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| (ORI) FL: FL0641200 | Agency Name: PORT ORANGE POLICE DEPARTMENT | Agency Case Number: 120005373 |
| FCIC/NCIC Check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | OBTS # | U.C.R. Date Arrested: Time of Arrest: |
| ADDRESS OF ARREST (Street, City, State, Zip): | | Arrested By: ID Number: PO2662 |
| DEFENDANT | NAME (Last) Nardiello (First) Brian (Middle) Thomas | A.K.A. Sex: M Race: W |
| DOB: 11-11-1973 | Age: 39 Driver's Lic./ID No. [REDACTED] | State: FL Year Expires: 2013 S.S.# [REDACTED] |
| Height: 5' 09" Weight: 180 Hair: BLK Eyes: BRO | P.O.B. (City, State, Country): new york US | Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Scars, Marks, Tattoos: | Business & Occupation: Law Enforcement Officer | Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Address - Mailing/Permanent (STREET, APT. NUMBER) (CITY) (STATE) ZIP CODE RESIDENCE PHONE | | |
| Address - Local (STREET, APT. NUMBER) (CITY) (STATE) ZIP CODE RESIDENCE PHONE | | |
| Address - Other (Employer/School) Volusia County Sheriffs Office (STREET, APT. NUMBER) (CITY) (STATE) ZIP CODE BUS/SCHOOL PHONE | | DAYTONA BEACH FL 32115 386 248-1770 |
| CHARGES | DOMESTIC VIOLENCE? Yes <input type="checkbox"/> Attachments: Affidavit(s) <input checked="" type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/> Total Charges: 1 | |
| #1 Charge: Grand Theft - \$5,000 - < \$10,000 | FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD: 812.014(2)(C)2 | Citation No.: Bond: |
| #2 Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD: | Citation No.: Bond: |
| #3 Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD: | Citation No.: Bond: |
| CO-DEFENDANT | Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/> | Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/> |
| #1 NAME (Last) (First) (Middle) Race: Sex: DOB: Age: | | |
| #2 NAME (Last) (First) (Middle) Race: Sex: DOB: Age: | | |
| NARRATIVE | The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the 29 day of May, 2012, at approximately [REDACTED] a.m. [REDACTED] p.m. at 3960 Willow Trail Run PORT ORANGE within Volusia County, violated the law and did then and there: | |
| <p>1 Did knowingly, and without permission, obtain or use the property of another, to wit the Trailwood Homeowners Associations funds with the intent to temporarily or permanently deprive the owner(s) of the use and benefit thereof in the amount of \$8,489.60 U.S. currency.</p> <p>2 This investigation was brought to the attention of the Port Orange Police Department by the VCISO Internal Affairs Unit after they received the allegations of fraud or theft from two of the residents of the Trailwood Homeowners Association. The allegations were that Brian Nardiello, who has been the President of the Association for the past seven years, was submitting fraudulent receipts to the association to be reimbursed for expenses to pay for materials/contractors to work on other residential units and the common areas of the development. These allegations surfaced after Brian Nardiello submitted receipts and requested he be issued a check from the Association in the amount \$18,937.80 for the year 2008. This was after he had had already received at least one other reimbursement check for the same period in the amount of \$6,400.00. When these residents reviewed the annual report from the CPA firm handling the Associations books, they also noted that in 2011 Brian Nardiello had written a personal check to the association in the amount of \$11,000.00 which he designated only as a "gift". When questioned about his handling of the Associations financial affairs, Brian Nardiello allegedly became defensive, asked the CPA firm to remove the reference to his "gift" from the annual report, and declined to answer the other homeowners questions. These actions led the homeowners to contact the VCISO.</p> <p>3 I contacted the CPA firm, and requested copies of all their paperwork for the association for the period 2008 through present - at the time May 2012. Upon review, I noted that although there were copies of receipts Brian Nardiello presented to the Association Treasurer for reimbursement for 2010 through 2012, there were none for 2009 or earlier. When I questioned this with the CPA, I was advised that prior to 2010 they had only taken the</p> | | |
