

Bedbugs, urine, disrepair: Elderly, disabled people live in squalid Petersburg group home

This Petersburg group home could be shut down for multiple violations, leaving the future of elderly and disabled residents uncertain. This is part of an ongoing investigation.



[Joyce Chu](#)

The Progress-Index, June 8, 2022

PETERSBURG — On Fillmore Street and Harrison sits a decades-old building with some paint peeling off the window frames and plywood covering a few openings.

The exterior reveals only a hint of conditions inside the brick walls.

Bedbugs have lined the mattresses in the two-floor building with dozens of rooms, as seen in photos obtained by The Progress-Index. Floors were marked with old dirt stains. Hallways and some rooms reeked of urine. Residents complain of treatment and conditions, in a pattern of interviews with The P-I, and state inspectors have noted problems.

This assisted-living facility, Fillmore Place, houses some 80 residents who are elderly, disabled or have mental challenges. They have no one else to take care of them and often have nowhere to go other than this home.

This week, the temporary operating license for the facility expires.

It's unclear if or when the license will be renewed; if the license does not renew, the facility will be unable to operate. Without the housing, advocates say the people living there have few good options elsewhere.

The owners, a married couple, told us they take care of residents and have corrected issues noted in state inspections. They also claimed that some of the people who live at Fillmore Place are unstable and vandalize the property, which has led the management to ration things like soap, toilet paper and spending money in the past.

In a major investigative project, The Progress-Index spent three months digging into issues at Fillmore Place and spoke to 23 residents, community advocates and former employees and examined reams of records. We also interviewed experts about how this type of facility should operate.



James Gamon has been living at Fillmore Place for three years.

On a sunny and brisk day in late March, he sat in his wheelchair smoking a cigarette outside. His arms, legs and neck were covered in bites that looked similar to marks from bedbugs. Some wounds were fresh, blotchy and pink from the countless times he's scratched

himself, he said. His legs were scabbed with dried blood from previous bouts of scratching.

When he complains about the pests, he said, the Fillmore staff spray the bed. But that hasn't stopped the infestation, Gamon said.

"It's hell."

The 59-year-old's experience aligns with what state inspectors from the Department of Social Services found when they made a surprise visit to the facility in December.

Gamon's sweater and sweatpants had holes all over. The white soles of his worn-out shoes were grey from dirt and grime. He said his bathroom doesn't have toilet paper. When he needed to wipe himself, he used pages out of a book, Gamon said.

He doesn't have the money to buy new clothes.



Gamon gets \$751 a month from social security. However, Gamon hardly sees any of his money since it goes to Fillmore Place to pay for

his living expenses. He's only handed \$5 to \$10 a week to spend, he said.

Gamon is one of many residents who subsist on social security but feel they don't have access to their money.

Assisted-living facilities may become the entity in charge of a resident's social security money, or the payee, if the resident is deemed unable to handle their finances. Once a payee is appointed by Social Security, the individual won't be able to access their own finances and it's up to the payee to determine how the money is spent, according to Anne See, an elderly services paralegal who has worked extensively in Medicaid.

The facility is owned by Saifullah Niazi and his wife, Shehla, who control how money gets spent. Shehla Niazi said she is the license holder.

Saifullah Niazi was a Richmond psychiatrist.

The Progress-Index learned that Niazi had his license suspended for two years in 2006 for having sexual encounters with a patient at his office and at a hotel, according to state findings. In 2013, he was again suspended for having his unlicensed staff prescribe hundreds of medications without Saifullah ever seeing the patients himself.

Filmore Place in violation of dozens of licensing standards

During an unannounced visit to the Fillmore Place in December, inspectors found 26 instances where they believed the facility had violated state ordinances.

When residents are admitted into an assisted living facility, they need to complete a physical examination and a tuberculosis screening within 30 days to make sure they don't infect other residents. These records were missing for several residents, according to the inspection report.

No sex offender screenings were done for several residents prior to their admission, another violation, according to state reports.

Inspectors also found that staff were providing medication to multiple residents whose prescriptions had not been signed by the physician or prescriber. Papers were not properly dated or signed; in one instance, there was paperwork that was signed by the administrator but not the resident.

The facility is required to complete an annual assessment of each resident to determine the proper level of care they should be receiving, but these assessments were missing in multiple residents' records.

