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86-2024

**For Immediate Release
October 25, 2024**

**TWO CONSTRUCTION COMPANY OWNERS INDICTED FOR
STEALING WORKERS' PAY
Defendants Allegedly Owed \$35,000 to Four Workers;
Allegedly Defrauded NYS Insurance Fund**

Bronx District Attorney Darcel D. Clark today announced that the owners of a construction company and their firm have been indicted on fraud and grand larceny charges for stealing four of their employees' wages and for defrauding the New York State Workers Compensation Board of over \$200,00 by underpaying insurance premiums.

District Attorney Clark said, "The defendants allegedly failed to pay four of their workers their hard-earned wages, consistently promising that they would be paid and then not doing so. The defendants also allegedly failed to provide workers' compensation coverage for them, by underpaying the premiums. These allegations are not just numbers on paper; they hurt real people. In the Bronx we value workers and fight to make sure they receive every dollar they earn."

District Attorney Clark said the defendants, Ashley Candelario, 31 and her uncle, Joaquin Candelario 49, both of Manhattan, the owners of Musclemann L Corporation were arraigned on October 24, 2024 before Bronx Supreme Court Justice Brenda Rivera on second-degree Insurance Fraud, Failure to Secure Workers Compensation Coverage, first-degree Scheme to Defraud and four counts of third-degree Grand Larceny. The defendants are due back in court on December 18, 2024. Orders of Protection were issued for the four employees/complainants.

According to the investigation, between March of 2022 and October of 2022, the defendants allegedly schemed to defraud multiple employees of Musclemann by stealing more than \$35,000 from four workers. The defendants stole wages by promising that the workers would receive their pay as soon as Musclemann was paid by their General Contractor. However, all the while the General Contractor was paying Musclemann, the defendants did not pay the workers. The defendants allegedly failed to provide workers' compensation insurance coverage as required by



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law for their employees. They allegedly misclassified the employees' job titles and paid at a lower rate, shorting the insurance fund by over \$200,000.

The case is being prosecuted by Senior Investigative Counsel Deborah Seidenberg of the Construction Fraud Prosecution Initiative of the Financial Frauds Bureau, under the supervision of Eugene Bykov, Supervisor of the Financial Frauds Bureau, Michelle Milanes, Deputy Chief of the Financial Frauds Bureau, Herman Wun, Chief of the Financial Frauds Bureau, and under the overall supervision of Denise Kodjo, Deputy Chief of the Investigations Division and Wanda Perez-Maldonado, Chief of the Investigations Division.

District Attorney Clark thanked Trial Preparation Assistants Cindy Murillo and Alexandra Tomkin for their assistance in the case. District Attorney Clark thanked BXDA Senior Detective Investigator Brendan Hammond and BXDA Lt. Vincent Cantarella for their work in the investigation.

District Attorney Clark thanked Senior Supervising Investigator Elaine Leach and Investigative Auditor Keith Moore from the Division of Confidential Investigations within the New York State Insurance Fund for their assistance with the investigation.

An indictment is an accusatory instrument and not proof of a defendant's guilt.