

METRO

Landlord tries to evict 100-year-old in rent-controlled apartment

By [Linda Massarella](#)

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Justa Lopez
Victoralcorn.com

An Upper East Side landlord is trying to evict a 100-year-old tenant from her rent-controlled apartment by claiming she's never there.

But Justa Lopez hasn't been lounging on a beach — she broke her hip in a fall in the apartment, has spent the last year in and out of hospitals and claims the landlord just wants to cash in on her plight.

Lopez, who said she hasn't missed a rent payment in the 50 years she has lived in the pad at First Avenue and East 78th Street, filed suit to keep her home and force the landlord to make it safer.

"They've been waiting to get rid of me. This is an excuse," Lopez, who raised three children in the apartment and has 10 grandchildren and 17 great-grandchildren, told The Post.

"It's my home, my life is there."

Not only does Lopez want the eviction attempt squashed, she's demanding that the landlord redo the floors so it's safe for her to walk around.

Her lawyer, Dov Treiman, said the real reason for the eviction proceeding is money.

Lopez is paying \$150 a month for a two-bedroom apartment that would go for at least \$2,700 in today's market.

"She doesn't deserve to be shuffled off and dismissed," said Treiman. "Just because she's 100 doesn't mean she doesn't have a right to an apartment."

A man who answered the phone at Paley Management Corp., which operates the building, told The Post: "Mr. Paley won't be in today and there will be no comment."

Lopez, whose plight was first reported by NY1, moved to the Big Apple from Puerto Rico in 1948 and once ran a beauty salon on Second Avenue.

She broke her hip a year ago when she slipped on the living room floor.

“The floor is bad, it tilts down and I lost my balance. I’d been asking them for years to do something, [and] they ignored me.”

Lopez said that after being treated in the emergency room, she was placed in a nursing home, where she received physical therapy. She then stayed with her daughter in Smithtown, LI, while continuing to convalesce.

But her possessions are in the apartment and she says she has always intended to return.

According to the state, a rent-controlled apartment must be a person’s primary residence, but there are exceptions. “If one is away from the apartment in order to receive medical treatment, then that doesn’t count as being away from the apartment at all,” Treiman said.

Lopez’s senior-citizen neighbors told The Post they’re afraid they’ll be next.

“It’s a terrifying feeling for the elderly who live on a fixed income,” said a resident who asked to be identified only as “Mary Ann” for fear of reprisal.

“They [the landlords] are motivated by money,” said the neighbor, 62. “It’s heartless. It’s despicable.”

Additional reporting by Georgett Roberts



Security cameras outside Justa Lopez’s apartment
Matthew McDermott

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