In some cases, required documentation was not missing, but was wrong. For example, documentation of how the facility will meet the individual needs of a resident did not match the needs determined in the assessment, state reports said.



The facility's reported lack of proper record-keeping and disorganization extended to the staff level, according to Virginia inspection records.

All direct-care staff are required to receive infection and mental impairment training, yet none had gotten the proper training, the December inspection found. Brenda Seal, the administrator in charge

of the day-to-day operations, also failed to do background checks on employees.

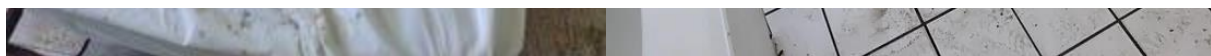
Due to the copious violations, licensing inspectors gave the facility a temporary, “provisional” license, allowing them six months to make improvements. That provisional license is set to expire on June 11.

Since the December inspection, The Progress-Index has spoken to multiple former employees who were hired earlier this year. None had been given background checks, they said.

The Niazis said the conditions at Fillmore Place have improved. They offered to give us a tour in the future of the facility. We've been inside, but not for a tour. The couple said they have spent money on updates and renovations and said the payee financials for each resident are in order.

Photos, reports: Residents live in unsanitary, decrepit conditions

When Kevin Harris, a former cleaner, first started working in February, he walked into a men’s bathroom and found feces all over the floor, he said. Harris said one of the rooms he cleaned had over 30 empty cigarette packs and dozens of cigarette butts littered everywhere and cluttered next to the radiator.



Harris said he saw residents sleeping on dirty sheets and beds sodden with urine. At least one bed still had a plastic cover on it, with urine sitting on the sides of the bed where the plastic was folded over.

He was expected to clean the individual rooms but he wasn't sure why the rooms were such in a state of disarray when he started his job.

Harris said he found bedbugs, broken furniture, sodden sheets, feces and cigarette packs while cleaning the rooms. Photographs provided to The Progress-Index from inside the facility also show these problems. And the P-I has visited inside Fillmore Place at the invitation of a resident and observed dirty conditions.

When The Progress-Index approached administrator Seal about the various inspection violations and what they've done to remediate them, including the bedbugs, Seal responded that "every other facility in this area has bedbugs." She says that they have had pest control come every week to spray.

Seal said that she "desires to provide high quality of life for those who have lived so long" in a 2011 interview with the Richmond Times-Dispatch.



Yet residents in early April said that their bathrooms did not even have necessities like toilet paper and hand soap — provisions that are required by the state. State inspectors noted this issue in December.

And parts of the building are in disrepair, with holes in the walls and a ceiling tile in the bathroom hanging down, according to the December state inspection report.

Multiple people we talked who lived or had worked at Fillmore Place said toilet paper had been kept at the front desk in an attempt to conserve it or prevent misuse, but that some residents did not always know it was available or they weren't mobile enough to fetch it. They said at the time that when toilet paper was requested at the desk,

they'd be given just a few squares at a time — often an insufficient amount.

Saifullah Niazi confirmed these accounts.

"We put toilet paper, the whole roll goes into the flush," he said. "We have people who are very you know, mentally ill, destructive. They're putting things in the toilets... and on a daily basis we have to remedy all that."

Saifullah said that they are one of the few facilities that manages a large number of people who need enhanced care because of certain physical or mental disabilities. "I just want to make sure that you are aware of what kind of business this is and how difficult it is to manage," he said.

To remediate places where the building is falling apart, Shehla said, "there have been extensive repairs" within the past one to two months and that "ceilings, floors, holes in walls and/or doors, are all being repaired."



State inspections from the recent past at Fillmore Place go beyond holes in the walls, though.

Last year, the staff locked one of the bathrooms between two residents to "prevent residents from damaging the bathrooms," according to an inspection report. The inspector deemed that incident to be a violation of the code that staff must be "considerate and respectful of the rights, dignity, and sensitivities" of those living in the facility.

In multiple instances, staff did not contact or failed to provide documentation that they reached out to a family member listed as the emergency contact when residents were admitted to the hospital.

In a separate incident, when a resident went missing last year for two days, the staff did not provide written documentation that the resident's daughter was notified. In addition, the staff failed to report to the licensing office that the resident was missing.

Instead, the office found out about the missing resident through a complaint.

'Why shouldn't I be in a better home?'

