

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: HOUSING PART

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THOMAS DUKLETH, ZACHARY HALL,
SHIRAS PATTERSON BECKWITH, JUDY
SABIN, AND REMIGIUSZ CHLAPEK
Petitioners,

Index No.: HP

VERIFIED PETITION

-against-

109E9 LLC, MICHAEL GEYLIK, MGNY
CONSULTING CORP, YURI GEYLIK
Respondents,

Subject Premises:
109 East 9th Street
New York, NY 10003

-and-

NYC DEPARTMENT OF HOUSING
PRESERVATION & DEVELOPMENT and NYC
DEPARTMENT OF BUILDINGS,
City-Respondents.

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Petitioners, by their attorneys in this proceeding, hereby allege:

PRELIMINARY STATEMENT

1. Petitioners are the remaining permanent single-room occupancy (SRO) tenants at 109 E. 9 Street, Manhattan, one of the last remaining pre-old-law SRO buildings in New York City. Petitioners have resided in the building for between 6 to 35 years.

2. Petitioners bring this case to address, enjoin, and sanction repeated and escalating harassing conduct by Respondents and their agents, aimed at pressuring Petitioners to vacate their long-term and deeply affordable SRO apartments, in violation of the New York City Housing Maintenance Code (“HMC”), 27-2005(d).

3. Petitioners also bring this case to ensure correction of multiple Housing Maintenance and Building Code violations, and that the corrections are performed in a manner that ensures Petitioners’ safety and quality of life, while maintaining the layout, size, and use of their long-standing rent-stabilized homes.

4. Prior to Respondent's purchase of their building, Petitioners and their neighbors enjoyed stable housing, responsive management, and deeply affordable rents. During this period—and dating back at least three decades—Petitioners also enjoyed the use of common area kitchen facilities with open sink, two or more bathing facilities, as well as toilets on every floor of the building, a common feature of SRO dwellings and in compliance with Housing Maintenance Code § 27-2009.

5. In July 2021, Respondent 109E9 LLC purchased the building, and commenced an escalating effort to make tenants increasingly uncomfortable and insecure in their affordable rent-stabilized homes, while urging them to relocate from the building—often citing the very conditions Respondents failed to address.

6. While Respondents undertook a major renovation of the building's commercial space on the ground floor, cellar, and rear of second floor (where it leased office space to co-Respondent MGNV Consulting Corp., an affordable housing lottery and property tax consultancy), Respondents failed to provide tenants with heat for two winters, failed to employ a building superintendent, refused to accept rent for months or years at a time, and demonstrated a willful lack of concern for repairs and maintenance of the building.

7. In October and November, 2022, Respondent took the additional drastic step of dismantling multiple common area facilities, including the building's sole kitchen, one of the building's two bathing facilities, and two toilets. Petitioners and their neighbors were left with no kitchen, only one shower and two toilets for the entire building.

8. Throughout this period, in which Respondents demonstrated a general lack of concern for living conditions in the building, Respondents urged tenants to relocate permanently from the building instead, including repeatedly offering to make appointments

and/or meeting with tenants to explore relocation with assistance from MGNV Consulting Corp.

9. In August, 2023, Respondents applied for a Certificate of No Harassment (CONH) from the New York City Department of Housing Preservation and Development (HPD). Respondents informed tenants that the CONH was necessary to restore their common area facilities, and advised tenants not to object to the application. Petitioners, unaware of their tenancy rights and based on misrepresentations by Respondents, largely complied with this advice, in exchange for Respondents' commitment to restore and upgrade bathing and kitchen facilities in the building.

10. A CONH was granted in March, 2024, however, as of April 8, 2025 the CONH was suspended by HPD, pursuant to HMC § 27-2093 (f)(2) based on a finding of probable cause of tenant harassment.

11. At no time after receiving the CONH and prior to suspension did Respondents attempt to restore and upgrade the toilets, bathing or kitchen facilities, as previously represented to tenants. Rather, shortly after receiving a CONH, upon information and belief, Respondent Geylik self-reported the building to DOB citing concerns about structural safety at the building following a minor April, 2024 earthquake.

