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RESIDENTS OF TWO SHERIDAN AVENUE APARTMENT BUILDINGS TAKE COMPLAINTS TO COURT

## Tenants sue landlord for needed repairs

By Arthur Cusano  
Bronx Times

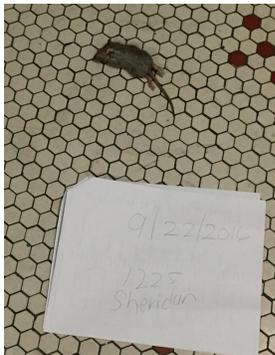


Photo courtesy of New Settlement Apartments

A rat found in the hallway of one of the buildings on Sheridan Avenue this past September is indicative of the problems tenants of the buildings are fighting with a lawsuit against their landlord.

After more than six months of suffering, tenants of two south Bronx apartment buildings have filed a class action lawsuit against their landlord in order to get repairs done faster.

Residents of 1221 and 1225 Sheridan Avenue appeared in court Monday, December 12, as part of a lawsuit against their landlord, Mike Silber.

The tenants allege heat and hot water have not been adequately provided in the buildings, and that accumulating trash attracts rats and other vermin.

As of Monday, December 12, there were 213 open violations cited at the properties by the NYC Housing and Preservation Department.

The lawsuit involves around 25 tenants as plaintiffs, said Yeraldi Perez, a Community Organizer for New Settlement Apartments, which helped the tenants file the lawsuit with the legal non-profit Urban Justice Center against Silber and Sheridan Realty Corporation L.L.C. Silber did not return calls for comment on the lawsuit.

“No one should live like this, and yet for another Christmas holiday season the tenants at 1221 and 1225 Sheridan Avenue will have to endure the absence of heat and hot water, rats and mice infestation, mold condition and filthy and garbage-ridden lobby and hallway,” stated Addrana Montgomery, spokeswoman for Urban Justice Center.

The tenants will appear in court again in late January, she said, and have already provided access dates for landlord to make the necessary repairs, which is required under city law.

In June, residents filed an application for rent reduction with the Division of Housing and Community Renewal due to the building conditions.

Rent regulated tenants can also file a rent reduction complaint with the state housing department if they believe the landlord has violated the terms of the lease by not properly maintaining the building.

Before filing such a complaint, a tenant must communicate in writing with the landlord about the problem.

A complaint can then only be filed with DHCR not less than 10 days and not more than 60 days from the date the tenant sent a notice to the landlord.

In such cases the tenant may also withhold rent, but in response, the landlord may sue the tenant for non-payment of rent.

In such case, the tenant may countersue for breach of the warranty, according to the state tenant handbook.

Tenants allege they have lived with broken mailboxes that cannot be used and front doors that do not lock for almost a year.

Residents like Dashunta President of 1221 Sheridan Avenue said they are fed up.

“We shouldn’t have to come into a cold building lobby just to come into a cold apartment – these repairs are long overdue,” President said.

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