



NEW YORK STATE SENATOR

Gustavo Rivera

## TENANTS IN THE ALTERNATIVE ENFORCEMENT PROGRAM DEMAND COOKING GAS BE RESTORED

GUSTAVO RIVERA February 21, 2018

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Bronx, NY - State Senator Gustavo Rivera, the Northwest Bronx Community & Clergy Coalition (NWBCCC), and the Legal Aid Society joined the Tenants Association of 156 East 178th Street to demand that cooking gas be restored. Tenants at 156 East 178th Street have been without cooking gas for 11 months. Tenants also announced their plans to address negligence in their building by demanding that the NYC Department of Housing Preservation and Development (HPD) take every action to penalize this landlord financially and criminally.

In February of 2015, 156 East 178th Street and its landlord, Arthur Gibbons, were enrolled in HPD's Alternative Enforcement Program (AEP). Each year, HPD's Alternative Enforcement Program selects buildings based on open violations per unit and outstanding emergency repair charges, making critical determinations about pursuing legal action, penalties, and tax liens leading to foreclosure or sale of the property if the landlord cannot work his way out of the program first. Gibbons' record of neglect includes failing to comply with a court order to correct conditions, resulting in a court judgment in August 2016 including penalties totaling \$96,525 and 60 days in civil jail. Since March 2017, tenants of 156 E 178 Street have not had access to cooking gas due to a shutoff following a gas leak in the basement.

"We rely on engaged enforcement agencies to hold bad actors accountable, so we are demanding that the HPD use every tool at its disposal to address this landlord's inability to care for his tenants," said State Senator Gustavo Rivera. "This landlord failed to ensure his tenants' health and safety by neglecting to restore cooking gas in a timely manner. It is time for HPD to say to Mr. Gibbons, on behalf of the tenants at 156 East 178th Street, enough is enough."

When the NWBCCC contacted the Office of State Senator Gustavo Rivera to advocate for the tenants of this building in August 2017, Gibbons' outstanding fines and penalties restricted him from obtaining permits to lawfully address the cooking gas outage. Since that point, tenants and their advocates were unclear as to who would be responsible for restoring cooking gas or if there were any plans or timelines in place with the Senator's Office or to tenants directly.

"The issue of no gas has trends into a health crisis. The gas went out in March and they didn't give us hot plates until August. People had to buy their own appliances or eat out, and I know I can't afford to eat out every day. I had to buy a toaster just to have Thanksgiving. That's hundreds of dollars, and a lot of people in the building don't have that. On the other hand, if you eat out it's less healthy, more salty. Or if you eat out and buy good quality food, it's expensive. We need the gas to be turned back on immediately," said Mulkateria Parker, Tenants Association President, Apartment 3A

Representatives from Senator Rivera's office and NWBCCC worked with the tenants' association at their monthly tenant meetings to decide on strategies, such as rent reductions for decreased services, and worked with the Legal Aid Society to secure representation for the interested members of the Tenants' Association. Senator Rivera's office reached out to HPD consistently to push for expeditious action in the building with a priority to protect tenants' health.

"Everyone in the building has issues with leaks, which of course leads to mold. Every couple months the mold grows back in my apartment. Sometimes they come to paint over it, but it

grows back. Sometimes the bathroom leaks when we take showers, and the water goes down to the apartment below, causing more damage. I've been here 8 years with no paint job in the rest of the apartment and no repairs," said Salina Watts, tenant in apartment 5E.

In January of 2018, HPD attorneys sued the landlord to restore cooking gas within 30 days. As of February 17, Gibbons did not meet this deadline. The Senator is in contact with the HPD Office of Enforcement & Neighborhood Services to ensure that exhaustive measures are taken to help tenants in this building.

"Besides the issues of the broken intercom system, serious leaks, mold, infestation, broken windows, high power bill, and intermittent working elevator, the fact that tenants have had no gas for almost 1 year has turned into a health issue. Some tenants are complaining of elevated blood pressure and elevated blood sugar levels because they are forced to purchase unhealthy foods," said Joseph Ferdinand, lead building organizer from NWBCCC. "That's why NWBCCC is committed to organizing with tenants at 156 E 178th Street, because their rights and their voices matter."

The Legal Aid Society has filed for 7A administration on behalf tenants so that this property, plagued by conditions hazardous to tenants' health, can have a court-ordered administrator collect rents and invest the money in providing essential services and making necessary repairs.

"For far too long, these tenants have lived under abhorrent conditions that no one should have to endure," said Zoe Kheyman, Staff Attorney at The Legal Aid Society's Tenant Rights Coalition. "Unfortunately, this is not an isolated incident - we hear these horror stories from clients and low-income tenants throughout the city on an all too frequent basis. We stand united with Senator Gustavo Rivera against unprincipled landlords and their illegal harassment tactics. The Legal Aid Society calls on the landlord to immediately fix these overdue repairs."