12. As a result of this self-reporting, on August 2024, DOB placed two violations requiring Respondents to make structural repairs at the building in order to ensure its ongoing structural integrity. No vacate order was placed in August, 2024 or at any time (including after two subsequent DOB inspections). Respondents failed to provide tenants with accurate and complete information regarding the DOB inspections, while continuing to encourage tenants to permanently relocate from the building, contributing to an ongoing and generalized sense of anxiety regarding possibility of an imminent vacate order.

13. In early November 2024, Respondents conducted “probing” throughout the building’s unoccupied units, which amounted to major unpermitted demolition work throughout the building. Ceilings and floors, including firestopping, were removed from nearly all unoccupied apartments in the building, at expense of the health and safety of tenants in occupancy.

14. In late December of 2024, Respondents issued predicate notices for summary eviction proceedings to four of the building’s six remaining tenants.

15. On March 19, 2025 received a permit for job number M01181265 for work at the building which would include substantial alterations to existing dwelling units and demolition of existing SRO apartments. Respondent Michael Geylik filed certifications with the DOB in support of this permit, which misrepresented the number of occupied units as four, rather than six.

16. Additionally, the certification underlying the permit further states that the building will be unoccupied during construction, despite Respondents’ knowledge that six tenants remain in occupancy, and lack of any immediate plans for relocation.

17. Given Respondents actions to date, Petitioners have a credible fear that Respondents’ ongoing unlawful conduct and haphazard approach to renovations will further jeopardize the integrity of the building and/or result in demolition or substantial alteration to their SRO housing.

18. With this in mind, Petitioners seek the intervention of the judicial system to protect their rights as permanent SRO tenants, and to safeguard tenants during any renovations impacting their homes.

PARTIES

19. Petitioners are permanent, rent stabilized SRO tenants of 109 East 9th Street, New York, New York, 10003, Block 00555 and Lot 0040 (the “Subject Premises”).

20. Petitioner REMIGIUSZ CHLAPEK is the rent-stabilized permanent tenant of 109 East 9th Street, Apt 2D, New York, NY 10003.

21. Petitioner SHIRAS PATTERSON BECKWITH is the rent-stabilized permanent tenant of 109 East 9th Street, Apt 2E, New York, NY 10003.

22. Petitioner JUDY SABIN is the rent-stabilized permanent tenant of 109 East 9th Street, Apt 3C, New York, NY 10003.

23. Petitioner THOMAS DUKLETH is the rent-stabilized permanent tenant of 109 East 9th Street, Apt 3D, New York, NY 10003.

24. Petitioner ZACHARY DAVID HALL is the rent-stabilized permanent tenant of 109 East 9th Street, Apt 4D, New York, NY 10003.

25. Owner-Respondent 109E9 LLC is the registered corporate owner of the Subject Premises. Exhibit A, HPD Multiple Dwelling Registration.

26. Owner-Respondent MICHAEL GEYLIK is the registered Head Officer and Managing Agent of the Subject Premises. Id.

27. Co-Respondent MGNV CONSULTING CORP is Mr. Geylik’s affordable housing consultancy business, which is located in the first floor of the Premises, and which on various occasions between 2021-2024 served as an instrument/agent of Mr. Geylik’s harassing conduct. Employees of MGNV Consulting Corp, including Director of Internal Operations Mint Tan and CEO Yuri Geylik have acted as agents of 109E9 LLC in interactions with tenants and in effectuating repairs.

28. Co-Respondent YURI GEYLIK is an employee of MGNV Consulting Corp and also acts as an agent of Owner-Respondent 109E9 LLC in interacting with tenants who reside in the Subject Premises.

29. Respondents are in direct or indirect control of the Subject Premises and thus are owners as defined by Section 27-2004 (a) (45) of the Administrative Code of the City of New York and Section 4 (44) of the Multiple Dwelling Law of the State of New York ("MDL"). As such, each Respondent is obligated to refrain from harassing tenants and lawful occupants, keep the premises in good repair, and correct all violations of the Housing Maintenance Code and MDL.

30. City-Respondent NYC DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT (HPD) is the municipal department charged with enforcing the Housing Maintenance Code and MDL in New York City, and is named as a City-Respondent herein pursuant to HMC § 27-2115 (h), (i).

31. City-Respondent NYC DEPT OF BUILDINGS (DOB) is the municipal department charged with, *inter alia*, enforcing New York City's Construction Codes, Zoning Resolution, and MDL, and is named as a City-Respondent herein pursuant to the New York City Civil Court Act ("CCA") § 110 (d) in order to help the Court effectuate housing standards and promote the public interest.

