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Fighting The Landlord

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Rent regulated tenants in the East Village sue landlord over alleged harassment

East Village The lawsuit reads like a legendary New York housing horror story.

In the Supreme Court filing from Aug. 6, there's the building's infestation of rodents and vermin, the perpetually unlocked front door, and the drug addicts who routinely roam the halls, according to the complaint. There's a lack of light in the public areas, and the intercoms are broken. The complaint says that the building's façade is covered with vines and is home to a horde of wasps, bees, ants and mosquitos that live just outside the windows.

The building, at 309 East 8th Street, is owned by Prince Holdings 2012, LLC, one of mega-landlord Steven Croman's real estate companies, which is named as a defendant in the lawsuit. Croman owns around 100 residential buildings in Manhattan. He's currently under investigation by the State Attorney General's office for potentially illegal tactics that some suspect are aimed at forcing rent regulated tenants out of their apartments. Some of his tenants have even formed the Croman Tenants Alliance to share information and resources on alleged harassment they've suffered.

Shawn Dahl has lived at 309 East 8th Street for about 10 years, and said that since Croman bought the building in 2012, she and other tenants have sought to work with the landlord to resolve the building's problems. But after what she said was a series of broken promises and a lack of progress, she and another rent regulated tenant in the building, James Peterson, decided to file a lawsuit alleging harassment.

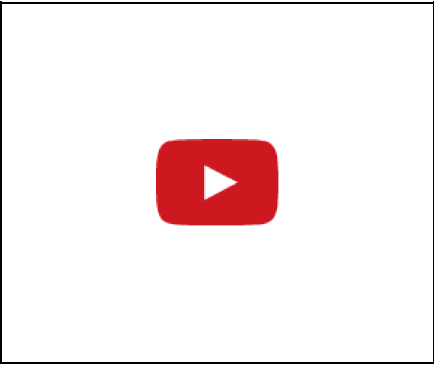
"It really hit home with me at one point when I just kind of sat down and went through all my emails and text messages and looked at the calendar and did a timeline of all the occurrences of various things, and it was just like, 'wow, no wonder I'm so stressed out,'" said Dahl.

In addition to the building's condition, the suit alleges that renovations being done in the units above Dahl and Peterson's apartments have caused both of their ceilings to collapse. It also says a man named Anthony Falconite, who Dahl and Peterson's lawyer believes is an employee of Croman's, has regularly harassed them and sought to gain access to their units under false pretenses. Falconite, an ex-cop, made the news recently

after being slapped with a cease and desist order from the State Attorney General's office for allegedly doing just that.

Dahl and Peterson say the lack of upkeep and harassment is part of a larger campaign to force them from their rent regulated units.

Their lawyer, Robin LoGuidice, of Grimbale and LoGuidice, LLC, said in the complaint that the renovations on the floor above Dahl's have caused flooding, turning her kitchen into a cess pool.



"There are constant sewer backups in the kitchen, causing foul, sewer contaminated water to flood the kitchen and make the apartment uninhabitable," said LoGuidice in the complaint.

The construction has caused Peterson's ceiling to collapse, and his unit's wood floor is coming up and splintering, according to the complaint. Records from the Dept. of Housing Preservation and Development indicate there are currently 18 open violations at the property.

A spokesperson for 9300 Realty, another of Croman's real estate companies, said since taking ownership of the building in December of 2012, Prince Holdings, LLC has improved 309 East 8th Street and that the

allegations made in Dahl and Peterson's suit are unfounded.

"Since taking over the property, we have made significant improvements to the building and removed over 120 [Dept. of Housing Preservation and Development] violations associated with the prior ownership."

The spokesperson said the building was long neglected by the former landlord, and Prince Holdings is working on closing other violations, many of which were levied against the prior owner.

"The tenants behind the recent suit have a long history of litigation with the prior landlord and we will vigorously defend ourselves against what we consider to be unfounded accusations by these individuals," said the spokesperson.

But Samuel Himmelstein, a lawyer with the tenant-exclusive firm Himmelstein, McConnell, Gribben, Donoghue and Joseph, said he's litigated a number of cases involving Croman and his companies, and that he's not surprised at the circumstances surrounding 309 East 8th Street.

"We've tangled many times," said Himmelstein. "I represented many of the tenants at 12 East 72nd Street where he brought eviction cases against 23 rent stabilized tenants on the grounds that he wanted to live there. Those cases were settled, and I have a couple of cases which are in litigation now."

Himmelstein said Croman's M.O. is to bring frivolous eviction cases against his tenants.

According to LoGuidice's filing, Croman's company has alternately refused rent payments, refused to give over receipts for rent payments, and has added "inexplicable fees and charges to rent bills in order to cause [Dahl and Peterson] emotional distress."

The complaint is seeking monetary damages and an immediate end to the alleged harassment.


Dahl said she rarely leaves her apartment for fear that something catastrophic will happen while she's out, such as when she was out of town and came back to a collapsed ceiling and flooded kitchen. "I've turned down work in order to be there," said Dahl. "In their minds they think they can just get me out. I want to live there, I like the neighborhood, I like my apartment."

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