

**IN THE MATTER OF ROSEMARY IKHIHIBHOJERE
COIB CASE NO. 2014-920
MAY 17, 2017**

SUMMARY: A former Associate Public Health Sanitarian for the New York City Department of Health and Mental Hygiene (“DOHMH”) admitted that she violated the conflicts of interest law by using her City position to enter into prohibited relationships by soliciting and receiving loans from two subordinates. In the first instance, the Associate Public Health Sanitarian solicited and obtained the use of a subordinate’s credit card to make \$2,000 worth of personal purchases and asked for and received a \$1,000 cash loan. The Associate Public Health Sanitarian repaid these loans. In the second instance, the Associate Public Health Sanitarian solicited and obtained the use of a another subordinate’s credit card to make 28 personal purchases over the course of approximately eight months, totaling \$4,482. In this instance, the Associate Public Health Sanitarian did not repay the money. As a penalty, the Board required the former Associate Public Health Sanitarian to repay the \$4,482 she owed to the second subordinate and to pay a \$1,000 fine. *COIB v. Ikhihibhojere*, COIB Case No. 2014-920 (2017).

STIPULATION AND DISPOSITION:

WHEREAS, the New York City Conflicts of Interest Board (the “Board”) commenced an enforcement action pursuant to Section 2603(h)(1) of Chapter 68 of the New York City Charter (“Chapter 68”) against Rosemary Ikhihibhojere (“Respondent”); and

WHEREAS, the Board and Respondent wish to resolve this matter on the following terms,

IT IS HEREBY AGREED by and between the parties as follows:

1. In full satisfaction of the above-captioned matter, Respondent admits to the following:

- a. I was employed by the New York City Department of Health and Mental Hygiene (“DOHMH”) from March 1, 2004, until May 10, 2015, most recently as an Associate Public Health Sanitarian II. As such, I was a “public servant” within the meaning of and subject to Chapter 68.
- b. Between January 2012 and December 2013, I solicited and received a total of Three Thousand Dollars (\$3,000.00) in loans from one of my DOHMH subordinates (herein “Subordinate A”), in the following manner:
 - i. Subordinate A loaned me Two Thousand Dollars (\$2,000.00) by providing me with the credit card information for credit cards issued in her name, which I used to make personal purchases totaling \$2,000.00.
 - ii. Subordinate A loaned me One Thousand Dollars (\$1,000.00) in cash.

- c. I repaid Subordinate A for the above-described loans, such repayment totaling Three Thousand Dollars (\$3,000.00).
- d. Between June 2013 and February 2014, I solicited and received a total of Four Thousand Eight Hundred Forty Two Dollars (\$4,842.00) in loans from another one of my DOHMH subordinates (herein, "Subordinate B"). Subordinate B loaned me this money by providing me with his credit card information, which I then used to make twenty-eight personal purchases totaling \$4,842.
- e. I acknowledge that, by using my DOHMH position to obtain loans from subordinate DOHMH employees, I used my position to obtain a personal financial gain in violation of City Charter § 2604(b)(3), which provides:

No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant.

- f. I acknowledge that, by borrowing money from two subordinate DOHMH employees, I entered into financial relationships with those subordinates in violation of City Charter § 2604(b)(14), which states:

No public servant shall enter into any business or financial relationship with another public servant who is a superior or subordinate of such public servant.

2. The Board has determined that the appropriate penalty in this case is total restitution of the Four Thousand Eight Hundred Forty Two Dollars (\$4,842) borrowed from Subordinate B and the payment of a fine of One Thousand Dollars (\$1,000.00) to the Board. In determining the appropriate penalty in this case, the Board considered the penalties imposed in prior cases in which superiors solicited loans from their subordinates.

3. In recognition of the foregoing, Respondent agrees to the following:

- a. I agree to repay Subordinate B for the above-described loans. As of July 13, 2016, I have repaid Subordinate B the total amount of Four Thousand Eight Hundred Forty Two Dollars (\$4,842).
- b. I agree to pay a fine of One Thousand Dollars (\$1,000.00) to the Board, by money order or by cashier check, bank check, or certified check, made payable to the "New York City Conflicts of Interest Board."
- c. I agree that this Disposition is a public and final resolution of the Board's charges against me.

- d. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board in
- e. imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board, or any members or employees thereof relating to or arising out of this Disposition or the matters recited therein.
- d. I confirm that I have had the opportunity to be represented by an attorney of my choice in this proceeding and have declined such representation; that I have entered into this disposition freely, knowingly, and intentionally, without coercion or duress; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board; and that I fully understand all the terms of this Disposition.
- e. I agree that any material misstatement of the facts of this matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.

4. The Board accepts this Disposition and the terms contained herein as a final disposition of the above-captioned matter only, and affirmatively states that other than as recited herein, no further action will be taken by the Board against Respondent based upon the facts and circumstances set forth herein, except that the Board shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.

5. This Disposition shall not be effective until all parties have affixed their signatures below.

Dated: April 7, 2017

_____/s/
 Rosemary Ikhihbohjere
 Respondent

Dated: May 17, 2017

_____/s/
 Richard Briffault
 Chair
 NYC Conflicts of Interest Board