| NOTICE TO APPEAR | MANDATORY APPEARANCE <input type="checkbox"/> | YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/> |
| I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED, I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED. | | |
| SIGNATURE OF DEFENDANT | Date | JUVE DISP. CITATION No. |
| SIGNATURE OF JUVENILE PARENT OR CUSTODIAN | | RELATIONSHIP TO JUVENILE |
| Sworn to and subscribed before me, the undersigned this 19 day of February 2013 | I swear that the above statements are correct and true | RI Thumb |
| Name: DET. [Signature] | [Signature] | |
| Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> | OFFICER'S/COMPLAINANT'S SIGNATURE | |
| Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> | DORMAN, WAYNE | PO2662 ID NUMBER |
| Type of Identification: | | |
| OFFICIAL USE ONLY | Inmate Number & Facility: | |

| | | | |
|----------------------------------|---------------|----------|-------------------------------|
| Defendant (Last) Name: Nardiello | (First) Brian | (Middle) | Agency Case Number: 120005373 |
|----------------------------------|---------------|----------|-------------------------------|


| CHARGES | | DOMESTIC VIOLENCE? Yes <input type="checkbox"/> | Attachments: Affidavit(s)? <input checked="" type="checkbox"/> | Statement(s) <input type="checkbox"/> | NTA Schedule <input type="checkbox"/> | Report <input type="checkbox"/> | Traffic infraction(s) <input type="checkbox"/> | Total Charges: 1 |
|---------|---------|---|--|---------------------------------------|---------------------------------------|---------------------------------|--|------------------|
| # | Charge: | FEL <input type="checkbox"/> | MISD <input type="checkbox"/> | ORD <input type="checkbox"/> | FS/ORD: | Citation No.: | Bond: | |
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16 amounts submitted to them from the receipts for the books, and then returned the actual receipts to the Association for filing, but after noting what
 17 appeared to be some irregular transactions and amounts, they had begun scanning the receipts to keep with their own financial records of the
 18 association.
 19 I also interviewed the Association Treasurer Heidi Poteralski who stated that she had repeatedly expressed her misgivings about the way he was
 20 conducting the financial business of the association to Brian Nardiello by allegedly paying for things out of his own checking account rather than
 21 contacting her directly to have her issue the checks to either the contractors performing the work or providing the materials. Heidi Poteralski stated
 22 that in spite of this, Brian Nardiello continued to do so, saying that their schedules were not compatible, and he did not want to have to go to her
 23 every time something needed fixed or replaced.
 24 Heidi Poteralski also was questioning the amount of Brian Nardiello's 2008 request for the above amount, and stated that when she questioned him
 25 about his subsequent "gift" to the association in 2011 of the \$11,000.00, he told her that this was repayment of his past association dues (waived per
 26 the association by-laws for the active President of the Association) because he did not feel it was right other residents had to pay these fees, and he
 27 did not. It should be noted that the total of the past seven years association fees and assessments would have totaled \$12,600.00 in any event. The
 28 Treasurer, as well as another Board member I spoke to both expressed suspicion about the fact that the Clubhouse storage area had been accessed
 29 by someone with a key in January of 2012, and all of the association's records had been stolen. It should be noted, that only Brian Nardiello and two
 30 other board members had a key to access this storage area. The theft of these records was right after all of the allegations about Brian Nardiello
 31 began to come out, and after a strongly contested re-election process for the office of Homeowner Association President which Brian Nardiello won.
