in Tab 21 all of the exhibits that
14 Mr. Ben offered or submitted prior to the
15 hearing except for what was sent last
16 night. Although, we can make copies of
17 those if necessary.

18 We have a binder for Mr. Ben and
19 then a binder that we want to offer up to
20 the Hearing Officer and exhibits to have
21 in front of the witness.

22 HEARING OFFICER: Let the record
23 reflect that Mr. Cooke has handed Mr. Ben
24 Shoshan a binder with exhibits.

1 I presume --

2 MR. BEN SHOSHAN: Is that for me
3 to keep or to return?

4 MR. COOKE: You can keep them.

5 HEARING OFFICER: It starts with
6 the table of contents and are numbered
7 from 1 through 25. The table of contents
8 makes reference to 1 through 21, Mr.
9 Cooke.

10 MR. COOKE: That's correct, Mr.
11 Hearing Officer. 1 through 19 are the
12 exhibits listed in the Executive
13 Director's pre-hearing memorandum. 20 and
14 21 are additional documents that could
15 potentially be referenced during the
16 course of the hearing; that is, the
17 Executive Directive's pre-hearing memo and
18 Mr. Ben's pre-hearing memo. And in Mr.
19 Ben's case, the additional documents that
20 he offered as exhibits.

21 HEARING OFFICER: And it appears
22 that there are no documents with reference
23 to 22, 23, 24 --

24 MR. COOKE: That is correct.

1 HEARING OFFICER: -- and 25?

2 MR. COOKE: That is correct.

3 HEARING OFFICER: That's what

4 you have in front of you, Mr. Ben Shoshan?

5 MR. BEN SHOSHAN: I think so,

6 yes.

7 HEARING OFFICER: You can get

8 the witness.

9 (At this time, a short break was

10 taken.)

11 HEARING OFFICER: I'd like to

12 swear you in first.

13 THE WITNESS: Sure.

14 Do you solemnly swear or affirm

15 under penalty of perjury that the

16 testimony you're about to give will be the

17 truth, the whole truth, and nothing but

18 the truth? If you do so swear or affirm,

19 say I do.

20 THE WITNESS: I do.

21 HEARING OFFICER: Would you

22 state your name and spell it for the court

23 reporter, please.

24 THE WITNESS: Sure. Stephen St.

1 Vincent, S-T-E-P-H-E-N, S-T.,

2 V-I-N-C-E-N-T.

3 DIRECT EXAMINATION

4 BY MR. COOKE:

5 Q. Good morning.

6 A. Good morning.

7 Q. Could you please state your full name
8 again?

9 A. Stephen St. Vincent.

10 Q. Mr. Vincent -- Mr. St. Vincent, where do
11 you live?

12 A. 4525 Pine Street.

13 Q. Here in Philadelphia?

14 A. Yes.

15 Q. How long have you lived in Philadelphia?

16 A. Since August of 2011.

17 Q. Where do you work, Mr. St. Vincent?

18 A. Currently I have several positions. I'm a
19 staff attorney at University of Pennsylvania Law
20 School in the Public Interest Center. I am also
21 currently house counsel for the Philadelphia
22 Citizen, which is an online media outlet. And I
23 teach a course at Drexel.

24 Q. What do you do at Penn Law School?

1 A. Every law student there has to perform 70
2 pro bono hours in order to graduate, and so I help
3 supervise the students in their pro bono work. I
4 also help provide trainings for them to supplement
5 their legal education, as well as finding
6 additional pro bono opportunities for them outside
7 the ones that are traditionally provided.

8 HEARING OFFICER: I think I see
9 the court reporter is having a lit bit of
10 difficulty picking up your words when she
11 can't see your mouth.

12 THE WITNESS: Okay.

13 (At this time, a discussion was
14 held off the record.)

15 BY MR. COOKE:

16 Q. Mr. St. Vincent, how long have you worked
17 at Penn Law?

18 A. Been working there since September.

19 Q. Since September of 2015?

20 A. 2015, yes.

21 Q. What do you do in your work for the public
22 citizen?

23 A. It's the Philadelphia Citizen. So we're
24 basically an online newspaper. So in my role as

1 in-house counsel, I provide legal advice to the
2 organization. I also write stories from time to
3 time. I help do website back-end programming.
4 It's a small start-up, so really anything that
5 needs to be done.

6 Q. How long have you worked for the
7 newspaper?

8 A. Since August of 2015.

9 Q. You mentioned that you also work for
10 Drexel University. What do you do there?

11 A. Yes. I teach a course on civic engagement
12 for freshman. Every freshman has to take a civic
13 engagement course as part of President Fry's
14 approach to make Drexel University the most
15 civically engaged in the nation, so I teach one of
16 those sections.

17 Q. How long have you been doing that?

18 A. Just this quarter, which started in
19 January of 2016.

20 Q. Mr. St. Vincent, did you previously work
21 for the City of Philadelphia?

22 A. Yes, on two separate occasions. I worked
23 in the City Law Department down on the 16th Floor
24 in the child welfare unit from, I believe it was,

1 June of 2012 until January of 2015 where I
2 litigated cases on behalf of the Department of
3 Human Services in family court.

4 And the second time I had a part-time
5 contract with the Office of Adminstrative Review to
6 be a hearings master for code violation and tax
7 revenue cases.

8 Q. Mr. St. Vincent, are you a lawyer?

9 A. Yes.

10 Q. Are you a member of the Pennsylvania Bar?

11 A. Yes.

12 Q. How long have you been a member of the
13 Pennsylvania Bar?

14 A. Since October of 2011.

15 Q. Where did you go to law school?

16 A. University of Michigan.

17 Q. Mr. St. Vincent, you just described that
18 you worked for a period of time for the Office of
19 Administrative Review; is that right?

20 A. Yes, correct.

21 Q. When did you hold that position?

22 A. I believe it was from around March of 2015
23 until the end of that fiscal year, which would have
24 been June 30, 2015.

1 Q. What was the position that you held?

2 A. Hearings master.

3 Q. And how did you obtain that position?

4 A. They had another hearings master, Judge

5 Dick Sarelli (ph), who went out on medical leave,

6 and the person who runs the Office of

7 Administrative Review, Paula Weiss, I sat on a

8 nonprofit with her daughter who informed me of the

9 opening. I applied and was hired.

10 Q. When you were working as a hearing officer

11 for the Office of Administrative Review, what were

12 your duties?

13 A. So it really depended on -- I mean, mostly

14 it was to sit in judgment of hearings that would be

15 brought in. So a lot of them were code violations,

16 some trash tickets or littering, things like that.

17 People challenge the tickets, they would come

18 before me, I would review the evidence, the

19 decision submitted, as well as hear from the

20 individuals and then render a decision, which

21 obviously could then be appealed further up.

22 In some cases such as water revenue, they

23 would be adversarial hearings in which the Revenue

24 Department would send a representative in addition

1 to the citizen.

2 My responsibility was to hear the cases
3 and make a decision about whether or not the
4 individual was liable for the tax or the violation
5 that they were challenging.

6 Q. Mr. St. Vincent, when you were serving as
7 a hearing officer, did you hear code violation
8 cases?

9 A. Yes.

10 Q. What are the things that could be the
11 subject of a code violation hearing?

12 A. It's a really wide range. There can be
13 things -- a lot of trash violations, you know,
14 people are putting trash out on the wrong day,
15 putting mattresses out without being in a bag,
16 littering. It could be their weeds are too high in
17 the front yard. It could be if you sold cigarettes
18 to minors. I'm trying to think of some other ones.
19 A lot of dumpster violations. You know, pretty
20 much anything that violates the City code that's
21 short of a misdemeanor.

22 Q. How would someone come before you as a
23 hearing officer on a code violation case?

24 A. Sure. So what would happen is, you know,

1 just taking, let's say, the ticket is putting trash
2 out a day early, a ticket officer would walk around
3 the neighborhood, issue a ticket to the individual.
4 They would then have the right to appeal it. They
5 could send in an appeal by mail if they want, or
6 request an in-person hearing. And then if they
7 requested an in-person hearing, it would almost
8 always be granted as a matter of course, and then
9 it would be scheduled. They would come into the
10 office and come before me.

11 Q. If someone appeared before you on a code
12 violation hearing, would you have to exercise your
13 discretion in ruling on the matter in front of you?

14 A. Yes.

15 Q. And what would you base your decision on?

16 A. So I had -- the computer system has the
17 ticket, any photos that the ticket officer took,
18 any other supplemental material they may have
19 included to justify why they gave the ticket in the
20 first place. And for code violation hearings,
21 these aren't adversarial, so I would just have them
22 and the City. And then the person challenging the
23 ticket would come in, bring any documents they want
24 to show, give any testimony that they want in order

1 to try to convince me that this ticket was unjust
2 or, you know, sometimes it's just the wrong
3 property, any number of things. But then, yes, I
4 would exercise my discretion in determining whether
5 or not to find that person liable for the ticket.

6 Q. And if you did find the person liable,
7 what would happen?

8 A. We would instruct them how to make payment
9 and that they have a right to appeal.

10 Q. You said instruct them how to make
11 payment. Does that mean that you would impose a
12 fine upon the person?

13 A. I personally wasn't imposing the fine. I
14 was upholding the fine that was already issued by
15 the City. I had no discretion to increase
16 penalties in any way.

17 Q. Who was your supervisor when you were a
18 hearing officer at Office of Administrative Review?

19 A. Paula Weiss.

20 Q. Mr. St. Vincent, why did you leave your
21 position as a hearing officer?

22 A. The contract ended. Judge Sarelli came
23 back, so I was no longer needed.

24 Q. Mr. St. Vincent, do you recall that on May

1 21st of 2015 Mr. Liran Ben appeared before you for
2 a hearing at the Office of Administrative Review?

3 A. **Yes.**

4 Q. Do you remember what that hearing was
5 about?

6 A. I believe it was a code violation hearing.
7 I don't recall off the top of my head exactly what
8 the tickets were, but it was a run-of-the-mill code
9 violation.

10 Q. Mr. St. Vincent, if you could look in that
11 binder that's in front of you, and if you could
12 turn to Executive Director's Exhibit-3, which is in
13 Tab 3 of the binder.

14 A. Sure.

15 Q. Mr. St. Vincent, do you know what this
16 document is?

17 A. Yeah. This is one of the notice letters
18 that's sent out to an individual after they've
19 requested a hearing on their code violation. It
20 informs them at the very bottom which violation
21 they're challenging and then just above the dash
22 line what the date of the hearing will be.

23 MR. COOKE: Mr. Hearing Officer,
24 at this point I would offer Exhibit Number

1 3 into evidence.

2 HEARING OFFICER: Would you
3 identify it specifically for the record
4 beyond simply Tab 3, please?

5 MR. COOKE: Certainly. A City
6 of Philadelphia hearing notice with the
7 date of the 27th of April, 2015 providing
8 notice of a May 21, 2015 hearing at the
9 Office of Administrative Review.

10 HEARING OFFICER: Making
11 reference to property?

12 MR. COOKE: Making reference to
13 a property owned by 5001 Oxford Ave, LLC.

14 HEARING OFFICER: Thank you.

15 Are there any objections?

16 MR. BEN SHOSHAN: No.

17 HEARING OFFICER: We'll admit
18 it.

19 BY MR. COOKE:

20 Q. Mr. St. Vincent, would you kindly turn to
21 Tab 4 of Executive Director's Exhibit Number 4 in
22 that book in front of you?

23 A. Yes.

24 Q. Mr. St. Vincent, do you know what this

1 document is?

2 A. This is the exact same type of document.

3 It's for a different property owned by ELISRA, LLC.

4 And it has the same hearing date of 5/21, 11:00

5 a.m. It's only for one ticket, but it's the same

6 type of notice about when the hearing will be.

7 Q. And that would be for a hearing at the

8 Office of Administrative Review?

9 A. Yes.

10 MR. COOKE: Mr. Hearing Officer,
11 I would move to enter Executive Director's
12 Exhibit Number 4, which is a hearing
13 notice sent on the 27th of April of 2015
14 to ELISRA, LLC for a May 21, 2015 hearing
15 before the Office of Administrative
16 Review.

17 HEARING OFFICER: Any objection,
18 Mr. Ben Shoshan?

19 MR. BEN SHOSHAN: (Shakes head.)

20 HEARING OFFICER: You have to
21 answer for the record.

22 MR. BEN SHOSHAN: No objection.

23 HEARING OFFICER: Thank you.

24 BY MR. COOKE:

1 Q. Mr. St. Vincent, these two hearing notices
2 which are Executive Director Exhibits 3 and 4, were
3 they part of the May 21, 2015 hearing in front of
4 you in which Mr. Ben appeared?

5 A. I'm sorry, were these documents part of
6 the hearing?

7 Q. Were the violations listed in the notice?

8 A. Yes. As I recall, yes.

9 Q. And can you tell us what the violations
10 were for?

11 A. Yes. So from Exhibit-3 there are two
12 violations. The one ending 875 is for dumpster
13 overflowing, the amount due is \$175, as well as
14 code violation ending in 864, dumpster lid not
15 closed, amount due was also 175.

16 From Exhibit-4, code violation ending in
17 183, premises not litter free, amount due \$75.

18 Q. And for Exhibit-3, is it correct that the
19 entity that was potentially subject to the
20 penalties for these violations were 5001 Oxford
21 Ave, LLC?

22 A. Correct.

23 Q. For Exhibit-4, is it correct that for the
24 violation listed there, that the entity that was

1 potentially subject to the violation was ELISRA,
2 LLC?

3 A. Correct.

4 Q. Mr. St. Vincent, what was the result of
5 the hearing on these violations in which Mr. Ben
6 appeared?

7 A. After reviewing the evidence and hearing
8 Mr. Ben, I dismissed all three tickets.

9 Q. Why did you dismiss them?

10 A. Without seeing everything again, I don't
11 recall, but I wouldn't have dismissed them unless I
12 found that there was insufficient evidence to
13 uphold the tickets.

14 Q. If you hadn't dismissed the tickets, what
15 was the penalty that could have been imposed for
16 each of the violations?

17 A. Well, I mean, again, I wouldn't be
18 imposing any additional penalty, but he would still
19 have been liable for the original amounts, which
20 were 175 each for the first two, which would be
21 350, plus another 75 for the second one, so \$425,
22 if my math is correct, and approximately if it's
23 not.

24 Q. And who specifically would have been

1 liable for the penalty?

2 A. That, I do not know. I mean, it would
3 have been the individual corporations, but who owns
4 those corporations, I'm unaware.

5 Q. But when you issued your finding for each
6 of the violations, who would be the listed subject
7 of the penalty be?

8 A. It would still be these corporations. Mr.
9 Ben came as their representative. I'm not sure if
10 he owns the corporations or what his relationship
11 is or was.

12 Q. How did Mr. Ben respond when you told him
13 of your decision to dismiss the tickets?

14 A. He thanked me. I told him to, you know,
15 wait a second. I had to print out some documents
16 that he could then have evidence the tickets are
17 being dismissed. Sometimes this happens after,
18 especially if tickets are dismissed, I'll stand up,
19 I'll shake the person's hand if they're
20 appreciative. If they're not, they usually just
21 storm out. And when I shook Mr. Ben's hand, I
22 looked down after he took his hand away and there
23 was money in the palm of my hand. And I could see
24 that there was -- well, I immediately dropped the

1 money on the table. I could see that there was a
2 ten -- at least two bills, I'm not sure exactly how
3 many. On the outside was a ten dollar bill and I'm
4 not sure what was on the inside. I told Mr. Ben
5 that, you know, I'm sorry, I can't take that. And
6 he insisted, he said, please take it. I want to
7 thank you. I said, no, really I cannot take that.
8 It's not allowed. It's not how we do things. He
9 said, please take it, I just want to buy you lunch.
10 I said, Mr. Ben, please take the money and leave.
11 And eventually he did, he took the money. And I
12 went back to the front desk. He collected his
13 documents and left the building.

14 Q. When Mr. Ben attempted to hand you the
15 cash, were you still in the hearing room?

16 A. Yes.

17 Q. When in the course of the hearing did this
18 occur?

19 A. The hearing was over. So at that point it
20 was just, you know, telling him where to go to pick
21 up his documents.

22 Q. Was it immediately after you told him your
23 decision?

24 A. Yes, within minutes.

1 Q. Was there anybody besides you and Mr. Ben
2 in the hearing room?

3 A. No.

4 Q. Are Office of Administrative Review
5 hearings recorded?

6 A. Only for alarm violations. For any other
7 code violation they're not recorded.

8 Q. The hearing that Mr. Ben appeared at on
9 May 21, 2015, was that hearing recorded?

10 A. No.

11 Q. Was a transcript taken of the hearing?

12 A. No.

13 Q. That May 21, 2015 hearing room in which
14 Mr. Ben appeared, were there any cameras in the
15 room?

16 A. I don't believe so, no.

17 Q. Have you ever seen a video recording of an
18 Office of Administrative Review code violation
19 hearing?

20 A. No.

21 Q. What did you do after Mr. Ben took his
22 money and left the hearing room?

23 A. I immediately reported the incident to my
24 supervisor, Paula Weiss, who instructed me to write

1 a letter that would then be submitted to, I
2 believe, the Board of Ethics. I'm not sure exactly
3 where it went. But basically a letter outlining
4 what happened, what I did, and what the result was.
5 Mostly -- I'm sorry.

6 Q. Mr. St. Vincent, could you please look at
7 Executive Director Exhibit Number 7, which is at
8 Tab 7?

9 A. Yes.

10 Q. Mr. St. Vincent, have you seen this
11 document before?

12 A. Yes.

13 Q. Can you tell us what it is?

14 A. This is the letter that I wrote to my
15 supervisor Paula Weiss describing the incident with
16 Mr. Ben.

17 Q. When did you write this document?

18 A. The day of the hearing, which I
19 incorrectly typed as May 2nd, but was actually May
20 21st.

21 MR. COOKE: Mr. Hearing Officer,
22 at this time I would move to enter
23 Executive Director Exhibit Number 7, which
24 is a memo, it says to Paula Weiss from

1 Stephen St. Vincent, dated the 21st of May
2 of 2015.

3 HEARING OFFICER: Mr. Ben
4 Shoshan, any objection to this?

5 MR. BEN SHOSHAN: No.

6 HEARING OFFICER: Just one
7 question, the change from 5/2 to 5/21, are
8 you going to present any evidence as to
9 who changed that?

10 MR. COOKE: Yes, I was going to
11 inquire.

12 BY MR. COOKE:

13 Q. Mr. St. Vincent, you know the date on the
14 memo --

15 A. Yes.

16 Q. -- is typed as 5/2/15, but then there's a
17 hand annotation?

18 A. Correct.

19 Q. Do you know who made that annotation?

20 A. That's my handwriting.

21 Q. And why did you do that?

22 A. I typed the date incorrectly. I didn't
23 notice it until after I already submitted it.

24 Q. When did you prepare this memo?

1 A. On the 21st of May, I should say, excuse
2 me.

3 Q. Of 2015?

4 A. Yes.

5 Q. Between the time you met with your
6 supervisor Paula Weiss and the end of the hearing
7 with Mr. Ben, did you have any other hearings?

8 A. Sorry, between the time I met with her and
9 the --

10 Q. Between -- let me rephrase that, I
11 apologize.

12 From the time when Mr. Ben left your
13 hearing room on the 21st of May of 2015, between
14 then and when you met with your supervisor, did you
15 have any other hearings?

16 A. I don't recall.

17 Q. How much time passed between when Mr. Ben
18 left the hearing room and you met with your
19 supervisor?

20 A. I don't recall exactly. I mean, it
21 couldn't have been more than 15 or 20 minutes would
22 be my guess.

23 Q. How soon after meeting with your
24 supervisor did you write this memo?

1 A. Immediately.

2 Q. Did you give her the memo on the same day?

3 A. Yes.

4 Q. Mr. St. Vincent, prior to the 21st of May
5 of 2015, had you ever met Mr. Ben?

6 A. No, not to my knowledge.

7 Q. Aside from this incident, have you ever
8 had any personal or professional dealings with him?

9 A. No.

10 Q. Aside from this incident, have you ever
11 had any personal or professional dealings with
12 either of ELISRA, LLC or 5001 Oxford Ave, LLC?

