December 14, 2016, New York, NY—A group of Essex Street tenants are celebrating this week as they announce the settlement of a hazardous conditions and harassment lawsuit filed more than a year and a half ago. The tenants are represented by Legal Services NYC’s Manhattan program (Manhattan Legal Services, MLS) and Asian Americans for Equality (AAFE). (Photo: Tenants and advocates at an April 2015 press conference announcing the lawsuit.)

The tenants filed the lawsuit in April 2015 after their landlords, Dean and Paul Galasso, engaged in a campaign of harassment that made their lives intolerable in an effort to force them to give up their rent-stabilized apartments. The landlords engaged in illegal construction work that compromised the integrity of their building, causing structural damage to the tenants’ apartments including gaping holes in ceiling walls and cracked floor tiles with sharp protruding edges. They used the building’s air-shaft as a make-shift garbage chute, causing heaps of construction waste and black dust to enter tenants’ apartments through windows and cracks in the walls. They failed to provide heat, hot water, or cooking gas for the building, forcing the tenants to boil water for baths, use portable gas stoves, and purchase readymade food. The Galassos also harassed tenants using other tactics, including using notorious tenant relocator Michel Pimienta, who had previously been ordered to cease all operations after NYS Attorney General Eric Schneiderman found that he had harassed rent-stabilized tenants and operated illegally in more than 60 rent-regulated buildings.

Advocates from MLS and AAFE were able to get tenants’ access to heat and hot water restored in December 2015, and access to cooking gas was restored earlier this fall. The settlement includes monetary damages related to the harassment claims and the lack of access to essential services, as well a promise that there will be no additional permitless illegal construction.

“Shortly after the owner bought the building at the end of 2014, construction began at my building,” said building tenant Kam Feng Chen Ma. “Later, the heat and cooking gas was shut off, which made life at the building almost unbearable. I was scared and worried I was not told how long that would last. I also did not know how long I could last without heat and cooking gas. Once I even got food poisoning because the food cooked on the hotplate provided by the owner was not hot enough. I’m so grateful for the assistance of Asian Americans for Equality and Manhattan Legal Services. AAFE and MLS assisted us to force the owner to restore the heat and cooking gas. More importantly, AAFE and MLS supported us to fight for our long-term homes and our dignity to live in the community that we played a role to grow.”

“This was the first repairs and harassment case that MLS and AAFE partnered on, and I am thankful the tenants are finally receiving essential services after waiting for over a year and a half,” said MLS Staff Attorney Cynthia Weaver. “While the case took a long time to resolve, it would’ve been even longer had the City agencies not intervened. The elderly tenants were subjected to the denial of heat, hot water, and cooking gas, dangers of illegal construction, and harassment with buyout offers by a tenant relocator. I’m hopeful these tenants’ resilience sends the message that marginalized New Yorkers are not afraid of standing up for their rights and not disheartened by frustration with our court and government processes.”

Many landlords have tried to illegally profit off the backs of Lower East Side tenants, but Dean and Paul Galassos’ abuses were exceptionally bad. By illegally hiring the professional tenant harasser Michel Pimienta and creating life threatening and inhabitable conditions, Dean and Paul Galasso showed no mercy for these tenants, said AAFE Executive Director Christopher Kui. “I am so proud of the tenants we organized for standing up to this outrageous bullying, and this win will help ensure that their landlord operates within the rule of law moving forward. I thank Manhattan Legal Services for being AAFE’s invaluable partner on the ground and in the courtroom, Councilmember Chin for her leadership on this case, and Senator Squadron for his tireless advocacy on behalf of the tenants.”

The tenants of 43 Essex deserved justice for enduring month after month of no heat and hot water, as well as
harassment through illegal and unnecessary construction work, said Council Member Margaret S. Chin. "I am very pleased that these long suffering tenants received monetary damages and a promise from their landlord to follow the law regarding construction at this building. Through this unique partnership between MLS and AAFE, our community has gained an even stronger ally in the fight against tenant harassment and intolerable conditions."

"When the tenants of 43 Essex Street experienced tenant harassment, they worked with Manhattan Legal Services and AAFE to organize and fight back, said State Senator Daniel Squadron. "Today's outcome serves as an important reminder that tenant harassment has no place in our city. Thank you to AAFE, MLS, and the tenants of 43 Essex Street."

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