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## LES Tenants Gain Small Victories Over Croman

By: Steven Wishnia

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"Hello, Mr. Croman," the woman said, encountering her landlord in the hallway of her Lower East Side building Jan. 24. "Hi, how are you?" he answered, and immediately turned to shine his cell-phone flashlight in her face to blur the pictures she was taking.

"I recognized Steve Croman from his mug shot," the woman, who asked not to be identified for fear of intimidation, says. Croman, who owns more than 150 buildings in Manhattan, is facing a civil lawsuit by state Attorney General Eric Schneiderman for harassing rent-stabilized tenants, and criminal charges alleging that he scammed banks by claiming he was getting them out and raising rents faster than he actually was.

The day before, Buildings Department inspectors had visited the building at 159 Stanton St. They issued an order that all work in the entire building had to cease immediately after the superintendent and workers refused to grant them access to the eight vacant apartments. The next day, the department issued a second stop-work order, citing "illegal activity—tenant harassment."

"This was part of a tenant harassment sweep," a Buildings Department spokesperson said. "It is standard practice to stop a job when access is denied to a site."

"It's a big win," says Sherief Gaber, an Urban Justice Center lawyer representing the tenants in a lawsuit they filed against Croman in December. "It's a good sign that the Department of Buildings is taking construction as harassment seriously."

Construction as harassment, in which gutting and renovation work on vacant apartments makes life miserable for other people in the building, "is a citywide pattern," says Rolando Guzman of the St. Nicks Alliance in northern Brooklyn. "Over the past five years, it has become a trend." The group first heard complaints about it from tenants in Williamsburg and Greenpoint, but is now seeing it more in Bushwick, and has heard about it in Ridgewood, East New York, and Sunset Park.

"As neighborhoods become hotter, there's more pressure for rent-stabilized tenants to be pushed out," he says.

Croman, who bought 159 Stanton St. in 2013, began gutting vacant apartments in the summer of 2015 in what rent-stabilized tenants have described as a typical construction-as-harassment pattern: Noisy work that filled the building with dust and debris, cracked the walls, and caused one woman's ceiling to collapse and a pipe to leak sewage all over one man's kitchen. Meanwhile, Croman minions aggressively and repeatedly offered them money to leave.

The work stopped in the fall of 2015, around the time the Buildings Department issued a violation for doing electrical work without a permit in six apartments. That left eight of the building's 18 apartments vacant, gutted to the point where they had no walls, windows, or floorboards. Tenants complained of burglars and other intruders coming in through the vacant apartments. The roof leaked so badly, tenant Weiben Wang told the *Village Voice* in December, that "when it rains outside, it rains inside."

In December, they filed an "HP action" lawsuit in Housing Court to demand repairs, an end to harassment, and that future construction be done safely, promptly, and with minimum nuisance. A judge in January ordered the Buildings Department to inspect the common areas and the occupied apartments, says Gaber. The inspectors have the right to look at the vacant apartments without a court order, he added.

Tenants are also worried that while gutting the vacant apartments, Croman may have removed fire retardant material from inside the walls. He has ripped out fireproofing in other buildings, Gaber says. The Buildings Department says that "was not a noted issue" during the 2015 inspection, and they couldn't check it out this time because "the inspector was not permitted access to the worksite by the owner."

Despite the stop-work orders, on Feb. 4, a Saturday, a work crew arrived at 9 a.m. to begin removing the water-damaged stairs between the fifth floor and the roof. They installed a plywood ramp with slats to replace the top five steps.

According to tenants, staff at Croman's 9300 Realty said the stairs were emergency work because someone had complained to the city Department of Housing Preservation and Development about them. On the other hand, they said, Croman had taken no steps to fix the boarded-up window in an elderly woman's fourth-floor apartment, despite tenants complaining to HPD since November that it was blocking her access to the fire escape. Croman was overheard at 2:40 p.m. telling a worker "you're allowed to do it" and that he shouldn't speak to anyone.

HPD spokesperson Juliet Pierre-Antoine said the department received complaints on Sunday, Feb. 5 about the blocked window and the ramp to the roof. Inspectors arrived that night and issued two Class C violations, because both blocked egress in case of fire. C violations are "immediately hazardous" and must be fixed within 24 hours after the owner is notified.

"The inspector said he was surprised it took so long to get on this, as complaints date back at least to November, and there were at least four and probably more complaints," a tenant says.

HPD records posted online show that a Class B violation, hazardous, was issued Dec. 21, for loose treads on five of the top seven steps on the stairway to the roof. Croman was ordered to certify they'd been fixed by Feb. 9.

Pierre-Antoine says Croman responded to the violation for the staircase, but not to the one for the boarded-up window to the fire escape. The department sent out an Emergency Response Team to fix it.

"We went out immediately, rather than wait for the landlord to take action," she says. "Egress is a really major problem."

HPD said it was all right for Croman to finish the work on the staircase, which created confusion. On Monday, Feb. 6, the work crew returned at 10 a.m., and tenants called both 311 and the police to complain about the violation of the stop-work order. According to tenants, the super and the building manager told police the work was allowed. Tenants responded that

the stop-work order applied to the "entire premises." "Every time the female tenants tried to speak," says one woman, the property manager "yelled over us." When they told him to let them speak, he shouted, "THIS CONVERSATION IS OVER."

Croman's work crew played cat-and-mouse with inspectors the rest of the day. "The Department of Buildings inspectors came back every day telling them to stop working," says Kit Brauer, who lives on the fifth floor by the staircase to the roof. "They would just pack things up and leave, and then come back a couple hours later."

HPD's emergency contractor arrived late in the afternoon to repair the boarded-up window on the fourth floor. By 6 p.m., tenants say, they had removed the board and the old frame, measured the window for a replacement, and put in a plywood door with hinges so the tenant could get to the fire escape—with "much rejoicing" when they finished.

The Buildings Department said Feb. 7 that its stop-work order did not apply to ordinary repairs. Croman's work crew returned and installed marble stairs at the roof door.

An HPD lawyer had told both the tenants' and Croman's lawyers Jan. 30 that the Buildings Department orders applied to construction and did not prevent ordinary repairs. Gaber emailed Croman's lawyers the next day, telling them that fixing the fourth-floor window was "of particular importance."

Both sides have agreed that the vacant units should be inspected, says Gaber, but haven't set a date. A Housing Court hearing on the tenants' suit is scheduled for Feb. 23. Meanwhile, on Feb. 7, a hearing on the criminal charges against Croman was adjourned to April 4.

Meanwhile, the eight vacant apartments remain gutted, with zippered sheets of plastic instead of doors. "It's like living in an abandoned building," says Brauer.

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