
Two former ROSTO (DOSAAF) employees convicted for a hostile takeover of 4 buildings in Moscow

The court has recognized the evidence collected by Moscow Military Investigations Directorate of the Russia's Investigative Committee as sufficient to convict former Chairman of ROSTO organization of Moscow North Administrative District Nikolai Markov, who also was a lawyer and a deputy in Moscow intercity municipal entity Golovisnkoye and former Deputy Chairman of Economy of Moscow City Organization ROSTO Reserve Lieutenant Colonel Vladimir Leontyev. They were found guilty of a crime under part 4 of article 159 (swindling committed by a group of persons under a preliminary conspiracy and on a grand scale).

Investigation and the court have found that in August 2008, at the meeting of board of administration of Council of Moscow city organization (hereinafter – city organization) ROSTO Leontyev and Markov proposed to transfer in operational management from the city organization to Moscow North Administrative District division 4 real estate objects with a total area of more than 11 thousand square meters located on the territory of the said administrative entity. As the final decision was not made, the discussion was not included in minutes of the meeting or in the resolution. Leontyev and Markov, who did not agree with this situation, made their own variant of the minutes and which, having deceived the members of board of administration of ROSTO city organization persuaded to endorse. In winter 2009, Leontyev and Markov again returned to this subject. This time they changed the first two pages of the minutes. According to this new variant the board of administration of ROSTO city organization had already “approved” transfer of the said real estate objects not even in operational management, but in ownership. In spring 2009, Markov gave to the board of administration, to which he was the head, knowingly false information about alleged future arrest and alienation of 4 buildings, after which as a way out of the situation he proposed to sell the said buildings to a private person and the proposal was upheld. In April 2009, Markov concluded with Andrey Lepekha – de facto his daughter's husband - a sale contract under which he sold to the latter 4 buildings, the market price of which at that moment was more than 380 million rubles, for 42.7 million rubles in 10 years instalment.

During the inquiry investigators have interrogated more than 40 witnesses and carried out 5 searches and 6 examinations. The most difficult among them were technical-forensic, one of which took around 5 months, but they helped to expose Leontyev and Markov in falsification of documents and to establish that the forged documents were printed by Markov on his office printer device. During the preliminary investigation the accused offered active resistance to establishment of true circumstances of a hostile takeover. The archive documents of ROSTO organization in Moscow

North Administrative District and some documents of ROSTO city organization were stolen. Using these facts, the accused repeatedly submitted to the investigators copies of forged documents, tried to persuade employees of ROSTO (DOSAAF) to give false testimonies.

During preliminary investigation the court recognized the contract on transfer of 4 buildings from ROSTO city organization to ROSTO in Moscow North Administrative District and subsequent sale contract as null and void. On the basis of the court decisions the unlawfully alienated buildings were returned to their lawful owner – ROSTO Moscow city organization (at present – regional office of Moscow DOSAAF).

The court sentenced Markov to 4 years in a minimum-security correctional facility and a fine of 250 thousand rubles; Leontyev – to 3 years of prison suspended and a fine of 100 thousand rubles.

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