Chris Dalton, 44, has been living at Fillmore Place for more than 20 years. He was diagnosed with bipolar disorder and depression in his teens and says that's when his mom couldn't take care of him any longer. She set him up at Fillmore Place.

"I miss my mom," he said. Dalton broke down in tears as he sat on the front porch of a neighbor's house. In absence of a relationship with his mom, Chelsea and Paul Teodoro have become like family to him.

"I deal with a lot. ... I've got a bad life right now living in Fillmore," Dalton said. "I don't even want to go back to that building, but I have to. If there was somewhere else I could go, believe me I would."



He said that when he asked to use the phone in the past to call family, there were times when the staff did not let him. He and many other residents don't have a personal phone.

Dalton said a roommate in the past has threatened to stab him with a pencil while he was sleeping. When he told the staff, he said they did

not do anything about it. Stealing regularly occurs in the facility, he said, and fights break out between the residents. Dalton has had his money, clothes, books, even his undergarments stolen.

Last month, he spent two nights sleeping on the street because he didn't feel safe in the facility.

Dalton said Fillmore Place had been plagued with bedbugs since as far back as he could remember.

“Why shouldn't I be in a better home?” Dalton said. “That's all I want. I just want to be treated right. I want somebody to, you know, do their job the right way.”

A lack of follow-through

When Chelsea and Paul Teodoro moved to Petersburg in 2017 to a house just down the street from the facility, they noticed elderly and middle-aged people, most times unkempt and wearing shaggy clothing, sometimes muttering to themselves, wandering up and down the street.

They greeted them and introduced themselves. They offered them coffee and snacks. They soon discovered that all of them were residents of Fillmore Place.

“We did that on purpose so that we could build relationships with the neighbors,” said Chelsea Teodoro. “We did notice right away that there were certain people who latched onto the idea that we were there to help.”

Over time, they built trust with a number of the residents. The family started a Friday night Bible study for them. The residents came by regularly to get instant coffee and other things they needed.

They opened up about their lives at the Fillmore. They complained about the food, the lack of toilet paper, the bedbugs, the fights they had with other residents, the way they were being treated. The Teodoros' concern for the residents grew.

A few years ago, some of the residents started asking Chelsea if they could use her phone because they said staff stopped allowing them to make phone calls. They were also asking Teodoro and her husband for toilet paper and money to buy cigarettes, clothing or snacks.

"And it's like, this is our tax dollars at work!" Chelsea said.

In 2019, Chelsea called Adult Protective Services twice to report on the allegations she was hearing about, she said.

She also reported Fillmore Place to the Department of Social Services, she said. The staffer she spoke to said they would follow up with her, but they never did. In 2020, she sent an email out to the Office of the Attorney General asking them to look into the assisted living facility, and never heard back from them.



"It's hard because we were really so upset about it, so we filed these things on purpose because we wanted to help," she said. "And then when you get no response and you get no response and you get no response, it's like well, all we can do is do whatever we can do to help our neighbors, because this seems like nobody else cares."

In the early part of the pandemic, no outside people, including inspectors, were allowed in the facility.

In 2020, no inspections were conducted after the pandemic. From 2017 to 2019, inspectors did not find nearly as many violations as they did in 2021.

No stimulus checks received by residents, reportedly

The Progress-Index discovered that none of the handful of residents we spoke with who lived at the Fillmore during the pandemic has received their stimulus checks, they claimed.

They also said that no resident in the facility has gotten their stimulus. It is unclear why. Although the facility uses the residents' social security money to cover living expenses, the stimulus checks are purely for the individual to spend how he or she wishes.

“The stimulus check is separate from what is stipulated under the agreement the resident made to appoint a (representative) payee,” said Joani Latimer, the state ombudsman.

“The resident should have the right to decide on the disposition of that stimulus check money.”

In practice, residents whose payee is Fillmore Place likely should have received their three stimulus checks from the facility's administration during the pandemic, for a total of \$3,200 per person.

The facility is the payee for more than 30 residents, according to Saifullah Niazi.

When The Progress-Index pressed Saifullah on why no one has gotten their stimulus money, he replied, "We did not want to give anybody the whole amounts.”

“Remember these are people who are mentally ill and disabled... give them all the \$1400 cash [and] they'll be completely manipulated and gone in the same day or some of them use drugs or alcohol,” he added.