 32 I conducted an interview with Brian Nardiello regarding the allegations of theft from the Trailwood Homeowners Association. During this interview,
 33 Brian Nardiello made statements to me that were in conflict with information previously provided to me by the reporting parties in this case, and Brian
 34 Nardiello also was not able to offer a satisfactory explanation as to why he paid for materials and expenses that were for the Homeowners
 35 Association out of his own funds. When questioned about the improvements he made to his own residence during 2008, he could not recall how
 36 much he paid, who the contractor was, or any other specific details. The questions I asked were specific, but the answers he provided to most of
 37 them were that he did not know, or did not remember. When questioned about the \$11,000.00 check he wrote to the Homeowners association, Brian
 38 Nardiello denied that he told anyone that this was repayment for his waived association dues, and stated that he felt the association needed the
 39 money so he was just paying back the amount he had been reimbursed for association related expenses he paid for during 2011. Brian Nardiello
 40 justified this by saying he "could afford it, and felt that it was just an investment in his community." When I asked Brian Nardiello if he was currently
 41 paying his association dues, and he stated he was not. Brian Nardiello denied any misappropriation of the Homeowners Associations funds. When
 42 asked if he would provide receipts, he said he would have to look to see if he still had them, but thought they had been with the missing records from
 43 the association. Brian Nardiello initially agreed to provide me with copies of any receipts he could find at home, as well as his own financial records,
 44 but later he advised that he would not be providing these records or answering any more questions.
 45
 46 I obtained Brian Nardiello's bank records for the period from 2008 through 2012. Upon review of the period specifically in question, 2008 - 2009 I
 47 found numerous checks written for amounts ranging from a few hundred dollars to several thousand dollars each with notations on them which did
 48 indicate that the checks were to pay for materials or labor related to units in Trailwood, other than his own. Some of these checks were made out to
 49 either "Cash" or to himself. As the amount of the reimbursement for 2008 expenses Brian Nardiello had submitted to the association treasurer was for
 50 \$18,937.80, I totaled these checks, and found they equaled only \$8,312.87. Additionally, I found checks written during 2008 to pay for repairs or
 51 renovations with notations that they were for [redacted] which I discovered was a rental property owned by Brian Nardiello at [redacted].
 52 Based upon this information, it was clear that additional investigation was needed into the expenses incurred for this rental property.
 53 On 10/08/12, I was notified by Ledger Plus that Brian Nardiello had submitted a formal request to them for production of all records for the Trailwood
 54 Townhomes Homeowners Association. I then found that Brian Nardiello sold his residence in Trailwood, and had resigned his position as association
 55 President. After learning this, I spoke with Volusia County Sheriff's Office Investigator Glen Bennett regarding his review of the financial records in
 56 this case. Investigator Glen Bennett advised that additional information regarding this matter was discovered in the financial records of Brian
 57 Nardiello that raised suspicions regarding a payment made to Extreme Concrete on 12/01/08 utilizing check number 3420 drawn on the Trailwood
 58 Homeowners Association Wachovia Bank checking account. The suspected transaction Investigator Glen Bennett had located, was from when Brian
 59 Nardiello began the process of remodeling his residence in Trailwood during the fall of 2008. It was found that Brian Nardiello wrote this check on
 60 12/01/08, and several other contractors for concrete work as well as building supplies from Home Depot. The notations on the checks indicated that
 61 the payments were for roofing work on several of the building numbers in the complex, as well as new sidewalk. Upon checking the unit numbers and
 62 sidewalk areas noted, Investigator Glenn Bennett could not find any evidence that repairs had been done, other than a few sections of sidewalk
 63 which appeared newer than the others. As previously noted during this investigation, during this period in 2008, Brian Nardiello had renovations done
 64 to his own unit for which he could not produce any documentation of payment, and I did not find any evidence in his bank records of any personal
 65 checks being written from his own checking account for these renovations. I had also previously found that there were no permits issued by the City
 66 of Port Orange for remodeling or renovations to his Trailwood residence during that time period. Upon further checking, I did find that a permit for a

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| Sworn to and subscribed before me, the undersigned this <u>16</u> day of <u>JANUARY</u> 2013 | I swear/affirm the above statements are correct and true | Right Thumb |
| Name: <u>DET. Matthew WENZEL #3392</u> |  | |
| Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> | OFFICER'S/COMPLAINANT'S SIGNATURE | |
| Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> | DORMAN, WAYNE | PO2662 |
| Type of Identification: | NAME (PRINTED) | ID NUMBER |


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|----------------------------------|---------|---|---------|--|-------|--|--|
| Defendant (Last) Name: Nardiello | | (First) Brian | | (Middle) | | Agency Case Number: 120005373 | |
| CHARGES | | DOMESTIC VIOLENCE? Yes <input type="checkbox"/> | | Attachments: Affidavit(s)? <input checked="" type="checkbox"/> | | Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> | |
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67 new roof on his property at [redacted] was issued by the City of Port Orange in December of 2008. There were however checks which
 68 Investigator Glen Bennett located which the notation indicated were for roofing repairs to several units in Trailwood.
