

## Landlords: From Best to Worst (and So Much in Between)

📅 April 3, 2017   📄 [Articles](#), [Neighborhood](#), [Opinion](#)

*By Joseph Turco, Esq.*

We are now familiar with the City's annual "Ten Worst Landlords" List, of infamous criminals, miscreants, con men, and non-human creatures of the "one percent" who own the roofs over our collective head.

I love this list's achievement, calling out dastardly deeds: harassment, thievery, intimidation, assault, bribery, perjury, mortgage fraud, tax evasion, and a host of other crimes. The list's star from last year, Steven Croman, may do us a favor by spending a year or two in prison...all very satisfying.

But the list fails us. With just ten names, it won't alert us to thousands of others, who committing those deeds, albeit on a smaller scale, get away with it every day. Sure, Steve "Scarface" Croman and his lawyers are some of the toughest and nastiest opponents against whom I have ever litigated. But consider a recent case of mine, Time Equities and Charles Street Equities v. Lydia Martinez. My client, Lydia Martinez, has lived at 88 Charles Street since birth. Her parents owned La Sangria on Hudson Street where Philip Marie now stands.

Lydia's mom was the chef and her step-dad danced flamenco on that stage for 25 years. That cute little girl who ran on stage as the toddler master of ceremonies was Lydia. It's been some time—her parents have passed away and the restaurant is long closed. Lydia is now the tenant of the rent-controlled lease at 88 Charles Street, which rent stabilization law keeps affordable. She played as a child in the snow on Charles Street just as I saw local kids doing the other day. She is a longstanding part of the neighborhood's cultural fabric.

Time Equities on Charles Street, the landlord would increase the rent five-fold if it could only remove Lydia, hence its bogus lawsuit. During her life, Lydia has paid rent late five times, causing legal notices to be sent. Needless to say, her landlord seized upon this alone as grounds for eviction, wanting her out in order to charge the market rate, or better, to sell the unit for \$700,000 as a co-op. History and culture be damned, greed rules among the landlords. They are suing her for possession, based on a few late rent payments.

To evict Lydia, did her landlord send retired cops on steroids to bang on her door? No, they just failed to fix her broken front door for six years. Did Lydia's landlords conduct fake and lengthy "repairs" creating noise and dust for months to make her life unbearable? No. They just allowed a slow leak upstairs to linger for a quarter-century. Did they lie, like Croman, on mortgage forms about how much rent Lydia paid? I don't know. Did they allow her to "cure" what they called a substantial breach of her lease? No.

Here, in this great middle, a "Ten Worst" List fails. Most don't live in buildings owned by its members, but we must be vigilant against the same tactics. Just because a landlord's trickery is not obviously extreme (like Croman's) does NOT mean they are not dangerous to your survival. Make no mistake: If you are a rent-controlled or rent-stabilized tenant in Greenwich Village, the threat to your housing exists.

Most of my cases come from that middle. I always remind rent-controlled tenants in high-market neighborhoods that only one substantial breach, like illegally subletting or drug dealing, is grounds for eviction. Lately, the pretext against good and honest tenants is repeated late rental payments. Landlords say that if rent is late four to five times, they have been so injured and the lease so breached that you must leave—a very dangerous trend catching people when injured, temporarily out of work, or falling on hard times in unforeseen circumstances. These people, like Lydia, often return to work, proving that attempts to break rent-controlled and rent-stabilized leases over a few late payments are insidious, legally erroneous, and very much from the Croman playbook.

I would be remiss to not acknowledge good people in this piece. Some New York landlords are honest, good citizens who care about their tenants' well-being. When I negotiated a substantial and lucrative issue with a tenant on Charles Street, landlord Daniel Elias was a perfect gentleman—honest and straightforward—and his communication with me and tenants a model in decency. But there is no "Good Landlords" List for people like him.

Whether your overlord is evil like Croman, angelic like Elias, or somewhere in between like Time Equities, or Buchbinder & Warren, in this town, you must stay vigilant and proactive regarding your rights as a tenant, lists notwithstanding.