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IRS Revenue Agent Pleads Guilty To Tax Evasion And Fraud Charges

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NEWARK – An Internal Revenue Service revenue agent pleaded guilty today in federal court to a series of fraud-related charges, including bank fraud, financial structuring, tax evasion, and for preparing fraudulent tax returns for himself and a company he was using to shelter income, U.S. Attorney Christopher Christie announced.

Bohdan Senyszyn, 50, of Roxbury Township, while working for the IRS, agreed to assist a real estate developer in sheltering his business income. However, according to the Superseding Information to which the defendant pleaded guilty, Senyszyn then set about embezzling from the developer.

To carry out the scheme to defraud, Senyszyn created a number of companies for the purposes of embezzling from the developer and evading taxes on the income derived from an Andover Township real estate development and other real estate projects.

Senyszyn had been scheduled to go to trial in mid-October before U.S. District Judge William J. Martini, , according to Thomas Calcagni and Robert Kirsch, the Assistant U.S. Attorneys who handled the prosecution.

Judge Martini scheduled sentencing for Jan. 8. Senyszyn is free on a \$50,000 unsecured bond pending sentencing.

As an IRS employee, Senyszyn, a certified public accountant, was responsible for auditing large and mid-size businesses in the New Jersey area and was assigned to the IRS office in Paterson. He was suspended without pay from the IRS in February 2005. He had been employed by the IRS since 1986.

In 2002, Senyszyn agreed to assist a friend, identified as D.H., who was a real estate builder and developer in Sussex County. Contrary to IRS Regulations, Senyszyn provided tax and business services to D.H., in exchange for D.H. providing substantial home improvements and renovations to Senyszyn.

To perpetrate his fraud scheme, Senyszyn created a series of related companies, partnerships and a trust in an effort to conceal his embezzlements from D.H. and avoid detection by law enforcement, according to the Superseding Information.

In preparing and filing the 2002 tax returns for these entities, Senyszyn fraudulently misrepresented capital contributions and over-inflated business losses, thereby enabling the partners, shareholders, or entities to avoid the payment of taxes on future income. Federal law specifically prohibits revenue agents from making or signing any fraudulent tax return.

Separate from the fraudulent tax returns he was preparing for the various businesses and shell companies, Senyszyn pleaded guilty to tax evasion for his failure to report approximately \$250,000 in personal income in 2003 that he embezzled from the sale of the Andover Township property.

In total, Senyszyn admitted to an actual and future tax loss to the government of nearly

\$720,000.

With regard to one of the shell companies, Sensyszyn pleaded guilty to bank fraud, and acknowledged obtaining a \$25,000 loan from Fleet National Bank by representing to the bank that the company generated revenue of \$350,000 and income of \$175,000 in 2002, when in fact, the filed tax return for that entity indicated no revenue and no income for that year.

With regard to the illegal structuring charge, Sensyszyn admitted to arranging the bank deposit of \$20,000 in cash left to a family friend as part of her deceased father's estate. Sensyszyn convinced the grieving woman to give him the cash, which he then deposited into three separate bank accounts, including a personal account he maintained with his wife, in amounts less than \$10,000 in order to evade federal cash-deposit reporting requirements imposed on banks.

Senyszyn faces a maximum of five years in prison and a fine of \$100,000 for the tax fraud and structuring offenses, and a maximum of 30 years in prison and a fine of \$1,000,000 for the bank fraud. In addition, Senyszyn will be permanently discharged from his employment with the IRS and compelled to pay to the United States all taxes and penalties owed.

Christie credited Special Agents of the Treasury Inspector General for Tax Administration, Washington Field Division, under the direction of Special Agent in Charge, John M. Butkovich; Special Agents of the IRS Criminal Investigation Division, under the direction of Special Agent in Charge William Offord; and Revenue Agents of the Special Enforcement Program and the Large and Mid-Sized Business Unit of the IRS, with their investigation of the defendant.

The case was prosecuted by Assistant U.S. Attorneys Thomas R. Calcagni and Robert Kirsch of the U.S. Attorney's Office in Newark.

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Defense Counsel: K. Anthony Thomas, Esq., Assistant Federal Public Defender, Newark