 69 During the course of this investigation Extreme Concrete was contacted, and was able to provide the identify the driver of the truck Christian Hagel
 70 who delivered the concrete, and the contract paperwork was obtained. The contract showed that on 11/20/2008 10 yards of concrete was delivered
 71 to 3960 Willow Trail Run for a slab and the contact person for the location was Kenneth Pitti cell px 386-576-4562. The payment receipt dated
 72 12/03/08 indicated that the job was paid for in full \$949.00 by check number 3420 drawn on the Trailwood Townhomes Homeowners Association
 73 account # 2000648949561 and was signed by Heidi Poteralski and Brian Nardiello. The driver, Christopher Hagel provided a sworn, recorded
 74 interview during which he stated the following. Christopher Hagel stated that he did specifically recall this job in spite of the length of time since it was
 75 done due to the fact that this job had entailed him having to back his truck up through some trees and a gate. Christopher Hagel advised that he had
 76 driven a truck containing ten yard of concrete to the Trailwood complex, and was given the contact name and telephone number for the individual
 77 who was to meet him at building 1700. Christian Hagel did not recall this persons name, but stated that when he arrived, he was met by an individual
 78 who directed him to back his truck to the rear of this building, and he had to back the truck through some trees and a gate without hitting anything.
 79 Christian Hagel was shown photographs of building 1700, and he noted that he could even still see what appeared to be the wheel ruts left by his
 80 loaded concrete truck in the ground next to the building where he recalled backing up. When the truck was in position, Christian Hagel at first stated
 81 that he believed he had poured the entire truck load into a pre-formed slab with footers behind one of the residential units, but then recalled that one
 82 of the workers spreading the concrete had told him not to wash out his chutes, and to pull back out front and wait for him. When this worker came
 83 around to the parking lot a short time later, he directed him to move the truck across the parking area where he poured the remaining amount in the
 84 truck into a sidewalk area. Christian Hagel stated that the amount of concrete utilized for the sidewalk was less than a yard, and that the majority of
 85 this load had been used for the slab behind the residential unit (#1703 Brian Nardiello's unit)
 86 On 11/30/12, I met with Kenneth Pitti at the Port Orange Police Department for an interview regarding this case. The interview was video recorded,
 87 and later transcribed. The following is a summary of that interview. Kenneth Pitti stated that he has known Brian Nardiello through a professional
 88 relationship which goes back approximately four or five years. This relationship was of a business nature only, and was established through requests
 89 made to either himself or one of his parents, Anthony Pitti or June Pitti who are residents of the Trailwood Townhomes to do various jobs including
 90 tree trimming and "handyman" type work around the complex.
