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Legal Aid Files Lawsuit Against Owners of Tax-Delinquent Bronx Building where Tenants have Suffered Decades-Long History of Neglectful Building Ownership

Advocates Call on City to Intervene On Behalf of Tenants to Transfer Building Ownership, Establish Proper Management, Rectify Years of Harm

(BRONX, NY) — The Legal Aid Society’s Housing Justice Unit Group Advocacy today [filed a lawsuit](#) in Bronx Housing Court on behalf of 25 tenants residing at 2201-05 Davidson Avenue in the Bronx. The lawsuit demands that immediate action be taken to address the litany of dangerous health and safety violations that have plagued the building and its residents for decades. Tenants seek a court order to force the owners, Romad Realty, Inc., 2201 Davidson NY Holdings, LLC, David Kornitzer, and Dov Guttman, to correct the violations, end the years of neglect, and stop further harassment of tenants.

In addition to seeking immediate repairs to hazardous conditions, tenants are also calling on the City to intervene and remove ownership of 2201-05 Davidson Avenue from the current owners, which would allow the building to be placed into the hands of a responsible third-party entity pending permanent ownership of the building as a tenant-owned co-operative building or by a non-profit organization.

Currently, the 49-unit rent-stabilized building has 473 open Housing Maintenance Code violations from the New York City Department of Housing Preservation and Development (HPD), the vast majority of which have been reported to and subsequently ignored by the building's owners. Violations include serious mold hazards, vermin infestations, a defective lock on the building's front door, and water leaks. Tenants have further suffered the indignity of the building's sole elevator being out of service since August 2023.

Along with the owners' long-standing failure to address the potentially hazardous violations, the lawsuit also alleges that the owners have harassed tenants of 2201-05 Davidson Avenue by repeatedly "failing to correct hazardous or immediately hazardous violations" and by "repeated interruptions or discontinuances of essential services" that are "intended to cause [them] to vacate" their homes altogether.

New York City Department of Finance records show that 2201-05 Davidson Ave. owes over \$24,000,000 in back taxes to the City of New York, all while the owners have failed to provide tenants with basic repairs.

"For decades, tenants of 2201-05 Davidson Ave. have suffered immensely from a near-constant onslaught of hazardous housing code violations that have severely impacted their quality of life and wellbeing," said **Russell Crane, Staff Attorney in the Housing Justice Unit Group Advocacy at The Legal Aid Society**. "Despite years of repeated efforts by tenants to address these concerns, the violations have been routinely ignored by the building's landlords who simply sit back and allow the City to make repairs through its Emergency Repair Program at taxpayer expense. This egregious inaction has to end, and these owners must be forced to account for their years of neglect. The City must take immediate action by using all available legal avenues to remove ownership from the current neglectful owners and ensure that the building's ownership is transferred to an entity that will actually take responsibility for maintaining the building and serving its tenants."

"NWBCCC stands in support of the tenants of 2201-2205 Davidson Avenue in fighting for their self-determination. For far too long, the tenants of this building have been fighting to live in dignity. NWBCCC has been organizing with the residents of this building for over a decade; It's no longer appropriate to continue investing tax payers dollars and organizing energy on getting the 'owners' of the building to do what's very simple: provide a safe home to tenants. We urge the City of New York to support the tenants of 2201-2205 Davidson Avenue in exploring transferring the building to a tenant-owned co-operative building or to a mission-driven organization. NWBCCC will work with the Bronx Community Land Trust to ensure that the building is sustainable in perpetuity," said **Edward Garcia, Co-Organizing Director, Northwest Bronx Community & Clergy Coalition**.

Background:

2201-05 Davidson Ave. has been in a state of serious disrepair for more than a decade. The building has been in the Alternative Enforcement Program (AEP) – an HPD enforcement program for “severely distressed” buildings – since 2012. Despite being in the AEP Program for more than a decade, the conditions in the building have not meaningfully improved, and, in fact, have deteriorated.

In 2015, the City was ready to proceed towards foreclosure on the building’s tax debt when a group of real-estate investors led by David Kornitzer, swooped in and purchased the interest in “Romad Realty, Inc.”, which holds the deed to 2201-05 Davidson Ave.. Those real-estate investors immediately placed the building into a bankruptcy proceeding in Federal Court to freeze the foreclosure process.

In 2016, the Kornitzer-led investors made some initial repairs to the building—including to the elevator—following pressure and advocacy from tenants and local elected officials.

In October 2018, the City and tenants successfully moved to dismiss the Federal bankruptcy case due to inaction by the Kornitzer investors, thereby removing any impediment to the City continuing to foreclose on the unpaid tax debt.

Even though the bankruptcy case was dismissed, records show that the Kornitzer investors never ended up paying any property taxes to the City for 2201-05 Davidson Ave., while they continued to collect rent from tenants.

Meanwhile, because the Kornitzer investors continually neglected serious health hazards in tenants’ apartments, New York City taxpayers have been forced to fund emergency repairs at the building through HPD’s Emergency Repair Program (ERP). These ERP charges add to the mounting debt that is already attached to the building due to the unpaid property taxes.

HPD records further show that, for the past four years, the Kornitzer investors have dodged even the most basic requirement of property ownership of multiple dwellings in New York City, which is registering the identity of the owner and managing agent of the building with HPD.

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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 140 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. <https://www.legalaidnyc.org>

The Northwest Bronx Community and Clergy Coalition (NWBCCC) unites diverse peoples and institutions to fight for racial and economic justice through community organizing to transform the Bronx and beyond. We take direct action to confront injustice and win concrete victories that change material conditions, giving people a sense of the power of our community. We invest in our members' capacity to realize a shared vision for the Bronx where our people collectively own and govern the assets and political processes in our community.