Rent Stabilized Tenants of 215 East 164th Street in the South Bronx gathered outside their building complex to demand their landlord, David Eisenstein, fix hazardous building conditions, including a raging rat infestation, unpatched holes in the wall, chronic leaks, damaged floors, non-functioning intercom systems, and long-term gas outages.

Meanwhile, Eisenstein who recently took over the building, has failed to adequately address 148 building code violations recorded by the Department of Housing Preservation & Development (HPD), has increased tenants rent by hundreds of dollars, and is renovating other vacant apartments to rent for profit.

Tenant Leader Peter Nurse spoke in front of his neighbors, “We were here in front of the building six months ago with our attorneys and our council member demanding repairs and better maintenance and here we are today fighting for the same changes, I'm talking about the rats, the garbage, the leaks from the roof, all of it.”

Eisenstein took over 215 East 164th Street six months ago ready to make changes in the building, but so far tenants report that the majority of the repairs have been happening in vacant apartments, where expensive renovations are being used to dramatically raise rents, while long-term tenants continue to live without consistent repair service.

Said tenant leader Ervin Bennett, “we are living in very bad conditions at 215 [East 164th Street] but the landlord doesn't care about how we live â€“ all they need is there money at rent time. And if the month comes and you're two or five days late they send you a notice of eviction and you have to go to court. That's not right!”

While HPD has just last week lifted the Vacate Order on an apartment damaged by a fire in August, 2018, several families are about to enter their 9th month without cooking gas.

“I've been in the building since it opened in 1991, and I had a fire in my apartment in July 2018 and up till today, 9 months later, my apartment is not fixed,” Mr. Bennett continued, “My apartment is in bad condition and up till today there's no gas on the entire K line. For 9 months people have been living without gas and can't cook their food for their children.”

Tenant leader Ramona Monegro, also affected by the fire, added, “in my apartment because of the gas problem, sometimes my husband leaves without eating and needs to buy lunch because the food is not ready in time because they only give us small stoves, which take three hours to boil water.”

Tenants of 215 East 164th Street say that they have always heard rats inside the walls and had to live with smell of rat excrement, but over the past few months they situation has become extreme.

“I thought when the new landlord bought the building were going to see some positive changes,” said tenant leader Ann Marchena about the arrival of David Eisenstein, “But a month ago the rats in my apartment got so bad that me and my children could not live there. They pulled out 35 rats from [the wall] behind my five-year-old's bed.”

Tenants are unsure as to the cause of the recent uptick, but they have speculated that recent construction in vacant apartments has contributed, while the Health Department looks deeper into the practices of their exterminator, Global Pests. In the meantime, Eisenstein's management representatives have been slow to respond to tenants' complaints and that repairs to walls have been inadequate in abating the rat problem.

“We have been fighting for many years, at least for me, I have been here for 28 years since they opened the building, and believe me we have been making the same complaints for years. Now we have a new landlord and things are getting worse because he's giving a lot of priority to the apartments that are vacant. They are making them look gorgeous, however for us, we complain and complain and they don't do anything,” explained tenant leader Ada Chaparro.

For years, tenants have been advocating for repairs on their own by letter, in person meetings, and filing formal complaints with both the City and the State but without any results. Initially, Eisenstein failed to honor a DHCR order for a Building-Wide Rent Reduction that had been granted in 2018 due to lack of building-wide services and repairs. More alarming were the notices that many tenants received stating that their Preferential Rents would be removed upon the renewal of their next lease, driving up rents by hundreds of dollars.

Tenant leader Gloria Castillo commented, "I guess our new landlord David Eisenstein is scared because at CASA we're fighting with tenants all over the state to pass Universal Rent Control and get rid the landlord's right to hike up preferential rents, because now I see that he's trying to remove all preferential rents of tenants who's lease is up before October first so our rents will go up by $200, $300, even $500."

As conditions worsened, tenants reached out to Community Action for Safe Apartments (CASA) for organizing support and sought legal representation from Bronx Legal Services’ Tenant Rights Coalition, funded by the NYC Human Resources
Administration's Anti-Harassment and Tenant Protection program. Now tenants are suing in Bronx Housing Court demanding the landlord correct all of the building code violations, so the tenants can have safety and peace of mind.

"It is unconscionable that a landlord would let a building get this bad. It's also illegal," said Atenedoro Gonzalez, an attorney at Bronx Legal Services' Tenant Rights Coalition, a program of Legal Services NYC. "Landlords in New York City have a clear legal obligation to create a safe, sanitary, and habitable building for tenants, yet this landlord is ignoring that obligation by failing to make necessary repairs. Instead, he is fixing up vacant apartments to turn a profit. But we won't let him get away with it and will continue fighting until these tenants get the repairs and justice they deserve."

"When landlords evade their responsibilities and refuse to maintain livable conditions in their buildings, they must be held accountable," said NYC Department of Social Services Commissioner Steven Banks. "We are proud to support Legal Services NYC's work with these tenants through our Office of Civil Justice as we continue our efforts to help New Yorkers in need stay in their homes and neighborhoods."

Despite the landlord's lack of response to the building's conditions, tenants remain committed to their fight and hopeful that they will see improvements.

Said tenant leader Ramona Monegro, "I hope that they pay more attention to the urgent issues in the building like roofs that are falling, the elevators that are very damaged... and we're tired of the rats that are not just in one apartment, there are many. We are tired of having to deal with so many issues, and we want action and for them to pay attention to us."

ABOUT NEW SETTLEMENT APARTMENTS’ COMMUNITY ACTION FOR SAFE APARTMENTS (CASA)

Community Action for Safe Apartments (CASA) is New Settlement Apartments' housing organizing initiative. CASA is made up of community residents in our densely populated and underserved area of the Southwest Bronx who work together to build our knowledge and leadership to improve the living conditions in our neighborhood and maintain affordable housing through collective action. CASA's multifaceted work combines building-specific tenant organizing, neighborhood-based campaigns, tenants' rights workshops, legal clinics, monthly community meetings and a leadership development program. CASA also heavily participates in the work of other coalitions that advocate for legislation to preserve affordable housing and better protect tenants.

ABOUT BRONX LEGAL SERVICES’ TENANT RIGHTS COALITION

Bronx Legal Services’ Tenant Rights Coalition, a program of Legal Services NYC, fights poverty and seeks racial, social, and economic justice for low-income New Yorkers. For 50 years, Bronx Legal Services has challenged systemic injustice and helped clients meet basic needs for housing, access to high-quality education, health care, family stability, and income and economic security. Legal Services NYC is the largest civil legal services provider in the country, with neighborhood-based offices across all five boroughs helping more than 110,000 New Yorkers annually. The work of Bronx Legal Services’ Tenant Rights Coalition is funded by NYC Human Resources Administration's Anti-Harassment and Tenant Protection program.