STATEMENT OF FACTS

32. Petitioners are five of the remaining six permanent tenants at 109 E. 9 Street, a 14-unit pre-old-law SRO building constructed in the early- to mid-19th Century.

33. Throughout Petitioners' tenancies, the building contained between 3-4 residential rooms per floor, on floors 2-5 of the building (residential floors 1-4). Petitioners also enjoyed the use of toilets on all floors, bathing facilities on floors 2 and 4 of the building (residential floors 1 and 3) and a kitchen on the 4th floor of the building (residential floor 3), such that the building was in compliance with the requirements of Housing Maintenance Code (HMC) § 27-2079.

34. In July, 2021, the building was acquired by Owner-Respondent 109E9 LLC, with Owner-Respondent Michael Geylik (“Mr. Geylik”) acting as its Head Officer and Managing Agent.

35. Shortly following its purchase of the building, Owner-Respondents undertook major renovations to convert the bar/restaurant on the first floor of the building into corporate offices for Mr. Geylik’s affordable housing lottery and property tax consultancy, MGNY Consulting Corp.

36. At no time did Owner-Respondent employ a superintendent or building manager to attend to day-to-day rent collections and maintenance at the building, often relying on tenants to make repairs to the building and resolve day-to-day maintenance issues as they arose. At various times, Mint Tan, who is employed as an Executive Assistant at MGNY Consulting Corp., has acted as a *de facto* superintendent and/or agent of Owner-Respondents, and co-respondent Yuri Geylik (CEO of MGNY) has repeatedly acted as an agent of Owner-Respondent 109E9 LLC in day-to-day interactions with Petitioners and their neighbors.

I. JULY 2021-AUGUST 2023: PRE-CONH HARASSING CONDUCT

37. During the winters of 2021-2022 and 2022-2023, Petitioners suffered from total lack of heat throughout the building, which went unaddressed by Owner-Respondents. During this period, the building was heated with inefficient and hazardous space heaters. In the winter of 2023-2024, heat was insufficient and sporadic.

38. During this period, Owner-Respondents declined to accept rent for months or years at a time from multiple long-standing permanent tenants of the building, including Petitioners Hall, Beckwith, and Sabin in the years 2021-2023, and to issue a lease to Petitioner Hall upon request. Owner-Respondents' pattern of declining/not depositing rent

or otherwise signal to tenants that their tenancies were acknowledged left Petitioners in a state of perpetual insecurity regarding the stability of their tenancies.

39. Owner-Respondents repeatedly contacted Petitioner Patterson Beckwith, who was on a temporary sabbatical from his employer, in a manner intended to threaten or harass. Owner-Respondent Michael Geylik repeatedly questioned and accused Mr. Beckwith regarding his primary residence at the building, despite Mr. Beckwith's repeated confirmation that the premises was his primary home.

40. In October and November, 2022, Owner-Respondents dismantled multiple common area facilities on floors 3 and 4 of the building, such that Petitioners no longer had access to a common kitchen, and were left with only one common area bathing facility and two common area toilets for the entire building, in violation of HMC § 27-2079. Petitioners were given access to a vacant apartment (2B) to store their bathroom, kitchen and maintenance items.

41. In addition, Petitioner failed to provide janitorial services, in violation of HMC § 27-2053 at any time subsequent to taking ownership of the property. Petitioner's failure to provide routine maintenance to the building's remaining sanitary facilities resulted in frequent plumbing issues in the 2nd floor toilet in particular, as well as ongoing unsanitary conditions throughout the building (up to the present date). With Respondents' knowledge and approval, Petitioners repeatedly made repairs and cleaned common areas at their own expense.

42. Based on review of the agency's record, Owner-Respondents submit plan filings for this work after the demolition was already complete, under Job Numbers M08040576 and M08016403. DOB public-facing filings under Job Number M08040576 reflect that Respondents' engineer failed to identify the building as an SRO dwelling or to include required supporting documentation applicable in SRO dwellings, i.e. an HPD Anti-

Harassment Checklist. For the related filing under Job Number M08016403, Respondents' engineer *did* submit the HPD Anti-Harassment Checklist, however, certified that the construction would not increase or decrease the number of kitchens or bathrooms serving occupants of any dwelling unit, although the work was directly related to work reducing the building's existing kitchens and bathroom facilities.

