

FOR IMMEDIATE RELEASE

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332 E. 4th Street Tenants: We Will Not Stand for Lead Contamination or Being Bullied for Calling the City for Inspections!

*Evan Bell-Owned Building Contaminated with 5X Legal Levels of Lead
During Construction*

*Tenants Hold Press Conference After NYC Dept. of Health Finds
Lead Dust Mere Hours After Work Begins — Children Live in Building
Where Construction Grossly Contaminated Common Areas*

New York, NY — Tenants of 332 East 4th Street are holding a press conference today at 10:30 a.m. after they recently received notice that work crews hired by **Evan Bell's Bell and Company** contaminated their building with lead-laden construction dust. The contamination was the result of unchecked dust from demolition work being performed in the building.

Evan Bell, a prominent CPA for Hollywood celebrities, introduced himself to tenants as their new landlord on February 25th. Construction work began shortly thereafter and the NYC Dept. of Health found lead contamination in the common areas of the building on March 13th. Media reports document Bell's practice of coordinating investments in real estate for his practice:

(from: <https://www.hollywoodreporter.com/news/how-business-managers-say-no-375764>)

'Bell, whose clients include Bill O'Reilly and Amanda Seyfried, sets up limited partnerships, **investing in properties like apartment buildings in Manhattan's East Village**. Other business managers don't like to pool investments, but they have ways of sharing the upside. "We do not recommend a real estate deal that we do not ourselves invest in," says Michael Karlin. "A partner here will participate pro rata to the investor."

A report issued by New York City Dept. of Health and Mental Hygiene (*report attached*) shows elevated levels of lead in 13 of 17 samples collected in the building. The sample with the highest level **was over 5 times (214 µg/ft²)** the acceptable standards prescribed by the U.S. Environmental Protection Agency for floors/treads of 39 µg/ft². 332 East 4th Street has at least one child under age 6 living in it. Children are especially vulnerable to the negative effects of lead exposure.

Tenants of 332 East 4th Street and the Lead Dust Free NYC (LDFNYC) coalition, a subcommittee of New York City Coalition to End Lead Poisoning (NYCCELP), are now calling for safe work practices to be put in place for all current and future work being performed.

In total, the Lower East Side has now seen over one dozen buildings contaminated with lead-laden construction dust over the last four years. Some buildings suffered contamination that was as **high as 440X (110,000 µg/ft²)** the legal levels of lead. In the last few months, there has been a spike in lead dust contamination throughout the neighborhood. In mid-November, 118 East 4th Street, owned by Jared Kushner, was found to have elevated lead levels about 10 times higher than legal limits; in December 47 Clinton Street, owned by Icon Realty, was found to have about 1.5X the legal levels; and 138 Ludlow Street, owned by DelShah Capital, was notified of levels 37X the legal levels recently.

“Since Evan Bell bought our building, it is most evident that his singular objective is making money. The \$14 million purchase price is an indication of predatory equity. A large majority of tenants residing at this location have called it home for decades. His apparent lack of responsibility for the safety of human inhabitants in his new acquisition appears to be all that is relevant to him. It shows disdain for people’s welfare.” **said Lana Martin, a resident of the building and member of the tenants association.** “He is destroying the soul of a community.”

“If there are violations, how are they able to continue working?” **said John Sullivan, a 332 East 4th Street tenant and member of the tenants association.** “What good are the regulations if they aren't enforced? This is deeply troubling since we know there is actual lead contamination we have been exposed to.”

“Landlords who gut-renovate their buildings and expose tenants to lead dust risk harming a very wide circle: friends and relatives of each tenant, postal workers, food delivery people, laundry service people, construction workers and their families, neighboring tenants—even passersby on the street. Worse yet, some landlords risk exposing tenants' infants and children to this dangerous toxin,” **said Sandra Mayer, member of the Lead Dust Free NYC coalition.** “This selfish practice of predatory equity and construction harassment, combined with insufficient lead abatement practices must be stopped in 2019. No more lead dust. Period.”

