

DAILY NEWS

Court victory for Bronx tenants forces landlord to rescind recent increases

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- A group of [Bronx](#) tenants were crowing Tuesday after scoring a court victory that rolls back recent rent hikes and could bolster rent regulation protections across the city.

Tenants at 1600 Sedgwick Ave. sued their landlord, Riverview Redevelopment, for hiking rents on 80 apartments after removing them from a federal rent regulation program, which the tenants' lawyers argue was done illegally.

In late December, a Bronx state Supreme Court judge issued a preliminary injunction, ruling that the landlord must charge regulated rents.

"We are thrilled that this judge agrees that our landlord - whether they like it or not - must charge rent-stabilized rates," said tenant leader [Cora Bennett](#), who was targeted for eviction for refusing to pay the added rent.

The court cited a March appeals court ruling that [Manhattan's Stuyvesant Town](#) and [Peter Cooper Village](#) landlord [Tishman Speyer](#) could not deregulate apartments while receiving J-51 tax abatements and exemptions from the city.

Riverview Redevelopment has collected over \$150,000 in the same tax breaks since 2000, according to the [Urban Justice Center](#), which filed the lawsuit on behalf of tenants.

"By extending the victory of the tenants in Stuyvesant Town and Peter Cooper Village, the state Supreme Court's preliminary injunction has put all predatory landlords on notice," said UJC attorney [Garrett Wright](#).

Riverview Redevelopment took the 80 apartments out of the federal Below Market Interest Rate program early last year and then hiked rents by hundreds of dollars. The landlord had already begun eviction proceedings against a half a dozen tenants for nonpayment of rent by the time UJC filed suit.

Since the 383-unit building was built prior to January 1, 1974 and has more than six units, UJC lawyers argued it automatically falls under state rent regulations.

Riverview Redevelopment could not be reached for comment yesterday, but has claimed in the past that the building is under the jurisdiction of the city's Department of Housing Preservation and Development, thus exempting it from state rent regulations.

This is only the latest dispute tenants at 1600 Sedgwick Ave. have had with their landlord.

Last winter, over 100 tenants sued the landlord for failing to provide heat or repair broken windows and walls, leaking ceilings and plumbing, and the building's oft-out-of-service elevator.

Residents have also appealed to the Public Service Commission over what they claim is the landlord's abuse of a practice called

submetering in which the landlord, rather than [ConEdison](#), is responsible for reading the individual units' submeters and collecting charges from tenants.

The commission has assigned an investigator and the tenants are awaiting a decision on their complaint