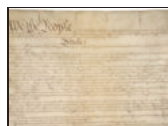




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Bedbugs, Systemic Neglect Get Under Skin of Chelsea Tenants; Management

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Tuesday, August 21, 2018

Bedbugs, Systemic Neglect Get Under Skin of Chelsea Tenants; Management Counters with Claim of Sabotage

Added by **Scott Stiffler** on August 15, 2018.
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Tenants stand united outside of 225 W. 23rd St., where woes are shared by those living in the connected building, at 220 W. 24th St. | Photo by Scott Stiffler

BY WINNIE McCROY | The renovated courtyard connecting the buildings is lovely, say residents of 225 W. 23rd and 220 W. 24th Sts. — though the surveillance equipment installed there makes them so uneasy, they hold tenant meetings off-premises. The 24-hour concierge in the remodeled lobby is nice, say some — but it would be nicer if they actually helped elderly and disabled tenants muscle open the heavy doors. They're glad the laundry room was finally renovated — but wonder if it warranted the four-month gas outage. Now, rent-regulated tenants

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are curious as to whether their own apartments — riddled with cockroaches and bed bugs, faulty appliances, and crumbling water pipes creating pockets of black mold — will ever get the repairs they've requested.

FROM OUR SISTER NEWSPAPERS

GAY CITY NEWS

"They inherited a bad thing, but they've really refused to own up to their responsibilities from the moment they took over the building over a year ago," said tenant Laurence. "The things I need done for my apartment have dragged on for almost a year. Now I can't even move in."

Cops In Middle of Early Gay Internecine Jockeying

or She really flips for acroyoga

Labor Department Directive Co-Signs Discrimination

and I constantly have to stay elsewhere

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peered on to what is the third new management company in four years. Rivington rally's cry: Meet with us, Mayor

The Sex and Gender Revels Are Unending

te Post-'Tech Hub' vote, Rivera pitches hotels permit; Berman calls it ne 'theater'

East-rate prices to
EAST VILLAGER NEWS

It's a claim made several times before against Akelius, as they have expanded from DOWNTOWN EXPRESS Berlin, and Brooklyn, (where they now own about 20 properties) back in July 2015, The Toronto Star reported on a settlement made to tenants at fi

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Pl Polo hounds: Diehard fans braved downpours, heat for a glimpse of the noble game

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De Blasio seems on same page with evicted news vendor

re Tomorrow's trends today! Maybe...

ording to their website,

they focus on residential properties in attractive cities with strong growth and potential of

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d their concept is

renovated Rector Living with the idea that they will upgrade residential

units to First Class,

cc Attacks on the free press are an attack on American values

tments. Akelius only

upgrades vacant apartments."

But tenants at these two connected buildings (between Seventh and Eighth Aves.) contend that these "upgrades" of Kahrs herringbone parquet floors are being laid over water-damaged crumbling floorboards, and that the high-end German appliances are electronic, to sidestep the frequent gas outages plaguing longtime tenants. They're also concerned that the company keeps cancelling out official requests to fix these serious problems in their apartments — so concerned, that of the many tenants Chelsea Now interviewed, only a few were willing to go on record.

appropriate and specific direction to the original content.



A crumbling bathroom floor lintel left dangerous nails exposed. | Photo courtesy of a tenant

Kunal Chothani, head of Akelius' NYC office, said, "As an organization, we take any issues our residents have with the building seriously and look to have them resolved in a timely manner," adding that while some of the issues tenants told Chelsea Now about do not match with their records, they would further investigate these things.

One 20-year resident of the building, who would only comment anonymously, countered that claim. "It does smell of harassment for most tenants. I received a notice that I didn't sign my

renewal lease, but I never received one. Instead they sent me a cover letter saying, 'You never sent your lease back to us.' I know the previous management company used to do this kind of thing to cover themselves. They're pretending they sent the new lease and we didn't sign it, to make it seem like it's our fault."

And tenants aren't just going to sit around waiting until it's too late. They've reached out to their elected officials to help them keep their rent-regulated homes — because at this point, they figure about half the units have been renovated to market-rate rents.

"The tenants are concerned about all the construction going on, fearful they will not have their leases renewed, and they have concerns about air quality," said State Senator Brad Hoylman. "Unfortunately, it looks like it meets all the hallmarks of a pattern of 'eviction by construction.'"

Echoed Frommer, "It's a classic example up them buying up the last rent-stabilized buildings in Chelsea and trying to get us out. I've been here for almost 25 years, and this is my home. I am president of Save Chelsea, a neighborhood organization dedicated to keeping the mix of affordable housing preserved. I'm not going to be cowed that easily, and they know that. Quite frankly, I believe the only reason I've gotten any repairs done is because I cc every public official on my emails to them."