43. On multiple occasions during and after the above-described conduct, Owner-Respondent Geylik offered to set up appointments with several of Petitioners in his capacity as an employee/owner of Co-Respondent MGNV Consulting Corp, to discuss relocation through HPD's Housing Connect affordable housing lotteries or with the use of rental assistance subsidies.

44. Upon information and belief, Owner-Respondent Geylik personally assisted at least one permanent SRO tenant to relocate from the building via an HPD Housing connect lottery on an expedited timeframe through Co-Respondent MGNV Consulting Corp.

II. AUGUST 2023 - RESPONDENTS APPLY FOR CONH AND USE OF MISREPRESENTATIONS TO INDUCE TENANTS TO NOT OBJECT

45. In August, 2023, Respondents applied for a CONH from the New York City Department of Buildings, which would permit them to make substantial alterations to the SRO dwelling.

46. Owner-Respondent Geylik advised Petitioners that the CONH was necessary in order to restore the previously removed bathing facility, toilets, and kitchen, and that they should not object to the CONH.

47. Petitioners largely complied with this advisory, despite having experienced substantial deprivation of services since Owner-Respondents purchased the building, based on assurances of the Owner-Respondents that a CONH would result in restoration and upgrade of their bathroom and kitchen facilities.

48. In March, 2024, DHPD granted Owner-Respondents' application for a CONH. By the time that the CONH was granted, only six tenants remained in occupancy at the 14-unit building.

49. Despite being granted the CONH, Respondents never restored, or filed any permits seeking to restore, the removed bathing facility, toilets, or kitchen, as represented to Petitioners.

50. At this time, the CONH has been suspended based on HPD's finding of probable cause that Petitioner engaged in tenant harassment, as described in sections III and IV, below.

III. APRIL-DECEMBER 2024: RESPONDENTS SELF-REPORT TO DOB AND ADVOCATE FOR DOB VACATE ORDER.

51. Soon after being granted a CONH, upon information and belief, Owner-Respondent contacted the DOB to report structural concerns at the building. Based on this complaint, DOB's Forensic Engineering Unit conducted a site inspection of the building on or around August 14, 2024.

52. During and after the inspection, Owner-Respondent Geylik repeatedly misrepresented to tenants that he had no prior knowledge of the inspection or its basis, and in fact attributed the inspection to Petitioners contacting the DOB.

53. Owner-Respondents likewise represented to tenants that the building was unsafe for occupancy, creating substantial anxiety regarding the risk of a potential vacate order. Petitioners spent significant personal financial resources to secure storage space and other interim emergency measures due to Respondent's misrepresentations.

54. Contrary to Respondent's representations, DOB inspectors did not find that conditions in the building were so immediately hazardous as to require a vacate order for

the tenants in occupancy, and did not issue a vacate order on August 14, 2024 or any subsequent inspections.

55. Nonetheless, DOB cited structural issues in the building—including sloping floors, and a cracked header on the 3rd floor of the building with an inadequate connection to a trimmer, placing violations FEU10301PN and FEU10302PN. These violations required Petitioners to install temporary shoring while filing plan drawings for permanent repairs to structurally shore the building. Exhibit B, DOB Violation Reports.

56. Shortly thereafter, Owner-Respondents installed temporary shoring in the cellar, first floor, and second floor of the building (where it maintains its offices) pursuant to DOB Job Number M01098599. Upon information and belief, substantial debris from this work was left in building common areas for weeks, until ultimately removed by tenants.

57. On October 1, 2024 Petitioners drafted an initial letter to management, identifying themselves as a tenant association and requesting information regarding the recent DOB inspections and violation.

58. On October 2, 2024, Respondents commenced significant unpermitted demolition work, which included dismantling the ceilings and/or floors of an unoccupied apartment on the 2nd residential floor, while tenants were in occupancy, with no safety precautions taken to prevent dust inhalation/exposure, and with no advance notice to tenants. When asked about the work, Owner-Respondents denied any demolition work and stated, “we are taking out some garbage today” and “there is no construction.”

59. A few weeks after mailing of the tenant association’s letter, Owner-Respondents revoked Petitioners’ use of apartment 2B to store kitchen, bathroom and maintenance items, on one week’s notice, and padlocked the door on or around November 1, 2024.