“Lead dust is a pervasive problem in pre-1960s buildings in a city that is constantly re-inventing itself with repairs, renovations and restorations. But toxic exposure to the ill effects of lead dust is completely preventable if safe work practices are followed,” **said Liz Haak, another Lead Dust Free NYC member.** “Our City Council established safe work practices in 2004 and is following up with new laws to enable Dept. of Housing, Dept. of Buildings and Dept. of Health & Mental Hygiene to work together in the enforcement of these laws. Now all landlords have to be held accountable to following those safe work practices to protect both tenants and passersby from harmful exposure to lead dust.”

“Tenants at 332 E. 4th St. deserve to live a life without risk of lead contamination, and yet children as young as six have been exposed to lead levels over five times the legal limit thanks to Bell and Company’s harassment-by-construction,” **said Council Member Carlina Rivera.** “DOB must provide clear enforcement of the safe work practices outlined in Local Law 1 and harassers like Evan Bell must be punished for putting these New Yorkers lives at risk.”

"The tenants of 332 East 4th Street deserve to live without the danger of lead contamination," **said Council Member Margaret S. Chin.** "Yet the Bell and Company's shoddy construction means children as young as six are being exposed to lead levels at five times the legal limit. DOB must enforce Local Law 1 as well as the two bills I co-authored last year to eliminate lead poisoning in every New Yorkers' home. No one should fear exposure to toxic lead in their home, especially families with young children whose health and safety are most at risk."

"All tenants deserve to live free of the fear of lead contamination," **said Manhattan Borough President Gale A. Brewer.** "Safe work practices have been established for well over a decade, and landlords are **most** certainly aware of them. Local Law 1 must be enforced and landlords that treat tenants' lives as collateral damage must be held accountable."

"Unscrupulous landlords see tenants as collateral damage—speed bumps on the road to gentrification. They use aggressive tactics like construction as harassment that produces poisonous lead dust to push rent-regulated tenants out so they can deregulate units and net higher rents. These illegal actions worsen our city's homelessness crisis and expose tenants, including young children, to toxic substances that cause permanent harm. We won't stand for it. We will keep fighting for better enforcement of the existing laws to protect tenants from lead dust contamination and work with organizers from Lead Dust Free NYC to roll out new protections that keep New Yorkers safe and hold bad actor landlords accountable," **said Assemblymember Harvey Epstein.**

"We must do everything we can to protect New Yorkers from hazardous construction work in the places where they live, and I support the residents of 332 East 4th Street in their efforts to organize and hold their landlord accountable for toxic lead dust and other seriously unsafe conditions," **said Senator Brian Kavanagh,** who represents much of the Lower East Side. "We will continue to work with our colleagues in government, enforcement agencies, Cooper Square Committee, and Lead Dust Free NYC to stop construction work that endangers residents of our community in this building and wherever we find it."

"Tenants literally put a paper copy of the laws about lead into Evan Bell's hands," **said Jodie Leidecker, a Housing Organizer at the Cooper Square Committee.** "They did this to ensure that they would be protected from lead during construction. Local Law One is very clear. Proper measures must always be taken and tenant health and safety must be top priority. Unfortunately, now tenants at 332 East 4th Street have to worry about the potential effects of lead contamination in their building. With a young child present, they are very concerned because it appears that Mr. Bell has chosen the same company that got these violations in the first place to do further renovations and even be the site management for the building. It does not speak highly of his commitment to tenant safety."

"When the safe work practices outlined in Local Law 1 of 2004 are not enforced, tenants facing displacement pressure who have decided to stay and fight for their homes during renovations can be subjected to toxic levels of lead dust," **said Liam Reilly, a Housing Organizer at the Cooper Square Committee.** "Aggressive landlords understand the threats that come with these disruptive renovations and often ignore the safe work practices in an attempt to potentially push out the remaining rent regulated tenants from the buildings."

