



February 22, 2016, NEW YORK—Members of the 173 Henry Street Tenants Association today held a press conference demanding that their landlord repair building conditions and provide them with proper accommodations before shutting down their elevator service. The press conference comes on the heels of [a federal lawsuit](#), filed last month by **Legal Services NYC’s Manhattan program** (—Manhattan Legal Services—) and **Asian Americans for Equality (AAFE)** to stop the landlord, **King Henry Realty Inc.** from shutting down the elevator and trapping many elderly and disabled residents in their homes for up to five months (Photo: Councilmember Margaret Chin with tenants and advocates in front of U.S. District Court today)

Press coverage: [The Lo-Down](#), [The Villager](#); (Chinese language) [World Journal](#), [China Press](#), [Sing Tao](#), [Ming Pao](#) (Article B15)

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 received notice in December that the 43-unit building’s only elevator would be shut down for replacement for a five-month period. The building’s tenants met with the landlord to ask that they postpone the work to ensure that reasonable accommodations could be secured for the building’s many elderly and disabled residents, who would be trapped in their apartments. The landlord declined this request, stating that they had already paid a contractor deposit.

In response to the lawsuit filed by Manhattan Legal Services and AAFE, the **Hon. Paul Engelmayer** (U.S. District Court for the Southern District of New York) in January issued a temporary restraining order, stopping the landlord from turning off the elevator. This afternoon, a preliminary injunction was granted, preventing the landlord from removing the elevator without providing Mr Ng with reasonable accommodation. The preliminary injunction will remain in place until the next court date on April 25th.

Now, Mr. Ng’s neighbors are coming together to demand that the landlord also stop the harassment—in the form of construction—intended to force long term elderly and disabled tenants to move out. The list of demands includes:

- Provide heat and hot water (tenants had none recently during Lunar New Year);
- Repair holes in walls throughout the building that rats are using as their homes;
- Repair the building’s broken intercom system;
- Construction to be allowed only with proper permits issued by the appropriate City agencies;
- Scope of the construction work cannot exceed what is approved by the appropriate City agencies;
- No after-hours or weekend construction without the proper permits and notices;
- Construction debris and dust must be cleaned up at the end of each work day;
- Notices in conspicuous places in common areas of the building about on-going construction;

- Essential services not to be disrupted during any on-going construction;
- On-site super to take care of garbage and maintain public areas; and
- Accommodations for other disabled and elderly tenants including help with carrying groceries up.

"Housing that is affordable, safe and accessible is not a luxury—it is a human right. For seniors and disabled New Yorkers, a working elevator is a lifeline to the outside world. Without an elevator, trips to the doctor's office and the grocery store become almost impossible for residents on higher floors," said **Council Member Margaret Chin**. "We are here today to demand that this landlord end harassment through construction, and restore basic services like working elevators, reliable heat and adequate hot water. The safety and security of residents must come before profit. Together with residents, advocates and my fellow elected officials, we say to this landlord, 'Enough is enough.'"

"New Yorkers deserve safe, livable, affordable housing and it is unconscionable that a landlord would jeopardize the health of a tenant in this manner," said **Rep. Nydia M. Velázquez (D-NY)**. "I applaud Legal Services NYC and Asian Americans for Equality for their advocacy and seeking resolution on behalf of Mr. Ng and all elderly residents of this building. Unscrupulous acts by landlords will not be tolerated and I am proud of 173 Henry Street's residents for standing together in defense of their legal rights. We must continue pushing their case forward."

"Access to your home is a basic need, and maintenance work can't ignore that," said **State Senator Daniel Squadron**. "I continue to join the 173 Henry Street Tenants Association, AAFE, Manhattan Legal Services, and my colleagues in advocating for tenant protections and an end to unacceptable practices that keep tenants from their homes."

"Today we sought and obtained a preliminary injunction preventing the landlord from suspending elevator services at 173 Henry Street so that Mr. Ng, who cannot use the stairs because of his medical condition, may continue to obtain life-saving medical and social services," said **Cynthia Weaver, Staff Attorney at Manhattan Legal Services**. "We are hopeful that the landlord will finally provide a reasonable accommodation to allow the elevator repair to proceed. However, we are very much ready to litigate the merits of our claims."

"AAFE has a long history and tradition of educating, training, assisting, and advocating on behalf of tenants to ensure they have safe living conditions in their homes," said **Christopher Kui, Executive Director of Asian Americans for Equality (AAFE)**. "We are working with tenants to fight back against tactics used by their owners intended to force them to leave their homes, such as creating illegal construction zones in their buildings and shutting down essential services. We are proud to stand with the 173 Henry Street Tenants' Association, Manhattan Legal Services, and our elected officials to send the message that we will continue to fight for safe and habitable homes."

"For far too long, unscrupulous landlords throughout New York City have used construction as a means to harass tenants. The coalition Stand for Tenant Safety (STS) is proud to unite with the tenants of 173 Henry Street as they push back against the aggressive and illegal construction occurring in their building. The terrible conditions they face at 173 Henry Street demonstrate an urgent need for change. The City needs to address the issue of construction-as-harassment head on," said **Brandon Kielbasa of Stand for Tenant Safety (STS)**, a coalition of community organizations and tenant advocates.



(Photo: LSNYC Staff Attorneys Anita Wu and Cynthia Weaver address the media before today's hearing)

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