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ICYMI

After rare landlord arrest, **[L] [SEP]** bill aims to allow more like it



By

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Photo: New York Times

PROTECTING TENANTS: Law aims to give residents “a fighting chance” against landlords such as Croman.

Landlord [Steve Croman](#) entered a guilty plea last week in response to charges from state Attorney General Eric Schneiderman that Croman illegally forced tenants out of their rent-stabilized apartments by hiring an ex-cop to intimidate them, let units fall into disrepair and filed frivolous lawsuits to drain residents of cash. Croman is facing a year at Rikers Island and a \$5 million fine, but not because he harassed tenants; rather, it is for tax fraud and falsifying business records. Tenant harassment is a big problem in the city, where rising real estate values give landlords motive to push out people who pay regulated, below-market rents. Between 2011 and 2015, tenant-harassment complaints filed in city Housing Court doubled, yet not a single landlord has been convicted since the state Legislature made harassment a crime 20 years ago. That’s because, under the law, prosecutors must not only prove that a tenant was forced out, but also that the tenant was physically and intentionally injured by the landlord. “It is nearly impossible for criminal charges to be filed against even the worst offenders,” said state Sen. Liz Krueger, a Democrat representing Manhattan. “It is high time this law was updated to protect tenants and give them a fighting chance.”

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Krueger has co-sponsored a bill that would make it easier to bring criminal cases against [unscrupulous landlords](#) . Introduced by the attorney general last month, it would eliminate the need to prove physical injury and make it a crime if landlords engage in a “course of conduct” that makes a unit uninhabitable or is even reasonably likely to do so. No position on the legislation has been taken by the Real Estate Board of New York, which in the past has opposed City Council bills on tenant harassment because they would accept tenants’ allegations as truthful unless the landlord can prove

otherwise. Schneiderman's bill doesn't make that presumption.

A version of this article appears in the [June 12, 2017, print issue](#) of Crain's New York Business.

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It's ironic that the AG's proposal is to criminalize the harassment of "rent regulated" tenants. Landlords would have no reason to harass regular tenants with leases that expire without renewal rights. So, the seeds of harassment are, surprise, the laws that supposedly protect tenants.

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