ABOUT THE LEAD DUST FREE NYC (LDFNYC) COALITION

LDFNYC is a coalition of tenants who have been exposed to lead dust and are focused on organizing to end lead poisoning in NYC. We are calling for stronger enforcement of NYC's lead laws, as well as new legislation to protect tenants from toxic lead dust exposure.

ABOUT THE COOPER SQUARE COMMITTEE

The Cooper Square Committee (CSC) works with area tenants 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. The Cooper Square Committee has spearheaded significant neighborhood victories in our history, comprising 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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ANALYTICAL REPORT

Client's Name:

NYC Department of Health & Mental Hygiene

Project Address: 332 East 4th Street

Child Id: N/A

LASU #: L2019-0390

Lab ID: LW0319330

Date of Report: 3/19/2019

Atlas Environmental Lab, Corp.

255 W. 36th Street, Suite 1503 ▪ New York, NY 10018 ▪ T: (212) 563-0400 F: (212) 563-0401 ▪ www.atlasenvironmentallab.com



ANALYSIS OF REPORT FOR LEAD IN DUST WIPES

Client: NYC Department of Health & Mental Hygiene
Collected by: Client
Technician: N.H
Child ID: N/A
LASU #: L2019-0390
Address: 332 East 4th Street
Apt/Boro: CMN/1

Report No: LW0319330
Date Sampled: 3/13/2019
Date Received: 3/18/2019
Date Analyzed: 3/18/2019
Report Date: 3/19/2019

Client ID #	Lab ID #	Floor Location/Description	Area Sampled (Inches)	Lead (µg/ft²)
031319-2228-001	LW0319330-1	Bldg. Vestibule From Street - Floor - Tile (No Window)	12x12	165
031319-2228-002	LW0319330-2	1st Floor Public Hallway From Bldg. Vestibule - Floor - Tile (No Window)	12x12	45
031319-2228-003	LW0319330-3	Stairs From 1st to 2nd Floor Public Hallway - Tread - Marble (Half-Landing Present)	12x10.5	63
031319-2228-004	LW0319330-4	Stairs From 1st to 2nd Floor Public Hallway - Window Sill - Painted Wood	12x6.5	88
031319-2228-005	LW0319330-5	2nd Floor Public Hallway From Stairs - Floor - Tile (No Window)	12x12	46
031319-2228-006	LW0319330-6	Stairs From 2nd to 3rd Floor Public Hallway - Tread - Marble (Half-Landing Present)	12x10.5	67
031319-2228-007	LW0319330-7	Stairs From 2nd to 3rd Floor Public Hallway - Window Sill - Painted Wood	7x3	94
031319-2228-008	LW0319330-8	3rd Floor Public Hallway From Stairs - Floor - Tile (No Window)	12x12	71
031319-2228-009	LW0319330-9	Stairs From 3rd to 4th Floor Public Hallway - Tread - Marble (Half-Landing Present)	12x10.5	123
031319-2228-010	LW0319330-10	Stairs From 3rd to 4th Floor Public Hallway - Window Sill - Painted Wood	12x4.5	76
031319-2228-011	LW0319330-11	4th Floor Public Hallway From Stairs - Floor - Tile (No Window)	12x12	85
031319-2228-012	LW0319330-12	Stairs From 4th to 5th Floor Public Hallway - Tread - Marble (Half-Landing Present)	12x10.5	89
031319-2228-013	LW0319330-13	Stairs From 4th to 5th Floor Public Hallway - Window Sill - Painted Wood	12x5	1354
031319-2228-014	LW0319330-14	5th Floor Public Hallway From Stairs - Floor - Tile (No Window)	12x12	99
031319-2228-015	LW0319330-15	Stairs From 5th to 6th Floor Public Hallway - Tread - Marble (Half-Landing Present)	12x10.5	147
031319-2228-016	LW0319330-16	Stairs From 5th to 6th Floor Public Hallway - Window Sill - Painted Wood	12x5	245
031319-2228-017	LW0319330-17	6th Floor Public Hallway From Stairs - Floor - Tile (No Window)	12x12	214
031319-2228-018	LW0319330-18	Blank	N/A	<5 (µg/Wipe)

