

Your Landlord's Dick

Building owners hire spies to win evictions

By J.A. Lobbia Tuesday, Jul 27 1999

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Just before midnight on March 20, 1998, Richard Hughes answered a knock at the door of his Manhattan apartment. Outside were two men who claimed to work for Cigna Group Insurance. They told Hughes they were investigating a trip-and-fall that had occurred two flights below Hughes's third-floor apartment. Given the late hour, Hughes thought the visit odd.

Odder still were the investigators' questions, which quickly strayed off the accident and became increasingly personal. Did Hughes live alone? Did he have a home elsewhere, they wanted to know. The situation ended even more curiously, says Hughes, when one investigator handed him a card. It was from Beau Dietl & Associates, the detective agency owned by a flamboyant and headline-hungry former New York City police detective.

It was then that the situation began to make sense. Hughes, a rent-stabilized tenant paying \$381.86 for his one-bedroom Inwood apartment, has a history as a tenant leader and overall pain in the backside of his landlord, A. Richard Parkoff. Hughes figured that Parkoff had hired a private dick in the hopes of finding the 56-year-old tenant engaged in some action that could get him evicted, like subletting without Parkoff's permission, or not using his rent-stabilized apartment as his primary residence. Indeed, this May, Parkoff's Apar Realty Co. made both those claims in an eviction suit it filed against Hughes.

"It's his dream that I *don't* live here, but the fact is, I do," says Hughes, who is preparing for an August deposition. "This is simply a retaliatory eviction." Parkoff did not return calls, and both his manager and attorney declined to comment on the pending case. Dietl says his agents may well have been working for Cigna, although Cigna told Hughes they were not.

A late-night visit from dubious insurance agents is just one example of a growing practice among New York City landlords: snooping on tenants. The hot market has sent landlords of rent-regulated buildings prying into tenants' paper trails, hiring private investigators to videotape their comings and goings, even making deals with neighbors to spy on each other.

"If an owner believes a tenant is not living in an apartment as their primary residence or is subletting, he might hire someone to do research on where a tenant votes, has insurance, or whatever," says Joe Strasburg, president of the powerful Rent Stabilization Association, the city's largest landlord lobby. "The stakes are much higher not only because of the market, but because of the vacancy allowance," a 1997 change in state laws that allows a minimum 20 percent hike on vacant apartments, and deregulation for empty apartments if rent reaches \$2000. "If you can prove your case, there's value there."

Not since co-op and condo conversions swept the city in the 1980s have private detectives been in such demand, say investigators who work for landlords. "In the 1980s, I used to do 10,000 tenants in one year," says Vincent Parco who runs Intercontinental Investigations Inc., which handles about 500 landlord-tenant cases a year. "If Harry Macklowe or Donald Trump bought a building to co-op, every apartment they could deliver vacant was another \$200,000 or \$300,000 in their pocket."

Business slumped with the recession but is humming again. Angelita Anderson, whose Citywide Task Force on Housing Court assists tenants facing eviction, sees at least one case a week that relies on a private investigator. "People don't realize that yes, a landlord is entitled to use a private detective," says Anderson. "It's just part of his building a case."

Frank Pandolfi, a former NYPD detective who makes his living tailing tenants for landlords, owns Pan Associates, and handles about 25 landlord-tenant cases each month. He says an average case costs \$500 and takes 10 days, and usually begins with a routine hike down the paper trail: car, insurance, and voter registrations; property deeds; and other records that are easily and legally available. Parco, who charges about \$750 for a case, regularly installs hidden video cameras outside apartments to track tenants' comings and goings.

PIs also use ruses, which can be legally murky. State law prohibits PIs from practicing "fraud, deceit, or misrepresentation," but gives them wide berth (see "Some Rules"). PIs cannot get information by falsely claiming to represent an actual company, but Parco's firm, for instance, works around that by setting up fake companies, usually a delivery firm, complete with logos and stationery.

Parco, president of the Association of Legal Medical Investigative Experts, says that phone bugging, obtaining tax returns, and getting credit histories are off-limits. So is impersonating government or law enforcement officials, or members of the clergy. "Anything after that is okay," says Parco, who made headlines because he sold Carolyn Warmus of "Fatal Attraction" fame the gun and silencer she used to kill her lover's wife.

Parco says most landlords play by the rules. A decade ago, he recalls, owners called "who more or less said they wanted somebody's leg broken. I joked that we charge by the leg and you couldn't afford us, but I got the feeling that if we set a certain price, they'd probably hire us." In 1992, Parco's firm was offered \$11,000 by a Manhattan real estate executive and his lover to kill the exec's wife in a New Jersey mall. Parco reported the request to the Manhattan D.A.