

THE UNITED STATES ATTORNEY'S OFFICE
EASTERN DISTRICT *of* NEW YORK

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Department of Justice

U.S. Attorney's Office

Eastern District of New York

FOR IMMEDIATE RELEASE

Tuesday, March 23, 2021

Queens Man Indicted for \$1.7 Million Paycheck Protection Program Fraud

Defendant Falsely Claimed 62 Employees Were Working Out of a New York City Housing Authority Apartment in Long Island City

An indictment was returned in federal court in Brooklyn yesterday charging Gelpys Joel Peralta-Gutierrez with wire fraud conspiracy relating to a fraudulent application for a loan under the United States Small Business Administration (the "SBA")'s Paycheck Protection Program ("PPP"), which Congress created as part of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act. Peralta-Gutierrez was previously arrested in February 2021 on a criminal complaint and will be arraigned at a later date.

Mark J. Lesko, Acting United States Attorney for the Eastern District of New York, William F. Sweeney, Jr., Assistant Director-in-Charge, Federal Bureau of Investigation, New York Field Office (FBI), and Amaleka McCall-Brathwaite, Special Agent-in-Charge, Office of the Inspector General of the U.S. Small Business Administration, Eastern Region Office (SBA-OIG), announced the charges.

"As alleged, Peralta-Gutierrez claimed falsely that he needed government loan benefits to pay his employees during the pandemic, but instead deliberately lined his own pockets with \$1.7 million," stated Acting United States Attorney Lesko. "This Office will not hesitate to bring the full weight of the law against those who, for personal gain, take advantage of the COVID crisis and unlawfully divert funds from vitally important government relief programs."

"Peralta, as alleged, took advantage of the Paycheck Protection Program, which was created to provide emergency financial assistance to businesses who need it during the pandemic. While claiming to have 62 employees on his payroll, he received \$1.7 million worth of taxpayer-funded relief in support of his claims. According to other business relief applications he filed, however, he had only one employee. The FBI will continue to aggressively pursue those who are using the money from this economic relief program to pad their own pockets. If you know of similar instances of fraud, please call us at 1-800-CALL-FBI," stated FBI Assistant Director-in-Charge Sweeney.

"Lying to gain access to economic stimulus funds will be met with justice," stated SBA-OIG Special Agent-in-Charge McCall-Brathwaite. "SBA-OIG will aggressively pursue evidence of fraud against SBA's programs aimed at assisting the nation's small businesses struggling with the pandemic challenges. I want to thank the U.S. Attorney's Office and our law enforcement partners for their dedication and pursuit of justice."

As set forth in court filings, in June 2020, Peralta-Gutierrez arranged for a PPP loan application to be submitted on behalf of his company, J Films HD Inc., claiming that he employed 62 employees with a total monthly payroll of nearly \$700,000. Based on these representations, Peralta-Gutierrez's business was granted a loan in excess of \$1.7 million. The location that Peralta-Gutierrez submitted as his business address, however, was a New York City Housing Authority apartment at the Queensbridge Houses. In applications Peralta-Gutierrez submitted for other business relief, he acknowledged that, in reality, his business had only one employee, and total revenues of approximately \$50,000.

The charge in the indictment is an allegation, and the defendant is presumed innocent unless and until proven guilty. If convicted, he faces up to 20 years' imprisonment.

The government's case is being handled by the Office's Business & Securities Fraud Section. Assistant United States Attorney Lauren Howard Elbert is in charge of the prosecution.

The Defendant:

GELPYS JOEL PERALTA-GUTIERREZ (also known as "Joel Peralta")

Age: 31

Long Island City, New York

E.D.N.Y. Docket No. 21-CR-149 (DG)

Attachment(s):

[Download Peralta-Gutierrez Indictment](#)

Topic(s):

Coronavirus

Disaster Fraud

Component(s):

[USAO - New York, Eastern](#)

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