 91 I then asked Kenneth Pitti if he had ever done any type of work for Brian Nardiello personally and he stated that in the fall of 2008 he did recall Brian
 92 Nardiello asking him about doing an addition to his Trailwood residence unit # 1703. Kenneth Pitti stated that Brian Nardiello had gotten several other
 93 quotes for \$20,000 \$25,000.00, but he and a friend who has done additions in the past, and they did the entire job for about \$5,000.00. Kenneth Pitti
 94 stated that they did all of the work from the slab up to the roofing required, including the interior finish work. Kenneth Pitti stated that the only person
 95 who helped him with the addition was Dennis Diminich. Kenneth Pitti later stated that there were two males whom he did not know that did some of
 96 the preparatory work to tear off the roof and rear wall of Brian Nardiello's unit prior to starting the new addition work but he did not know who they
 97 were. When asked specifically about the pouring of the slab for the addition, Kenneth Pitti stated that he recalled meeting the concrete truck and
 98 directing the driver to the back of Brian Nardiello's residence, and working the concrete as it was emptied into the form. Kenneth Pitti at first stated he
 99 thought it was only a few yards of concrete that was used for the actual slab, and that the remainder or most of it was poured a short time later into
 100 forms for the sidewalk in the complex. Kenneth Pitti's attitude became defensive when pressed about how much concrete went into the slab, and
 101 what was used for the sidewalks saying that they poured a lot of sidewalk that day, and he had torn all of the old concrete out himself. Kenneth Pitti
 102 did not really know how many yards of concrete was actually in this truck, and later admitted that it could have been six or seven yards that actually
 103 went into the slab. The invoice from Extreme Concrete shows that 10 yards of concrete was delivered, and as the size of the slab for the addition was
 104 12' x 15' this would have required at least eight to nine yards of concrete just for the slab. Kenneth Pitti stated they had poured eighteen squares of
 105 concrete for the sidewalk. Kenneth Pitti was very defensive of Brian Nardiello and stated that he saw him give the concrete truck driver a personal
 106 check with his own name on it, however it is already known from the review of Brian Nardiello's bank records that he did not personally write any such
 107 check, and the payment for the entire amount of \$919.00 was made using the Trailwood Homeowners Association check.
 108
 109 Regarding the checks written to Hernan Chavarro (HCH Roofing) for roof repairs, I asked Kenneth Pitti if he knew this individual, and he advised that
 110 he did, and that he was a licensed roofing contractor who was a friend of his. Kenneth Pitti stated that he had referred Brian Nardiello to Hernan
 111 Chavarro for some roofing work in the Trailwood complex. Kenneth Pitti stated that he had seen Hernan Chavarro working on at least three buildings
 112 there just working on the leaking valleys. I asked what this work would have amounted to, and Kenneth Pitti stated that Hernan Chavarro had only
 113 charged about \$300.00 per building and Hernan Chavarro only made about \$900.00 for work he did in Trailwood, and had complained to Kenneth
 114 Pitti that he was not making enough money doing Trailwood roofs for him to come all the way to Port Orange. Kenneth Pitti
 115 stated that to the best of his knowledge, Hernan Chavarro did the work in Trailwood first, and then did the work on Brian Nardiello's home on
 116 [redacted]. When I asked Kenneth Pitti if he was aware of any work the Hernan Chavarro did on Brian Nardiello's other residence at [redacted]
 117 Kenneth Pitti stated he was aware of this job, but he did not personally have anything to do with that work, and had no other knowledge about the

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| Sworn to and subscribed before me, the undersigned this <u>16</u> day of <u>JANUARY</u> 2013 | | I swear/affirm the above statements are correct and true | | Right Thumb |
| Name: <u>DET. Wayne Dorman #3392</u> | |  | | |
| Notary Public <input type="checkbox"/> | Law Enforcement Officer <input checked="" type="checkbox"/> | OFFICER'S/COMPLAINANT'S SIGNATURE | | |
| Personally Known <input checked="" type="checkbox"/> | Produced Identification <input type="checkbox"/> | DORMAN, WAYNE | PO2662 | |
| Type of Identification: | | NAME (PRINTED) | ID NUMBER | |

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118 deal between Brian Nardiello and Hernan Chavarro.
 119 As it is known that this particular concrete truck delivered 10 yards of concrete to Brian Nardiello's residence, which was paid for with a check from
 120 the Trailwood Homeowners Association in the amount of \$919.00, the majority of the concrete was used for Brian Nardiello's personal use and
 121 benefit, and not for that of the Trailwood complex. This was done by Brian Nardiello without the knowledge or permission of any of the Homeowners
