

apartments on his websites that were purportedly available to rent, but were in fact fake leads used only to induce his victims to make illicit payments to him.

(Title 18, United States Code, Sections 1341 and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Postal Inspector with the USPIS and I have been personally involved in the investigation of this matter. I base this affidavit on that personal experience, as well as on my conversations with other law enforcement agents, and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

3. Since in or about August 2016, I have been involved in the investigation of ROBERT GUZMAN, the defendant. Based on my participation in this investigation, and as set forth in greater detail below, I have learned that from at least in or about January 2013, through at least in or about the present, GUZMAN has participated in a scheme to steal money from victims in New York City who were searching for apartments (the "Apartment Fraud Scheme"). GUZMAN would post on his website "amazingapartmentrentals.com" (the "Website")¹ apartments supposedly available for rent in New York City, and would charge a fee to view the apartments (the "Application Fee"). After the victims mailed the Application Fee to a Post Office Box ("P.O. Box") GUZMAN provided on the Website, the victims would never be able to view the apartments purportedly available for rent. In total, I have identified more than \$100,000 in seemingly

¹ Prior to starting the current version of the Website, GUZMAN previously operated a precursor called the "Affordable Equity Project" at www.equityproject.net. Based on my review of customer complaints, I know the "Affordable Equity Project" also charged customers a fee to view apartments purportedly available for rent in New York City, and also accounted for some of the victims discussed herein.

fraudulent payments GUZMAN received from more than 2,000 scheme victims. A copy of The Website's homepage, retrieved on January 24, 2017, is attached as Exhibit A and incorporated by reference herein.

The Apartment Fraud Scheme

4. Based on my participation in this investigation, my conversations with other law enforcement officers, my interviews of victims, my observations of the Website, and my review of bank records and other documents, I have learned the following, among other things:

a. The Website purports to list apartments that are available for rent in New York City.² Each listing provides, among other information, a description of the unit, the nearest cross streets, the nearest subway line, and the price per month in rent.

b. The Website provides a link to "Download a Priority Mail in Rental Application." The link is a PDF fillable form that is "the official application form for Amazingapartmentrentals.com" (the "Application Form"). The Application Form allows potential customers "to apply for all of the affordable apartments that we have available right now all at the same time." The Application Form further provides:

If you are a serious renter in need of an affordable apartment, then please print out and complete this rental application and mail it to the address listed below, along with your small \$50 processing fee, payable by Certified Check or Money Order, and made payable to "Amazing Apartment Rentals", so that you can undergo the pre-screening process for all of our apartments. Since all of our apartments are special offers directly from the landlords, they are requesting that all interested applicants undergo a quick pre-screening process. Your small \$50 processing fee will cover both your pre-screening and your credit check. So you will not need to pay anything else until you come in for a viewing of an apartment.

² For example, as of January 24, 2017, the Website listed more than 36 apartments in New York City; 18 were available for rent, and 18 had supposedly been rented within the last four weeks.

c. The Application Form directs potential customers to mail in the completed form, along with their \$50 payment, to P.O. Box 725, New York, NY 10163.

d. I have reviewed the P.O. Box application form (the "P.O. Box Application") filed with the United States Post Office for P.O. Box 725, New York, NY 10163. The P.O. Box Application lists the "Name of Business Organization" as "Amazing Apartment Rentals" and the "Name of Person Applying" as "Robert Guzman." The address listed for GUZMAN on the P.O. Box Application matches the address of GUZMAN based on my review of a law enforcement database. In addition, the P.O. Box Application attaches a "Business Certificate" that states: "I hereby certify that I am conducting or transacting business under the name or designation of Amazing Apartment Rentals." The Business Certificate is dated August 15, 2015, is signed by GUZMAN, and is notarized by a New York State Notary Public.

5. Based on my investigation, I know that some of the photographs posted on the Website - of apartments purportedly available for rent in New York City - were of apartments that were not, in fact, in New York City. For example, one of the photographs posted on the Website, and supposedly available for rent in New York City, was in fact of an apartment on North Damen Avenue in Chicago, Illinois. Another photograph posted on the Website of an apartment supposedly available for rent in New York City was actually listed for sale, through a real estate company in Manhattan.

