



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-0500

OFFICE OF GENERAL COUNSEL
DEPARTMENTAL ENFORCEMENT CENTER

April 30, 2019

C. Kelly Kroll, Esq.
Of Counsel
Morris, Manning & Martin, LLP
1401 Eye Street, NW
Suite 600
Washington, DC 20005

Regarding: Agreement between HUD and Dr. Lafi Jafari and M. M. & L. International Corporation

Dear Ms. Kroll: *Kelly*

Enclosed please find a fully executed copy of the agreement reached between HUD and Dr. Jafari and M. M. & L. International Corporation. Our Director signed the agreement today. We entered a "three" in the blank on page 2, paragraph 5, to reflect the number of days comprising the full debarment term. Our staff will make the appropriate notations in SAM to reflect this agreement.

Thank you for your cooperation in this matter.

Sincerely,

Rebecca Holtz Shank

Rebecca Holtz Shank
Senior Advisor to the DEC Director

Enc.

ADMINISTRATIVE AGREEMENT

This Administrative Agreement (“Agreement”) is made between Dr. Lafi Jafari (“Jafari”) and M. M. & L. International Corporation (“MM&L”), collectively, “Respondents”, and the United States Department of Housing and Urban Development (“HUD”).

RECITALS

1. On February 27, 2017, HUD suspended Respondents from participation in procurement and non-procurement transactions as participants or principals with HUD and throughout the Executive Branch of the Federal Government in accordance with the procedures set forth at 2 CFR Parts 180 and 2424. HUD’s suspension was based on an indictment filed on November 17, 2016, against Jafari in the United States District Court of the District of Nebraska.
2. On October 10, 2017, Respondents contested the suspension in an informal hearing at HUD’s Office of General Counsel, Departmental Enforcement Center, in Washington, DC. Based on representations and commitments made at the informal hearing, on October 20, 2017, HUD and Respondents entered into an Administrative Agreement, which lifted and terminated the suspension of Jafari and MM&L, subject to the terms and conditions contained in the Administrative Agreement.
3. MM&L established a Code of Business Ethics and required its employees to read, acknowledge and comply with its provisions. MM&L staff (including Jafari) attended training, prepared by outside counsel, emphasizing the importance of ethics and compliance with HUD’s regulations in the conduct of MM&L’s business. Moreover, a Compliance Assessment Team, created as a result of the Administrative Agreement, reviewed MM&L and Jafari’s compliance with HUD’s rules and regulations, identified compliance risks and established controls to address those risks, monitored the effectiveness of such controls, and provided monthly reports to HUD on the progress made during the time the Administrative Agreement was in place.
4. On July 17, 2018, Jafari pled guilty to Count VIII of the Indictment that had formed the basis for HUD’s suspension of Jafari and MM&L. Count VIII charged a violation of Title 18, United States Code, Section 1001. Specifically, Jafari pled guilty to knowingly and willfully making a statement to a Special Agent of HUD’s Office of Inspector General that was false, and that was material to a matter being investigated by the HUD OIG. This false statement occurred on or about April 16, 2014.
5. On November 15, 2018, the Chief United States District Judge for the District of Nebraska, Judge John M. Gerrard, sentenced Jafari to one-year probation and a fine of \$20,000, which Jafari paid on the same day as sentencing.

6. On March 7, 2019, HUD issued a Notice of Proposed Debarment & Continuation of Suspension to Respondents for a three-year term, based on Jafari's November 15, 2018, conviction for violating Title 18, USC Section 1001. On March 29, 2019, Respondents contested the proposed debarment and requested an informal hearing.

TERMS OF THIS AGREEMENT

1. Incorporation of Recitals. The Recitals set forth above are incorporated into and made a part of this Agreement.
2. By entering this Administrative Agreement, the Parties intend to resolve the debarment proceedings currently pending in the Matters of Dr. Lafi Jafari and MM & L International Corporation, DEC Docket No. 2017-17873-DB(S).
3. Imposition of Debarment Sanction. HUD finds that Jafari's conviction for making a false statement to a Special Agent for HUD's Office of Inspector General concerning a material matter under investigation on or about April 16, 2014, is cause for a debarment against Jafari and his affiliate, MM&L. HUD hereby imposes a debarment, pursuant to 2 CFR 180.800(1)(c), upon Respondents.
4. Mitigating and Aggravating Factors. The making of a false statement to a HUD OIG agent is a serious criminal offense. HUD notes, however, that the false statement upon which the conviction was based was made over five years ago and the government did not sustain any pecuniary loss due to the wrongdoing. HUD finds that Jafari and MM&L have complied with the terms of the Administrative Agreement dated October 20, 2017. HUD also notes that Jafari accepted wrongdoing by his guilty plea in July 2018 and paid the \$20,000 fine immediately upon sentencing in November 2018. HUD further notes that Jafari and MM&L have taken steps, through established ethics procedures and training, to assure that no similar wrongdoing would take place going forward.
5. Term of Debarment. HUD proposed a three-year debarment period. The mitigating factors presented above justify a reduction in that term. Moreover, pursuant to 2 CFR 180.865(b), HUD will take the suspension period into account in determining the term of debarment. Therefore, the Debarment of Respondents shall be effective from the date of the Notice of Suspension, February 27, 2017, through to the effective date of this Agreement. The total term of Debarment shall be two years, two months and 31 days. 3-
6. The Respondents agree to the imposition and term of debarment imposed in this Agreement.

IN WITNESS WHEREOF, this Agreement becomes effective on the date last executed below:

Lafi Jafari

By: [Signature]

Print Name: Lafi Jafari

Date: 4-29-2019

MM&L International Corporation

By: [Signature]

Print Name: Lafi Jafari

Title: President

Date: 4-2019

United States Department of Housing and Urban Development

By: [Signature]

Print Name: Craig Clemmensen

Title: Director of Enforcement Center

Date: 4/3/19

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of April, 2019, a true copy of the AGREEMENT BETWEEN HUD AND DR. LAFI JAFARI AND M. M. & L. INTERNATIONAL CORPORATION, Docket Number DEC-2017-17873-DB(S) was served in the manner indicated.



Tanya L. Domino
Paralegal/Debarment Docket Clerk

HAND CARRIED

Mortimer F. Coward, Esq.
Debarring Official's Designee

ELECTRONIC MAIL AND FIRST-CLASS MAIL

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Respondent's Counsel

ELECTRONIC MAIL AND HAND CARRIED

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Government Representative