Bedbugs infested this tenant's home, riddling his legs with their trademark three-bite pattern — causing a reaction so severe, the man required hospitalization. | Photo courtesy of a tenant

BUGS AND VERMIN | Apart from being crushed by a falling air conditioner, most New Yorkers' number one fear is getting an infestation of bedbugs — more so than even cockroaches or rodents. So when it happened in the 220 W. 24th St. side of this building, tenants were devastated.

"Two of my immediate neighbors had serious infestations," said longtime rent-stabilized tenant Barbara Dillon. "It was a major inconvenience last October, when we were told pretty much every apartment on this side was infested and had to be fumigated. The company was very dismissive to

one of my neighbors, who had a serious reaction to the bedbug bites, and had to be hospitalized when his skin broke out and became septic. This kind of thing produces a lot of anxiety; you're even afraid to visit friends, for fear you'll carry these vermin to their houses on your clothing."

Dillon, who is disabled, had to pack up her closets, take the paintings off the walls, and empty her pantry for an application of what she said ended up being toxic chemicals. After her pulmonologist told her she couldn't be near such fumes, the rental company gave Dillon another apartment on the 23rd St. side for a month, one that she said "had no water in the bathroom, and no gas."

When the exterminator strongly suggested tenants wash and heat dry all clothing, Dillon had to drag her entire wardrobe to the basement of the other building, because there was no gas or laundry on her side.

One longtime tenant said that Akelius is taking rent-stabilized apartments that were infested by

bedbugs and turning them into market-rate units, without disclosing the bedbug infestation to new tenants.

"A lot of the new tenants are just moving out. The turnover is amazing," he said. "They are now asking for three months' security deposit on a \$3,000 lease, to get you into a building with mold and bedbugs. The new apartments look good, but it's all just like putting lipstick on a pig."

Akelius contends that they "caught a resident planting bed bugs in the lobby near the elevator on camera in July. Since then, we've [sic] our attorney has sent him a letter, he has stopped planting bed bugs since." Asked to provide Chelsea Now with the video and letter, Akelius said they could not, because that information "is private to the resident."

Still, market-rate tenant Heidi Piper said that despite being given a rider with her May 2018 lease indicating there were no bedbugs in the building, several months after moving in, her apartment was infested with bedbugs.

Akelius rep Chothani said that there was a canine bedbug inspection in June, which resulted in four apartments testing positive for bedbugs, all of which they said have been treated. Additionally, they say they treated all trash chutes, basement, and common areas at that time.

"Seasonally, we do a canine inspection," said Chothani. But "the building has had a history of bedbugs since before we acquired it in August 2017."

Akelius noted that there are pest control treatments completed bi-weekly at the property; residents must sign up for treatments with the doorman or Service Center.

A representative for NYC Council Speaker Corey Johnson's office (whose District 3 area of coverage includes Chelsea) said they'd connected tenants with Housing Conservation Coordinators (HCC) to help with legal issues surrounding the matter. They say tenants just want to have a good working relationship with the management, to get neglected repairs taken care of and for them to address larger maintenance concerns. In one tenant's case, HCC is pursuing litigation to compel Akelius to address maintenance problems.

UNSAFE CONDITIONS

| Longtime tenants like Frommer have registered their complaints with Akelius and requested the problems be fixed, but many say management cancels their official online requests without resolving the problem. For Frommer, one issue is brown water and sewage backing up into tubs and sinks.

Veteran David Fox, a tenant here since 1978, also has issues with water damage and vermin. Many issues with cracked pipes were not addressed until the resulting leak affected the unit below.

In 2015, after a series of minor strokes, Fox asked his part-time caretaker, Crystal Agriopoulos, to begin handling his affairs. When it became clear he'd have permanent mobility problems, she started advocating for him with both the Veterans Administration (VA) and building management. In 2016, Fox signed her



Repairmen are supposed to keep the plastic screen closed to mitigate against asbestos and lead paint dust, but they don't always do so (as seen here on March 30, 2018). | Photo courtesy of a tenant

as a co-tenant on his lease.

Agriopolous said evidence of mice and roach infestation was overwhelming, with many unplugged holes in the kitchen. The sagging ceiling left paint chips and black dust in the kitchen and the bathroom, where tiles were loose and the entire wall was ripe with black mold that did not respond to bleaching. Her request for fresh caulking or repointed tiles were deemed by management to be 'cosmetic' — but Agriopoulos said cosmetic fixes are the least of her concern.