13 A. Not to my knowledge.

14 Q. Have you spoken with Mr. Ben since the May
15 21, 2015 hearing?

16 A. No.

17 MR. COOKE: I have no more
18 questions at this time, Mr. Hearing
19 Officer.

20 HEARING OFFICER: Mr. Ben
21 Shoshan, you can now cross-examine if you
22 would like to ask questions of this
23 witness.

24 MR. BEN SHOSHAN: Yes. Even

1 though Mr. Cooke asked some of the
2 questions that I wanted, but if you don't
3 mind, I'll repeat some of them.

4 HEARING OFFICER: That's fine.

CROSS-EXAMINATION

6 BY MR. BEN SHOSHAN:

7 Q. Mr. Vincent, do you know me?

8 A. I met you once.

9 Q. Just once. Did we ever meet before May
10 21st, basically the hearing date?

11 A. Not to my knowledge, no.

12 Q. After that date?

13 A. Not to my knowledge.

14 Q. You worked for the City for a term from
15 March 11 until June 30th. What's the reason for
16 such a short term?

17 A. It was just a short-term contract. That
18 was all they needed someone to fill in the position
19 for.

20 Q. Did they allow you to ask for extension?

21 A. It wasn't in their budget, so no.

22 Q. Mr. Vincent, on May 21st when I came to
23 the hearing, roughly how much money do you think
24 you had in your pocket that day?

1 A. How much money do I think I had in my
2 pocket at that time?

3 Q. You can make a number. But if you
4 remember how much you had?

5 A. I don't recall.

6 Q. Did you have any money with you?

7 A. I don't recall.

8 Q. Let's assume you had nothing in your
9 pocket --

10 MR. COOKE: I object, Mr.
11 Hearing Officer, to ask him to assume
12 something that he says already that he
13 can't remember if he did or not.

14 MR. BEN SHOSHAN: What I'm
15 trying to determine is basically when he
16 left the room, if he left with extra money
17 from what he had. If he had 10, if he
18 left with 40, 50 or a hundred, or if he
19 left with 10 if he had nothing. If he
20 left, again, with more money, that's
21 basically where I'm going.

22 HEARING OFFICER: I'm going to
23 overrule it. Why don't you ask the
24 questions and see if the witness can

1 provide any recollection of that day. I
2 think the testimony has already been --

3 BY MR. BEN SHOSHAN:

4 Q. It's not basically to determine how much
5 you had. That's why I'm saying rough number, you
6 can say zero, you can say 20, whatever you feel
7 like. I mean, it's not -- you're not to be accused
8 of that.

9 HEARING OFFICER: So what's the
10 question in front of the witness?

11 BY MR. BEN SHOSHAN:

12 Q. My question is: When the hearing has
13 ended, usually from what I know, the hearing
14 officer is leaving the room and going to pick up
15 another slip; am I right?

16 A. Correct.

17 Q. The amount of money that you had in your
18 pocket before I entered that room and after you
19 left that room, was it the same amount or less or
20 more?

21 A. Whatever it was, it was the same.

22 Q. During the hearing, did you see me
23 presenting or having any money on the table as I
24 presented -- basically I came with those papers.

1 And did you see any money on top of that or just
2 the papers?

3 A. During the hearing -- until the handshake,
4 no, I did not see any money.

5 Q. I would assume then if you saw money, you
6 would either ask me to put it away or stop the
7 hearing because you're being offered money as a
8 City worker; right?

9 A. Correct.

10 Q. You gave a very detailed description on
11 your testimony there, but you forgot to mention one
12 thing. You say that we shook hands and there was
13 money. Where did the money came from? Did you see
14 me reaching in my pocket? Taking a wallet out?
15 Maybe it fell out of the ceiling? I mean, did you
16 see where the money really came from, or it just
17 happened to be we shook hands and money fell to the
18 table?

19 A. I did not see from where specifically you
20 produced the money, no.

21 Q. So I'm kind of a magician that shake hands
22 and all of sudden money appears on the table?

23 A. I can't say that I was paying that close
24 attention to what your hands were doing. I don't

1 know if you were reaching in your pockets or not.

2 Q. Money has to come from somewhere. I mean,
3 if I want to hand something, I have to reach the
4 source where it's at. Either money is usually in
5 pockets or wallets.

6 A. I understand that.

7 MR. COOKE: I object. Mr. Ben
8 is arguing with the witness.

9 HEARING OFFICER: Mr. Ben
10 Shoshan, we'll allow additional latitude
11 on this, but I think the witness --

12 MR. BEN SHOSHAN: He's claiming
13 that he saw money drop onto the table and
14 I'm trying to understand where this money
15 came from. If he's accusing me, so say it
16 came out of your pocket. But if it fell
17 from the ceiling or he's imagining it,
18 then I would accept that as well. But he
19 needs to tell me -- he said on his
20 testimony that he saw money falling on the
21 table. Where did this bill came from?

22 HEARING OFFICER: Respectfully,
23 you're characterizing the witness'
24 testimony different from what I heard.

1 But we'll allow you some additional
2 latitude to pursue this, but you need --
3 if you're going to characterize the
4 testimony, please be accurate on it.

5 MR. BEN SHOSHAN: I'll move to
6 the next question.

7 BY MR. BEN SHOSHAN:

8 Q. Did you rule in my favor?

9 A. On the code violations, yes.

10 Q. Did I force you to do so?

11 A. No.

12 Q. Did I offer you anything prior to your
13 ruling?

14 A. No.

15 Q. I would like to direct you to page number
16 21, Exhibit-C. I have it in color if you --

17 A. Mine is in color too.

18 Q. Yours is in color?

19 A. Yes.

20 Q. So you're claiming I gave you money,
21 according to the allegation. The allegation says
22 that you got a wad of cash.

23 A. No. I said there were --

24 Q. Hold on. Hold on. The allegation says

1 that I handed you a wad of cash -- wads of cash.

2 Also, they said it in their opening statement.

3 Now, as you can hear from my accent, I'm
4 not fluid English speaker, so when I heard wads of
5 cash, I went to Google to see what is wads of cash.
6 And this is what I see. Now, I put numbers for you
7 to maybe -- to be -- to try to be as accurate as
8 possible from 1 to 5. How would you describe the
9 money that was given to you, number 1, 2, 3, 4, 5,
10 or you see any other picture that look more close
11 to the way you got the money?

12 A. Just to clarify, I never said the phrase
13 wad of cash. I've always maintained that there
14 were at least two bills. So none of these pictures
15 accurately represent the amount of money that you
16 handed to me on that day.

17 MR. BEN SHOSHAN: Your Honor,
18 we're going back basically to the initial
19 allegations that they're putting on the
20 table. And by not saying such a thing,
21 they're basically taking something small
22 and making it big. And on their
23 allegations, they're claiming that I
24 handed him wads of cash. And I think we

1 heard it today that he said wads of cash
2 and his witness is saying that he never
3 received wads of cash.

4 HEARING OFFICER: Mr. Ben

5 Shoshan, I understand the direction you
6 are going. During examination of a
7 witness; however -- you have an argument.
8 The argument would be appropriate at
9 closing argument or otherwise.

10 All you can do with this witness
11 is to elicit what he remembers and what he
12 understands. And certainly you're
13 entitled to continue with that argument
14 later.

15 MR. BEN SHOSHAN: I understand.

16 I'm sorry about it.

17 BY MR. BEN SHOSHAN:

18 Q. So you're saying that you never received
19 wads of cash; right?

20 A. I mean, if you could define two bills as a
21 wad, then, yes, I did.

22 Q. This is what I see as wads of cash. And
23 I'm asking you again if you see on that picture
24 anything closer to what you got?

1 A. Again, it was two bills -- at least two
2 bills folded up.

3 Q. Okay. In your statement, going back to
4 Number 3, I think --

5 A. I believe my statement is 7.

6 Q. But your testimony basically is on number
7 3?

8 A. The letter is number 7.

9 Q. Number 7. The memo that you gave Ms.
10 Paula Weiss, it says, Re: Attempted bribery during
11 OAR hearing --

12 A. Yes.

13 Q. -- do you see it?

14 The law definition of bribe -- and you're
15 a lawyer; right?

16 A. Correct.

17 Q. -- money or favor given or promised in
18 order to influence the judgment or conduct of a
19 person in a position of trust. You know the law;
20 yes?

21 A. Yes.

22 Q. Do you think that your testimony lined up
23 with attempt of bribery?

24 A. Yes.

1 Q. You do. Don't you think that bribery
2 usually is something that happens before a decision
3 is made basically to change the outcome, to change
4 the decision? For example, if you have to make a
5 decision of \$20,000 against me right now, I would
6 try to reach you in a different way and hand you
7 1,000, 5,000, 3,000, whatever I feel that will make
8 you happy to change your mind. Don't you think
9 that that would be considered as a bribe?

10 A. That would be one example of bribery. In
11 cases like this, we often see the same people over
12 and over again for different code violations. And,
13 therefore, any payment at any time could influence
14 a future hearing and, therefore, be considered a
15 bribe.

16 Q. We both know that we did not see each
17 other prior to that hearing and we didn't see each
18 other after that hearing; correct?

19 A. Correct. But I didn't know -- I have no
20 way to know if you'll ever have hearings again.

21 Q. You knew that you are not going to
22 continue there? You knew that you were under a
23 short contract?

24 MR. COOKE: I object, Mr.

9 MR. BEN SHOSHAN: Okay. I'll
10 take that --

HEARING OFFICER: I'm sorry?

12 MR. BEN SHOSHAN: I'll agree.
13 No problem. I think I made my point
14 anyway.

15 BY MR. BEN SHOSHAN:

16 Q. Yes or no, you are saying I tried to bribe
17 you?

18 A. Yes.

19 Q. Did you say anything during or after what
20 you are claiming that you saw money? Did you tell
21 me when I was present in that room with you, sorry,
22 sir, you're trying to bribe me, I don't want to
23 take this money, or I don't want to take this gift,
24 or this is bribery what you're doing right now?

1 Did you use the word bribe during that hearing?

2 A. I don't recall.

3 Q. I remember. You never mentioned such
4 thing.

5 MR. COOKE: Objection. Mr. Ben
6 is testifying.

7 HEARING OFFICER: We are in a
8 unique situation where we have a party as
9 his own --

10 MR. BEN SHOSHAN: I'm sorry. I
11 understand. I'm sorry. I'll take my
12 words back. Okay. I'm sorry. I'm not
13 doing it intentionally.

14 HEARING OFFICER: I understand.

15 BY MR. BEN SHOSHAN:

16 Q. At your testimony it says that you told
17 your supervisor. I want to understand exactly
18 because based on Mr. Cooke's question, you went
19 right away to inform your supervisor. Or you took
20 another one, two or three hearings afterwards?

21 A. I don't recall.

22 Q. I think it's -- I mean, for me, it will
23 make a difference if he heard three more cases and
24 maybe he's mixing between people or --

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1 HEARING OFFICER: I understand
2 that. You will have the opportunity to
3 present evidence.

4 MR. BEN SHOSHAN: I'll leave it
5 open.

6 I guess my second question will
7 be eliminated since he doesn't know,
8 because I wanted to know why -- I'll ask
9 her as well -- why did she not come to
10 confront with him and ask me if I --

11 MR. COOKE: Objection.

12 HEARING OFFICER: I believe Ms.
13 Weiss is going to be here testifying.
14 You'll have an opportunity at that point.

15 MR. BEN SHOSHAN: I'll ask her.
16 I'm done.

17 Thank you.

18 HEARING OFFICER: Anything
19 further, Mr. Cooke?

20 MR. COOKE: Yes, I have some
21 redirect.

22 HEARING OFFICER: Sure.

23 REDIRECT EXAMINATION

24 BY MR. COOKE:

1 Q. Mr. St. Vincent, it was Mr. Ben who handed
2 you some money at the conclusion of his hearing,
3 wasn't it?

4 A. Correct.

5 Q. And that money was in his hand, wasn't it?

6 A. Yes, before the handshake.

7 Q. Did you see where he got the money before
8 it was in his hand?

9 A. No. I mean, I never had anyone try to
10 hand me money before, so it was not something that
11 I really was on guard for and looking out for. So
12 I'm not sure where exactly the money was produced
13 from.

14 Q. Was the money he offered you your money?

15 A. No.

16 Q. Whose money was it?

17 A. His, I presume.

18 Q. Why do you presume that?

19 A. He was the only other person in the room.

20 Q. Where was the money when he offered it to
21 you?

22 A. In his hand.

23 Q. Mr. St. Vincent, how are hearing officers
24 at OAR assigned to hear specific matters?

1 A. It's pretty random. So if there are
2 days -- some days there will be one hearing
3 officer, some days there will be two for the code
4 violations. It depends how many other rooms are up
5 for other -- you know, if they're hearing water
6 revenue cases in one, then that might pull one of
7 our people away and only be one person for the code
8 violations. But in terms of if there are two
9 people -- and I don't recall if there was one or
10 two on that day -- then we pretty much -- when
11 we're done with our stack, we go back out and grab
12 the next stack of people that are checked in. So
13 it's pretty haphazard.

14 Q. Do you get to choose the people who appear
15 in front of you?

16 A. No. I mean, if we recognize someone that
17 we know, we'll actually recuse ourselves, but we
18 don't choose who comes before us.

19 Q. When you say someone you know, what do you
20 mean?

21 A. Someone that we know personally or have a
22 relationship with outside of that office.

23 Q. Mr. St. Vincent, why didn't you accept the
24 cash that Mr. Ben offered you?

1 A. Because I felt it was a bribe and I felt
2 it to be unethical. It just wasn't right.

3 Q. As far as you can recall, Mr. St. Vincent,
4 do you think that more than 30 minutes passed
5 between the time when Mr. Ben left the hearing room
6 and you spoke with your supervisor?

7 A. No.

8 MR. COOKE: I have no more
9 questions.

10 HEARING OFFICER: You would be
11 entitled to ask additional questions based
12 upon what Mr. Cooke asked at this point.
13 Do you have any?

14 RECROSS-EXAMINATION

15 BY MR. BEN SHOSHAN:

16 Q. Mr. Vincent, as I understand, you don't
17 like taking things that don't belong to you; right?

18 A. Correct.

19 Q. So if you find something that is not yours
20 and you can identify that it belongs to somebody
21 else, you will give it back?

22 A. Yes.

23 Q. I'll show you a picture. I'm sure you're
24 very familiar with that because it's on your

1 Facebook page.

2 A. Yes.

3 HEARING OFFICER: If you're
4 referring to a document, would you --

5 MR. BEN SHOSHAN: That's the
6 last document that I have.

9 MR. COOKE: Yes.

10 HEARING OFFICER: We need to
11 identify what that is for the record if
12 you're going to talk to the witness about
13 it. Why don't you ask the witness
14 specifically what the document is.

15 MR. BEN SHOSHAN: That's on his
16 Facebook page, I think one of the --

17 THE WITNESS: Correct.

18 MR. BEN SHOSHAN: So he
19 identified that 100 percent.

20 THE WITNESS: Correct. It's my
21 profile picture, I believe.

22 BY MR. BEN SHOSHAN:

23 Q. Have you seen this?

24 A. Yes. It was taken by our photographer.

1 during our engagement shoot.

2 Q. That happened May 21, 2014, a year prior
3 to that hearing date? Just as a coincidence.

4 A. I don't recall the exact date of that
5 photo shoot, but that sounds right.

6 Q. Now, I see that your friend wrote that you
7 found a shopping cart, and you mentioning here that
8 you found it in the Wharton courtyard?

9 A. Yes.

10 Q. And I see that one of your friends
11 mentioning that it reminded him of the races that
12 you guys made on 924 Sylvan toga party, I guess,
13 with shopping carts. So you guys are collecting
14 shopping carts?

15 A. That shopping cart was in -- Wharton is a
16 dormitory at Swarthmore College where I went to
17 undergraduate. You'll see the Swarthmore logo is
18 on the front of the shopping cart. The cart was in
19 the Wharton courtyard. We thought it would be
20 funny to take a picture in it. We did so and left
21 the cart there.

22 Q. You left the cart there. You did not take
23 it with you?

24 A. No. Why would I take it?

1 Q. Because I see here that you and your
2 buddies like to make shopping cart race. So I
3 would assume that --

4 A. I don't see --

5 Q. This seems like an apartment building, not
6 a shopping center.

7 A. That's a dormitory.

8 And I'm not sure what comment you're
9 referring to, because I can't see the information.

10 MR. BEN SHOSHAN: Basically it
11 seems a valuable person -- what I'm trying
12 to point out is that we all make mistakes.

13 I'm done.

14 HEARING OFFICER: Anything
15 further, Mr. Cooke?

16 MR. COOKE: Yes. Thank you, Mr.
17 Hearing Officer.

18 REDIRECT EXAMINATION

19 BY MR. COOKE:

20 Q. Mr. St. Vincent, where was this picture
21 taken?

22 A. The campus of Swarthmore College.

23 Q. Does that shopping cart belong to
24 Swarthmore College?

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1 A. To the best of my knowledge, yes.

2 Q. Did you leave that shopping cart at
3 Swarthmore College?

4 A. Exactly where I found it, yes.

5 MR. COOKE: No more questions.

6 HEARING OFFICER: Anything
7 further?

8 MR. BEN SHOSHAN: No.

9 HEARING OFFICER: If Respondent
10 and Executive Director agree, we'll
11 dismiss this witness?

12 MR. COOKE: Yes, Mr. Hearing
13 Officer, that's fine with us.

14 MR. BEN SHOSHAN: That's fine.

15 HEARING OFFICER: You're free to
16 go.

17 (Witness was excused.)

18 HEARING OFFICER: Call your next
19 witness.

20 MR. COOKE: We would, Mr.
21 Hearing Officer, but she informed us she
22 had a meeting at MSB. The next witness is
23 Paula Weiss. She's in a meeting at MSB
24 until 12:45.

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1 HEARING OFFICER: Do you have
2 other evidence to produce at this point?

3 MR. COOKE: No. She was going
4 to be our last witness in our case.

5 HEARING OFFICER: I would like
6 to move on.

7 MR. COOKE: We could contact and
8 see if she can come sooner. We wouldn't
9 object to Mr. Ben providing his testimony
10 and then we could come back and do Ms.
11 Weiss after that.

12 HEARING OFFICER: I would like
13 to do that.

14 The issue is typically we would
15 proceed with one party's case first, but
16 we have a witness -- the next witness, the
17 last witness for the Executive Director is
18 45 minutes away. I'm sure you heard that.

19 The question is whether we take
20 some evidence from you out of turn with
21 the understanding that Ms. Weiss, when she
22 arrives, will be testifying?

23 MR. BEN SHOSHAN: If I have more
24 evidence? No, I don't.

1 HEARING OFFICER: Do you have
2 any evidence to produce at the hearing
3 yourself --

4 MR. BEN SHOSHAN: No.

5 HEARING OFFICER: -- any further
6 evidence?

7 You'll just be cross-examining
8 Ms. Weiss then?

9 MR. BEN SHOSHAN: Yes.

10 MR. COOKE: Mr. Hearing Officer,
11 just to make sure that Mr. Ben understands
12 that him providing testimony is his
13 opportunity to put on the record under
14 oath subject to the penalties of perjury
15 his side of the story. If he passes on
16 that opportunity, he's not going to have
17 his side of the story on the record.

18 HEARING OFFICER: That's very
19 helpful. And we appreciate that. I
20 appreciate you raising that.

21 So the question is, if you have
22 things that you want to be part of
23 evidence in terms of your own testimony,
24 then you will need to do that essentially

1 by being under oath and giving testimony.
2 Then that will be part of the record for
3 the Board ultimately to consider in terms
4 of deciding whether there was a violation.

5 If you don't testify, then other
6 than your argument, which legally needs to
7 be based on evidence presented, you would
8 be at a disadvantage.

9 Do you understand?

10 MR. BEN SHOSHAN: I understand.

11 I was not told that I needed to
12 prepare such a thing. The only statements
13 that I have basically is the opening
14 statement and closing statement. I do not
15 mind to read them again.

