



LAW OFFICES OF
RILEY & RILEY

EXECUTIVE COURT
2 Eves Drive, Suite 109
Marlton, NJ 08053
Mailing Address

(609) 914-0300
(609) 914-0323 FAX

BY APPOINTMENT
1616 Pacific Avenue, Suite 305
Atlantic City, NJ 08401

Michael E. Riley
Tracy L. Riley
Daria B. Janka
John P. Montemurro, Of Counsel

WORKERS' COMPENSATION
3 Eves Drive, Suite 305
Marlton, NJ 08053

August 21, 2020

Damon G. Tyner, Prosecutor
Atlantic County Prosecutor's Office
4997 Unami Blvd. Suite 2
P.O. Box 2002
Mays Landing, NJ 08330

RE: Atlantic City Board of Education Member – Farhook Hossain

Dear Prosecutor Tyner:

I am the Solicitor for the Atlantic City Board of Education. The Superintendent, Barry Caldwell recently brought a matter of concern to my attention and has requested that this matter be referred to your office. Specifically, the Applications for Free and Reduced Price School Meals completed and signed by Board Member, Farook Hossain.

Step Three, Section B of the application requires the following:

"List all Household Members not listed in STEP 1 (including yourself) even if they do not receive income. For Each Household Member listed, if they do receive income, report total gross income (before taxes) for each source in whole dollars (no cents) only. If they do not receive income from any source, write '0'. If you enter '0' **or leave any fields blank, you are certifying (promising) that there is no income to report.**"

2017-2018 Application for Free and Reduced Price School Meals

The application executed by Farook Hossain on September 7, 2017, reveals his spouse, Mossammat Akther earnings are \$400 weekly.

2018-2019 Application for Free and Reduced Price School Meals

The application executed by Farook Hossain on September 2, 2018, reveals his spouse, Mossammat Akther earnings are \$1,200 monthly.

Tyner, Asst. Prosecutor
August 21, 2020
Page Two

2019-2020 Application for Free and Reduced Price School Meals

The application executed by Farook Hossain on September 10, 2019, lists Mossammat Akther as an adult household member. However, there are no earnings reflected. All fields remain blank. As indicated in the instructions, you are certifying that there is no income to report.

School Ethic Commission Personal Disclosure Statements

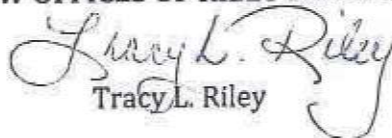
Attached please find the Personal Disclosure Statements for Farook Hossain for the years 2019 and 2020. The information provided is based on the financial information for the prior calendar year. Mr. Hossain reflects in both disclosures that his spouse, Mossammat Akther received income from Unite Here Health, 1801 Atlantic Avenue, Atlantic City, NJ.

If Mossammat Akther was not employed from January 1, 2019 to September 10, 2019 (date of application), the application for 2019 – 2020 would be consistent with the Personal Disclosure Statement. However, if Mossammat Akther was employed prior to September 10, 2019, Mr. Hossain failed to disclose the income as required for consideration for the free and reduced price school meals.

If you wish to discuss this matter, please do not hesitate to contact me.

Very truly yours,

LAW OFFICES OF RILEY & RILEY


Tracy L. Riley

TLR/pg
Enclosures

cc: Barry Caldwell, Superintendent

OFFICE OF THE PROSECUTOR

County of Atlantic



CARY S. SHILL

First Assistant Prosecutor

MARIO C. FORMICA

Deputy First Assistant Prosecutor

DAMON G. TYNER
Atlantic County Prosecutor

4997 Unami Boulevard, Suite 2

P.O. Box 2002

Mays Landing, NJ 08330

609-909-7800 – Fax 609-909-7802



BRUCE K. DESHIELDS

Chief of County Detectives

December 30, 2020

Tracy Riley, Esq.
2 Eves Drive, Suite 109
Marlton, New Jersey 08053

Via Email and U.S. Mail

Re: Farhook Hossain

Dear Ms. Riley:

This letter is in partial response to your letter of concern and accompanying documents referred to our office on August 21, 2020 regarding a member of the Atlantic City Board of Education, Farhook Hossain. During our review of the matter an ancillary issue arose which may warrant further administrative inquiry by the District and/or Board members concerning Mr. Hossain's residence and whether it complies with N.J.S.A. 18A:12-1 pertaining to membership requirements for school board members.