“The resident is entitled to that [stimulus] money,” said paralegal See. “If they go in and say, ‘I want that money,’ from a legal standpoint, he has to give it to them even if it might not be the best thing for that person.”

Saifullah stated that some have a “positive credit balance” on their accounts due the stimulus and that they have used the money to buy clothes and supplies for the residents. “They can go to the administrator, and she can show them this is what their account balance is,” he explained.

The residents The P-I spoke to were not aware that they might have a “positive credit balance” on their account for the stimulus money.

At least one resident said she is afraid to ask how her money is being spent.

One time, another resident did ask why he was only getting \$6 a week to spend and was told that it was because he “was no longer paying his rent” but did not get any further explanation, he said.

What happens next to Fillmore Place and its residents?

The Fillmore Place is presently under active investigation for failing to meet licensing standards.

In mid-April, one resident told the Progress-Index that his bathroom now has toilet paper and soap, in accordance with licensing guidelines.

It's the first time he's seen toilet paper since he arrived early this year.

Last month, the facility also hired an outside cleaning service to come in daily, according to Saifullah.

If the facility does not make all the needed changes to be up to standard, then its license will expire on June 11, destabilizing the future of some 80 residents.

The Progress-Index will continue to report about this facility. If you have information you want to share about the Fillmore or other group homes in Petersburg, contact Jchu1@gannett.com or 804-305-3034.

Fillmore Place: P-I report triggers state investigation into residents' missing stimulus checks

[Joyce Chu](#)

The Progress-Index, July 19, 2022

PETERSBURG — After it was discovered by The Progress-Index that some residents who lived at the Fillmore Place [reportedly never received their stimulus money](#), Adult Protective Services is now investigating the adult care facility's use of funds.

The Fillmore Place houses some 80 elderly, disabled, and mentally challenged people who all subsist on Social Security. It is also the payee for more than 30 residents, a role granted to them by the Social Security Administration for those deemed unable to handle their own finances.

Once a facility is deemed a payee, all of a resident's money gets routed into a separate bank account controlled by the Fillmore Place. The resident no longer has access to their money, according to Anne See, a paralegal that has worked extensively in Medicaid and elderly abuse cases.

As the payee for dozens of residents, most of their stimulus checks would also get deposited into the bank account that's managed by the Fillmore.

In 2020 and 2021, the government provided citizens with stimulus checks to help overcome COVID hardships. Individuals should have received three checks totaling \$3,200. Yet Fillmore residents claim they've never seen any of that money; they don't know where their money went or how it's been spent.

Under government stipulation, stimulus money is separate from a resident's social security money used to pay for their living expenses at an adult care facility, and should be spent however the resident wishes.

The Fillmore charges \$1,609 for room and board for each resident, according to Saifullah Niazi, the co-owner. This amount is taken from the resident's social security check and from supplemental money provided by the government in what's called an [auxiliary grant](#).

For those that meet the criteria for the auxiliary grant — which is most if not all of the Fillmore residents — the federal government subsidizes assisted-living facilities in the Petersburg area up to \$1,609 per person. In addition to supplementing the resident's cost of living, the auxiliary grant also provides an additional \$82 a month for each resident to spend as a personal allowance.

Some residents have told The Progress-Index they only get \$5 to \$10 a week in personal allowance. And only one resident The Progress-Index had spoken to back in June was getting \$80 a month, a change that happened a few months ago when his monthly allowance was bumped up from \$60 to \$80.

“Depending on what that might look like, for each individual, the [personal allowance] amounts vary,” said Ti’Shuan Harris-Ugworji, the state’s auxiliary grant program manager. “That spending money may be utilized to pay the

additional fee or charges that are allowed in the auxiliary grant, [which includes] a \$10 laundry fee. And then the individual also has to pay for their co-pays for their medication.”

Niazi stated that they deduct charges such as laundry (\$10), medication co-pays (\$10) and cigarettes from residents' monthly stipend. However, some still do not know why they are ending up with such little money.

State inspectors noted the Fillmore Place's violation in the lack of documentation for how money was being spent dating back to at least 2016.

In a May 2016 inspection report obtained by the P-I, licensing inspectors reviewed records of five residents whose payee was the Fillmore. The facility's paperwork indicated that residents were given their personal allowance, but when inspectors interviewed the residents, they found that some were only getting between \$2 to \$5 a week to spend.