16 I'm here basically to protect my
17 name. I dispute these allegations. I
18 disagree with this judgment. And I think
19 that you can start to see the differences
20 between what he says to what they put in
21 writing. And those differences are not
22 lined up to record with the -- basically
23 with the raw accusations they're accusing
24 here.

1 I'll try to say maybe off record
2 this guy is saying --

3 HEARING OFFICER: Well, we're
4 not going to be off the record.

5 This is the question -- let me
6 try --

7 MR. BEN SHOSHAN: I don't mind
8 to testify.

9 HEARING OFFICER: Let me try to
10 frame it as clear as I possibly can. As I
11 understand your defense in this case, you
12 deny what happened.

13 MR. BEN SHOSHAN: 100 percent.

14 HEARING OFFICER: What I'm
15 saying is that will not be part of the
16 record unless you under oath give that
17 testimony.

18 MR. BEN SHOSHAN: I mean, do
19 they have to question me? I can't
20 question myself.

21 HEARING OFFICER: Well, you will
22 be entitled to describe what you believe
23 happened on that day or any other relevant
24 evidence that you are in a position as a

1 witness to present. So, in other words,
2 rather than arguing, you are entitled to
3 present what you saw, what you did, what
4 you heard, anything that directly a
5 witness can testify to.

6 Yes, after you do that, the
7 Executive Director will have an
8 opportunity to cross-examine you. That is
9 correct.

10 So it's up to you, it's your
11 decision to make as to whether you want to
12 put a denial --

13 MR. BEN SHOSHAN: I will do so.
14 If you say it will help, I will do so. I
15 don't mind him to question me. I want to
16 question them as well, but that is not
17 allowed.

18 Maybe, if you don't mind, maybe
19 I'll take ten minutes just to prepare
20 something, because, as I said, I am not a
21 lawyer. And I looked at the directions
22 that were given to me, and based on that,
23 I prepared my defense here.

24 HEARING OFFICER: We will give

1 you whatever time you need.

2 Is ten minutes sufficient, or do
3 you want longer?

4 MR. BEN SHOSHAN: Can I go
5 downstairs to smoke, if it's possible?

6 MR. COOKE: We have no objection
7 to a break of ten minutes or whatever Mr.
8 Ben needs.

9 I mean, at this point we can
10 also -- it's 45 minutes until --

11 MR. SEGALL: I just spoke with
12 her. I asked if she can push her meeting
13 back and then come right over.

14 MR. COOKE: So Ms. Weiss might
15 be able to come over sooner.

16 But in any event, if he wants to
17 take a break of 10, 15, 20 minutes, that's
18 fine.

19 MR. BEN SHOSHAN: I'll just go
20 down to smoke. If she is here, then we'll
21 continue. If not, then I'll start to
22 prepare my -- I honestly don't know
23 exactly what I have to say in such a
24 thing. But I can describe. And I think

1 that on the undisputed facts I did put
2 basically, you know, what happened that
3 day. I can't add or argue with this
4 gentleman, because he is claiming
5 something that I'm disputing. So I
6 can't -- I mean, I'll be under oath and
7 I'll let him question me for that, I have
8 no problem with that, but that's as much
9 as I can do, sir. But I'll try to think
10 on how to maybe put it in wording, you
11 know. I have no problem with that.

12 HEARING OFFICER: I think what
13 you just need to do is to describe what
14 you saw or did under oath and then have
15 the Executive Director have an opportunity
16 to cross-examine you.

17 Do you understand?

18 MR. BEN SHOSHAN: Yes.

19 HEARING OFFICER: Okay. We'll
20 take a break.

21 We are at noon now. When do you
22 think the witness will be here?

23 MR. COOKE: I'm waiting to hear
24 back from her. If she can move her

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1 meeting, she said she can come over in 10
2 minutes, 10 to 20 minutes.

3 HEARING OFFICER: Why don't you
4 plan to be back here by 12:45.

5 MR. BEN SHOSHAN: I'm just going
6 downstairs to smoke and come right back
7 because I'm going to prepare my --

8 MR. COOKE: Could we suggest
9 that we reconvene at 12:15, that's 20
10 minutes?

11 HEARING OFFICER: Yes. Let's do
12 that.

13 (At this time, a break was
14 taken.)

15 HEARING OFFICER: Do we have a
16 witness on her way or --

17 MR. COOKE: She is here. And
18 Mr. Segall will go get her and put her on
19 the stand.

20 HEARING OFFICER: Why don't we
21 do that.

22 MR. COOKE: Before he leaves, if
23 I may, I just want to say in the interval
24 in the break after considering the

1 colloquy with regard to Mr. Ben and his
2 testimony, a slight change of plan. From
3 our point of view and what we intend to do
4 after we've taken the examination of Ms.
5 Weiss is to call Mr. Ben in our case as of
6 cross. Of course, obviously he's free to
7 testify in his own case if he wants to,
8 but we'll just go ahead and call him as of
9 cross in our case.

10 HEARING OFFICER: Do you
11 understand what that means?

12 MR. BEN SHOSHAN: I've come to
13 testify, then they can question me.

14 HEARING OFFICER: He has the
15 right to call you in his case as a
16 witness. And because you're potentially
17 adverse to him or adverse to him, he's
18 allowed to cross-examine you. That means
19 he's allowed to ask you leading questions
20 and questions that might not ordinarily be
21 permitted on direct examination.

22 You also have the opportunity
23 after he finishes his case to, as we
24 talked about earlier, describe in your own

1 words what happened as a witness yourself.

2 He would also have the opportunity to

3 cross at that time as well; okay?

4 MR. BEN SHOSHAN: Okay.

5 (At this time, a short break was

6 taken.)

7 HEARING OFFICER: I'm Richard
8 Glazer, I'm the hearing officer for this
9 proceeding. I'm going to swear you in at
10 this time; okay?

11 THE WITNESS: Okay.

12 HEARING OFFICER: Do you
13 solemnly swear or affirm under penalty of
14 perjury that the testimony you're about to
15 give will be the truth, the whole truth
16 and nothing but the truth? If you do
17 swear or affirm, say I do.

18 THE WITNESS: I do.

19 HEARING OFFICER: Would you
20 please state your first and last name for
21 the reporter. And if you could look in
22 the direction of the reporter, that would
23 be great.

24 THE WITNESS: Paula Weiss,

1 W-E-I-S-S.

2 DIRECT EXAMINATION

3 BY MR. SEGALL:

4 Q. Good afternoon.

5 A. Good afternoon.

6 Q. Can you please restate your first and last
7 name?

8 A. Paula Weiss.

9 Q. Where do you work, Ms. Weiss?

10 A. I work for the City of Philadelphia,
11 Office of Administrative Review.

12 Q. What is the Office of Administrative
13 Review?

14 A. The Office of Administrative Review
15 currently housed under the Chief Administrative
16 Officer in the Mayor's office provides, among other
17 things, administrative review opportunities for
18 taxpayers, residents, business owners seeking
19 hearings or review of various bills or fines issued
20 by the City.

21 Q. How long has the Office of Administrative
22 Review been housed under the Director of
23 Administration?

24 A. The Chief Administrative Office, since

1 January 4th. Prior to that, we've been part of the
2 Office of Director of Finance.

3 Q. What is your job title with the Office of
4 Administrative Review?

5 A. I'm the Executive Director.

6 Q. You mentioned that the Office of
7 Administrative Review provides various hearings.
8 What types of hearings does it provide for?

9 A. Informal administrative review hearings.

10 Q. On what types of subjects?

11 A. Relating to tax appeals, appeals for code
12 violation notices issued by various City agencies
13 and departments, burglar alarms, false alarm fines,
14 red light camera violations, emergency medical
15 services bills, and applicants for various City
16 programs such as reserved on-street parking for
17 residents with disabilities, various real estate
18 abatement programs such as the long time owner
19 occupied program, and various water department
20 programs as well that are taxpayer assistance
21 programs.

22 Q. What are your job functions as the
23 Executive Director of the Office of Administrative
24 Review?

1 A. I oversee the clerical and substantive
2 administrative review process, I supervise the
3 hearing masters, the Tax Review Board, and all
4 office staff, as well as our code unit. And the
5 code unit processes all code violation notices,
6 burglar alarm registrations, false alarm fines and
7 then provides collection and enforcement activity
8 for the City.

9 Q. You mentioned appeals pertaining to code
10 violations?

11 A. Yes.

12 Q. How does one go about appealing a code
13 violation?

14 A. Code violation notices are issued by
15 various departments or agencies within the City,
16 either hand delivered or by mail notice if hand
17 delivery is not possible. Appeals can be initiated
18 always by the recipient of the code violation
19 notice or the CVN either by phone or mail-in.

20 Q. Once a person appeals a code violation,
21 what happens after that?

22 A. A hearing is scheduled and a notice goes
23 out to the requester with a date and time of the
24 hearing.

1 Q. Who receives the hearing notice?

2 A. It would be the recipient of the code
3 violation notice. Unless it's a business or
4 whatever, it would be the responsible parties.

5 Q. How is the recipient of the code violation
6 determined?

7 A. Generally it's the property owner, because
8 most of these code violation notices are property
9 based infractions.

10 Q. What types of information would be listed
11 on a hearing notice that is sent to a property
12 owner?

13 A. Well, it would be the name, address of the
14 recipient, the property that's involved, the actual
15 code violation notice that is the subject of the
16 hearing, and then the date, the time, the place of
17 the hearing.

18 Q. Are any potential penalties listed on the
19 code violation notice?

20 A. I think -- yeah, the amount due at the
21 time.

22 Q. Who would be subject to pay that amount
23 due?

24 A. The recipient of the violation generally.

1 Most of them are property based, so the property
2 owner. There are some code violation notices
3 issued for individual conduct, it would be the
4 recipient of the CVN.

5 Q. Just turning your attention to code
6 violation hearings, are those hearings recorded?

7 A. No.

8 Q. Are there cameras in code violation
9 hearing rooms?

10 A. No.

11 Q. Are code violation hearings transcribed?

12 A. No.

13 Q. Who are the people present in a code
14 violation hearing?

15 A. Generally it is the hearing master, who
16 works for the Office of Administrative Review, and
17 the code violation recipient and anyone they might
18 choose to bring with them.

19 Q. How many hearing masters are employed by
20 the Office of Administrative Review to hear code
21 violation hearings?

22 A. One full-time and then two part-time.

23 Q. How are hearing officers --

24 HEARING OFFICER: Excuse me, are

1 you talking about in May of 2015 or today?

2 THE WITNESS: It's the same. It

3 would be the same in May as now.

4 BY MR. SEGALL:

5 Q. How generally are hearing officers
6 assigned by the Office of Administrative Review to
7 hear code violation hearings?

8 A. You mean on an individual day?

9 Q. Yes.

10 A. So as recipients come in, they would sign
11 in, my staff would pull their paperwork, they would
12 be sent in to a waiting room essentially. And
13 there are two or three days out of the week,
14 depending on our schedule, where we might have only
15 one hearing master working. He would call them in
16 the order in which they arrive. If we have two or
17 more hearing masters on a given day, they would be
18 calling them -- you know, as they finish, they
19 would go to the next file and call the next person.
20 So people are assigned or provided with a date and
21 time. Within that time frame, people are called
22 for their hearings generally in the order in which
23 they arrive.

24 Q. Are the hearing masters assigned in

1 advance to hear particular hearings?

2 A. No, generally not.

3 Q. Was that process the same on May 21, 2015?

4 A. Yes.

5 Q. What is the hearing officer's role in a
6 code violation hearing?

7 A. Hearing officer's role is to review the
8 CV -- the code violation notice as issued and take
9 evidence, whether it's testimonial or
10 documentation, from the recipient as to why that
11 person believes the ticket should be dismissed or
12 adjusted, whether there's a mitigating
13 circumstance, what the facts are surrounding the
14 issuance of the violation, to review the evidence,
15 to review the CVN, and to make a determination as
16 to whether or not the CVN was properly issued and
17 should remain as it is, or whether some adjustment
18 might be warranted.

19 And by adjustment -- the fines, the actual
20 base fine for each code violation notice is set by
21 counsel. So our hearing master would never be able
22 to adjust the fine. It would be a dismissal if, in
23 fact, it was improperly issued. However, as the
24 CVN ages, penalties are added. And so a decision

1 could be made that while the CVN itself was issued
2 properly, there were mitigating circumstances that
3 might warrant removal or reduction of a penalty.

4 Q. Was that role of a hearing master any
5 different on May 21, 2015?

6 A. No.

7 Q. Do hearing masters have discretion to make
8 findings?

9 A. Yes.

10 Q. How do they exercise discretion?

11 A. Based -- well, the CVN itself is
12 considered prima facie evidence that in fact the
13 violation occurred. Assuming that there are no
14 material defects found in the CVN, the discretion
15 is to impartially take evidence from the recipient,
16 weigh it against the CVN, weigh it against the
17 elements of the Philadelphia code, the evidence of
18 the violation and make a determination as to
19 whether the CVN was properly issued.

20 Q. Would that discretion have been any
21 different on May 21, 2015?

22 A. No.

23 Q. Ms. Weiss, are you familiar with a
24 gentleman named Stephen St. Vincent?

1 A. I am.

2 Q. How are you familiar with him?

3 A. He was a hearing master in our office for
4 a short time.

5 Q. When did he work for the OAR as a hearing
6 master?

7 A. March 2015 through June of 2015.

8 Q. Why was he hired for a limited time
9 period?

10 A. He was hired specifically for a limited
11 time period because one of our permanent hearing
12 masters was taking a very short leave for a medical
13 procedure and we needed to have a fill-in. And so
14 at the time he was hired, he knew and had an
15 understanding that our contract with him was for
16 just that short time period for the fill-in.

17 Q. How was he hired by the OAR? How was Mr.
18 St. Vincent hired by the OAR?

19 A. On a contract, is that what you're asking?
20 I'm not sure what you're asking. How did we find
21 him?

22 Q. How did you find him?

23 A. He had submitted a resume. From time to
24 time people will submit resumes, you know, in the

1 event that there is an opening, you know, I'd like
2 to be considered. And he was someone whose resume
3 we had on file, who, at the time, because it was
4 only a short-time position had that time available.
5 So that March, April, May, June was a time frame
6 that fit his schedule as well, so it worked out.

7 Q. And what was the mechanism by which he was
8 paid?

9 A. It was a miscellaneous purchase order for
10 the City.

11 Q. I'd like to direct your attention in the
12 binder. If you can, take a look in there to what's
13 been tabbed as Executive Director Exhibit Number 9.
14 Take a look at those two pages. I'll start with
15 the first page. Do you know what that first page
16 is?

17 A. The proposal that was submitted by Mr. St.
18 Vincent that described the services he was
19 proposing to provide and the compensation that he
20 would request for those services as a hearing
21 master.

22 Q. And when did he submit that proposal?

23 A. It's dated March 12, 2015.

24 Q. And turning your attention to the second

1 page, are you familiar with that document?

2 A. I am.

3 Q. And what is that document?

4 A. And that would be the miscellaneous order
5 signed on behalf of the Office of the Director of
6 Finance for Mr. St. Vincent and for compensation
7 for those services that are delineated in that
8 first page.

9 MR. SEGALL: At this time, I'd
10 like to move Executive Director Exhibit 9
11 into evidence as the proposal that Mr. St.
12 Vincent submitted to the OAR on March 20,
13 2015, and the miscellaneous purchase order
14 that was used to hire him -- to pay him,
15 excuse me, as part of that proposal.

16 HEARING OFFICER: Any objection
17 from the Respondent?

18 MR. BEN SHOSHAN: No.

19 HEARING OFFICER: We will admit
20 it.

21 BY MR. SEGALL:

22 Q. What were Mr. St. Vincent's job duties?

23 A. He was a hearing master for the Office of
24 Administrative Review. So he actually -- because

1 of his background as an attorney, he had somewhat a
2 broad range of available opportunities. He did
3 code violation notice hearings primarily, but in
4 addition, Tax Review Board appeals were under his
5 authority as well. So the days that he was not
6 doing code violation notice hearings, he would do
7 tax appeals on behalf of the Tax Review Board.

8 Q. Mr. St. Vincent's job duties for code
9 violation hearings, did those differ from other
10 code violation hearing masters?

11 A. No.

12 Q. Turning your attention to the late spring
13 of 2015, do you recall how Mr. St. Vincent came to
14 you with a concern about a hearing he had
15 conducted?

16 A. Yes.

17 Q. What was that concern about?

18 A. The concern was that at the close of the
19 hearing when escorting the person who had been
20 there representing -- you know, for the code
21 violation and shaking his hand goodbye, that that
22 person had offered him money.

23 Q. Did he say who that person was?

24 A. He did.

1 Q. Who did he say that person was?

2 A. Someone I was unfamiliar with, Mr. Liran

3 Ben.

4 Q. When did he raise that concern?

5 A. At the close -- immediately after the
6 close of the hearing, so May 21, 2015.

7 Q. What was the result of your conversation
8 with Mr. St. Vincent?

9 A. I directed him to prepare a memo for me
10 describing the incident. I immediately called the
11 office -- I called my supervisor at the time, Rob
12 Dubow, who was the Finance Director, and then I
13 called the Office of the Inspector General.

14 Q. Did you have any reason to believe Mr. St.
15 Vincent's concerns were untrue?

16 A. No.

17 Q. I'd like to direct you in the binder again
18 to what has been admitted into evidence as
19 Executive Director Exhibit 7. If you could turn to
20 Tab 7 in the binder?

21 A. Uh-huh.

22 Q. Are you familiar with this document?

23 A. Yes.

24 Q. What is this document?

1 A. This is the memo that I asked Mr. St.
2 Vincent to prepare for me.

3 Q. When did you receive this memo?

4 A. On the 21st of May, 2015.

5 Q. Was it the same day that he raised his
6 concern?

7 A. Yes.

8 Q. Is this memo consistent with what Mr. St.
9 Vincent told you on May 21st?

10 A. Yes, it is.

11 Q. What happened after you received this memo
12 from Mr. St. Vincent?

13 A. I forwarded it to the Office of the
14 Inspector General.

15 Q. How was Mr. St. Vincent's job performance
16 while he was employed at the OAR?

17 A. Oh, he was excellent.

18 Q. Did you receive any complaints about him?

19 A. No.

20 Q. Did you have any concerns about him?

21 A. No. He was diligent and he was dependable
22 and did an excellent job for us.

23 Q. In your experience with him, did you ever
24 find him to be untruthful?

1 A. No, I did not.

2 Q. Going back to code violation hearings just
3 briefly. If a property owner appealed a code
4 violation several times a year, is there a chance
5 that he will see the same hearing master multiple
6 times for a code violation?

7 A. Yes, because it's randomly assigned and we
8 only have two to three hearing masters.

9 MR. SEGALL: Thank you very
10 much. No further questions. Hold on. I
11 might have one other question.

12 (At this time, a discussion was
13 held off the record.)

14 MR. SEGALL: Thank you, Ms.
15 Weiss. No further questions.

16 HEARING OFFICER: Mr. Shoshan,
17 you may cross-examine.

18 CROSS-EXAMINATION

19 BY MR. BEN SHOSHAN:

20 Q. Ms. Weiss.

21 A. Yes.

22 Q. On Exhibit Number 7, Stephen St. Vincent's
23 testimony to you, it's crossed from 5/2 to 5/21.

24 A. Yes.

1 Q. Who edited it, you or him?

2 A. He did. He realized that there was a typo
3 after he handed it to me.

4 Q. How long after basically my hearing -- I'm
5 Liran Ben, by the way. How long after my hearing
6 did Mr. Vincent tell you that he was attempted to
7 be bribed?

8 A. Immediately, he came right to me.

9 Q. It's a strong statement, tried to bribe
10 someone. Don't you think that as his supervisor
11 you should have approached me, maybe come and
12 confront me and ask why did I do such a thing? If
13 I did such a thing? And if his statement is really
14 true, or maybe something else happened?

15 A. Our protocol by -- he came to me and you
16 had left, I believe. He told me that he saw you to
17 the elevator. And our protocol is to follow the
18 process that I just described, which is for me to
19 talk to my supervisor, the Inspector General and
20 allow the City processes to unfold.