In one of the documents you provided dated September 10, 2019, Mr. Hossain provided an Atlantic City address. This same address is also listed through various other documents which can be used to verify Mr. Hossain's residency. However, we also discovered evidence to suggest Mr. Hossain has not physically lived at that address since at least June 2020. We note the property is currently listed for sale and is presently occupied by tenants engaged in a month to month rental arrangement with Mr. Hossain. Sometime in October you informed this agency that you received information Mr. Hossain was living at an address in Egg Harbor Township. Pursuant to that information we confirmed Mr. Hossain has a family relationship to that address.

Whether Mr. Hossain satisfies the residency requirements under our Statutes to sit as a school board member is a collateral matter to your original concern. However, given the importance of the issue, we are providing this information for your review and any action the District and/or School Board members deem appropriate.

If you have any questions or concerns, please do not hesitate to contact me.

Very Truly Yours,


John H. Flammer
Chief Assistant Prosecutor

Cc: Barry S. Caldwell, Superintendent of Schools, Atlantic City School District



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WORKERS' COMPENSATION
3 Eves Drive, Suite 305
Marlton, NJ 08053

December 31, 2020

Via Email, Regular & Certified Mail
Farook Hossain
250 East Kennedy Drive
Egg Harbor Township, NJ 08234

RE: BOARD POSITION - RESIDENCY REQUIREMENTS

Dear Mr. Hossain:

This letter is to advise you that I received correspondence from Chief Assistant Prosecutor, John Flammer from the Atlantic County Prosecutor's Office on December 30, 2020. In this letter Chief Assistant Prosecutor Flammer has represented as part of an investigation, they have evidence to suggest that you have not lived at the 109 N. Raleigh Avenue address in Atlantic City since at least June of 2020. The letter also indicates there are tenants at the Raleigh property.

As you are aware, to be a member of the Atlantic City Board of Education you are required to be a resident of the district. Specifically N.J.S.A. 18A:12-1 states, "Each member of any board of education shall be a citizen and resident of the district, or of such constituent district of a consolidated or regional district as may be required by law, and shall have been such for at least one year immediately preceding his appointment or election, he shall be able to read and write, shall be registered to vote in the district,"

At this point, I am limiting this information based on the on going investigation by the Atlantic County Prosecutor's Office. I am also reaching out to you to allow you the opportunity to resign from the Board to avoid any embarrassment. I ask that you advise me by 9:00 a.m., Monday, January 4, 2021 your position. If I do not hear from you, I will be advising the Board and action will have to be taken.

Thank you for your anticipated cooperation.

Very truly yours,

LAW OFFICES OF RILEY & RILEY



Tracy L. Riley

Cc: John Devlin, Board President
Barry Caldwell, Superintendent
Carole Morris, State Monitor

Law Offices
REYNOLDS & SCHEFFLER, L.L.C.
COUNSELLORS AT LAW
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STEVEN P. SCHEFFLER
MEMBER OF NEW JERSEY BAR

THOMAS F. REYNOLDS
MEMBER OF NEW JERSEY AND
PENNSYLVANIA BARS

KENDYLL G. CLAYTON
MEMBER OF NEW JERSEY AND
PENNSYLVANIA BARS

FAHMIDA ISLAM
MEMBER OF NEW JERSEY AND
NEW YORK BARS

January 4, 2021

VIA REGULAR MAIL AND EMAIL (triley@rileyandriley.com)

Tracy L. Riley, Esq.
Executive Court
2 Eves Drive, Suite 109
Marlton, NJ 08053

Re: Board Position- Residency Requirements

Dear Ms. Riley:

Please be advised this office represents the interests of Farook Hossain with regard to his position as a member of the Atlantic City Board of Education. In that regard, I am in receipt of your correspondence dated December 31, 2020 and have scheduled a meeting with Mr. Hossain to discuss the issues raised by same.