60. On November 1 and 2, 2024, Owner-Respondent undertook significant demolition work, which included dismantling the ceilings and/or floors of unoccupied units on all residential levels. The whole-scale demolition work was conducted while tenants were in occupancy, with no safety precautions taken to prevent inhalation of dust, debris, or insulation materials in the approximately 175-year-old building until after demolition was complete.

61. Owner-Respondents had no permits for any of the above-described demolition work, and stated to tenants that no permits were required because the work was “investigatory probing,” rather than demolition.

62. On or around November 22, 2024, DOB again inspected the premises, including the unoccupied units where Owner-Respondent had conducted demolition. On the inspection date, Owner-Respondents presented DOB inspectors with reports requesting permission to conduct additional “probing” (i.e. demolition) in occupied units, and explicitly advocating for a finding that the residentially occupied floors were unsafe for habitation.

63. Owner-Respondents subsequently filed plans under DOB Job Number M01181265, seeking to install temporary shoring at the roof, as well as steel framing on floors 3-5 of the building.

64. In support of its application, Owner-Respondent Geylik certified that only four SRO dwelling units in the building were residentially occupied, although Respondent was aware that six units are currently tenanted.

65. Additionally, Owner-Respondent Geylik certified that the building would be vacant during the renovations, despite the fact that all six units are currently tenanted and Owner-Respondent has made no arrangements with Petitioners for temporary relocation during the installation.

66. Simultaneously, Owner-Respondent's professional engineer, filed certifications indicating that one or more dwelling units would be demolished or would undergo a change in use pursuant to the proposed plans.

67. On or around March 19, 2025, Owner-Respondents' permit application was approved.

68. On the same date, DOB issued violation number 39142176K, for unpermitted installation of firestopping in unoccupied apartments on the 5th floor of the building.

Exhibit B.

69. DOB also issued a violation under violation number 39142177M, citing unpermitted removal of firestopping and exposed wires in unoccupied rooms on the 2, 3, and 4th floors. Id.

70. To date, Owner-Respondents have made no formal arrangements to relocate tenants during the upcoming renovations, despite certifying that the building would be unoccupied during repairs.

71. Owner-Respondents have also left unoccupied units in their dangerous and partially demolished state, with exposed ceilings, floors, and wiring, and an absence of code-compliant fire-stopping, at the expense of all residential tenants in occupancy, for over five months.

IV. ADDITIONAL HARASSING CONDUCT, RETALIATION FOR TENANT ORGANIZING.

72. In addition to the facts laid out in paragraphs 32-71 above, Owner-Respondents have engaged in an ongoing pattern of harassment and retaliation for tenant organizing, with the intent to pressure the building's remaining tenants to voluntarily relocate.

73. Owner-Respondents have engaged in a pattern of harassing behavior vis-a-vis Petitioners, including but not limited to:
- (a) Revoking Petitioners' license to use unoccupied residential spaces to store items previously housed in the common area kitchens and water closets;
 - (b) Threatening to dispose of and/or disposing of tenants' kitchen fixtures and kitchen, bathroom, and building maintenance items from these spaces;
 - (c) Following and verbally harassing Petitioner Dukleth for multiple city blocks, regarding his organizing with the Cooper Square Committee, while Petitioner was on his way to a meeting with a Cooper Square Committee organizer;
 - (d) Locking the alleyway beside the building where Petitioners had previously disposed of garbage and recyclables, while failing to provide Petitioners with a key to access the garbage and recycling area;
 - (e) Refusing to provide a working building key to Petitioner Remigiusz Chlapek for multiple months, despite having actual notice of Mr. Chlapek's need for a new key;
 - (f) Arranging with police to arrest Mr. Chlapek while he attempted to retrieve a new key to the building during the limited window provided to him by management, and, upon information and belief, stating to Mr. Chlapek that he took this action due in part to Mr. Chlapek's role in facilitating access by Department of Buildings inspectors;
 - (g) Refusing to issue a rent-stabilized lease to Patterson Beckwith or Zachary Hall, in violation of Rent Stabilization Code 2520.6(j) and 2522.5(a)(2);
 - (h) Commencing nonpayment proceedings against Petitioner Judy Sabin despite a pattern of refusing to accept rent from Ms. Sabin since July 2021 and at least one subsequent occasion;

- (i) Commencing frivolous holdover proceedings against Petitioner Patterson Beckwith based on alleged nonprimary residence;
- (j) Engaging in threatening and intimidating conduct during DOB inspections.