21 Q. I was there for a good ten or fifteen
22 minutes after the hearing. If he said he came
23 right after to you, I was still in the building.
24 I'm wondering why you didn't approach me and ask

1 me. Even if he said that he saw me at the
2 elevators, you have a guard downstairs, if I
3 remember right, you could have maybe called him and
4 asked to call me back to the building.

5 A. That's not our process.

6 Q. That's not your process, okay.

7 Did you really believe Mr. Vincent that he
8 was attempted to be bribed?

9 A. Oh, I do believe him.

10 Q. That he was attempted to be bribed? The
11 definition of bribe is someone that gives someone
12 else money to change the outcome. On his statement
13 here it says, attempted bribery during OAR
14 hearing?

15 A. Uh-huh.

16 MR. SEGALL: Objection.

17 HEARING OFFICER: What's the
18 nature of your objection?

19 MR. SEGALL: Ms. Weiss is not a
20 legal expert on the definition of bribery.

21 MR. BEN SHOSHAN: You're all
22 lawyers here.

23 MR. SEGALL: Attempted bribery
24 is not relevant to the underlying cause of

1 action.

2 MR. BEN SHOSHAN: You are all
3 lawyers.

4 HEARING OFFICER: We need to
5 talk one at a time.

6 Your objection is based on
7 expert opinion sought to be elicited?

8 MR. SEGALL: I mean, Ms. Weiss
9 is a factual witness. Mr. Ben is asking
10 Ms. Weiss to offer an opinion to the
11 definition of whether the conduct meets
12 the legal definition of bribery, which is
13 not appropriate for a factual witness.

14 HEARING OFFICER: Would the
15 court reporter please read back the
16 Respondent's last question.

17 (At this time, the court
18 reporter read back from the record as
19 requested.)

20 HEARING OFFICER: I'm going to
21 overrule the objection.

22 You can proceed.

23 MR. BEN SHOSHAN: I'm waiting
24 for your answer.

1 A. Okay. So providing compensation of any
2 kind to a hearing master at the Office of
3 Administrative Review is considered inappropriate.
4 We do not take compensation of any kind in my
5 office for any activity that we provide on behalf
6 of -- or services we provide on behalf of the City.

7 BY MR. BEN SHOSHAN:

8 Q. Do you believe that he was attempted to be
9 bribed? You said in your testimony here that you
10 passed to your supervisor and then came to this
11 gentleman --

12 A. My testimony was that what he told me was
13 that he was offered money. And that is
14 inappropriate regardless of what the intent may
15 have been.

16 Q. I'll ask it again. If you could answer
17 with yes or no.

18 A. Okay.

19 Q. Do you believe that Mr. Vincent was
20 attempted to be bribed on May 21, 2015?

21 A. Yes.

22 Q. Okay. Can you tell me if there were more
23 incidents such as this one or any other ones with
24 Mr. Vincent during his time at your department?

1 A. With Mr. St. Vincent, no.

2 Q. That was the only incident?

3 A. Yes.

4 Q. Did Mr. Vincent tell you about a fruit
5 bribe experience that he had on May 21, 2015, that
6 someone offered him fruit, a fruit basket?

7 A. We had a circumstance where several weeks
8 after an administrative hearing for a property --
9 actually, it was a -- was it Edible Arrangements?
10 A fruit arrangement arrived, which we returned.
11 I don't remember that it was that day.

12 Q. Because when I was questioned, I was told
13 that that day he was offered a fruit basket and
14 money.

15 A. I don't know anything about that.

16 HEARING OFFICER: You need to
17 ask a question rather than make a
18 statement so that that the witness can
19 answer.

20 BY MR. BEN SHOSHAN:

21 Q. To the best of your knowledge, he was not
22 offered a fruit basket that day?

23 A. No.

24 Q. Would you agree with the statement that

1 Mr. Vincent -- St. Vincent provided you more
2 statements or complaints than any other people that
3 work in his position at your department? You said
4 that you have three employees, four employees
5 there. Does he come with more comments about
6 what's going on or --

7 A. No.

8 MR. BEN SHOSHAN: I have nothing
9 further.

10 HEARING OFFICER: Anything
11 further?

12 MR. SEGALL: Very limited.

13 REDIRECT EXAMINATION

14 BY MR. SEGALL:

15 Q. The fruit basket you described, when was
16 that received?

17 A. I really don't remember. Sometime in the
18 spring. And it was to the general -- it wasn't to
19 Mr. St. Vincent. It was to our office, which we
20 promptly returned it with the delivery person. But
21 I don't remember that it was specifically -- it was
22 not specifically to Mr. St. Vincent. I think it
23 was to the office.

24 MR. SEGALL: Thank you, Ms.

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1 Weiss.

2 No further questions.

3 HEARING OFFICER: Can the
4 witness be dismissed?

5 MR. SEGALL: Yes.

6 MR. BEN SHOSHAN: Yes.

7 HEARING OFFICER: This is a
8 confidential proceeding, so please no
9 discussions with anyone.

10 THE WITNESS: Of course.

11 HEARING OFFICER: Thank you very
12 much.

13 (Witness was excused.)

14 MR. COOKE: Mr. Hearing Officer,
15 for our next and final witness in our case
16 in chief we would call Mr. Liran Ben as of
17 cross.

18 HEARING OFFICER: Any objection
19 to the Respondent sitting where he is?

20 MR. COOKE: No.

21 HEARING OFFICER: Would you
22 prefer to sit there rather than come up
23 here?

24 MR. BEN SHOSHAN: Yes. I will

1 feel more comfortable here.

2 HEARING OFFICER: I'm going to
3 ask you to be sworn; okay?

4 MR. BEN SHOSHAN: Okay.

5 HEARING OFFICER: Do you
6 solemnly swear or affirm under penalty of
7 perjury that the testimony you're about to
8 give will be the truth, the whole truth
9 and nothing but the truth? If you do so
10 swear or affirm, say I do.

11 MR. BEN SHOSHAN: I do.

12 HEARING OFFICER: State your
13 name for the record, please.

14 MR. BEN SHOSHAN: Liran Ben
15 Shoshan.

16 HEARING OFFICER: Mr. Cooke.

17 CROSS-EXAMINATION

18 BY MR. COOKE:

19 Q. Mr. Ben, you're the 50 percent owner of
20 ELISRA, LLC; correct?

21 A. I am.

22 Q. The other owner of ELISRA, LLC is a
23 gentleman named Shiri Argemon (ph); is that right?

24 A. Correct.

1 Q. You and Mr. Argemon established ELISRA,
2 LLC in 2008; is that right?

3 A. I believe so, yes.

4 HEARING OFFICER: You'll have to
5 speak up for the court reporter.

6 THE WITNESS: Yes.

7 BY MR. COOKE:

8 Q. On May 21, 2015, you attended a hearing at
9 the Office of Administrative Review; correct?

10 A. Yes.

11 Q. Mr. Stephen St. Vincent was the hearing
12 officer at that hearing; correct?

13 A. Yes.

14 Q. One of the tickets at issue in that
15 hearing was for an alleged code violation at 1807
16 Widener Place; correct?

17 A. Correct.

18 Q. At the time of the hearing, ELISRA, LLC
19 owned 1807 Widener Place; correct?

20 A. Until now.

21 Q. And at the time of the hearing, you were
22 the 50 percent owner of ELISRA, LLC; right?

23 A. I am.

24 Q. The other two tickets at the hearing were

1 for a property at 5001 Oxford Ave; correct?

2 A. Right.

3 Q. And at the time of the hearing, the
4 properties at 5001 Oxford Ave was owned by a
5 company called 5001 Oxford Ave, LLC; correct?

6 A. Owned by Rabbi Elliot Kopel.

7 Q. So that business, 5001 Oxford Ave, LLC,
8 was owned by Rabbi Elliot Kopel?

9 A. 100 percent so, yes.

10 Q. And you were the property manager for
11 Rabbi Kopel for the 5001 Oxford Ave property at the
12 time of the hearing; correct?

13 A. I am, yes.

14 Q. And he paid you to be the property
15 manager; is that right?

16 A. Yes.

17 Q. How many properties does ELISRA, LLC own
18 in Philadelphia?

19 A. Around 40.

20 Q. Is that 40 as in 4-0?

21 A. Yes.

22 Q. Aside from ELISRA, LLC, you manage several
23 properties in Philadelphia; is that right?

24 A. I am.

1 Q. About how many properties do you manage?

2 A. Altogether around 90.

3 Q. You've appeared at the Office of

4 Administrative Review for hearings on numerous

5 occasions; correct?

6 A. Yes.

7 Q. And you've appeared at the Office of

8 Administrative Review since May of 2015; correct?

9 A. You say since, do you mean prior or after?

10 Q. I mean after the May 21, 2015 hearing.

11 A. If I attended, yeah, of course.

12 Q. At the hearing on May 21, 2015, Mr. St.

13 Vincent, when he dismissed the tickets, you were

14 pleased with his rulings, weren't you?

15 A. As always.

16 Q. If he had sustained the ticket against

17 1807 Widener Place and imposed a monetary penalty,

18 ELISRA, LLC would have had to pay it; correct?

19 A. Correct.

20 Q. And the reason you contested the ticket

21 against ELISRA, LLC was because you didn't want a

22 monetary penalty imposed against your company;

23 right?

24 A. No, because that ticket was unfair.

1 Q. Did --

2 A. Sometimes -- I'll try to emphasize.

3 Sometimes -- the CVN inspectors are the ones that
4 put the violation. It can happen that two or three
5 inspectors give same ticket for same house on the
6 same day. I believe that according to their rules,
7 that they can give only one per day. So if such a
8 thing occurred, I can come and fight it and they'll
9 keep one and they'll waive the other ones.

10 Sometimes one inspector can -- and it
11 happened to us multiple times with dumpsters, that
12 when the dumpster is overflowed, they give a
13 citation for overflow, for lid is open and for
14 trash around it. I mean, all of these are at the
15 same time, the same point. It's basically the
16 same. But to give three tickets on one incident is
17 unfair. So I'm able to come and fight it.

18 I usually come to fight tickets that can
19 be fought. And sometimes we do speak with tenants
20 and let them know that they -- because -- I mean,
21 the way that those City -- the City does not
22 identify the tenants. They identify the owner
23 only. They don't care if there's a tenant there or
24 if it's vacant. They always give it to the owner.

1 If it's vacant, then if it's my property, I, as the
2 owner, will pay. If I'm management, then the owner
3 will pay. If there's a tenant there, we'll send
4 them the letter prior to the hearing and let them
5 know if he wants to fight it and if he have a
6 reasonable answer for that incident, then we will
7 go and present it. Sometimes we have multiple
8 cases. Like in this one, we had -- I believe that
9 we had four, but there was one that wasn't on that
10 day's schedule and they accepted to hear an extra
11 one. And we'll attend and try to fight it. If we
12 can win, fine. If not, then whoever is responsible
13 will pay for that ticket.

14 Q. For the ticket for 1807 Widener Place that
15 you had the hearing on May 21, 2015 for, you felt
16 that that ticket was unfair; correct?

17 A. Can I look at the ticket --

18 Q. Please.

19 A. -- so I can answer better?

20 Premises not litter free, yes. I can't
21 even tell you what the reason I gave to fight it.

22 Q. And you contested it because you didn't
23 want your company to have to pay a penalty for an
24 unfair ticket; correct?

1 A. For an unfair ticket, yes.

2 But when it's fair, we pay. I do not even
3 attend -- if I see that there's nothing to fight, I
4 don't even attend because there's nothing to fight.
5 Let's say the rule says that six hours after snow,
6 you have to shovel your sidewalk. If at a vacant
7 premises the sidewalk was not shoveled and we were
8 issued a citation, I would not even appeal that
9 because it cannot be fought. We're just going to
10 pay it, and that's it. I mean, I don't have
11 anything basically to present at the hearing to
12 fight a ticket, so we'll pay.

13 But if something -- if we'll receive for
14 the same incident three tickets one after another,
15 I will surely go because one I will agree to pay,
16 but the other two I think it's unfair I'm going to
17 pay three tickets for one thing that may be one
18 hour apart.

19 MR. COOKE: No further questions
20 of Mr. Ben at this time.

21 HEARING OFFICER: Since you
22 can't cross-examine yourself -- do you
23 have any further witnesses or evidence?

24 MR. COOKE: No, Mr. Hearing

1 Officer.

2 HEARING OFFICER: So you rest?

3 MR. COOKE: We rest our case in
4 chief.

5 HEARING OFFICER: Thank you.

6 Mr. Ben Shoshan, you have the
7 opportunity now to present evidence and
8 witnesses.

9 MR. BEN SHOSHAN: I'm still
10 under oath, so I can say my statement
11 basically?

12 HEARING OFFICER: You are under
13 oath and you can now present evidence on
14 your behalf or your own testimony.

15 MR. BEN SHOSHAN: Okay. With
16 the short notice, I was not prepared for
17 that. And as you all know, I'm not a
18 lawyer, so I don't know how to build these
19 things. I work basically according to
20 letters and recommendations that I
21 received, and based on that, I build my
22 case here.

23 HEARING OFFICER: Let me just
24 say, I would be willing to allow you

1 additional time if you feel that you need
2 it to prepare something additional.

3 MR. BEN SHOSHAN: I don't think
4 that at this point -- I'm too emotional
5 right now to think straight, so I'll go
6 with what I wrote. And I believe that it
7 should be more than enough.

8 MR. COOKE: Let me just say for
9 the record that we have no objection if
10 Mr. Ben wants to take some period of time
11 to catch his breath.

12 MR. BEN SHOSHAN: No, it's fine.
13 It's perfectly fine. I think that
14 everything was pretty much said, so I
15 don't know how much more will change.

16 So my name is Liran Ben Shoshan.
17 I'm in the real estate business since
18 2006. I'm attending the code of violation
19 hearings building, if I remember right,
20 since 2007. In the beginning, I
21 innocently paid every little CVN that we
22 received until I got to the point that I
23 realized that I'm able to appeal them.
24 And whatever I found that can be

1 appealable, I did so.

2 So, as I said, since 2007 up

3 until now I'm attending this building.

4 This is the first time in the past eight

5 years that I'm being accused for such

6 thing.

7 Basically those CVN ticket code
8 violation notices that are being sent to
9 us are either being appealed by the Code
10 Violation Unit or being paid directly to
11 the City of Philadelphia. It all depends
12 if the CVN is appealable or not.

13 Sometimes we as owners --
14 because I have a few properties of my own,
15 two more companies in partnership and
16 three more companies as management. I
17 look at them as all one unit and I treat
18 them this way. I'm dealing with City of
19 Philadelphia in many fields. I attend
20 courts in different fields, sometimes to
21 evict a tenant, sometimes to fight for
22 water, sometimes to fight for CVN a few
23 times a year, if not more than that. It
24 never ever crossed my mind to pay any City

1 official money for service that was
2 conducted or a fine or penalty that we
3 received in order for that City official
4 to change the outcome.

5 More than that, we're sometimes
6 dealing with the sanitation people when
7 they come to collect trash. And if they
8 see more than they're supposed to pick up,
9 they're asking for money. As a principle,
10 I do not pay them a penny. More than
11 that, if I need to order a dumpster for 20
12 bags, I will do so just because they asked
13 me for money. I never pay the money and I
14 will never pay the money because I think
15 that what they do is unfair to the City
16 and to us as residents.

17 On May 21st, I attended their
18 building at 100 South Broad Street to
19 appeal three tickets. And I had one more
20 that wasn't listed on that date, but Mr.
21 Vincent agreed to hear this one as well.

22 Since he's no longer there, I
23 will say that as far as a City worker, he
24 was terrible for the City because at least

1 he could find me liable for one of the
2 tickets, but that was his decision, so I
3 just accepted it. But usually when I
4 attend hearings with two citations on one
5 property, they dismiss one and find me
6 liable for the other one. But he was
7 maybe extremely nice or extremely
8 unprofessional that day by dismissing all
9 three of them.

10 Basically right after the
11 hearing, as usual, I leave the room, I go
12 to the recipient to pick up basically the
13 result. If I'm liable, then I need to
14 pay. If I'm not liable, then at least I
15 have record that I owe zero as far as that
16 ticket. And then after that, usually I
17 leave the building.

18 I do not recall any incident
19 with Mr. Vincent. I think that he made a
20 mistake by pointing to me and everybody
21 else is just following his testimony,
22 because Ms. Weiss did not see me but she
23 mentioned my name based on his testimony.
24 They accusing me because he put his

1 testimony. They never saw me before.

2 They do not know me.

3 I would say in my defense that
4 I'm dealing with the City since 2007, and
5 if you will check my record, there is zero
6 allegation against me. And I've attended
7 courts hundreds of times in different
8 fields.

9 The reason that I'm fighting
10 these allegations is because I simply --
11 it would have been easier for me -- and I
12 was offered by Board of Ethics lawyers to
13 admit and to pay, they will reduce the
14 fine from 250 to 500. \$500 is not too
15 much money for me to pay, but my name is
16 more important for me than paying this
17 fine. To have a black dot on my record
18 and continue dealing with the City is
19 something that I do not want to consider.
20 And that's why I'm sitting here today to
21 deny these allegations.

22 I think that Mr. St. Vincent
23 made a mistake by pointing me for these
24 allegations. And I do not know if just

1 because he was a City worker, they
2 believed him more than me in the initial
3 investigation they conducted.

4 I did provide -- I don't really
5 know if you need to see them, but if you
6 want to look at them on page 21, I can
7 show proof of City workers that was not
8 truthful with their job. They took
9 bribes, they killed people, they did some
10 terrible things. They were -- some of
11 them are in law enforcement. So not every
12 person is the greatest one in the world,
13 but for the benefit of the doubt, we will
14 give every person -- I would say we will
15 give every person the benefit of the doubt
16 that he did not commit such a thing.

17 So I do believe that Mr. Vincent
18 made a mistake by pointing me. And I
19 would even support it with Ms. Weiss
20 stating that the fruit basket was not
21 pointed to him, but in my initial
22 investigation I was told that he
23 testified, that Mr. Vincent testified,
24 that on that date he received a fruit

1 basket and money. So either the guy is
2 making stuff up -- maybe he wanted to get
3 a permanent position in the City and
4 wanted to show that he does more than
5 others. I do not know what went through
6 his mind. I do not want to tell you what
7 went through his mind, because he's the
8 one who is supposed to do so.

9 But in my defense, I did not
10 give Mr. Vincent any money. And I deny
11 those allegations. And hoping that the
12 Board of Ethics lawyers, Hearing Master
13 and everybody around will find my words
14 right and honest and will dismiss this
15 case.

16 HEARING OFFICER: Cross-examine?

17 MR. COOKE: No questions.

18 HEARING OFFICER: Do you rest?
19 What that means is do you have any other
20 evidence to produce, documents?

21 MR. BEN SHOSHAN: (Shakes head.)

22 HEARING OFFICER: Let me give
23 you some assistance, if you don't mind,
24 that you introduce the two exhibits that

1 you did not introduce into evidence, the
2 photo and the Xerox of the money. You
3 referred to them and you referred the
4 witness to them. All you have to do is
5 ask that they be introduced into evidence
6 and then we'll ask for --

7 MR. BEN SHOSHAN: I did submit
8 multiple citations and also receipts of
9 the payments. And if needed, I can
10 provide more. We have many of them in
11 records. Here you can find basically
12 citations that we received in 2008, 2009.
13 These were little fines back then, now
14 it's way more going with the years.

15 Also, I have some proof here
16 that shows that I was found liable and not
17 liable for some cases. And I
18 intentionally brought one -- actually, a
19 paid receipt from -- one is from Elliot
20 Kopel, which is owner of actually multiple
21 properties, for one ticket that it was a
22 vacant premises to show that this money
23 doesn't come out of my pocket.