She said that while many of the onsite staff and property managers are kind and hardworking people, she believes they are pressured by management to cut corners, ignoring repairs that could result in damages to the building far exceeding the cost of the original repair.

Still, she put in requests: for the big hole in the floor to be repaired, to prevent mice and roaches from scurrying in. For the stripped water taps to be repaired, since Fox can't discern between hot and cold due to his diabetic nerve damage. For the loose floorboard to be repaired after the toilet flooded at 3 a.m., leaving wood damage and exposed nails that could seriously injure Fox, who has trouble walking. She asked for the broken sink leg to be fixed, so that it doesn't collapse whenever Fox steadies his hand on it as he exits the tub, as it has in the past, cleaving off a big chunk of the sink that is now covered in tape. Management told her she'd need to keep waiting, as there was a backlog of requests.

"It's not days or weeks, but months of waiting," said Agriopoulos. "I went to check my account to figure out the timeline, and found a lot of my complaints were deleted from the list or changed, but there is still evidence that I've put in requests to fix the exposed heat pipe, the paint chips falling in the kitchen, the bathroom lintel coming up and exposing splinters and nails."

Agriopolous said right after a representative from HCC had a meeting with management and showed them pictures of the problems, they came in to do "a flurry of repairs," finally fixing the floor, doing it "for the wrong reason, but at least it's not a safety issue."

But, Agriopolous noted, "They said they didn't know about it, when they said, 'You've got to *tell* us.' It was a real lie. They *did* know, because I told them about the problems face to face *and* on email. They sneak around with the maintenance requests and then say that I never told them about it. Why are they even allowed to edit my maintenance requests? If you're telling me there's a waiting list and I can't get dangerous problems fixed in my house, it needs to be posted somewhere that tenants can have access to it. They need accountability."

Akelius said that they have reviewed their Work Order history since January 2018 and have only one resident that has informed them of a mold issue, which they said has been resolved.

For 71-year-old Dillon, the issue is accessibility. Dillon has leased her apartment since 1987, and legally sublet it when she moved to Tokyo five years ago. But when she became ill with a brain tumor, she had to return to the States for treatment. She now walks with a cane, which makes living here a burden. Even back when Atlas Capital Group managed the building, she said she was forced to pay a friend in construction to install shower grab bars for her, despite the fact that the Americans With Disabilities Act (ADA) requires them in private bathrooms used primarily by seniors or handicapped people. Dillon pointed out numerous issues she believes are ADA violations.

"The lobby was remodeled to appeal to a 'different' class of tenant, and the new doors they installed are unopenable; they are too heavy for me or anyone with a disability," Dillon said. "This came up at their first meet and greet, when we talked to an engineer in their employ who said it would be corrected. It never was. And there's no way to signal the doorman's desk, because it faces away from the double doors. I don't know why they can't install a buzzer. Sometimes I have to stand outside and wait for another tenant to come and open the door for me."

Akelius rep Chothani said that they "did not hear of any issues accessing the buildings from any of our disabled residents until two days ago." They said the doors were installed prior to their acquisition of the property, and noted that there "will soon be automatic door openers and a door camera installed, just in case the doorperson is assisting another resident."

Frommer confirmed Dillon's account of the initial meet and greet, adding that his hackles went up at the time when management insisted they would talk to people about their issues individually, despite that many tenants had the exact same complaints. "From the very first second they were trying to obfuscate and as far as I'm concerned, that is their *modus operandi*," Frommer said.

Another accessibility issue is the frequent elevator outages. Dillon is lucky enough to live only on the second floor, so she can struggle with the stairwell if necessary — but her wheelchair-bound neighbor up on the sixth floor isn't so lucky. Dillon said that neighbor recently filed a complaint with the Equal Access Units of the NYC Human Rights Commission over accessibility, adding, "Again today the elevator shut down for whatever spurious reason."

But Akelius contends that residents are given a 72-hour notice any time there is an elevator

shutdown, which they have had to do several times for testing and surveys required by the Department of Buildings.

“Elevators are original to the building, and are scheduled to be replaced this year,” countered Chothani. “As we always do, we will make accommodations for disabled residents.”

Dillon also had concerns about the effects of ongoing construction and remodeling in the building. “The apartment next door has been remodeled twice in the last four years, and the company doesn’t keep the dust shields closed, so there’s always a choking cloud of dust in the corridors,” she said. “The issue was brought up with the super many times, and he always comes up and addresses it. But five minutes later, the shield is open. This company obviously does not comply with the rules. As my neighbor says, ‘It’s lipstick on a pig.’”

