

March 1, 2023

Contact:

Redmond Haskins
Director of Media Relations
The Legal Aid Society
rhaskins@legal-aid.org
929.441.2384

*****FOR IMMEDIATE RELEASE*****

***Legal Aid Brings Additional Legal Action Against State, City, and
Landlords to Stop Illegal Apartment Conversions***

***Amended Lawsuit Includes New Rent-Stabilized Buildings and Tenants
at Risk of Displacement Due to Unlawful DOB/DHCR Practice***

(NEW YORK, NY) - The Legal Aid Society filed an [amended lawsuit](#) against the New York City Department of Buildings (DOB), the New York State Department of Homes and Community Renewal (DHCR), and individual landlords seeking to [stop illegal apartment layout alterations](#) initiated by the landlords, which are threatening to displace long-term rent-stabilized tenants.

The [lawsuit](#) was amended to include new tenants from 240 West 116th Street and 242 West 116th Street in Manhattan who were temporarily displaced from their apartments on February 8, 2022 due to a vacate order for hazardous conditions including inadequate egress, dangerous electrical wiring, lack of heat, leaks, and other issues.

The tenants from the 116th Street buildings [join](#) tenants from 475 43rd Street A/K/A 4228 5th Avenue in Brooklyn, who were temporarily displaced after a fire ravaged their rent-stabilized building on November 3, 2021.

The landlords of these buildings submitted plans to change the layouts of the units – seeking to reduce the number of bedrooms and living spaces for families and children while they are displaced – directly to the DOB, violating the law by circumventing the legal approval process.

Per New York’s Rent Stabilization Code, landlords are required to obtain approval to reconfigure apartment spaces from DHCR, the state agency which oversees the local rent-stabilized housing stock in New York City. Therefore, when DOB accepted the landlords’ submitted plans and issued permits - without any approval from DHCR - they violated the Rent Stabilization Laws and Code.

“Not only did our clients lose their belongings due to the landlord’s refusal to properly safeguard the building, but they now face the loss of their long-term apartments as the landlord seeks to subdivide these units by exploiting a loophole in the New York City Department of Building’s procedures,” said **Adan Soltren, a supervising attorney of the Harlem Community Law Office at The Legal Aid Society**. “DOB can solve this now by communicating with the State on these permits, and we call for better coordination to prevent this practice of substantially altering rent-stabilized apartments without State approval, for financial gain by unscrupulous landlords.”

The lawsuit, filed in New York State Supreme Court, seeks to annul and vacate the DOB’s approval and issuance of permits for the landlords’ plans to reconfigure the units, and stop the landlords from submitting plans that alter the apartments without DHCR approval.

The complaint also seeks systemic changes to end the DOB’s policy and practice of approving plans to alter and/or reconfigure rent-stabilized apartments without approval by DHCR and to direct the DOB to implement procedures that prevent the agency from approving plans without prior DHCR approval going forward.

Background on 240 West 116th Street and 242 West 116th Street in Manhattan, NY:

Legal Aid represents four tenants from 240 West 116th Street and 242 West 116th Street in Manhattan. The tenants were temporarily displaced from their rent-stabilized apartments on February 8, 2022 due to a vacate order for hazardous conditions including inadequate egress, dangerous electrical wiring, lack of heat, leaks, and other issues.

The landlord obtained permits from DOB for work that includes reducing the size of the tenants’ apartments. These permits have now expired, but the landlords indicate that they intend to proceed with the plans that were the subject of the permits.

DOB accepted the landlords’ submitted plans and issued permits even though the plans violate the Rent Stabilization Laws and Code. None of the tenants were consulted prior to the landlords submitting the plans to DOB.

If the DOB had merely communicated with DHCR when they first received the landlord’s request to change the layouts of the apartments, they would have known that the apartment reconfiguration plans were never approved by DHCR, and work permits for the building should never have been issued in the first place.

On September 24, 2022, Legal Aid filed a lawsuit to stop the illegal apartment conversions and end this practice once and for all. On January 27, 2023, an amended petition was submitted to include the new tenants from the 116th Street buildings.

This litigation is funded by the citywide **Anti-Harassment Tenant Protection (AHTP) Program**, which has served over 75,000 New York City tenants. AHTP is a crucial program that protects thousands of low-income tenants, largely from communities of color, across the City against landlord harassment, discrimination, and displacement.

###

The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 145 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org