24 And I would add to my comments

1 also that I see that they are saying a
2 financial interest. I'm a business man.
3 And we're doing our gain and losses every
4 three months, every six months. We do not
5 do it daily or weekly, which means that if
6 I receive a fine on something, I do not
7 right away get excited and trying to avoid
8 it or trying to get rid of it. I mean, if
9 we have to pay, we pay. I'm paying just
10 for my companies around \$60,000 a year to
11 the City of Philadelphia just in real
12 estate tax, so another, what was that
13 ticket for, I think 75 or \$50, another 50
14 or 75 will not change in my personal
15 pocket anything. And my personal pocket
16 is being affected just after tax season.
17 Which means that after we do all the
18 company calculation, we see how much is
19 left and then we're able to take our
20 share. So at this point if we have to pay
21 50, 100, 200 or 1,000, it does not affect
22 my pocket at that point.

23 Another example, sometimes we
24 have issues in properties, in houses. And

1 when a tenant calls, we will try to save
2 on the cost by trying to guide him over
3 the phone before we hire any professional.
4 if the problem is solved, fine. If not,
5 then myself, I will go to try to see if I
6 can do anything to assist or maybe
7 something was done wrong and I can fix it.
8 If I can't, then I'll send a professional.
9 The costs are starting to go up and up as
10 the case escalated. It does not mean that
11 because I have to pay a professional, I'll
12 try to cut on the cost. If that
13 professional tells me that that heating
14 unit is broken, we have to buy another
15 one, I'll try to go right to the store
16 just to cut the cost. This is the cost of
17 doing business. In real estate you have a
18 lot of expenses. And at the end of the
19 year, you will see if you made or not.

20 And trying to avoid -- I mean,
21 you're pointing to the least amount. But
22 trying to avoid that little ticket will
23 truly not make any kind of impact on my
24 pocket.

1 HEARING OFFICER: Mr. Ben
2 Shoshan, I don't want to cut you off, but
3 the issue before us right now is the
4 question as to whether you want to
5 introduce any evidence.

6 If you're suggesting that you
7 want to move to admit your exhibits that
8 you've presented here, please make that --
9 if that's your intent, then make that
10 motion. We'll see if the Executive
11 Director has any objections.

12 Some of the things that you're
13 talking about now would be appropriate for
14 your closing argument, your summation.

15 And I would say the way it's
16 supposed to work, generally you're not
17 supposed to refer in your closing argument
18 to things that are not in evidence. So I
19 would respectfully suggest to you if
20 you're going to be discussing your
21 motivations and the documents related to
22 that, then perhaps you want to move for
23 the admission of those exhibits and then
24 we'll hear from the Executive Director.

1 MR. COOKE: Mr. Hearing Officer,
2 I would like to say that I take the last
3 statements by Mr. Ben to have been more
4 testimony by him. And based on that
5 additional testimony, I do have some
6 cross-examination.

7 HEARING OFFICER: Okay.

8 MR. COOKE: But I could also
9 wait if he has documents.

10 MR. BEN SHOSHAN: Just for the
11 record, on my Exhibit-D, I would like to
12 have all of that documentation showing
13 that I'm attending OAR building since
14 2008, I believe. It does show some
15 tickets that were paid, some tickets that
16 were found liable. I do not see the ones
17 that I e-mailed yesterday as an additive
18 that's basically showing that we're
19 mailing tenants basically the hearing
20 result when we're found liable, that we're
21 charging the tenant for that ticket.
22 Basically to show that it does not come
23 out of our pocket when there's a tenant
24 assigned to that premises.

1 That's it.

2 HEARING OFFICER: Can we have
3 identification of these various exhibits
4 that Mr. Shoshan is referring to?

5 MS. LIN: I believe it would
6 just be Exhibit-D and then the new exhibit
7 that you e-mailed yesterday.

8 MR. BEN SHOSHAN: The one that I
9 e-mailed yesterday, I added them actually
10 to show that we do mail tenants when we're
11 being found liable for the ticket.

12 HEARING OFFICER: Why don't we
13 mark those that were sent yesterday with
14 exhibit letters or numbers.

15 MS. LIN: Let's do Exhibit-F.

16 MR. COOKE: So the entire stack
17 of documents from yesterday is Exhibit-F?

18 MS. LIN: Yes.

19 MR. COOKE: Are the documents in
20 Exhibit-3 being offered -- I'm sorry,
21 Exhibit-C being offered, or is it just D?

22 MS. LIN: C he used in cross,
23 but he added some other -- it's up to him.

24 Are you offering your Exhibit-C

1 into evidence as well?

2 MR. BEN SHOSHAN: Yes, I am.

3 MS. LIN: So you're offering
4 Exhibit C, Exhibit-D?

5 MR. BEN SHOSHAN: Exhibit-E.

6 MS. LIN: Exhibit-E is the CV of
7 Stephen St. Vincent?

8 THE BEN SHOSHAN: In my
9 submission, I did not put Exhibit-E. I
10 just put C and D, I believe. So if you
11 want to add in -- I don't think you have
12 to add the CV.

13 MS. LIN: You don't need the CV?

14 MR. BEN SHOSHAN: I do not need
15 his CV.

16 MS. LIN: So just to clarify,
17 you're moving into evidence your Exhibit
18 C, your Exhibit-D and the exhibit that you
19 e-mailed yesterday?

20 MR. BEN SHOSHAN: Which is
21 Exhibit-F.

22 MS. LIN: That we'll call
23 Exhibit-F?

24 MR. BEN SHOSHAN: Yes.

1 HEARING OFFICER: Objections?
2 MR. COOKE: No.
3 HEARING OFFICER: Do you need
4 time to prepare a statement, Mr. Shoshan?

5 MR. COOKE: I would like to
6 cross-examine.

7 HEARING OFFICER: I'm sorry. Of
8 course.

9 RECROSS-EXAMINATION

10 BY MR. COOKE:

11 Q. Mr. Ben, if ELISRA, LLC pays a fine to the
12 City of \$75, then when the time comes for you and
13 your partner to split up the money from ELISRA,
14 LLC, there is \$75 less for you to split up;
15 correct?

16 A. 100 percent.

17 Q. If I may hand you this, Mr. Ben, this is a
18 page from the documents you submitted yesterday.
19 I'll hand it to Mr. Klemm as well.

20 This is one of the pages from Exhibit-F.

21 A. Yes.

22 Q. And am I correct, Mr. Ben, that this is an
23 invoice from ELISRA, LLC to one of its tenants, a
24 Ms. Ebony Stanard?

1 A. Yes.

2 Q. And it lists an invoice for \$75; is that
3 right?

4 A. Yes.

5 Q. And that's to reimburse ELISRA, LLC for a
6 code violation penalty; is that right?

7 A. Yes.

8 Q. So ELISRA, LLC paid this CVN and then you
9 asked Ms. Stanard to reimburse you; correct?

10 A. I would agree with that, but I can't
11 confirm it, because this is usually being done by
12 our secretary. I would assume that that's the
13 procedure basically, yes.

14 Q. Ms. Stanard did not herself pay the City
15 \$75, did she?

16 A. No. It needed to be paid. Sometimes
17 tenants do pay directly. I mean, we do send them
18 the citation. It all depends on the timing.
19 Sometimes we can receive a CVN that was for four
20 months ago. For some reason they posted it on the
21 door, he never responded to that, and then they
22 send it to our address. But initially the CVN is
23 being posted on the tenant's door. If there's no
24 response, I don't know exactly how the City

1 determines it, but a few months after, we'll
2 receive the citation with the assigned number.

3 Now, sometimes tenants will admit that
4 they already paid it themselves. Sometimes they
5 say they will pay it. And sometimes when we tell
6 them, they come with their stories, they agree,
7 they do not agree, they never saw it to respond.

8 And then based on that, we proceed.

9 Q. If you go to a hearing to contest a code
10 violation put against ELISRA, LLC, and the City
11 hearing officer upholds the ticket, then ELISRA,
12 LLC pays that penalty; correct?

13 A. If the premises is vacant, yes. If the
14 premises is occupied, then the tenant will pay. I
15 just wrote as an example that it was paid by the
16 tenant to us. But here in this case, in that
17 premises there's a tenant named Ebony Stanard, and
18 she was the one basically supposed to pay the
19 citation.

20 Q. Ms. Stanard paid ELISRA \$75; correct?

21 A. Yes.

22 Q. And that's because ELISRA had paid the
23 City \$75 for the code violation; correct?

24 A. I'll add one more thing. Sometimes when

1 we bill them and we schedule the hearing, there's a
2 time difference. If they pay us and we attend the
3 hearing or I attend the hearing and they find us --
4 basically they waive the penalty, we refund the
5 tenant or basically we give them a credit towards
6 another month. So, again, it all varies on the
7 circumstance and on the days that the incident
8 happened.

9 Q. If the tenant doesn't pay the City
10 directly for a code violation on ELISRA, LLC
11 property, then ELISRA, LLC has to pay the penalty
12 to the City; correct?

13 A. And we'll take it off their security
14 deposit.

15 Q. Can you answer yes or no to that question,
16 Mr. Ben?

17 A. Yes.

18 Q. In the case of the ticket that you
19 appeared on May 21, 2015 for ELISRA, LLC, the
20 tenant had not paid that ticket; correct?

21 A. 1807 Widener Place is an apartment
22 building. It was a vacant building during that
23 time. I remember that case. Basically it's like
24 an open front to the building. And during that

1 time, it was a windy time so trash from neighbors
2 came and accumulated in the corner of our building,
3 not that much, but some. And that officer took a
4 picture of the corner, which is the corner between
5 us and next door, but it's being held by a fence.
6 And that's why in my defense I basically said that
7 you can see that there's no trash that's being
8 thrown or being neglected, because during that time
9 we worked at that building and we kept that
10 building clean from all angles. And to show, I
11 don't know, like five or ten pieces of leaves
12 attached to a fence, I think that this was unfair
13 to find us with that amount. But, again, this
14 building was vacant. And for vacant premises,
15 ELISRA, LLC, Buyit, LLC, Hasly (ph), Special
16 Philly, any company that I'm dealing with for a
17 vacant property, that ticket will be paid by the
18 owner, whoever he is. If it's me in partnership,
19 in 100 percent ownership, in management, whoever is
20 the assigned owner, he will pay for that ticket,
21 period.

22 MR. COOKE: No more questions.

23 HEARING OFFICER: Do you have
24 any further evidence or do you rest?

1 MR. BEN SHOSHAN: I rest.

2 HEARING OFFICER: Do you need
3 time for summation?

4 MR. COOKE: If we could have
5 like a five or ten-minute break.

6 MR. BEN SHOSHAN: Fifteen
7 minutes.

8 HEARING OFFICER: So 15 minutes.

9 He'll do a final argument, then
10 you'll have an opportunity; okay?

11 MR. BEN SHOSHAN: You're talking
12 about the closing?

13 HEARING OFFICER: Closing, yes.

14 MR. BEN SHOSHAN: Okay.

15 HEARING OFFICER: So it's 1:25,
16 we'll meet at 1:45.

17 MR. BEN SHOSHAN: They requested
18 a two-day hearing. I mean, it seems like
19 it's going to be ended today, or am I
20 mistaken?

21 MR. COOKE: We'll be done today.
22 It went quicker than we thought it would.

23 (At this time, a break was
24 taken.)

1 HEARING OFFICER: We're back on
2 the record at 1:50. It was pointed out
3 that Mr. Ben Shoshan had offered his
4 exhibits into evidence and Executive
5 Instructor had not objected. So the
6 record is clear, those exhibits will be
7 admitted.

8 One other thing, I would like to
9 find out one thing before we go into
10 closing arguments. Mr. Ben Shoshan, in
11 your November 18, 2015 response to the
12 Executive Director's letter at Number 7
13 you had said, "I usually do not shake
14 hands with someone (for a personal reason)
15 unless I'm being approached. I do not
16 recall such an incident."

17 There's been no testimony from
18 anyone or any evidence in connection with
19 that statement that you made. And I
20 wanted to provide you with the
21 opportunity, if you choose, to provide any
22 evidence with regard to that.

23 MR. BEN SHOSHAN: The reason
24 that I made the statement is in the

1 initial investigation, they did not have
2 if they were talking about male or female.
3 I do not shake hands with females due to
4 my religion. And I don't know how to
5 prove it, but I'm Jewish and we're not
6 allowed to touch females beside our wives.

7 HEARING OFFICER: But in this
8 case that wouldn't be relevant with
9 respect to Mr. St. Vincent?

10 MR. BEN SHOSHAN: Yes.

11 Basically that statement refers to
12 females.

13 HEARING OFFICER: Okay.

14 Would the Executive Director's
15 designee like to sum up?

16 MR. COOKE: Yes. Thank you, Mr.
17 Hearing Officer.

18 Could I reserve five minutes for
19 rebuttal?

20 HEARING OFFICER: Yes.

21 MR. COOKE: Mr. Hearing Officer,
22 after hearing the evidence offered today,
23 you can see that most of the material
24 facts in this case are not in dispute.

1 The parties do not dispute that on May 21,
2 2015 Mr. Ben appeared at the Office of
3 Administrative Review for a hearing in
4 front of Mr. Stephen St. Vincent.

5 The parties don't dispute that
6 there were tickets that day that he was
7 contesting. One was for a company called
8 ELISRA, LLC, which Mr. Ben acknowledges
9 he's the 50 percent owner.

10 Two other tickets were for a
11 company called 5001 Oxford Ave, LLC, which
12 Mr. Ben has acknowledged he was the
13 property manager for them.

14 Mr. Ben has also acknowledged
15 that if the ticket had been sustained
16 against ELISRA, LLC, ELISRA, LLC would
17 have had to pay it, and that would have
18 meant less money in the company for him
19 personally.

20 The only material fact that is
21 in dispute here is whether or not at the
22 end of the hearing Mr. Ben attempted to
23 hand Stephen St. Vincent, money, cash,
24 cash bills.

1 And the question of how to
2 resolve that dispute -- that disputed fact
3 comes down to a simple question of who you
4 and the Board would find to be more
5 credible, Mr. St. Vincent or Mr. Ben.

6 We submit that Mr. St. Vincent
7 is more credible than Mr. Ben. In the
8 first place, Mr. St. Vincent has no reason
9 to make up a story about giving -- someone
10 trying to give him money at a hearing.

11 MR. BEN SHOSHAN: Can I object?

12 HEARING OFFICER: In general
13 there are very few good reasons to object
14 to a closing argument. Generally
15 deference is given to the other side. And
16 I haven't heard anything that would change
17 my mind about that.

18 You will have a full opportunity
19 to argue on your own behalf.

20 MR. BEN SHOSHAN: Okay.

21 MR. COOKE: Mr. St. Vincent had
22 no reason to make up a story about Mr. Ben
23 giving him money. Certainly there has
24 been nothing offered in evidence that

1 would suggest that he had a reason to make
2 up a story about Mr. Ben.

3 In addition, in his testimony
4 today, he was forthcoming and responsive.
5 He answered as clearly as he could all the
6 questions that were put to him. And his
7 testimony was consistent with what he told
8 his supervisor when he initially reported
9 the incident to her and what he
10 memorialized in the memorandum that she
11 asked him to write immediately after the
12 incident.

13 His supervisor, Paula Weiss, has
14 testified that he was an upstanding,
15 excellent employee that she never had any
16 problems with; that in her dealings with
17 him, she never encountered any incidents
18 where he was untruthful. And so her
19 testimony corroborates Mr. St. Vincent's
20 to the degree he testified about what he
21 did after the hearing, and also supports
22 his credibility.

23 In contrast, Mr. Ben's testimony
24 is not credible. In the first place, of

1 course, it's self-serving. It is in his
2 interest to say that he did not offer Mr.
3 St. Vincent money. He has not presented
4 any evidence that would corroborate his
5 testimony that he did not offer that money
6 to Mr. St. Vincent.

7 Mr. Ben's credibility is further
8 compromised by the fact that in his
9 response to the Executive Director's
10 notice, which he submitted on November 18,
11 2015, in paragraph 5 he attempted to
12 mislead the Board by suggesting that he
13 was not the owner of any of the properties
14 that were the subject of the May 21st,
15 hearing. As we heard today, he has
16 subsequently admitted that he was, in
17 fact, the owner of one of the properties
18 at that hearing.

19 Also, in that response at
20 paragraph 5, Mr. Ben said that a fine
21 imposed in the hearing would not affect
22 him personally, but today he testified
23 that actually if a fine had been imposed
24 on ELISRA, that was his company, his

1 company would have to pay the fine. And
2 if it did so, there would be less money
3 for him and his partner to share.

4 So taking all that into account
5 when weighing Mr. St. Vincent's testimony
6 against Mr. Ben's, we submit that Mr. St.
7 Vincent is more credible. And the Board
8 should find based upon that testimony that
9 Mr. Ben did, in fact, offer Mr. St.
10 Vincent a gift of money at the May 21,
11 2015 hearing.

12 If the Board makes that finding,
13 then we have proved a violation of
14 20-604(2), because we'll have had
15 satisfied the elements of that code
16 violation.

17 The relevant elements of
18 20-604(2) to this case are that: (1) No
19 person may offer a gift of money (2) to a
20 City officer if either (3) he is seeking
21 official action from that officer or (4)
22 if in close proximity to the time of the
23 offer, the person has a financial interest
24 that the officer can substantially affect

1 through official action.

2 Going through the elements
3 starting with number one, no person may
4 offer a gift of money. We've just
5 discussed that that turns on the testimony
6 of Mr. St. Vincent and Mr. Ben, who the
7 Board finds more credible.

8 I would further add that this is
9 not a case of mistaken identity. When Mr.
10 St. Vincent testified today, he clearly
11 identified Mr. Ben as the person who
12 offered him cash on May 21, 2015.

13 In addition, it makes no
14 difference whether Mr. Ben offered Mr. St.
15 Vincent two bills, five bills, fifty
16 bills, whether the bills were one-inch
17 thick or two-inches thick or ten-inches
18 thick. It is a violation of 20-604 to
19 offer a City employee any amount of cash.

20 As it happens in this case, Mr.
21 St. Vincent today has testified it was at
22 least two bills and it was a ten dollar
23 bill on the outside.

24 For the second element of

1 20-604(2), to a City officer, we have had
2 evidence presented at the hearing today
3 that satisfies that element as well. Mr.
4 St. Vincent was a City officer when he
5 served as a hearing officer at the Office
6 of Administrative Review from March
7 through June of 2015 because he meets the
8 definition of officer or employee as
9 defined by Code Section 20-601(15), which
10 is any person who is appointed to a
11 position in any branch of the Government
12 of the City of Philadelphia or to any
13 appointed position which serves the City,
14 including but not limited to persons
15 serving full time or intermittently,
16 persons serving with or without
17 compensation.

18 Mr. St. Vincent might have been
19 a temporary City officer in that he only
20 served four months, but nonetheless when
21 he was filling that position, he was
22 carrying out the duties of a City officer
23 and exercising the power of the City
24 acting with discretion to decide whether

1 or not to uphold tickets that had been
2 issued to people who are accused of
3 violating the City code.

4 For the third element that Mr.
5 Ben was seeking official action from Mr.
6 St. Vincent, that is satisfied as well.
7 While Mr. St. Vincent had made his ruling
8 before Mr. Ben offered him the cash, it
9 was still in the hearing room and Mr.
10 Ben's conduct was a part of the
11 transaction.

12 It would be an overly narrow
13 interpretation of the phrase seeking
14 official action in 20-604(2) if the Board
15 were to find that the instant a City
16 officer had announced his ruling and then
17 a person hands that City officer money,
18 that that would mean that the prohibition
19 of giving cash gifts would not apply.

20 But even if it didn't apply, Mr.
21 Ben would still be covered by 20-604(2)
22 because he had a financial interest that
23 Stephen St. Vincent could affect. And
24 that was for two reasons. First, of

1 course, is that one of the companies that
2 was subject to a penalty at that hearing
3 was ELISRA, LLC. If Mr. St. Vincent had
4 not dismissed the ticket against ELISRA,
5 LLC, ELISRA would have had to pay the
6 penalty of \$75. If it had done so, Mr.
7 Ben, as the 50 percent owner of ELISRA,
8 LLC, would have found the amount of money
9 held by the company reduced by that amount
10 when it came time for him to share the
11 profits with his business partner.