 122 Association Board Members, or any other residents.
 123 On 01/04/2013, I contacted Hernan Chavarro at his residence and conducted a sworn, recorded interview with him regarding the roof replacement of
 124 Brian Nardiello's residence at [REDACTED]. Hernan Chavarro stated that he did recall doing this job for Brian Nardiello in
 125 December of 2008. Hernan Chavarro provided me and provided me a copy of two checks, # 2073 made out to HCH Construction, written on Brian
 126 Nardiello's personal account on 12/03/2008 in the amount of \$3,400.00, with the notation on the bottom down payment for materials for roofing and
 127 check # 2086 written on Brian Nardiello's personal account on 12/18/2008 in the amount of \$4,170 made out to Hernan Chavarro with the notation on
 128 the bottom of roof repairs final. Hernan Chavarro confirmed that he had been referred to Brian Nardiello by a friend whose name he recalled as
 129 "Kenny". Hernan Chavarro confirmed that these two checks were for a roof replacement which he did on [REDACTED]. Hernan Chavarro
 130 stated that he did do some roof repairs in the Trailwood complex around the same time, but those repairs were not related to this job. I found in the
 131 billing detail for the Trailwood Homeowners Association records which were maintained by Ledger Plus that Hernan Chavarro did do roof work in the
 132 Trailwood Complex in October and November of 2008 for which he was paid respectively \$2,000.00 on 10/21/08 check #3404 and \$4,000.00 on
 133 11/03/08 check #3405. This coincides with Hernan Chavarro's statement that he was paid separately for the work in Trailwood in the amount of
 134 approximately \$6,000.00 I showed Hernan Chavarro a copy of an invoice with his name and company name on it titled Invoice for Trailwood
 135 Homeowners Association Inc. with the following billing information:
 136 12/03/08 Down payment for materials for roof work, \$3,400.00
 137 12/15/08 Roof repairs, replacement, building 1700, 1600, 1800, \$4,170.00
 138 Total \$7,570.00 Paid in full
 139 Hernan Chavarro also confirmed that the recognized that invoice, but advised he would have to check his files to see if he still had a copy of it but
 140 reaffirmed that this was the amount he was paid by Brian Nardiello for the roof work he did at the [REDACTED] address.
 141 I also asked Hernan Chavarro about the permit for the roof work at [REDACTED] from the City of Port Orange, and he confirmed that this permit had
 142 been pulled for him by a friend Roberto Rivera who was associated with America's Roofing Company Inc. because that company was licensed in
 143 Volusia County and at the time he was not.
 144 Based upon my review of the bank records for the Trailwood Homeowners Association, Brian Nardiello's personal account, and the expenses which
 145 Brian Nardiello submitted to the Association for reimbursement of expenses allegedly paid from his personal account for work done in the Trailwood
 146 Complex, I found that in addition to what appears to be legitimate expenses, Brian Nardiello also submitted invoices and/or copies of his personal
 147 checks for not only work that he had done on his residential unit #1703 3960 Willow Trail Run, but also for roofing work which was done on the
 148 residence which he owned at [REDACTED] during the month of December 2008, and unlawfully received money from the Trailwood
 149 Homeowners Association for his own use and benefit. The total amount which can be documented by this investigation is \$8,489.00 which includes
 150 the check paid to Extreme Concrete in the amount of \$919.00 which paid in total for the concrete used to pour the room addition slab for 3960 Willow
 151 Trail Run #1703, and \$7570.00 the amount he had paid to Hernan Chavarro for the roof work at his home at [REDACTED] and then later
 152 submitted this cost to the Trailwood Homeowners Association misrepresenting it to be expenses for the Trailwood Complex for which he received
 153 reimbursement in full.
 154 In total in 2008, Brian Nardiello submitted alleged personal costs, and received at least \$25,429.05 in reimbursement amounts December of 2008,
 155 however due in part to the missing records for the homeowners association for this period, as well as what appears to be the mingling of Brian
 156 Nardiello's personal expenses with those of the association, only the above amount of \$8489.00 can be shown beyond any doubt with the
 157 documentation available, and presents clear probable cause to charge Brian Nardiello with Grand Theft.
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 161
 162

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| Sworn to and subscribed before me, the undersigned this <u>16</u> day of <u>JANUARY</u> <u>2013</u> | | I swear/affirm the above statements are correct and true | | Right Thumb | |
| Name: <u>DET. WENDEL</u> | |  | | | |
| Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> | | OFFICER'S/COMPLAINANT'S SIGNATURE | | | |
| Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> | | DORMAN, WAYNE | | PO2662 | |
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