6. On July 27, 2016, in an undercover capacity, I submitted an application to Amazing Apartment Rentals with a \$50 money order enclosed and mailed it to P.O. Box 725 (the "July 2016 Application"). On October 10, 2016, I submitted another application to Amazing Apartment Rentals with a \$40 money order enclosed and mailed it to P.O. Box 725 (the "October 2016 Application"). Despite numerous phone calls and follow up emails requesting to see apartments in Manhattan, I was never allowed to see any of the apartments posted on the Website and purportedly available for rent.

7. Based on my review of bank surveillance footage, I have learned the following:

a. I have reviewed surveillance footage from a Capital One ATM in Grand Central Station on August 2, 2016, which shows GUZMAN depositing what bank records confirmed was

the \$50 money order that was enclosed with the July 2016 Application.³

b. I have also reviewed surveillance footage from a Capital One ATM in Grand Central Station on October 18, 2016, which shows GUZMAN depositing what bank records confirmed was the \$40 money order that was enclosed with the October 2016 Application.

8. I have spoken with multiple victims who were similarly victims of the Apartment Fraud Scheme. All the victims I spoke to reported that they paid the Application Fee, but were never shown an apartment. For example:

a. One victim ("Victim-1") informed me that Victim-1 found the Website in January 2016 through a Google search when Victim-1 was looking for an apartment in New York City. Victim-1 followed the instructions on the Website, filled out the Application Form, and mailed in a \$50 money order to P.O. Box 725, New York, NY 10163. Despite many attempts, Victim-1 was never shown an apartment, and was only told that Victim-1's application was being re-processed. After sending more than 15 emails to Amazing Apartment Rentals over the course of three months, Victim-1 determined that Victim-1 had been defrauded.

b. Another victim ("Victim-2") informed me that Victim-2 also found the Website in January 2016 through a Google search when Victim-2 was looking for an apartment in New York City. Victim-2 followed the instructions on the Website, filled out the Application Form, and mailed in a \$50 money order to P.O. Box 725, New York, NY 10163. Victim-2 was later informed by someone purporting to be from Amazing Apartment Rentals that Victim-2 did not qualify because of her credit, but Victim-2 should send in \$40 more to re-apply for more apartments. At that point, Victim-2 determined Victim-2 had been defrauded and did not send more money.

9. Based on my review of bank records of a Capital One Account (the "Capital One Account"), I know that ROBERT

³ I have become familiar with GUZMAN's appearance from, among other things, my review of a photograph of GUZMAN in a law enforcement database. Based on my comparison of that photograph to surveillance footage, the individual depicted in the bank surveillance footage appears to be GUZMAN.

GUZMAN, the defendant, opened the Capital One Account in January 2013. Between January 2013 and October 2016, more than 2,000 checks and money orders were deposited in the Capital One Account totaling more than \$100,000.⁴ Nearly all the checks and money orders are for either \$40 or \$50. In other words, they appear to be proceeds from the Apartment Fraud Scheme.

10. I have reviewed a New York Department of State Licensing Database, from which I have determined that ROBERT GUZMAN, the defendant, is not a licensed real estate agent in the State of New York.

⁴ This is the same Capital One Account that the \$50 money order, from the July 2016 Application, and the \$40 money order, from the October 2016 Application, were deposited into. See supra ¶7.

WHEREFORE the deponent respectfully requests that a warrant be issued for the arrest of ROBERT GUZMAN, the defendant, and that he be imprisoned or bailed, as the case may be.



Meghan Ayers
Postal Inspector, USPIIS

Sworn to before me this
24th day of January 2017



S/James C. Francis IV

THE HONORABLE JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

EXHIBIT A



WELCOME TO AMAZING APARTMENT RENTALS

Welcome to Amazingapartmentrentals.com. Our service specializes in obtaining affordable apartments along the east coast of the USA. You can use this site to get more information about any of the Affordable Rental Listings that we offer, or to get answers to questions that you may have about our service. You can also learn more about our company and what we have to offer you. You can also learn about what our mission and goals are. If you have any questions, feel free to review the FAQ section of this website. After doing so, if you still need further assistance, then feel free to contact us via the contact form that is available on our contact us page or you can call us during normal business hours. If you would like more information about any of our property listings, then feel free to click on the city in which you are interested in finding an affordable apartment, right now we offer affordable apartment rentals in New York City, Westchester County, Long Island and the Boston Area, but we will be expanding to other areas very soon. Thank you for visiting our Website and for choosing Amazingapartmentrentals.com as your company of choice for affordable housing.

Thank you and come back again.