12 In addition, two of the other
13 tickets that were held at that hearing
14 were for a property owner for whom Mr. Ben
15 was employed. He was working as a
16 property manager for those two properties
17 that were subject to the penalty. He had
18 an employment relationship with the owner
19 of the property. And as such, he had a
20 financial interest in the action that Mr.
21 St. Vincent took.

22 I add that, although it's not an
23 element of a violation of 20-604, Mr. Ben
24 certainly had a motive to give Mr. St.

1 Vincent the money as he did. As we have
2 heard today, Mr. Ben frequently has
3 appeared at the Office of Administrative
4 Review. He owns at least 40 properties
5 throughout the City. He manages perhaps
6 90 more. The ruling that he got from
7 Stephen St. Vincent was one he was very
8 happy to have. In fact, he even told us
9 that he thought that Mr. St. Vincent was
10 more generous to him than he needed to be,
11 that he didn't have to dismiss one of the
12 tickets, but he did anyway. It's
13 certainly understandable that Mr. Ben
14 would like the hearing officer of the
15 Office of Administrative Review to be
16 well-disposed to him. And would think
17 that giving him a small amount of money as
18 a sign of gratitude would be a way to keep
19 him well-disposed.

20 Taking all that into
21 consideration, we would suggest that the
22 credible evidence presented at the hearing
23 demonstrates by a preponderance of
24 evidence that Mr. Ben violated 20-604(2)

1 when he made this gift of cash to Mr. St.
2 Vincent.

3 I would note that for the
4 element of the financial interest, the
5 specific language in 20-604(2) is if in
6 close proximity to the time of the offer
7 the person has a financial interest the
8 officer can substantially affect through
9 official action. Clearly in this case the
10 offer was in close proximity. It was
11 immediately after Mr. St. Vincent had his
12 ruling. He was still in hearing room and
13 part of that overall transaction.

14 Again, we submit that we have
15 made out a violation of 20-604(2). The
16 base penalty for which is \$1,000.
17 However, in this case the penalty should
18 be increased to \$2,000, because when Mr.
19 Ben offered cash in violation of 20-604,
20 he did so knowingly; that is, voluntarily
21 and not by mistake or accident, which is
22 an aggravating factor, which increases the
23 base penalty by \$1,000 as per Code Section
24 20-1302.

1 And knowingly is not knowing
2 that you were violating the gift rule, it
3 is that your conduct is itself not the
4 result of a mistake or accident. Mr. Ben
5 has offered no testimony that he
6 accidentally handed Mr. St. Vincent money.

7 With all that in mind, in
8 closing, I would argue that the Board
9 should sustain the violation charge in the
10 Executive Director's Notice of
11 Administrative Enforcement and impose a
12 civil monetary penalty of \$2,000 on Mr.
13 Ben.

14 HEARING OFFICER: Mr. Ben, just
15 to give you some parameters, Executive
16 Director took 15 minutes. He wants five
17 minutes for rebuttal. We will give you
18 latitude, but we hope you keep your
19 remarks to 20 minutes.

20 MR. BEN SHOSHAN: The reason I'm
21 standing here today and representing
22 myself without a lawyer is because the
23 cost of a lawyer will be more than the
24 fine. And the Board of Ethics lawyers

1 know that. On top of that, they offered
2 me a deal at our so-called talking to
3 admit and to pay between 250 to 500.

4 The Board of Ethics lawyers were
5 not honest with me from day one by
6 investigating me without letting me know
7 that I'm under investigation.

8 By looking at both testimonies
9 from Mr. Vincent, the one on May 21st, and
10 the other one was taken, I believe, in
11 August at Board of Ethics, you can see
12 that it was cut and pasted from the
13 original testimony since the wordings are
14 identical but it's three months -- they
15 are three months apart.

16 Initially at the first hearing
17 Mr. Segall and Mr. Cooke told me that Mr.
18 Vincent told them that I gave him a fruit
19 basket, which I denied, and then money,
20 which I denied also. I offered them to
21 look at the cameras and see if they saw
22 that happening and can prove themselves.
23 This is how certain I was that Mr. Vincent
24 made this up. I did not know that there

1 was no cameras there. And I believe that
2 a person that commits any type of
3 violation/crime will not offer such a
4 thing by knowing that he committed it. So
5 by offering that, I actually offered
6 myself to be viewed if I committed such a
7 violation.

8 Now, we also know that the fruit
9 basket was Mr. Vincent's imagination. It
10 was not true based on Ms. Weiss' testimony
11 that that fruit basket was never given to
12 him, it was never sent to him, but he
13 reported that someone sent him or gave
14 him a fruit basket.

15 Board of Ethics lawyers have a
16 lot of power in their hands and they are
17 using unfair tactics to make their case.

18 As we know right now, Mr.
19 Vincent, Esquire, he's a lawyer, had a
20 problem of accurately defining the law by
21 using the wrong word related to the
22 incident. On his testimony he's claiming
23 that it was attempt to bribe. I read the
24 definition by law of bribe, and I don't

1 think that his testimony stands with that
2 or can hold that.

3 Mr. Segall and Mr. Cooke took
4 that wrong statement or definition and
5 edited it far from accurate and from
6 reality.

7 I must say that Ms. Weiss in her
8 testimony said that Mr. Vincent came to
9 her office right away to report the
10 incident. What we heard from Mr. Vincent
11 that he did not remember how long from the
12 so-called incident he went to report it.
13 I was there. I went out of the room with
14 him and I saw him picking up another file
15 and going back to his room; therefore, he
16 did not report it right away.

17 There's a possibility that maybe
18 the person after or the person after or
19 the one at the end -- I do not know to
20 point to anyone -- had that incident with
21 him, but it was definitely not me.

22 It seems to me that Mr. Vincent
23 and Ms. Weiss blend and edit and prepared
24 their testimony with each other.

21 I believe that in order to
22 accuse a person of such thing, Board of
23 Ethics needs stronger evidence to support
24 the accusation. When two men sitting

1 alone in a room, there has to be evidence
2 to prove that any injustice occurred.

3 It's my word against his. And he was new
4 and temporary worker for the City of
5 Philadelphia with zero years of hearing
6 experience. More than that, the fact that
7 he's a City worker doesn't make him any
8 better than me especially in such short
9 period of time.

10 I've been in the real estate
11 business since 2007 and enter this room at
12 the CVN every few months depending on the
13 violation if it can be fought. This is
14 the first time in eight years that such
15 accusation is being made against me. Mr.
16 Vincent worked there for three months.
17 But I believe and hope that the times that
18 I've entered this building for the past
19 eight years will be strong evidence to my
20 honesty and to my defense. I deal with
21 City officials very often, with L&I, water
22 company, gas company, court and more. And
23 my record is my proof. My clear name is
24 more important to me than money. And

1 that's why I'm here today. I could end
2 this matter by agreeing to pay a fine of
3 250 to \$500 and move on. But I did not
4 want a black dot on my record along with
5 it. I work with City of Philadelphia
6 officials every day and they are a
7 critical component to my work. Paying a
8 fine would be an easy out to end
9 injustice. But since it cannot be proven
10 that it ever happened, I will not take
11 this escape. My integrity is more
12 important than a fine.

13 Thank you.

14 HEARING OFFICER: Do you have
15 anything further you want to add?

16 MR. COOKE: Yes. Thank you.

17 I know at the outset that Mr.
18 Ben's argument here has repeated the
19 claims he made earlier in this case that
20 Mr. Segall and I have somehow violated his
21 civil rights. His claims are without any
22 basis --

23 MR. BEN SHOSHAN: I would like
24 to object now because that will be

1 addressed in a different court. And I'm
2 taking that action against you guys, but
3 that's going to be after we're done with
4 this hearing.

5 MR. COOKE: And that's precisely
6 my point. It's entirely irrelevant to the
7 question before the Board today. And Mr.
8 Ben's repeated bringing it up is clearly
9 an attempt to distract the Board from
10 addressing the issues that are before it
11 now, which is his own personal conduct as
12 opposed to his complaining about other
13 people's conduct, whether it's Board of
14 Ethics staff or Mr. St. Vincent or Paula
15 Weiss. So clearly the Board should
16 disregard those statements by him in
17 reaching its determination.

18 As for this fruit basket that
19 Mr. Ben has mentioned a couple times, I
20 fail to see how that has any relevance to
21 the question of whether or not Mr. Ben
22 offered Mr. St. Vincent money on May 21st
23 of 2015. You heard Ms. Weiss' testimony
24 regarding the fruit basket, which seems to

1 be an entirely separate matter.

2 Regarding Mr. Ben's repeated
3 raising of the question of whether or not
4 his conduct constituted bribery, that is
5 also irrelevant. What matters is whether
6 or not the facts in this case support a
7 finding of a violation of the Ethics Code
8 gift restriction. This is not a bribery
9 case. The fact that Mr. St. Vincent
10 thought that Mr. Ben was attempting to
11 bribe him just shows how seriously he took
12 the matter and how bad he thought Mr.
13 Ben's conduct was. It is absolutely
14 irrelevant to whether or not Mr. Ben
15 violated 20-604(2).

16 I also note that Mr. Ben seems
17 to be complaining that Mr. St. Vincent has
18 been consistent in his description of the
19 events of May 21, 2015 comparing his
20 memorandum to, I presume, the notice and
21 to his testimony today. The fact that
22 he's been consistent is example that Mr.
23 St. Vincent's testimony is credible and
24 trustworthy, not the opposite.

1 He attempts to raise some
2 question about Mr. St. Vincent's testimony
3 by saying that -- or pointing out, rather,
4 that Ms. Weiss testified that Mr. St.
5 Vincent came to her immediately, whereas
6 Mr. St. Vincent couldn't remember if he
7 went right away, but certainly it was less
8 than 30 minutes. This would seem to be a
9 distinction without any difference.

10 MR. BEN SHOSHAN: Can I --
11 HEARING OFFICER: Mr. Shoshan,
12 we'll give you --

13 MR. BEN SHOSHAN: That 30
14 minutes --

15 HEARING OFFICER: Wait until
16 he's finished.

17 MR. COOKE: As for this case,
18 this suggestion by Mr. Ben that there's
19 some kind of mistaken identity and that
20 there was a hearing intervening between
21 when he was in front of Mr. St. Vincent
22 and when Mr. St. Vincent went to Paula
23 Weiss, again, today Mr. St. Vincent
24 specifically identified Mr. Ben as the

1 person who gave him the money. He has no
2 hesitation in testifying to that effect.
3 Again, also, if you look at the memorandum
4 that he wrote for Ms. Weiss, he
5 specifically mentions Mr. Ben's name. And
6 given that this was written on the same
7 day as the incident in question, it is
8 impossible to believe that Mr. St. Vincent
9 somehow got Mr. Ben mixed up with somebody
10 else.

11 With that, I will conclude.

12 HEARING OFFICER: Ordinarily,
13 this would be it, but we will give you a
14 chance for rebuttal, something you want
15 to say, and then that will be it.

16 MR. BEN SHOSHAN: I just want to
17 make a small statement that maybe the
18 lawyers don't know, but usually each case
19 at the office of -- the hearings take
20 roughly around five minutes. So in
21 30-minute timetable, he can hear around
22 six cases. Six different people can enter
23 that room during that time, sometimes even
24 more. It all depends if -- because most

1 people come with one case, not more than
2 that, that's number one.

3 Number two, the fruit basket
4 that I'm mentioning is to prove the
5 inaccuracy or the imagination that came
6 out of Mr. Vincent's head.

7 And Ms. Weiss' testimony that he
8 came right after to her room shows that
9 she did speak with him or was trying to
10 make up her testimony to be level in order
11 for her to testify. And we definitely
12 know right now that he did not go right
13 after, because I saw him picking up
14 another slip and going back to that room.
15 And he, himself, could not remember how
16 long ago from the so-called incident he
17 went to report. So by her testimony under
18 oath such a thing, this is unfair. And it
19 should be brought to consideration that
20 even though, again, they're both City
21 workers' that it doesn't give them the
22 credibility that everything they say is
23 true.

24 That's it.

1 HEARING OFFICER: Let me just
2 make a final statement here. So in
3 concluding, Respondent to an enforcement
4 proceeding must be afforded notice of the
5 laws that are alleged to be violated, and
6 the acts or omissions which form the basis
7 of each alleged violation and must receive
8 a full and fair opportunity to be heard.
9 Respondent has had such an opportunity to
10 respond to the Notice of Administrative
11 Enforcement Proceeding and contest the
12 alleged violation at this hearing.

13 Respondent has also been
14 informed on multiple occasions that he may
15 engage an attorney at any time.

16 As provided by Board
17 regulations, the Board will deliberate on
18 the evidence and determine by a
19 preponderance of the evidence whether a
20 violation of applicable law has occurred
21 and penalties to be assessed for any
22 violation.

23 The Board will issue a written
24 determination that will be served on the

1 parties. The Board will make its final
2 determination public.

3 The general counsel staff will
4 provide a copy of the hearing transcript
5 to the parties.

6 Each party may, but is not
7 required to, file proposed findings of
8 fact and conclusions of law after the
9 hearing is concluded.

10 Proposed findings of fact and
11 conclusions must be filed within seven
12 days of the general counsel transmitting
13 the hearing transcript to the parties.

14 Unless a fact is undisputed, a party shall
15 support each proposed finding of fact by
16 citing a specific part of the record of
17 this Administrative Enforcement
18 Proceeding, which includes filings, the
19 hearing transcript, and hearing exhibits.

20 And unless there's anything
21 further, we will conclude the hearing at
22 this time.

23 MR. BEN SHOSHAN: I want to ask
24 one question about that law that they keep

1 mentioning.

2 HEARING OFFICER: What? I'm
3 sorry.

4 MR. BEN SHOSHAN: About the gift
5 violation, Section 20-604. I'll use a
6 different example from the crime world,
7 just to understand this one, the
8 difference between killing and attempt to
9 killing is the fact that when you accuse
10 someone of killing, that person is no
11 longer with us, am I right, and attempt to
12 killing, he was trying to do the action,
13 but the person is still alive? Am I
14 right?

15 HEARING OFFICER: Are you asking
16 me to respond?

17 MR. BEN SHOSHAN: Yes, I'm
18 asking --

19 HEARING OFFICER: I'm allowing
20 you to make your point.

21 MR. BEN SHOSHAN: Because I mean
22 based on what we hear today, if we'll,
23 let's say, agree with everything that was
24 said by Mr. Vincent, since he claims that

1 he did not take the money, that means that
2 maybe it's attempt to a gift violation.
3 It's not a gift violation because
4 according to his testimony, he did not
5 take the money. So if there's no such
6 violation code of attempt to gift
7 violation, I would ask that the whole
8 thing would be dismissed even though I'm
9 not admitting anything. But even if we'll
10 go with his lying, it does not line up
11 with that law, because based on his
12 testimony today, he did not take anything,
13 So it was attempt, not gifting, if I
14 understand right. And that's why I asked
15 the definition to understand if they both
16 line up the same or maybe I'm mistaken in
17 understanding.

18 MR. COOKE: I would just like to
19 point out that Mr. Ben is mistaken in his
20 understanding of 20-604(2). It
21 specifically says no person shall offer
22 gifts. That is what we are alleging. We
23 are not alleging that Mr. St. Vincent
24 accepted it. Just offering is sufficient

1 to violate the gift restriction.

2 MR. BEN SHOSHAN: The hearing is
3 concluded at this time.

4 Thank you very much.

5 (Hearing concluded at 2:22 p.m.)

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C E R T I F I C A T I O N

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4 I hereby certify that the proceedings
5 and evidence noted are contained fully and
6 accurately in the notes taken by me on the
7 deposition of the above matter, and that
8 this is a correct transcript of the same.

9

10

11

Kathleen M. Rigby,

12

Court Reporter

13

14

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15

16

17 (The foregoing certification of this
18 transcript does not apply to any
19 reproduction of the same by any means,
20 unless under the direct control and/or
21 supervision of the certifying reporter.)

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24

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EXHIBIT 3



**CITY OF PHILADELPHIA
CODE VIOLATION ENFORCEMENT DIVISION**

**DEPARTMENT OF FINANCE
P. O. BOX 56318
PHILADELPHIA, PA 19130-6318
(215) 567-2605**

O 35722875 O
OXFORD, 5001 AVE LLC
5001 OXFORD AVE
PHILA PA 19124-2652

4/27/15

PLEASE NOTE YOUR HEARING WILL BE HELD AT
THE OFFICE OF ADMINISTRATIVE REVIEW
100 S BROAD STREET, 4TH FLOOR
BROAD & CHESTNUT STREETS (ENTER THROUGH CHESTNUT ST DOOR)

TELEPHONE INQUIRIES: (215) 567-2605

DEAR SIR/MADAM:

PLEASE BE ADVISED THAT YOUR REQUEST FOR A HEARING ON YOUR DISPUTED CODE VIOLATION NOTICE(S) IS SCHEDULED FOR THE DATE AND TIME LISTED BELOW.

PLEASE BRING WITH YOU ANY DOCUMENTARY EVIDENCE THAT WILL ASSIST YOU IN PRESENTING YOUR CASE. IF YOU FAIL TO APPEAR, YOU WILL BE SUBJECT TO THE FULL AMOUNT OF ALL APPLICABLE FINES AND PENALTIES AND FURTHER ACTION IN MUNICIPAL COURT.

PLEASE BE ADVISED YOU MAY CHOOSE TO HAVE YOUR REVIEW THROUGH AN ONLINE PROCESS. YOU CAN SUBMIT YOUR REQUEST FOR AN ONLINE REVIEW AT [HTTP://WWW.PHILA.GOV/FINANCE//UNITS-ADMINREVIEW.HTML](http://WWW.PHILA.GOV/FINANCE//UNITS-ADMINREVIEW.HTML)
IF YOU SCHEDULE AN ONLINE HEARING, YOUR PREVIOUSLY SCHEDULED IN-PERSON HEARING WILL BE CANCELED.

IF YOUR CHECK IS RETURNED UNPAID FOR INSUFFICIENT OR UNCOLLECTED FUNDS, (1) YOU AUTHORIZE ECOLLECT, LLC TO MAKE A ONE-TIME ELECTRONIC FUNDS TRANSFER FROM YOUR ACCOUNT TO COLLECT A FEE OF \$20; AND (2) ECOLLECT, LLC MAY RE-PRESENT YOUR CHECK ELECTRONICALLY TO YOUR DEPOSITORY INSTITUTION FOR PAYMENT.

HEARING DATE: 5/21/15 HEARING TIME: 11:00 AM

CVN	ISSUE DATE	VIOLATION	AMOUNT PAID	AMOUNT DUE
35722875	3/12/14	DUMPSTER OVERFLOWING	\$0.00	\$175.00
35722864	3/12/14	DUMP LID NOT CLOSED	\$0.00	\$175.00

TRANSCRIPT OF HEARING

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Exhibit-4

EXHIBIT 4

CITY OF PHILADELPHIA
CODE VIOLATION ENFORCEMENT DIVISION



DEPARTMENT OF FINANCE
P. O. BOX 56318
PHILADELPHIA, PA 19130-6318
(215) 567-2605

O 41695183 O
ELISRA, LLC
8001 CASTOR AVE 520
PHILA PA 19152-2701

4/27/15

PLEASE NOTE YOUR HEARING WILL BE HELD AT
THE OFFICE OF ADMINISTRATIVE REVIEW
100 S BROAD STREET, 4TH FLOOR
BROAD & CHESTNUT STREETS (ENTER THROUGH CHESTNUT ST DOOR)

TELEPHONE INQUIRIES: (215) 567-2605

DEAR SIR/MADAM:

PLEASE BE ADVISED THAT YOUR REQUEST FOR A HEARING ON YOUR DISPUTED CODE VIOLATION NOTICE(S) IS SCHEDULED FOR THE DATE AND TIME LISTED BELOW.

PLEASE BRING WITH YOU ANY DOCUMENTARY EVIDENCE THAT WILL ASSIST YOU IN PRESENTING YOUR CASE. IF YOU FAIL TO APPEAR, YOU WILL BE SUBJECT TO THE FULL AMOUNT OF ALL APPLICABLE FINES AND PENALTIES AND FURTHER ACTION IN MUNICIPAL COURT.