The staff told inspectors that this was due to the residents being "unable to handle their own money," and that the money the residents were supposed to get went instead to buying additional snacks and clothes. The staff told inspectors that the money spent on residents were documented on the accounts form.

However, inspectors did not find any documentation of how the residents' monthly allowance that was managed by the Fillmore was being spent.

Another resident didn't receive his \$65 personal allowance one month. A staffer told the inspector it was because he was apparently fined \$50 for smoking in the building and another \$25 for smoking on the ramp. This fee was never noted in the monthly account form.

In a [recent inspection](#) that concluded last month, inspectors found that the facility again failed to provide monthly statements that itemizes things the facility spent money on and payments they received on behalf of the residents, as well as money they spent for the residents. Inspectors reviewed 10 resident

records and found none had monthly statements for the past month, nor were these documents available on site.

Now, the facility's handling of the residents' funds are being called to question with the stimulus checks.

The Fillmore has been cited for copious other violations, including providing medication to multiple residents whose prescriptions had not been signed by the physician or prescriber, and not vetting or providing the required training for staff to properly care for residents.

This year alone, inspectors found 85 instances where the facility had violated state standards.

The facility has been plagued with bedbugs for years, according to inspection records, and photo documentation provided to The Progress-Index showed unsanitary conditions, feces on the floor, and urine on the bed. State inspections also note [the building to be in disrepair](#), with holes in the walls, cracked and missing floor and ceiling tiles, and soiled walls and floors in some rooms.

Due to its copious violations, Fillmore Place was operating out of a temporary 6-month "provisional" license, which expired on June 11.

State inspectors have not yet made a final decision on the status of the facility's license, as state laws indicate that an active investigation must be completed before a license is determined. APS has 45 days to complete the investigation.

If the Fillmore loses its license, the facility will be shut down, destabilizing the future of dozens of residents needing to be relocated.

This is an ongoing story.

State moves to deny license of Petersburg assisted living facility with egregious violations

Joyce Chu

The Progress-Index, Sept. 12, 2022

PETERSBURG —An assisted living facility that has been plagued with issues for years has finally been issued an intent to deny its license renewal by state inspectors.

The Fillmore Place has been troubled with bedbugs for years, according to inspection records, and photo documentation provided to The Progress-Index showed unsanitary conditions, feces on the floor, and urine on the bed. [The building has also been in disrepair](#), with holes in the walls, cracked and missing floor and ceiling tiles, and soiled walls and floors.

This year alone, inspectors found 85 instances where the facility had violated state standards.

In addition, the Fillmore Place has been cited for copious violations in the past, including providing medication to multiple residents whose prescriptions had not been signed by the physician or prescriber, not vetting or providing the required training for staff to properly care for residents, and not documenting how it was spending the residents' money as the payee for dozens of those in its care. It was also discovered by the PI that [some residents reportedly did not receive their stimulus money](#).

Residents who were under the Fillmore's care have complained about not being given enough money to spend on things they want and need, like money

to buy snacks and clothes. Some residents were only given [as little as \\$5 week](#), as documented in a state inspection report. They've also complained about not having toilet paper in the bathrooms, having to live in unsanitary conditions, being denied use of the phone at times, and being ravaged by bed bugs.

Owned by a former Richmond psychiatrist, Saifullah Niazi, and his wife, the couple was notified on Aug. 29 that the Virginia Department of Social Services will not renew their license to operate. The Niazis have 15 days to appeal this decision. If they do appeal, a conference will be set up to discuss their appeal. After the conference, the licensing department will issue an official decision within 90 days.

If the Niazis choose not to appeal the decision, then the official decision will take effect 30 days after the receipt of a final order to deny the facility's license.

If the final decision is the official denial of the facility's license, then the lives of its 80 residents will be upended and they will need to find a new home. Some of these residents are from Petersburg; others have come from other counties all across Virginia.

The Fillmore Place will be primarily responsible for placing its residents in another home and the facility is required to notify the residents 60 days prior to closing. If the Fillmore fails to be compliant with relocation requirements, then the state may step in and put together a team to help residents relocate.

It is uncertain where these residents will be placed or what facilities have vacancies to accept these residents. For now, they anxiously wait for the final decision.

City red-tags group home, accelerating residents' relocation; one former resident homeless

[Joyce Chu](#)

The Progress-Index, Dec. 7, 2022

PETERSBURG—The assisted living facility infamous for having its residents live in deplorable conditions has been red-tagged by the city and all its over 80 residents have been moved out of the building.

