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East Village Tenants to ICON Realty: We've Gone Months Without Heat, Gas in Building—Enough is Enough!

*Residents of 128 Second Avenue, Directly Across from March Explosion Site,
Rally for Adequate Living Conditions After Court Hearing*

Days After Explosion, City Shut Off Gas to the Building, Due to Unauthorized Work on Gas Lines

New York, NY – Tenants of 128 Second Avenue in the East Village appeared in New York City Housing Court today as part of ongoing litigation against their landlord, Icon Realty. At a press conference following the court appearance, tenants called for immediate repairs to their deplorable living conditions.

Residents have been without heat, hot water, and gas since March, after city inspectors discovered the landlord was doing illegal work on the building's gas lines just a few days after the deadly explosion across the street. Con Ed shut down all gas for the building, and Icon Realty has yet to take the necessary procedures with the city to safely restore it. This comes on top of the landlord's failure to repair a multitude of potentially life-threatening conditions in the building, including:

- No fire alarms
- Broken exterior fire escape, front door, and stairs
- Inconsistent heat
- Exposed wires
- Tenants exposed to 250x the legal levels of lead through unmitigated construction dust

Tenants filed a HP Action for Repairs and Services in March to seek a remedy for these unsafe conditions. At the time of a previous court appearance in April, the building had a total of 89 open violations with the Department of Housing Preservation and Development, including 58 considered "immediately hazardous." The current violation count is now higher 114 in total with 67 class "C" immediately hazardous violations. The landlord is currently in contempt of a court order to restore the gas within 45 days and to restore hot water within 24 hours both of which have long passed.

"The tenants in 128 Second Avenue have endured enough," said **Councilwoman Rosie Mendez, District 2**. "Icon Realty has hired armed "Fire Marshalls" to patrol the building as a form of intimidation when all that they are required to do is ensure that tenants do not use the detached fire escape. The principals of Icon Realty are bad actors that are in contempt of court because they have

not restored court ordered necessary services such as gas and hot water. The Judge should set an example by throwing the principals of Icon Realty in jail until all 67 life threatening and immediately hazardous violations out of 114 outstanding violations are cured.”

"The tenants of 128 Second Avenue have had our lives upended," said **long-time resident Jerry Long**. "Since taking ownership of the building more than a year ago, ICON Realty has allowed hazardous and minimally regulated construction to occur. We've experienced leaks, falling plaster, and been exposed to toxic lead-laden construction dust. For the last three months we've been without gas, which has meant not only no heat but also non-functioning kitchen stoves and no hot water for long stretches; and as far as we know the work necessary to restore gas service has still not begun!"

“Both the residential and commercial tenants at 128 Second Avenue have had their lives upended by a reckless, problematic landlord,” said **Yonatan Tadele, a tenant organizer from the Cooper Square Committee**. “Over the past two-and-a-half months alone, Icon Realty has allowed this building to accrue nearly 90 HPD violations; caused exponentially-high levels of lead contamination as a result of poorly-managed construction; and disregarded a judge’s order to restore essential services to residents. The tenants’ decision to file for contempt is a bold, necessary move, illustrating that – when faced with protecting their homes – they can be just as aggressive as their landlord.”

Tenants were joined by lawyers from the Community Development Project at the Urban Justice Center, the group heading the lawsuit.

“The tenants are back in court today to fight for the most basic services—hot water, gas, and, come winter, heat. At the rate the owner is moving, I fear a heatless winter ahead for my clients,” said **Stephanie Rudolph, Attorney for the Tenants from the Community Development Project at the Urban Justice Center**. “We are bringing this case back for civil and criminal contempt in an effort to hold the owner accountable and save the shrinking stock of rent-regulated housing in the East Village.”

ABOUT THE COMMUNITY DEVELOPMENT PROJECT (CDP)

The Community Development Project (CDP) at the Urban Justice Center strengthens the impact of grassroots organizations in New York City’s low-income and other excluded communities. CDP partners with community organizations to win legal cases, publish community-driven research reports, assist with the formation of new organizations and cooperatives, and provide technical assistance in support of their work towards social justice.

ABOUT THE COOPER SQUARE COMMITTEE (CSC)

The Cooper Square Committee (CSC) works with area residents to contribute to the preservation and development of affordable, environmentally healthy housing and community/cultural spaces so that the Cooper Square area remains racially, economically, and culturally diverse. We have spearheaded significant neighborhood victories in our history, comprising over 50 years of tenant organizing, community-based planning, advocacy and development. We rely on the active involvement of our members in the organization’s work to advance our affordable housing agenda.

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