74. As a result of Owner-Respondents' harassing conduct, in January, 2025, Petitioners, through counsel, wrote to DHPD regarding serious allegations of harassment at the building, and requesting rescission of the CONH granted in 2024. Petitioners were joined in this effort by Councilmember Carlina Rivera, State Assemblymember Deborah Glick, State Senator Brian Kavanagh, Manhattan Borough President Mark Levine, and Congressman Dan Goldman.

75. On April 8, 2025, HPD determined that it had probable cause to suspend the CONH at the building, pending inquiry into Petitioners' credible allegations of harassment. A stop work order is currently in effect pending a final resolution of tenants' application for rescission of the CONH. Exhibit C.

AS AND FOR FIRST CAUSE OF ACTION — HARASSMENT

76. Petitioners repeat and reallege the allegations contained in paragraphs 32 through 75, as if fully set herein.

77. Respondents violated their duty to not harass Petitioners through the following acts or omissions which caused or were intended to cause Petitioners to vacate their units or relinquish related rights:

- (a) knowingly providing false or misleading information to tenants in occupancy relating to the occupancy of their units, as defined by HMC § 27-2004 (a) (48) (a-1);
- (b) knowingly providing false information as to a material fact regarding the current occupancy or the rent-stabilization status of a building on an

- application or construction documents for a permit for work which is to be performed in the building, as defined by HMC § 27-2004 (a) (48) (a-2);
- (c) repeated interruptions or discontinuances of heat and other essential services, as defined HMC § 27-2004 (a) (48) (b)-(b-1);
- (d) repeatedly engaging in work which requires a permit without first obtaining a permit to do so, in violation of HMC § 27-2004 (a) (48) (b-4);
- (e) commencing or maintaining repeated baseless and/or frivolous Housing Court proceedings against tenants in occupancy, as defined by HMC § 27-2004 (a) (48) (d)-(d-1);
- (f) revoking license to store property and removing Petitioners' property from the common areas of the building, as defined by HMC § 27-2004 (a) (48) (e);
- (g) repeatedly refusing to provide a working building key to Petitioner Remigiusz Chlapek, as defined by HMC § 27-2004 (a) (48) (f);
- (h) contacting Petitioners regarding relocation in a manner inconsistent with HMC § 27-2004 (a) (48) (f-1)-(f-4);
- (i) substantially interfering with and/or disturbing Petitioners' comfort, repose, peace and/or quiet, as defined by HMC § 27-2004 (a) (48) (g), by: (1) engaging in unsafe and unpermitted construction at the premises; (2) following and verbally harassing Petitioner Thomas Dukleth regarding his participation in organizing activities at the building; (3) engaging in threatening and intimidating conduct during DOB inspections at the building; (4) repeatedly refusing to accept rent from Petitioners; (5) failing to issue leases to Petitioners Patterson Beckwith and Zachary Hall within fifteen days of their requests pursuant to Rent Stabilization Code § 2520.6(j) and § 2522.5(a)(2); (6) failing to issue required notices regarding the rights of hotel tenants to all

tenants in occupancy, pursuant to § 2522.5(c); (7) filing criminal charges against and facilitating arrest of Petitioner Remigiusz Chlapek due to his role in facilitating inspections by DOB personnel.

78. As such conduct rises to the level of harassment as defined by the Housing Maintenance Code, Petitioners seek all available relief pursuant to § 27-2005(d), § 27-2115(m) and (o).

AS AND FOR SECOND CAUSE OF ACTION – ORDER TO CORRECT

79. Petitioners repeat and reallege the allegations contained in paragraphs 32 through 75, as if fully set herein.

80. The conditions cited by DOB under Violation Numbers FEU10301PN and FEU10302PN constitute violations of the Building Code, and must be corrected.

81. Additionally, the conditions under 39142176K and 39142177M constitute violations of the Building Code, and must be corrected.

82. The conditions noted in Schedule A constitute clear violations of the Housing Maintenance Code and must be corrected.