PLEASE BE ADVISED YOU MAY CHOOSE TO HAVE YOUR REVIEW THROUGH AN ONLINE PROCESS. YOU CAN SUBMIT YOUR REQUEST FOR AN ONLINE REVIEW AT [HTTP://WWW.PHLIA.GOV/FINANCE//UNITS-ADMINREVIEW.HTML](http://WWW.PHLIA.GOV/FINANCE//UNITS-ADMINREVIEW.HTML). IF YOU SCHEDULE AN ONLINE HEARING, YOUR PREVIOUSLY SCHEDULED IN-PERSON HEARING WILL BE CANCELED.

IF YOUR CHECK IS RETURNED UNPAID FOR INSUFFICIENT OR UNCOLLECTED FUNDS, (1) YOU AUTHORIZE ECOLLECT, LLC TO MAKE A ONE-TIME ELECTRONIC FUNDS TRANSFER FROM YOUR ACCOUNT TO COLLECT A FEE OF \$20; AND (2) ECOLLECT, LLC MAY RE-PRESENT YOUR CHECK ELECTRONICALLY TO YOUR DEPOSITORY INSTITUTION FOR PAYMENT.

HEARING DATE: 5/21/15 HEARING TIME: 11:00 AM

CVN	ISSUE DATE	VIOLATION	AMOUNT PAID	AMOUNT DUE
41695183	3/09/15	PREM NOT LITTER FREE	\$.00	\$75.00

TRANSCRIPT OF HEARING

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Exhibit-7

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EXHIBIT 7

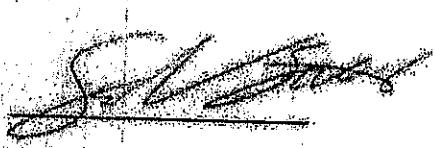
MEMO

To: Paula Weiss, Esq.
From: Stephen St. Vincent, Esq.
Date: 5/2/15

Re: Attempted bribery during OAR hearings

This morning, I was sitting as a hearing master for code violation cases. One hearing was for property owner Leron Ben (he signed in as "Leron Ben" and gave his name to me as "Leron Shoshana"). The properties in question were 5001 Oxford Ave (CVN # 35722864 and 35722875) and 1807 Widener Pl (CVN # 41695183). Mr. Ben presented sufficient evidence for me to dismiss all 3 tickets (for CVN # 35722875 I found that the problem had been addressed).

At the conclusion of the hearing, Mr. Ben offered to shake my hand. When I did so, I felt that he was trying to hand me something. I looked at it and realized that it was money. I am not sure exactly how much; it was multiple bills, with a \$10 bill on the outside. I immediately dropped the money onto his case folder and told him that I could not take the money. He stated that he wanted to thank me and that it was just to buy me lunch. I again stated that I could not take the money. I told him to take it with him and to leave the hearing room, which he did. I immediately reported this incident to my supervisor, Paula Weiss. To my knowledge, Mr. Ben left the building without further incident.


Stephen St. Vincent, Esq.

TRANSCRIPT OF HEARING

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Exhibit-9

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EXHIBIT 9

Proposal for Consulting Services to be Provided to the
Office of Administrative Review

I. Services as a Master to be provided to the Office of Administrative Review for the term March 11, 2015 through June 30, 2015.

- a. Presiding over Tax Review Board Master hearings and rendering written decisions to the Tax Review Board with regard to findings on each matter heard: holding Photo Enforced Red Light Violation and Code Violation hearings;
- b. Performing such other tasks as may be, from time to time, required by the Officer of Administrative Review.

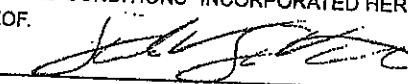
II. Compensation for the above services shall be payable at the rate of \$35.00 per hour of work performed.

- a. Such compensation shall be payable upon receipt and approval of invoices submitted to the Executive Director of the Office of Administrative Review or her designee. All bills or vouchers shall be in the form and content as required by the Executive Director


Stephen St. Vincent

3-12-15
Date

100 N. 22nd ST. #138
Philadelphia, PA 19103

CITY OF PHILADELPHIA - OFFICE OF THE DIRECTOR OF FINANCE - ACCOUNTING BUREAU			FINANCE OFFICE USE ONLY	
MISCELLANEOUS ORDER			DOCUMENT # MPXX15000323	
			BATCH # _____	
			BATCH DATE _____	
			CODED BY _____	
			FUNDING SOURCE (IF ANOTHER DOCUMENT)	
			ORDER TERMINATION DATE 6/30/2015	
			CIVIL SERVICE ITEM NO. 1016	
			ITEM NO. DESCRIPTION 1016 - Review and Survey Services	
			THIS ORDER IS SUBJECT TO THE ATTACHED "MISCELLANEOUS ORDER TERMS AND CONDITIONS" INCORPORATED HEREIN AND MADE A PART HEREOF.	
			 CONTRACTOR'S SIGNATURE	
<u>DESCRIPTION</u>				
Hearing Master.				
SUFFIX	01			
FUND	010			
DEPARTMENT	35			
DIVISION	06			
RC/OUTPUT	01/			
INDEX CODE	350076			
CLASS CODE	0250			
USER CODE				
GRANT				
GRANT DETAIL				
PROJECT	FND010			
PROJECT DETAIL				
AMOUNT	\$5,000.00			
<p>*SEND ALL INVOICES IN TRIPPLICATE TO THE CONTRACTING DEPARTMENT, CITY OF PHILADELPHIA*</p> <ul style="list-style-type: none"> - THIS ORDER NUMBER MUST BE SHOWN ON ALL INVOICES, CORRESPONDENCE, ETC. - A SEPARATE INVOICE MUST BE SUBMITTED FOR EACH MISCELLANEOUS ORDER. - THIS ORDER IS SUBJECT TO CANCELLATION IF PERFORMANCE IS NOT IN ACCORDANCE WITH AGREEMENT. - NO CHANGE MAY BE MADE IN ANY OF THE PROVISIONS OF THIS ORDER. 				

TRANSCRIPT OF HEARING

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Exhibit-C

EXHIBIT C

your-outer-announces-creation-of-building-safety-overight-board/



WAD OF CASH

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Tumblr



Animated



Stack O



①



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③



④



⑤



Memphis millionaire busted after trying to bribe one of his three rape accusers: police



Mark Giannini mug shot ([Screenshot/WSMV](#))

Don't miss stories. Follow Raw Story!

A well known Memphis millionaire, Mark Giannini, is being accused by authorities of paying one woman to contact another who accused him of sexual assault, according to [The Commercial Appeal](#).

Last October Giannini met a woman, who he had known for a while and to whom he regularly supplied drugs in exchange for sex, at a grocery store and convinced her to approach the victim with a bribe. The Commercial Appeal [reported](#) that the woman said, "that she met Giannini Oct. 21 at a Kroger in East Shelby County, and he paid her \$1,200." Giannini allegedly told the woman to record the victim doing drugs or, if all else failed, offer her \$150,000 to drop the charges against him.

When the alleged grocery store encounter took place he was on house arrest with a \$3 million bail. Police searched the GPS on Giannini's tracking device and were able to confirm that he was at the grocery store at the time the woman claimed the two met.

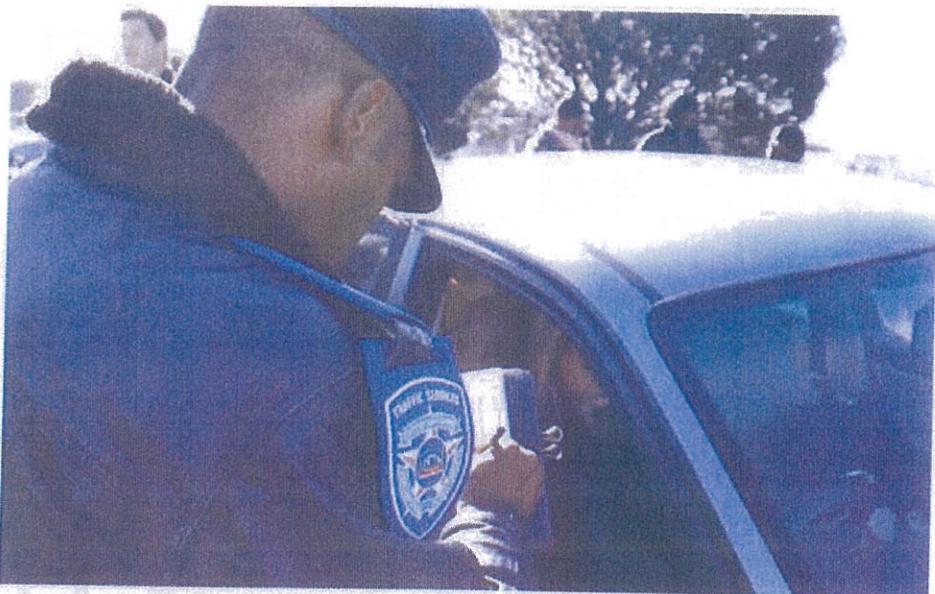
Giannini's bail was revoked and he is now back behind bars. He is charged with raping at least three women over a thirteen year period, including the [brutal](#) assault of a woman who came to his home seeking a housekeeping job.

Giannini faces trial sometime this year. His attorney denied all the charges.

[Google Bookmark](#)[Facebook](#)[More](#)

Beaufort West woman arrested for attempting to bribe a traffic cop

Officials say the woman offered the officer a R200 bribe to avoid a speeding fine.



FILE: The woman had allegedly been speeding outside the Karoo town of Beaufort West earlier today when she was stopped. Picture: Aletta Harrison/EWN.

Giovanna Gerbi | 9 days ago

CAPE TOWN - Western Cape traffic officials say a woman has been arrested for reportedly attempting to bribe a traffic officer.

The woman had allegedly been speeding outside the Karoo town of Beaufort West earlier today when she was stopped.

Traffic Chief Kenny Africa said, "Our officers in Beaufort West just arrested a 51-year-old woman for exceeding the speed limit. The fine that she would have got was R700 for the speed offence but instead she offered the officer R200."

(Edited by Winnie Theletsane)



CITY OF PHILADELPHIA

BOARD OF ETHICS
ONE PARKWAY BUILDING
1515 Arch Street
18TH Floor
Philadelphia, PA 19102-1504
(215) 686 – 9450
FAX 686 – 9453

July 13, 2015

Via certified mail

Leron Shoshana Ben
8001 Castor Avenue, #520
Philadelphia, PA 19152

RE: Office of Administrative Review Hearing- May 21, 2015

Dear Mr. Ben,

The City of Philadelphia Board of Ethics is in receipt of a complaint pertaining to your conduct at an Office of Administrative Review hearing on May 21, 2015 as it relates to the City of Philadelphia's prohibition on individuals providing gifts to City employees under Philadelphia Code Section 20-604.

Board of Ethics enforcement staff would like to speak with you about this matter. Please contact me as soon as possible to schedule a time to meet to further discuss this matter. I can be reached at (215) 686-9457 or Jordan.Segall@phila.gov.

Thank you for your time and anticipated cooperation in this matter.

Sincerely,

Jordan E. Segall
Staff Attorney



CITY worker charged with

Liran

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Houston city worker charged with murder in slaying of boss ...
www.washingtontimes.com/.../houston-city-work... ▾ The Washington Times ▾
Dec 22, 2015 - A Houston municipal waste employee has been charged with murder in the fatal shooting of his boss during an argument at work.

Two New York City Workers Charged With Stealing \$2.1 ...
www.nytimes.com/.../employees-arrested-in-scheme-t... ▾ The New York Times ▾
Dec 1, 2015 - A current employee of the Human Resources Administration, along with one who had been fired and 11 others, were charged with wire fraud ...

Mahanoy City worker charged with stalking - News ...
standardspeaker.com/.../mahanoy-city-worker-charged-with-stalking-1.1... ▾
Nov 14, 2015 - Mahanoy City police on Thursday obtained an arrest warrant for a borough worker charging him with stalking a woman on Facebook.

State briefs: Houston city worker charged with murder in ...
www.yourhoustonnews.com/.../city... ▾ Houston Community Newspapers Online ▾
Dec 22, 2015 - HOUSTON—A Houston municipal waste employee has been charged with murder in the fatal shooting of his boss during an argument at work.

Employee accused of killing boss after argument released ...
www.click2houston.com/.../1-arrested-after-fatal-shooting-at-... ▾ KPRC-TV ▾
Dec 21, 2015 - Tyrone Auzenne charged with murder ... Auzenne was a fairly high-ranking employee within the city of Houston's Solid Waste Department.

charged in crash that killed Bloomington city worker - MPR ...
www.mprnews.org/.../woman-charged-crash-that-killed-bloomington-cit... ▾
Feb 5, 2016 - A 24-year-old Richfield woman has been charged for killing one Bloomington city worker and injuring another when she drove her car into their ...

Former Worker Charged With Stealing From Union City ...
www.eriene新闻.com/.../former-worker-charged-with-stealing-from-unio...
Jan 27, 2016 - Most people give to the Salvation Army, but one woman is charged with stealing thousands of dollars, from the non-profit. The former worker ...

City street worker charged with selling crack | Universal Hub
www.universalhub.com ▾ Boston ▾ Universal Hub ▾
6 days ago - The Globe reports the man told police he had no choice but to sell crack - his job working with at-risk kids didn't pay enough to let him keep his ...

Palm Coast City Worker Charged With Impersonating Cop ...
newsdaytonabeach.com/palm-coast-city-worker-charged-with-impersona... ▾
Palm Coast, FL - A computer specialist with the City of Palm Coast is arrested at his job for impersonating a police officer. 42-year-old Shaun Eric Fuller was led ...

Drunken, suicidal driver charged in Bloomington city ...
www.twincities.com/.../in-bloomington-death-drunk... ▾ St. Paul Pioneer Press ▾
Feb 4, 2016 - Marie Jessica Hall, 24, of Richfield, driving drunk and speeding in an effort to "end all" and "get to heaven," killed a Bloomington city worker, ...

Searches related to CITY worker charged with

daycare worker charged with assault	daycare worker charged in abuse
daycare worker charged with Infant killing	cps worker charged
social worker charged	childcare worker charged
daycare worker charged	city worker salary



CITY of philadelphia worker charged with

Liran

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About 18,000,000 results (0.49 seconds)

City of Philadelphia: News

[www.phila.gov](#) › Phila › Inspector General › About Us ▾ Philadelphia ▾
Amy Kurland, Inspector General for the City of Philadelphia, testified at the ...
[Philadelphia DHS Worker Charged with Stealing Close to \\$18,000 in SEPTA](#) ...

Former city workers charged with selling fake SEPTA ...

[www.phillyvoice.com/former-city-workers-charged-fake-passes/](#) ▾
Aug 5, 2015 - Federal officials brought criminal charges against a pair of former [City of Philadelphia](#) employees who allegedly counterfeited more than 2000 ...

Ex-Philly postal worker charged after over 20,000 pieces of ...

[www.phillyvoice.com/former-philly-postal-worker-charged-mail/](#) ▾
Jul 23, 2015 - A former [Philadelphia](#) postal worker was charged Wednesday with ...
Philly postal worker charged after 22,000 pieces of mail allegedly found in car and ...
WATCH: Gunman forces man into car in Center City, takes him to bank ...

DHS worker charged with stealing \$18,000 in SEPTA tokens ...

[6abc.com/news/dhs-worker-charged-with-stealing-\\$18000.../339013/](#) ▾
Oct 6, 2014 - The Philadelphia District Attorney's Office says a worker with the city's Department of Human Services is charged with submitting fraudulent overtime expenses and stealing SEPTA fare tokens from the agency. ... The DA's Office says Hawkins-Worley has been employed by the city since ...

FBI — Former City Employee Charged in \$1 Million Scam

[https://www.fbi.gov/philadelphia/.../form...](#) ▾ Federal Bureau of Investigation ▾
Nov 28, 2012 - PHILADELPHIA—An indictment was unsealed today charging three people, including a former city employee, in a scheme to defraud the city of ...

Philadelphia DHS Worker Charged with Stealing Close to ...

[https://phillyda.wordpress.com/.../philadelphia-dhs-worker-charged-with...](#) ▾
Oct 6, 2014 - Philadelphia Postal Worker Charged with Stealing and Embezzling
[Over \\$28,000](#) ... Hawkins-Worley worked for the City of Philadelphia as a ...

Alleged Sex Worker Charged With Philadelphia Doctor's ...

[www.nbcphiladelphia.com/.../Alleged-Sex-Worker-Charged-With...](#) ▾ WCAU ▾
Dec 23, 2015 - A man hired by a Philadelphia doctor for sex strangled and robbed him inside a Center City hotel room, homicide detectives tell NBC10.

Feds: Philly Postal Worker Had Over 20,000 Pieces of Mail ...

[www.phillymag.com/.../philadelphia-postal-worker-mail-car...](#) ▾ Philadelphia ▾
Jul 22, 2015 - The DOJ has charged former postal worker Philip D'Ambrosio with ...
Man Abducted in Center City, Forced to Try to Withdraw Money.

City Workers Charged in Corruption Scheme - Philly.com

[www.philly.com/philly/.../cityhall/City_Wor...](#) ▾ Philadelphia Media Network ▾
Jul 29, 2010 - Here's the press release: - PhillyClout Team, Philadelphia Daily News.
[... FORMER CITY EMPLOYEE, THREE OTHERS, CHARGED IN ...](#)

Defender Association of Philadelphia - Social Worker ...

[www.philadefender.org/social-worker.php](#) ▾
1441 Sansom Street | Philadelphia, PA 19102 | 215-568-3190 ... individual caseload of approximately 60 juvenile clients charged with juvenile offenses. ... The major role of a Juvenile Special Defense Unit (JS defense) social worker is to assist the ...

Searches related to CITY of philadelphia worker charged with**mark cooper philadelphia**

TRANSCRIPT OF HEARING

166

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Exhibit-D

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EXHIBIT D



CITY OF PHILADELPHIA
CODE VIOLATION ENFORCEMENT DIVISION

DEPARTMENT OF FINANCE
 P. O. BOX 56318
 PHILADELPHIA, PA 19130-6318
 (215) 567-2605

Panel 4/6/09

O 12588752 O
 BUY IT LLC
 7838 MONTGOMERY AVE
 ELKINS PARK PA 19027

4/02/09

TELEPHONE INQUIRIES: (215) 567-2605

DEAR SIR/MADAM

ENCLOSED IS AN OFFICIAL COPY OF A CODE VIOLATION NOTICE (CVN) FOR A VIOLATION OF THE PHILADELPHIA CODE, WRITTEN TO THE INDIVIDUAL REFERENCED BELOW AGAINST A PROPERTY REGISTERED IN YOUR NAME. AS THE OWNER, IT IS YOUR RESPONSIBILITY TO PREVENT AND CORRECT SUCH INFRACTIONS.

PAYMENT INSTRUCTIONS CAN BE FOUND ON THE REVERSE SIDE OF THE CVN. FAILURE TO PAY OR CONTEST THIS VIOLATION WILL RESULT IN ADDITIONAL PENALTIES AND FURTHER LEGAL ACTION, INCLUDING THE FILING OF A CODE ENFORCEMENT COMPLAINT IN MUNICIPAL COURT.

LOCATION OF VIOLATION: 1640 FRAZIER ST

VIOULATOR'S NAME AND ADDRESS: BUY IT LLC
 1640 FRAZIER ST
 PHILA PA 19143

CVN	ISSUE DATE	VIOLATION	AMOUNT PAID	AMOUNT DUE
12588752	11/19/08	PREM NOT LITTER FREE	\$.00	\$ 25.00

4/6/09 confirmation #

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**CITY OF PHILADELPHIA
CODE VIOLATION
NOTICE**



1258875-2		DATE 11-19-08	TIME 2:05 PM
NAME OF VIOLATOR BILLY IT LLC			
ADDRESS OF VIOLATOR 1640 Fazlzer St			
CITY PHILA	STATE PA	ZIP 19148	
VIOLATION STREET CODE 3504	001640		
LOCATION OF VIOLATION 1640 Fazlzer St	HOUSE # (Amst	DIRECTION 3504	STREET NAME Times
OWNER CODE BILLY IT LLC	DESIGNATION 3504 001640		
OWNER ADDRESS 7138 MONTGOMERY AVE			
CITY ELKINS PARK		STATE PA	ZIP 19027

YOU ARE HEREBY NOTIFIED THAT YOU VIOLATED THE FOLLOWING SECTION OF THE PHILADELPHIA CODE.