The Fillmore Place, an assisted living facility for the elderly and disabled, has been cited for a deluge of violations, including providing medication to multiple residents whose prescriptions had not been signed by the physician, and not vetting or providing the required training for staff to properly care for residents.

Residents have continuously complained about the bed bug infestation, with [one man's arm swollen from bites](#). Photo documentation provided to the Progress-Index by former employees showed squalid conditions: feces on the floor, urine on the bed, a pile of bed bugs in a room, dilapidated furniture. State inspections also noted [the building to be in disrepair](#), with holes in the walls, cracked and missing floor and ceiling tiles, and soiled walls and floors in some rooms. The Fillmore Place was operating on a temporary six-month license, which was set to expire on June 11.

[A Progress-Index investigation](#) exposing the conditions at Fillmore advanced the state investigations which closed the business.

On Aug. 29, state inspectors informed the Fillmore Place that it [did not intend to renew the license](#) that would allow the facility to continue operating. State inspectors gave the owners two deadlines to appeal the decision. The owners did not file an appeal before the first deadline rolled in on Sept. 15. They were

given a final deadline of Oct. 27 before the shuttering of the Fillmore Place became official.

On Sept. 20, the city's fire department came and red-tagged the Fillmore Place as unsafe for human habitation and prohibited its use. Additionally, Deputy Fire Marshal Jeff Fleming also pressed criminal charges on the owner Saifullah Niazi and the administrator Brenda Seal for violating the statewide building fire prevention codes and for not properly maintaining the elevators, according to court records.

In September, Fleming observed upon reinspection that the fire alarm system was not in operable condition, according to records obtained by the PI. In addition, there had been two separate recent incidents where the elevator did not work, leaving residents trapped inside.

On Aug. 17 and Sept. 9, a city inspector charged the Fillmore Place a total of \$4,900 in fines for various violations, including \$2,100 for having bedrooms, ceilings, bathrooms and elevators in disrepair. Similar to state findings, the city's inspector found rooms and ceilings with water damage, holes throughout the building, and bedrooms in filthy conditions. Some sinks had no running hot water and no flushing toilets, gnats were flying around, and rodent droppings lay throughout the facility.

The charges were a class 1 misdemeanor, and their case was dismissed on Nov. 14.

Due to the red-tagging of the building, the relocation of the elderly and disabled residents to another facility had to be accelerated. Adult Protective Services (APS), part of the Department of Social Services, stepped in to assist the administrator in relocating dozens of residents. They were transferred to different facilities in Petersburg, North Chesterfield, Dinwiddie County, Henrico, and other places in the Tidewater area, according to APS. The exact facilities that these residents were relocated to were not disclosed to the PI.

The PI recently met a former Fillmore resident, Johnny Knight, who has been homeless for the past several months. When asked why he had nowhere to stay, Knight gave incoherent responses. The city's social service office told the PI that Knight chose to stay with a family friend "and was not as cooperative with APS during the transition." When Knight left the Fillmore, his new address was not disclosed to the office.

Knight has no form of ID on him and doesn't know how to get help to find another place to live. Knight gets money from social security, but he doesn't know where his money is going, or even how to access it. The Fillmore Place was the payee for a lot of former residents; as a payee, the Fillmore was in charge of its residents' money and all of it went into the facility's bank account.

At night, Knight has been getting bussed to the cold shelter in Jarratt, 35 miles south from the city. Questions to the Department of Social Services regarding where his money is now going have not been answered, as APS has had no contact with him since his relocation.

Now that the Fillmore Place has been red-tagged, the owner Niazi cannot use the building for other purposes until all proper repairs have been made.

The Fillmore Place financially exploited its resident's stimulus money, a state investigation finds

[Joyce Chu](#)

The Progress-Index, Dec. 28, 2022

PETERSBURG—The Fillmore Place misused its residents’ stimulus money in at least one incidence, according to an investigation conducted by Adult Protective Services (APS), a state agency under the Virginia Department for Aging and Rehabilitative Services.

The investigation into this assisted living facility was triggered by a [Progress-Index report](#). We discovered back in June that residents we talked to [never saw any of their stimulus money](#), despite all U.S. citizens receiving three stimulus checks during the pandemic totaling to \$3,200.