83. As an SRO Dwelling, any alterations must comply with the requirements in HMC § 27-2074(e) and § 27-2079 (e).

84. Petitioners seek an order to correct pursuant to HMC § 27-2115 (i), as follows:

- a. Compliance with DOB Violation Numbers FEU10301PN, FEU10302PN, 39142176K and 39142177M in a manner that ensures the safety and continued occupancy of all current tenants of record, without any change or reduction in the use and occupancy of the building, or the size, layout, or use of Petitioners' apartments;

- b. Requiring Owner to inspect and repair all conditions listed in Schedule A, including restoration of all previously provided common area facilities.
- c. Requiring any final renovations to either not alter or diminish floor area and layout, or to fully comply with the requirements of HMC § 27-2074 (e) and § 27-2079.

WHEREFORE, Petitioners respectfully request that this Court issue an order:

- (a) finding that Respondents have harassed Petitioners in violation of HMC § 27--2005 (d);
- (b) finding that a class C immediately hazardous violation existed at the premises, pursuant to HMC § 27-2115 (m)(1);
- (c) enjoining Respondents from further violating HMC § 27-2005 (d);
- (d) imposing a civil penalty on Respondents of no less than \$2,000 and no more than \$10,000 for each dwelling unit belonging to a Petitioner subject to a violation of HMC § 27-2005 (d);
- (e) awarding compensatory damages or, at the election of Petitioners, statutory damages of \$1,000 for each Petitioner subject to a violation of HMC § 27-2005 (d);
- (f) awarding punitive damages of up to \$10,000 to each Petitioner subject to a violation of HMC § 27-2005 (d);
- (g) finding that the conditions outlined in Schedule A constitute violations of the Housing Maintenance Code;
- (h) entering an order to correct all existing housing and building code violations, without reducing floor area or layout of any unit or common area, and in full compliance with the requirements of HMC § 27-2079.

- (i) recommending or employing any other remedy, program, procedure, or sanction authorized by law for the enforcement of the housing standards at issue that would be more effective to accomplish compliance or protect and promote the public interest, pursuant to CCA § 110;
- (j) granting such other and further relief as this Court may be just and proper.

Dated: April 15, 2025
New York, New York

By:  _____

Jennifer Akchin, Staff Attorney
TAKEROOT JUSTICE
Attorneys for Petitioners
123 William St., Suite 401
New York, New York 10038
Tel: (929)-506-0310

SCHEDULE A:
Common Area/Building-Wide Conditions

- a) Defective Automatic Closing Mechanism on Building Entrance Door;
- b) Insufficient Heat throughout Building;
- c) Insufficient Water Closets on 3rd and 4th Building Floors (2nd and 3rd Residential Floors);
- d) Demolished Bathing Facility on 4th Building Floor (3rd Residential Floor);
- e) Demolished Kitchen on 4th Building Floor (3rd Residential Floor);
- f) Demolished floors, ceilings, and removed fire stopping in untenanted units and common areas on 2, 3, and 4th floors;
- g) Defective smoke detectors in hallways and common areas;
- h) Failure to install code-compliant 2-hour firestopping throughout building;
- i) Failure to secure stairway railing post;
- j) Multiple unrepaired holes in plaster in landing areas on floors 2-5;
- k) Defective windows and lack of window screens throughout building common areas, including second floor toilet;
- l) Failure to provide monthly extermination services using integrated pest management practices;
- m) Failure to provide janitorial services to building.

VERIFICATION

STATE OF NEW YORK)
)
COUNTY OF NEW YORK) S.S.:

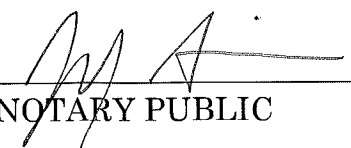
I, Judy Lucille Sabin, the undersigned, being duly sworn, depose and say that:

1. I am a tenant-petitioner in this proceeding, and reside at 109 East 9th Street, Apt. 3C, New York, New York 10003.
2. I have read or heard the foregoing Petition and know its contents.
3. Those contents are true to my own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters, I believe it to be true.

Dated: April 15, 2025
New York, NY


JUDY LUCILLE SABIN

Sworn to before me this 15 day of April, 2025.
New York, NY


NOTARY PUBLIC

JENNIFER WOLBRETTE AKCHIN
NOTARY PUBLIC-STATE OF NEW YORK
No. 02AK6421122
Qualified in Queens County
My Commission Expires 08-30-2025