

**STATE OF RHODE ISLAND**  
**BEFORE THE RHODE ISLAND ETHICS COMMISSION**

**In re: Garrett Mancieri**  
**Respondent**

**Complaint No. 2014-16**

**INFORMAL RESOLUTION AND SETTLEMENT**

The Respondent, Garrett Mancieri, and the Ethics Commission Prosecutor, representing the People of the State of Rhode Island, hereby agree to a resolution of the above-referenced matter as follows, subject to the approval of the Rhode Island Ethics Commission:

**A. Findings of Fact and Admissions**

The parties agree and admit to the following facts:

1. Garrett Mancieri (“Mancieri” or “Respondent”) was elected to the Woonsocket City Council on November 5, 2013.
2. In his private capacity, both prior to and following his election to the City Council, Mancieri has been employed as a licensed Real Estate Salesperson who is affiliated with an entity known as Gateway Realty in Woonsocket.
3. During the summer of 2013, Mancieri was contacted by the principals of D & J Investments, LLC (“D & J”), which had recently purchased a vacant commercial building at 598 Wood Avenue, Woonsocket. Mancieri and D & J entered into a verbal agreement whereby Mancieri would act as a listing agent to find tenants to occupy 598 Wood Avenue and, if successful, D & J would pay Mancieri the equivalent of one month’s rent as compensation for his services. D & J also advertised for tenants through a Craigslist advertisement, and it was

agreed that Mancieri would not be entitled to any compensation for tenants that were procured through Craigslist.

4. In 2014, in response to its Craigslist advertisement, D & J was contacted by a representative of Iglesia de Dios de la Profecia (Church of God of Prophecy), seeking to rent a portion of 598 Wood Avenue for use as a church. However, the then-existing zoning for the property did not allow for its use as a church.

5. Because this potential tenant came through Craigslist, Mancieri was not entitled to a commission as listing agent. Nevertheless, the principals of D & J asked for Mancieri's assistance in obtaining a special use permit from the Woonsocket Zoning Board of Review ("Zoning Board") to allow the property to be used as a church. Mancieri agreed to help D & J.

6. Mancieri assisted D & J in the filing of an application for a special use permit before the Zoning Board. He spoke to and corresponded via email with Joan E. LeFrancois, the Zoning and Minimum Housing Clerk, relative to perfecting the application. He contacted Captain Michael Morin, the Assistant Deputy State Fire Marshall for the City of Woonsocket, to arrange for a fire code inspection that was required by the Zoning Board. He also arranged for an inspection and assessment of available parking at the property, as required by the Zoning Board.

7. The Zoning Board met on August 12, 2014, to consider, among other things, the application for a special use permit filed by D & J and its potential tenant, Iglesia de Dios de la Profecia. Iglesia was represented by its pastor, Angel Luyanda. D & J was represented by one of its owner/principals, Joseph Pagnani.

8. Mancieri also attended the Zoning Board hearing, at which he was sworn in and provided verbal and written testimony based on his experience as "a commercial realtor with seven years experience in Rhode Island." There was no mention of Mancieri's status as a member of the

City Council. In his testimony, Mancieri noted that that the property's current zoning, along with its size, location and limited parking, made it difficult to rent out. He stated that the current market for that type of space was suffering due to the weak economy and that Woonsocket needed to be more open to alternative uses of commercial spaces. He opined that "[a] church would provide that flexibility to allow the owner to seek tenants that will use the available leasable spaces of the building at different days and times to free up more parking spaces."

9. Following the testimony, the Zoning Board voted unanimously to approve the special use permit.

10. Although the special use permit was granted, to date the church has not entered into a lease with D & J to become a tenant at the property. However, D & J remain in ongoing negotiations with the church, and with at least one other church, for occupancy of a portion of the building.

**B. Conclusions of Law**

1. The Respondent was at all relevant times a member of the Woonsocket City Council, a municipal elected position that was subject to the Rhode Island Code of Ethics.

2. Pursuant to the Woonsocket City Charter, the members of the Woonsocket Zoning Board of Review are appointed by the Woonsocket City Council.

3. On August 12, 2014, the Respondent acted as an expert witness before the Zoning Board of Review on behalf of his business associate, D & J Investments, LLC, to help obtain a special use permit for the property at 598 Wood Avenue in order to allow a church to operate on the property.

4. Such actions violated section 36-14-5(e) and Commission Regulation 36-14-5016(b), which prohibited the Respondent from acting as an expert witness before any municipal agency

for which he had appointing authority as a member of the Woonsocket City Council, if the agency's disposition of the matter could reasonably be expected to result in an economic benefit to himself or his business associate, D & J.

**C. Penalties and Terms of Settlement**

Pursuant to the above Findings of Fact and Admissions, and Conclusions of Law, the Respondent and the Commission Prosecutor agree, subject to the approval of the Rhode Island Ethics Commission, to the following pursuant to Rhode Island General Laws § 36-14-13(d):

1. That the Respondent shall not accept or receive a fee, payment, commission or reward of any kind that was earned from or is related to Iglesia de Dios de la Profecia's tenancy at 598 Wood Avenue.
2. That the Respondent shall not accept or receive a fee, payment, commission or reward of any kind that is earned from or related to a tenancy or lease at 598 Wood Avenue by any other church that has expressed an interest in the property to the Respondent or D & J prior to the date of this Informal Resolution and Settlement; and
3. That the Respondent shall pay a total civil penalty of ~~\$700.~~ <sup>16</sup> \$500.00

The above terms represent the full and complete Informal Resolution and Settlement for Complaint No. 2014-16.

  
 Jason Gramitt (# 5636)      Date 3-10-15  
 Commission Prosecutor

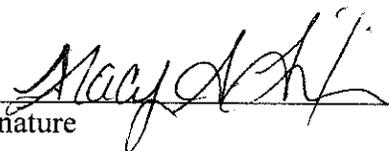
  
 Garrett Mancieri      Date 3-6-15  
 Respondent

**APPROVED** by vote of the  
Rhode Island Ethics Commission  
On MARCH 10, 2015:

  
 Ross Cheit, Chair      Date 3/10/15

CERTIFICATE OF SERVICE

I, Tracy A. Teixeira, hereby certify that on the 11<sup>th</sup> day of March, 2015, I forwarded a copy of the Informal Resolution and Settlement via US mail, postage prepaid, to: Garrett Mancieri, 372 Congress Street, Woonsocket, RI 02895 and Jerry DeLuca, 342 Logee Street, Woonsocket, RI 02895.

  
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Signature