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## Saddle River debt collector accused of concealing assets, fraud, by bankruptcy trustee

Monday, July 12, 2010

BY HUGH R. MORLEY

THE RECORD  
STAFF WRITER



A U.S. Bankruptcy Court trustee has accused Jack H. Boyajian, the Saddle River debt collector with a history of legal woes, of defrauding creditors and concealing his assets from the court by using more than 20 corporate "entities" and family trusts.

Trustee Charles Stanziale, in a complaint filed last week, argued that Boyajian should not be given a discharge from Chapter 7 bankruptcy, or allowed to walk away from his debts,

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because of his "knowing and intentional concealment" of assets.



The case of Boyajian, who filed for bankruptcy 11 months ago in U.S. District Court in Newark, was discharged in April. But the court set aside the discharge two weeks later after Stanziale expressed opposition.

The trustee says that the court should deny Boyajian a discharge based on a federal law that allows denial if someone conceals property "with the intent to hinder, delay and defraud" creditors.

Attorneys for Boyajian, who claimed assets of \$50,000 and debts of \$3.8 million when he filed for bankruptcy, did not respond to requests for comment.

Stanziale also did not respond to a request for comment. A court-appointed trustee administers the debtor's estate, investigates the affairs of the person or company in bankruptcy and completes an accounting of property received.

Boyajian, a debt collector for nearly 20 years, and several companies he owned have faced accusations from state attorneys general across the U.S. of using illegal methods to squeeze debtors.

In March, Boyajian signed a consent agreement in Colorado that prohibited him from collecting debts in the state for five years.

Stanziale's complaint said Boyajian admitted that he had an ownership stake or controlling interest in 22 entities, one of which "routinely" paid Boyajian's personal expenses and bought a \$50,000 Cadillac Escalade used by his wife, Linda.

Other personal expenses for Boyajian, who has said in court documents that he "does not have a bank account," were paid by his wife, the trustee alleged.

Boyajian also concealed his interest in his Saddle River home by putting his mother and sister on the title, the trustee alleged. Federal authorities have made a similar claim in a pending suit filed in U.S. District Court in Newark, alleging that Boyajian hid his ownership of the house to protect it from efforts to collect \$660,000 owed for back taxes.

The trustee's complaint also says that Boyajian has not filed tax returns for himself and his wife since 2005.

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As a result, "it is impossible for the trustee to determine the extent to which the debtor has continued to fraudulently conceal his assets from creditors," the trustee's complaint said. It added that Boyajian has "failed to satisfactorily explain his ability to remain current with his monthly expenses."

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