How was the Fillmore Place able to do so? The facility housed more than 80 elderly, physically or mentally disabled residents who all subsist on social security. It was the payee for more than 30 of its 80 residents during the pandemic, according to the owner Saifullah Niazi.

As the payee, the residents’ money then get funneled into a separate bank account controlled by Niazi and his wife, the co-owner.

Petersburg’s APS supervisor who oversaw the investigation confirmed that they did indeed find evidence of financial exploitation, but did not answer follow-up questions or inquiries to see the report.

The Fillmore’s financial exploitation likely exceeds one case. Out of the three cases the local APS department looked into, two were no longer at the facility at the time of the investigation. Residents told the P-I that no one in the facility received any additional money outside of the \$5 to \$20 they were given a week.

Prior to the government dispersing the stimulus checks, information was sent out to assisted living facilities and others informing them that the stimulus money is something that the facilities are not entitled to, according to Anne See, a paralegal who has worked extensively in elderly abuse cases.

Out of the cases she’s seen in the Harrisonburg area, See says that facilities misusing residents’ stimulus funds is not something that has happened frequently.

“I think it’s really up to the residents and their families to say they didn’t get it,” See said.

But for the residents of the Fillmore Place we spoke to, they were not even aware of their right to receive their stimulus money. When informed by the Progress-Index of this right, they expressed fear of asking the administrator due to possible backlash. Many residents do not own phones or have close family ties. Without anyone to advocate for them, the Niazi’s maltreatment of residents went unchecked.

The assisted living facility was infamous for having its residents live in deplorable conditions. The state’s Licensing inspectors had cited the Fillmore for a deluge of violations, including providing medication to multiple residents whose prescriptions had not been signed by the physician, and not vetting or providing the required training for staff to properly care for residents.

Residents had continuously complained about the bed bug infestation, with [one man's arm swollen from bites](#). Photo documentation provided to the Progress-Index by former employees showed squalid conditions: feces on the floor, urine on the bed, a pile of bed bugs in a room, dilapidated furniture.

The Licensing team, in charge of determining if a facility is up to the state’s standards, finally denied the Fillmore’s license in August after years of operation. Soon after, [the residents were relocated to other group homes](#) and the facility shuttered.

What can be done to hold the Fillmore owners accountable?

Once authorities have been notified of possible financial exploitation, it’s the job of the local APS and/or Licensing division to investigate. Many times, they may also work with local law enforcement to investigate.

“The state law was changed a couple years ago where for financial exploitation cases, APS had to report it to law enforcement. And in most cases they’re doing the investigation together,” said paralegal See.

Paige McCleary, the state's APS director, says that local APS departments can offer a variety of services to victims of maltreatment based on the resident's wishes, though their role focuses on the client's safety—not bringing charges against the perpetrator. Services for those facing financial exploitation can include helping the resident close a bank account that has been compromised and re-opening a new one and paying a bill that is overdue due to the client's account being drained.

“The legal system and state regulatory bodies [Licensing and local law enforcement] would be the best venue to address accountability,” said McCleary. “That is why local departments are required to refer certain matters to licensing, regulatory or legal authorities to address. Those entities can take certain actions in regard to the perpetrator that local departments can not.”

The Licensing team did not answer questions on how they plan to keep the owners accountable, instead directing our questions back to APS.

Once financial exploitation has been found, results may be forwarded to the Commonwealth Attorney, who may decide to prosecute the owners.

“Our APS policy manual advises that local departments should consider a referral to the Commonwealth's attorney if the APS worker believes that the perpetrator has criminally exploited the vulnerable adult,” said McCleary.

Some local APS departments work closely with the Commonwealth Attorney, while other cities' APS departments work with law enforcement. It's then the law enforcement (the police or another local state/ federal enforcement agency) who then refer the case to the Commonwealth Attorney.

“My office begins prosecution after an investigation has been conducted and resulting findings forwarded,” said Petersburg Commonwealth Attorney Tiffany Buckner. “Depending on the nature of the allegations and how far reaching the investigation it may be referred for further investigation by the police department. Once criminal culpability can be established and probable

cause developed at that point a criminal prosecution would commence by indictment.”

It is not clear if Petersburg's APS department or the local law enforcement has given the Commonwealth Attorney's office the findings of Fillmore's financial exploitation. A check on the court website shows the Niazis have no charges related to financial exploitation.

This is an ongoing story.

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