



January 6, 2016, NEW YORKâ€™s **Legal Services NYCâ€™s Manhattan program** and **Asian Americans for Equality** have filed a federal lawsuit alleging violations of the Fair Housing Act and New York State and City human rights laws in connection with a planned elevator outage that would effectively trap an elderly, low-income, terminally-ill tenant in his home for five months (Photo: Mr. Ng, seated third from right, with neighbors and advocates including LSNYC's Cynthia Weaver and Anita Wu)

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Press coverage: [NYÂ Daily News](#);Â Chinese language:Â [Sing Tao Daily](#), [World Journal](#)

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**Chee Sum Ng** is a 64-year-old rent-stabilized tenant who cannot reasonably climb the seven flights of stairs to his apartment because he suffers from end-stage renal disease. He must leave his apartment at least three to four times a week for life-sustaining dialysis treatment. Mr. Ng and his neighbors at 173 Henry Street received notice on December 20th that the 43-unit buildingâ€™s only elevator would be shut down for replacement for a five-month period beginning this week. The buildingâ€™s tenants met with the landlord to ask that they postpone the work to ensure that reasonable accommodations could be secured for the buildingâ€™s many elderly and disabled residents, who would be trapped in their apartments without elevator service. The landlord (**King Henry Realty Inc.**, managed by defendants **Poon Lut Mei** and **Wong Tung**), declined this request, stating that they had already paid a contractor deposit.



During a sudden elevator stoppage several weeks ago, Mr. Ng was forced to attempt to descend the stairs on his own in order to receive his dialysis treatment. Because his disease causes his lungs to fill with fluid, and has weakened his body to the point where he has difficulty even using a walker, Mr. Ng fell down the stairs after only one flight. He sustained injuries including bruises on his forehead and nose, a blackened right eye, injuries to his right hand, and a bloody nose (Photo: Mr. Ng with some of the injuries he sustained during the previous outage)

â€œWhen the elevator was shut off before, I hurt myself badly going down the stairs, and it took me an hour to climb back up after my dialysis,â€ said **Mr. Ng**. â€œIâ€™m afraid that if my landlord shuts down the elevator, I wonâ€™t be able to get the treatments I need to live.â€

Mr. Ng is seeking reasonable accommodations (for example, an apartment on the ground floor of the building or on any floor of a nearby building with elevator access) and for the defendants to postpone removal of the elevator until such accommodations can be agreed upon. Under the Fair Housing Act, such a request is reasonable and is not an undue burden on the landlord. Without such accommodations, Mr. Ng and many of his neighbors will effectively be forced to remain inside their apartments with no access to regular medical care and unable to leave even in the event of an emergency.

â€œWe thank Mr. Ng for his courage and continue to stand by him in his fight for justice,â€ said **Anita Wu, Staff Attorney at Legal Services NYC**. â€œThe landlord is gambling with the lives of these disabled and elderly tenants by refusing to offer reasonable accommodations while the sole elevator is out of service. There are many more disabled tenants in this building who are afraid to assert their rights due to a history of retaliation and harassment by their landlord.â€

**Christopher Kui, Executive Director of Asian Americans for Equality (AAFE)** said, â€œAAFE is dedicated to educating and supporting tenants in enforcing their legal rights so they do not have to fear losing their lives because they cannot access

critical, life-saving services. We are proud of the work we are doing with Legal Services NYC's Manhattan Program to vocalize the concerns of some of New York's most vulnerable residents—the elderly and disabled."

The lawsuit was filed on Monday in U.S. District Court, Southern District of New York, and a temporary restraining order was granted preventing the defendants from taking the elevator out of service and from harassing Mr. Ng in retaliation for asserting his rights. A preliminary injunction hearing is scheduled for **Wednesday, January 20th at 9am at 40 Foley Square, Room 1305**.

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