As such, I would request that no action be taken until Mr. Hossain has the opportunity to consult with counsel. Based upon my preliminary review, there is absolutely no basis in fact or law to remove Mr. Hossain from the Atlantic City Board of Education. I would ask that you direct any further correspondence to my attention. Unless I hear otherwise from you, I will expect that your office will afford Mr. Hossain the opportunity to meet and receive advice through counsel.

I thank you in advance for your kind attention.

Very truly yours,
REYNOLDS & SCHEFFLER, LLC

/s/ Steven P. Scheffler
Steven P. Scheffler, Esquire

SPS/se
Enclosure

cc: Farook Hossain (via email: jaimah706@yahoo.com)
John Devlin, Board President (via email: jdevlin@acboe.org)
Barry Caldwell, Superintendent (via email: bcaldwell@acboe.org)
Carole Morris, State Monitor (via email: cmorris@acboe.org)



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February 17, 2021

Via Email

Robert Bumpus, Executive County Superintendent of Schools
6260 Old Harding Highway
Mays Landing, NJ 08330

**RE: ATLANTIC CITY BOARD OF EDUCATION
BOARD MEMBER – FAROOK HOSSAIN**

Dear Executive County Supt. Bumpus:

As you are aware to be a School Board Member for the City of Atlantic City, you must be a resident of Atlantic City. I have obtained information confirming that Farook Hossain is not a resident of Atlantic City. At the reorganization meeting and the February 16, 2021 meeting, I have instructed the Board Secretary not to record Mr. Hossain's vote.

Based on the information, I have prepared a Notice of Motion for Emergent Relief with the required supporting documents and exhibits to remove Farook Hossain from the Board. However, I have been unable to obtain authorization from the Atlantic City Board of Education to file these documents.

January 20, 2021 – special meeting, no quorum.
January 26, 2021 – regular meeting, no quorum.
February 16, 2021 – regular meeting held, lost full quorum in executive session resulting in closing of the meeting.

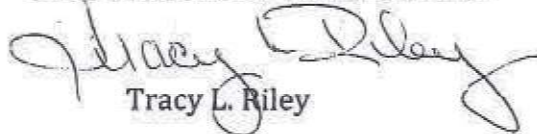
As you will see from the attached, Mr. Hossain rented what he deemed his "Atlantic City residence" - 109 N. Raleigh Avenue from January 1, 2020 to at least December 31, 2020. (Lease Exhibit J) Despite this lease, Farook Hossain completed student information forms on September 9, 2020 providing the 109 N. Raleigh Avenue address. (Exhibits F & G) Mr. Hossain also completed a Free and Reduced Price School Meal application on September 9, 2020 providing the address of 109 N. Raleigh Avenue. (Exhibit H)

If what has already been listed above is not enough proof, one month after being elected, Farook Hossain's wife purchased a home in Egg Harbor Township on December 18, 2018. (Exhibit A) I sent a letter to Farook Hossain on December 31, 2020 to the Egg Harbor Township address regular and certified mail. I have attached the signed certified mail receipt. (Exhibit N) A comparison of the lease and the certified mail card clearly depict the same signature.

I am forwarding these pleadings to you in your capacity as County Superintendent for action to be taken. Mr. Hossain cannot legally continue to serve in this position because he does not meet the requirements of N.J.S.A. 18A:12-1. If you have any questions or wish to discuss this matter, please do not hesitate to contact me.

Very truly yours,

LAW OFFICES OF RILEY & RILEY



Tracy L. Riley

Cc: Barry Caldwell, Superintendent *(via email)*
Glenn Forney, Assistant Commissioner of Education *(via email)*
Carole Morris, State Monitor *(via email)*