If payment is not received within 10 calendar days, a \$25.00 additional penalty is due.

- | | | |
|--|-----------------------------------|------|
| <input type="checkbox"/> 01 | PM 302.3 — High Weeds | \$75 |
| <input type="checkbox"/> 04 | 10-704.1 Sidewalk not Litter Free | \$25 |
| <input checked="" type="checkbox"/> 06 | 10-714.1 Premises not Litter Free | \$25 |
| <input type="checkbox"/> 07 | 10-717.1A Trash Set out Early | \$25 |

FINE AMOUNT FOR VIOLATION LISTED BELOW IS CIRCLED

\$25 \$50 \$75 \$100

19 Other _____



Comments: **YOUR PREMISES IS LITTERED WITH TRASH, LITTER AND/OR DEBRIS. YOU MUST CLEAN AND MAINTAIN YOUR PROPERTY.**

Issuing Officer 	Badge No. 84	Dept M 12	Viol Dist
Issued _____			

IMPORTANT ... See Instructions on back.



**CITY OF PHILADELPHIA
CODE VIOLATION ENFORCEMENT DIVISION**

DEPARTMENT OF FINANCE
P. O. BOX 56318
PHILADELPHIA, PA 19130-6318
(215) 567-2605

O 12541701 O
BUY, IT LLC
7838 MONTGOMERY AVE
ELKINS PARK PA 19027-2609

12/21/09

* PLEASE NOTE NEW HEARING LOCATION AT *
* OFFICE OF ADMINISTRATIVE REVIEW *
* 100 S BROAD ST, 4TH FLOOR *
* SW CORNER BROAD & CHESTNUT STREETS *

TELEPHONE INQUIRIES: (215) 567-2605

DEAR SIR/MADAM:

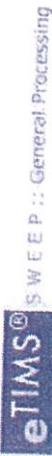
PLEASE BE ADVISED THAT YOUR REQUEST FOR A HEARING ON YOUR DISPUTED CODE VIOLATION NOTICE(S) IS SCHEDULED FOR THE DATE AND TIME LISTED BELOW. THE HEARING WILL BE HELD AT:

THE OFFICE OF ADMINISTRATIVE REVIEW
100 S BROAD STREET, 4TH FLOOR
BROAD AND CHESTNUT STS (ENTER THROUGH CHESTNUT ST DOOR)

PLEASE BRING WITH YOU ANY DOCUMENTARY EVIDENCE THAT WILL ASSIST YOU IN PRESENTING YOUR CASE. IF YOU FAIL TO APPEAR, YOU WILL BE SUBJECT TO THE FULL AMOUNT OF ALL APPLICABLE FINES AND PENALTIES AND FURTHER ACTION IN MUNICIPAL COURT. REQUESTS FOR A CONTINUANCE OR A NEW HEARING DATE MUST BE SUBMITTED PROMPTLY, PREFERABLY ONE WEEK PRIOR TO THE SCHEDULED HEARING, TO THE CODE UNIT AT PO BOX 56318, PHILADELPHIA, PA 19130-6318.

HEARING DATE: 4/12/10 HEARING TIME: 2:00 PM

CVN	ISSUE DATE	VIOLATION	AMOUNT PAID	AMOUNT DUE
12541701	1/21/09	PREM NOT LITTER FREE	\$.00	\$65.00



SWEEP :: General Processing

TICKET MANAGEMENT

CUSTOMER DETAIL

BUY IT LLC

7838 MONTGOMERY AVE

ELKINS PARK, PA 19027-2609

215-833-2547

Address Source: REGISTRY

CVN Type: MOVE
Owner Street Code: 3504001640 12/20/07

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 GO SEARCH FEE HISTORY DISPOSITION CONFIRMATION

Hearing Officer: CD
 Hearing Date: 04/12/2010
 Hearing Time: 02:00PM
 Case #: 12541701

Total Amount Due: \$25.00

A disposition has been updated for the following cvns on 04/12/2010 at 02:16PM.
 CVN # Disposition Code/
 Description Reduce Amt Fine Penalty 1 Penalty 2 Penalty 3 Penalty 4 Penalty 5 Paid Amt Due

CVN #	Disposition Code/ Description	Reduce Amt	Fine	Penalty 1	Penalty 2	Penalty 3	Penalty 4	Penalty 5	Paid	Amt Due
12541701	041 LIAB W/ RD	\$40.00	\$25.00	\$0.00	\$15.00	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00

 PRINT CONFIRMATION Choose Additional Process GO GO



CITY OF PHILADELPHIA
CODE VIOLATION ENFORCEMENT DIVISION

DEPARTMENT OF FINANCE
 P. O. BOX 56318
 PHILADELPHIA, PA 19130-6318
 (215) 567-2605

O 12250114 O
 BUYIT LLC
 7838 MONTGOMERY AVE
 ELKINS PARK PA 19027

1/28/09

TELEPHONE INQUIRIES: (215) 567-2605

DEAR SIR/MADAM

ENCLOSED IS AN OFFICIAL COPY OF A CODE VIOLATION NOTICE (CVN) FOR
 A VIOLATION OF THE PHILADELPHIA CODE, WRITTEN TO THE INDIVIDUAL
 REFERENCED BELOW AGAINST A PROPERTY REGISTERED IN YOUR NAME.
 AS THE OWNER, IT IS YOUR RESPONSIBILITY TO PREVENT AND CORRECT SUCH
 INFRACTIONS.

PAYMENT INSTRUCTIONS CAN BE FOUND ON THE REVERSE SIDE OF THE CVN.
 FAILURE TO PAY OR CONTEST THIS VIOLATION WILL RESULT IN ADDITIONAL
 PENALTIES AND FURTHER LEGAL ACTION, INCLUDING THE FILING OF A
 CODE ENFORCEMENT COMPLAINT IN MUNICIPAL COURT.

LOCATION OF VIOLATION: 1640 S FRAZIER ST

VIOLATOR'S NAME AND ADDRESS: BUYIT LLC
 1640 S FRAZIER ST
 PHILA PA 19143

2/3/09

conf 4033

Conf 4046

CVN	ISSUE DATE	VIOLATION	AMOUNT PAID	AMOUNT DUE
12250114	10/22/08	PREM NOT LITTER FREE	\$.00	\$25.00

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**CITY OF PHILADELPHIA
CODE VIOLATION
NOTICE**



1225011-4		DATE 10-22-08	TIME 11:14 AM
NAME OF VIOLATOR <i>Buyit LLC</i>			
ADDRESS OF VIOLATOR <i>1640 FRAZIER ST</i>			
CITY <i>PHILA</i>	STATE <i>PA</i>	ZIP <i>19143</i>	
VIOLATION STREET CODE	3504001640		
LOCATION OF VIOLATION	HOUSE #	DIRECTION	STREET NAME <i>1640⁵ FRAZIER ST (front)</i>
OWNER CODE	3504001640		
OWNER	<i>Buyit LLC</i>		
OWNER ADDRESS	<i>7838 Montgomery Ave</i>		
CITY <i>EIKINS PARK</i>	STATE <i>PA</i>	ZIP <i>19027</i>	

YOU ARE HEREBY NOTIFIED THAT YOU VIOLATED THE FOLLOWING SECTION OF THE PHILADELPHIA CODE.

If payment is not received within 10 calendar days, a \$25.00 additional penalty is due.

<input type="checkbox"/> 01	PM 302.3	High Weeds	\$75
<input type="checkbox"/> 04	10-704.1	Sidewalk not Litter Free	\$25
<input checked="" type="checkbox"/> 06	10-714.1	Premises not Litter Free	\$25
<input type="checkbox"/> 07	10-717.1A	Trash Set out Early	\$25

FINE AMOUNT FOR VIOLATION LISTED BELOW IS CIRCLED

\$25 \$50 \$75 \$100

19 Other _____



Comments:

THE PREMISES MUST BE LITTER FREE. YOUR PREMISES IS LITTERED WITH TRASH BAGS, RENOVATION MATERIALS, DAY WALL

Issuing Officer <i>John</i>	Badge No. <i>846</i>	Dept <i>n12</i>	Viol Dist
Issued _____			

IMPORTANT ... See Instructions on back.



**CITY OF PHILADELPHIA
CODE VIOLATION ENFORCEMENT DIVISION**

DEPARTMENT OF FINANCE
P. O. BOX 56318
PHILADELPHIA, PA 19130-6318
(215) 567-2605

O 33373012 O
MAJESTIC, PINE COURT LLC
8001 CASTOR AVE STE 186
PHILA PA 19152-2701

9/11/13

* PLEASE NOTE NEW HEARING LOCATION AT *
* OFFICE OF ADMINISTRATIVE REVIEW *
* 100 S BROAD ST, 4TH FLOOR *
* SW CORNER BROAD & CHESTNUT STREETS *

TELEPHONE INQUIRIES: (215) 567-2605

DEAR SIR/MADAM:

PLEASE BE ADVISED THAT YOUR REQUEST FOR A HEARING ON YOUR DISPUTED CODE VIOLATION NOTICE(S) IS SCHEDULED FOR THE DATE AND TIME LISTED BELOW. THE HEARING WILL BE HELD AT:

THE OFFICE OF ADMINISTRATIVE REVIEW
100 S BROAD STREET, 4TH FLOOR
BROAD AND CHESTNUT STS (ENTER THROUGH CHESTNUT ST DOOR)

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HEARING DATE: 1/02/14 HEARING TIME: 9:30 AM

CVN	ISSUE DATE	VIOLATION	AMOUNT PAID	AMOUNT DUE
Paid - 33373012	9/05/13	DUMP AREA NOT CLEAN	\$.00	\$150.00
Paid - 33192935	9/09/13	DUMP AREA NOT CLEAN	\$.00	\$150.00
33192924	9/09/13	DUMP LID NOT CLOSED	\$.00	\$150.00
33192913	9/09/13	NO MEDALLION ON DUMP	\$.00	\$150.00
33192902	9/09/13	DUMPSTER OVERFLOWING	\$.00	\$150.00
33191944	8/30/13	DUMP AREA NOT CLEAN	\$.00	\$150.00
28549721	9/06/13	NO MEDALLION ON DUMP	\$.00	\$150.00
28549710	9/06/13	NO MEDALLION ON DUMP	\$.00	\$150.00
28549706	9/06/13	PREM NOT LITTER FREE	\$.00	\$50.00
28549426	9/04/13	PREM NOT LITTER FREE	\$.00	\$50.00

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CITY OF PHILADELPHIA
CODE VIOLATION ENFORCEMENT DIVISION



DEPARTMENT OF FINANCE
 P. O. BOX 56318
 PHILADELPHIA, PA 19130-6318
 (215) 567-2605

O 33373012 O
 MAJESTIC, PINE COURT LLC
 8001 CASTOR AVE STE 186
 PHILA PA 19152-2701

9/11/13

 * PLEASE NOTE NEW HEARING LOCATION AT *
 * OFFICE OF ADMINISTRATIVE REVIEW *
 * 100 S BROAD ST, 4TH FLOOR *
 * SW CORNER BROAD & CHESTNUT STREETS *

TELEPHONE INQUIRIES: (215) 567-2605

DEAR SIR/MADAM:

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THE OFFICE OF ADMINISTRATIVE REVIEW
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HEARING DATE: 1/02/14 HEARING TIME: 9:30 AM

CVN	ISSUE DATE	VIOLATION	AMOUNT PAID	AMOUNT DUE
28549415	9/04/13	NO MEDALLION ON DUMP	\$.00	\$150.00
28549404	9/04/13	NO MEDALLION ON DUMP	\$.00	\$150.00

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TICKET MANAGEMENT CUSTOMER DETAIL FEE HISTORY SEARCH DISPOSITION: CONFIRMATION

KOPEL STAN PO BOX 64 LAWRENCE, NY 11559- 0064	CVN Type: MOVE Owner Street Code: 8793003751 06/18/12	Hearing Officer: JC Hearing Date: 01/07/2014 Hearing Time: 03:30PM Case #: 32524273
Address Source: REGISTRY		Total Amount Due: \$50.00

Choose Additional Process ▾ GO PRINT CONFIRMATION

A disposition has been updated for the following cvns on 01/07/2014 at 03:27PM.

CVN #	Disposition Code/ Description	Reduce Amt	Fine	Penalty					Paid	Amt Due
				1	2	3	4	5		
32524273	040 LIABLE	\$0.00	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00

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HARVEY WEST



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Office of the Director of Finance



Code Violations

Your Payment Was Successful!

To print this receipt, please use your browser print button

Date: 01/17/2014
Time: 3:48 PM
Reference Number: 90035549
Amount Paid: \$50.00
Type of Payment: All Items
Method: mastercard
Credit Card Number: *****0751
Registration: 8793003751 06/18/12
Document Number: 32524273
Document Type: Ticket

An email confirmation has been sent.

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TICKET MANAGEMENT **CUSTOMER DETAIL** **FEES HISTORY** **SEARCH** **DISPOSITION: CONFIRMATION**

KOPEL STAN PO BOX 64 LAWRENCE, NY 11559- 0064	CVN Type: MOVE Owner Street Code: 7896006746 03/06/12	Hearing Officer: JC Hearing Date: 01/07/2014 Hearing Time: 10:30AM Case #: 35474784
Address Source: REGISTRY		Total Amount Due: \$50.00

Choose Additional Process ▾ GO PRINT CONFIRMATION

A disposition has been updated for the following cvns on 01/07/2014 at 03:38PM.

CVN #	Disposition Code/ Description	Reduce Amt	Fine	Penalty 1	Penalty 2	Penalty 3	Penalty 4	Penalty 5	Paid	Amt Due
35474784	040 LIABLE	\$0.00	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00

phila.gov

Office of the Director of Finance



Code Violations

Your Payment Was Successful!

To print this receipt, please use your browser print button

Date: 01/17/2014
Time: 3:42 PM
Reference Number: 90035541
Amount Paid: \$50.00
Type of Payment: All Items
Method: mastercard
Credit Card Number: ****7044
Registration: 7896006746 03/06/12
Document Number: 35474784
Document Type: Ticket

An email confirmation has been sent.

[Done](#)

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TICKET MANAGEMENT CUSTOMER DETAIL FEE HISTORY SEARCH DISPOSITION: CONFIRMATION

ELSTAKO LLC
PO BOX 64

LAWRENCE, NY 11559-0064

Address Source: REGISTRY

CVN Type: MOVE
Owner Street Code: 6836005649

Hearing Officer: JC
Hearing Date: 01/07/2014
Hearing Time: 11:00AM
Case #: 32443493

Total Amount Due: \$75.00

Choose Additional Process PRINT CONFIRMATION

A disposition has been updated for the following cvns on 01/07/2014 at 03:39PM.

CVN #	Disposition Code/ Description	Reduce Amt	Fine	Penalty	Penalty	Penalty	Penalty	Penalty	Paid	Amt Due
				1	2	3	4	5		
32443493	040 LIABLE	\$0.00	\$75.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00

11559

phila.gov

Office of the Director of Finance



Code Violations

Your Payment Was Successful!

To print this receipt, please use your browser print button

Date: 01/17/2014
Time: 3:41 PM
Reference Number: 90035540
Amount Paid: \$75.00
Type of Payment: All Items
Method: mastercard
Credit Card Number: ****7044
Registration: 6836005649
Document Number: 32443493
Document Type: Ticket

An email confirmation was not sent.

[Done](#)

TRANSCRIPT OF HEARING

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Exhibit-F

Exhibit F

BUYIT LLC

*8001 Castor Ave. Suite 520
Philadelphia, PA 19152*

Late Rent Notice-Final Notice before Eviction

TO: Tiffany Burrus

Date: November 6, 2014

Property Address: 34 N. Hirst St., Phila.PA 19139

Your rent has not been received as of the date of this notice.

As a result and according to your lease, a late charge has been added to your total balance.

Your current balance is **\$2616.43 THIS entire balance must be paid within five days.**

This is a serious matter and your urgent attention is required. Failure to act promptly may lead to eviction proceedings. If eviction is sought, you will be responsible for additional charges, such as court and attorney's fees, and your credit rating could be affected.

Previous Balance		\$ 6.00
July balance + late fee	\$350+\$57	\$407.00
August balance + late fee	\$450 +\$57	\$507.00
September rent + late fee	\$550 + \$57	\$607.00
October balance + late fee	\$250 + \$57	\$307.00
November balance + late fee	\$ 50 + \$57	\$107.00
Total Unpaid Rent		\$1941.00
CVN		\$ 100.00

Water bill **\$575.43**

You may prevent us, the landlord, from starting a lawsuit against you for eviction by paying all of the rent claimed above within five days (5). All payments should be made directly to BUYIT LLC at the above address. If you do not pay the amount claimed owed, we will start an eviction lawsuit against you in the Philadelphia Municipal Court.

ATTENTION: This notice does NOT mean that a lawsuit has been started against you in the Philadelphia Municipal Court. No Court has made any decision about our (landlord's) claims against you for unpaid rent.

THIS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

BUYIT LLC

*8001 Castor Ave. Suite 520
Philadelphia, PA 19152*

ELISRA LLC

1807 Widener Place # OFFICE
Philadelphia PA19141

Invoice

Date	Invoice #
5/13/2015	116

Bill To

Ebony Stanard
1820 sulis Street
Philadelphia, PA 1941

PA 19141
06/05/2015

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	CODE VIOLATION cvn#41689104	75.00	75.00
Total			\$75.00

NAME LLC

8001 Castor Ave. Suite 186
PA 19152

Invoice

Date	Invoice #
3/24/2014	35

Bill To
Ronald Durant-Parker 1614 Rowan Street Philadelphia, PA 19135

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	April Rent CVN# 35880843 1/27/14 CVN# 35881392 2/5/14 CVN# 35841256 2/12/14	750.00 50.00 50.00 50.00	750.00 50.00 50.00 50.00
			Total \$900.00

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[TICKET MANAGEMENT](#) [CUSTOMER DETAIL](#) [FEE HISTORY](#) [SEARCH](#) **DISPOSITION: CONFIRMATION**

BUYIT LLC
7838 MONTGOMERY AVE

ELKINS PARK, PA 19027-2609

Address Source: REGISTRY

CVN Type: MOVE
Owner Street Code: 2570000637

Hearing Officer: DC
Hearing Date: 12/20/2012
Hearing Time: 01:30PM
Case #: 30955794

Total Amount Due: \$50.00

[Choose Additional Process](#) ▾ [GO](#) [PRINT CONFIRMATION](#)

A disposition has been updated for the following cvns on 12/20/2012 at 02:11PM.

CVN #	Disposition Code/ Description	Reduce Amt	Fine	Penalty	Penalty	Penalty	Penalty	Penalty	Paid	Amt Due
				1	2	3	4	5		
30955794	040 LIABLE	\$0.00	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00

BUYIT LLC

1807 Widener Place # Office
Philadelphia PA 19141

Invoice

Date	Invoice #
12/25/2012	177

Bill To
Ieshia Peartree 637 N. Creighton Street Philadelphia PA 19131

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	Jan Rent CVN# 30955794 11/19/2012	750.00 50.00	750.00 50.00
Total			\$800.00

Stephen StVincent
May 21, 2014 ·


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 **Phil Katz** One stop shopping: All the Grace he'll ever need

May 21, 2014 at 1:34pm

 **Meredith Smith** Does this remind anyone else of the shopping cart races at the 924 Sylvan toga party?? Jillian Blake Nelly Almeida Nick Chang????

May 21, 2014 at 2:05pm · 1

 **Wee Chua** It's for all the Tarble shopping.

May 21, 2014 at 2:33pm

 **Stephen StVincent** We literally just found it in Wharton courtyard. It was destiny!

May 21, 2014 at 3:41pm · 1

 **Joelle Huston** Meradith I thought the exact same thing!

May 21, 2014 at 7:04pm · 1

 **Tarlem Atauren Burroughs** Is there another shot in where you let go?

May 25, 2015 at 9:38am · 1