The poor air quality around those vacant apartments under renovation is a huge concern to residents. Tenants say because the building is so old, the construction most certainly exposes them to asbestos and lead paint dust. Akelius covers these units with plastic sheeting, but tenants contend the sheeting is often just draped over the stairwell, leaving toxic dust to swirl around the hallway.



The lobby has been remodeled, but the 24-hour concierge is often not there to help disabled tenants with the heavy doors. | Photo courtesy of a tenant

“Whenever they do construction, we are concerned about air quality,” said a tenant anonymously. “The management has said they do mediation for asbestos and lead paint dust, but no air quality test has been done to my knowledge, and they were not responsive to doing it. Tenants have complained there is a change in the air, that their health has been affected. But people don’t want to speak out because they have not received their renewal leases.”

Another tenant complained about the installation of video and audio recording equipment outside the building and in the remodeled

courtyard, wondering why the on-site doormen don’t have access to the video feed, but rather some offsite management office, saying, “Even if something did happen while the doorman was inside, they would never see it.”

That tenant believes management is primarily using the cameras to determine whether anyone’s operating an Airbnb, or in some other way not using their apartment as their “primary residence,” so they can force that tenant to move out. Dillon said this is currently happening to a neighbor who left her apartment five months ago to care for an ailing parent. Another neighbor, she said, is paranoid that management is using the courtyard cameras to surveil their tenant meetings, which they now hold in another location.

Said Frommer, “They’re playing hardball to try and prove that this is not your primary residence, and it’s deplorable behavior.”

Akelius is leveling such charges against Greg Schlotthauer, a musician who has lived in the building for 24 years. He said that he spent three months last year working on a cruise ship, during which time he sublet his apartment — but when he gave management permission to

check his home for bedbugs, he said that they allowed a private investigator to enter his home and see whether he was living there. The investigator found a letter left for his subletters, explaining how to take out the compost and turn the TV on — and that letter was confiscated from his apartment, then brought before a judge as evidence.

Now Schlotthauer is involved in a court case to prove that his home for the last quarter century is actually his. He understands that he should have asked management for permission to sublet while he was gone (although he contends that other tenants just bribe the concierge to look the other way), but provided the company with all of his financial information just to prove he doesn't have any other primary residence.

"Boy, they are not going to make anything easy for anyone who has an affordable apartment here," Schlotthauer said. "It's economic discrimination: monitoring low-income apartments while anyone in the \$3,000 apartments can do whatever they want."

RENT ABATEMENT

| According to several tenants, a gas leak caused a shutoff three times in the past four years. Most recently, they say, the gas was shut off at 225 W. 23rd St. in late July 2017 and not restored until the end of November 2017. Tenants called New York State Division of Housing and Community Renewal (DHCR) to inspect the building, and asked for a rent decrease based on the lack of service. DHCR acknowledged the request in October 2017, but didn't inspect until January 2018 — long after the problem was resolved.



Crumbling drywall lets mice and roaches into the apartment. | Photo courtesy of a tenant

"The problem was with DHCR not responding," said one tenant anonymously. "Whatever administrative problems you had doesn't change the fact that we didn't have gas."

And elected officials appear to agree with them. On Wed., Aug. 8, Senator Hoylman's office received confirmation that DHCR would revisit their administrative decision to deny rent abatement for that four-month period. Hoylman said tenants appealed the decision because they felt they were entitled to compensation under the law.

"It's a very frustrating situation at 225 West 23rd Street. For starters, these tenants didn't have cooking gas for four months, and were denied a rent abatement," Hoylman said. "We're working with them to try and get rent abatement, because by the time [DHCR] came out in January, the cooking gas was already restored. But that administrative foot-dragging is not the fault of the tenants."

DHCR said that if tenants wanted to file a complaint about reduced services or overcharges, they can contact DHCR's Office of Rent Administration at 718-739-6400.

Hoylman also noted his office had a conversation with management on Aug. 9 to try and get them to resolve problems like the heavy front doors that differently-abled people cannot open, air quality around construction, and other issues.

"We are trying to open a direct dialogue with them, but we are prepared to use other means, like

working with Speaker [Corey] Johnson and Assemblymember [Richard] Gottfried's office to try and get tenants what they are paying for: habitable, accessible apartments," Hoylman noted. "This is a high-profile building and I'm hopeful that we'll get a response from management agreeing to fix these issues — and if not, we'll help tenants get some legal representation and pursue it from that standpoint."

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Paul Barthel

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