Analysis Method: EPA 7000B Prep Method: EPA 3050B
 RL (Reporting limit): 5.0 µg/ft² (based upon 1.0 square foot samples)

NYSDOH ELAP#11999 , AIHA-LAP,LLC ID:208306

Analyst: PL

Approved by: 

USEPA requirement to meet ASTM E1792 Specification for ghost wipes; Collection procedure, protocols and sample locations are based on information provided by the client submitting the samples; and as such, Atlas Environmental Labs disclaims any knowledge of and liability for the accuracy and completeness of this information.

The results related only to the items tested. Lead results are not corrected for blank.

HEALTHY HOMES PROGRAM/LEAD POISONING PREVENTION

125 Worth Street, 6th Floor, CN-58, New York, NY 10013, (646) 632-6002, Fax: (347) 396-8926 or (646) 632-6004

LW0319330

Field Sampling and Chain of Custody Form for Environmental Sampling

Child ID #:	<input type="checkbox"/> Case <input checked="" type="checkbox"/> Complaint	Job Number (XRF):	<input checked="" type="checkbox"/> Check here if no XRF readings were taken in or outside the apartment
Sampling Address: 332 East 4 th Street	Apt.: CMN	Boro: 1	
Name of Property Owner: Bell and Company	Health Area: 14-6700		
Owner Address: 380 Lexington Avenue	Boro: 1	LASU #: L2019-0390	

Sample ID # Date (Month/Day/Year) - Employee ID - Sample ID (3 digits) e.g. 041804-1234-001	Room Name (Must match XRF room name)	Component	Sample Area (Length x Width in inches)	Comments Note special sample conditions, locations, and sample type. For example: Conditions: carpeted floor; bare soil Location: window on left on Wall 1; back yard Type: dust, soil, paint chip, water
031319 - 2228 - 001	Bldg. Vestibule From Street	<input checked="" type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x12	<input checked="" type="checkbox"/> No Window Tile 165
031319 - 2228 - 002	1st Floor Public Hallway From Bldg. Vestibule	<input checked="" type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x12	<input checked="" type="checkbox"/> No Window Tile 45
031319 - 2228 - 003	Stairs From 1st to 2nd Floor Public Hallway	<input type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input checked="" type="checkbox"/> Other: Tread	12 x 10.5	<input type="checkbox"/> No Window Marble (Half-Landing Present) 63
031319 - 2228 - 004	Stairs From 1st to 2nd Floor Public Hallway	<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12 x 6.5	<input type="checkbox"/> No Window Painted wood 88
031319 - 2228 - 005	2nd Floor Public Hallway From Stairs	<input checked="" type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x12	<input checked="" type="checkbox"/> No Window Tile 46

Collected by PHS (Print): N. Huynh	Batch #:
PHS Signature: <i>N. Huynh</i>	Badge #: 130
Associate PHS I Signature: <i>[Signature]</i>	ID #: 2228
Transferred to:	Reason for Transfer: Lead Lab Analysis
Transferred to:	Reason for Transfer:
Transferred to:	Reason for Transfer:
	Date Collected: 03/13/19
	Date Transferred: 3/15/19
	Date Transferred: SU 3/18/19
	Date Transferred: 1230

Note for Laboratory: Unless specified otherwise, dust wipes and paint chip results should be sent to LPPP within 24 hours and soil and water results should be sent to LPPP within 48 hours.

[Signature] 03/18/19

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Page 2 of 4

Child ID #:	<input type="checkbox"/> Case <input checked="" type="checkbox"/> Complaint	Job Number (XRF):	<input checked="" type="checkbox"/> Check here if no XRF readings were taken in or outside the apartment
Sampling Address: 332 East 4th Street	Apt.: CNN	Boro: 1	Health Area: 14-6700
Name of Property Owner: Bell and Company			
Owner Address: 380 Lexington Avenue	Boro: 1	LASU #: L2019-0390	

Sample ID # Date (Month/Day/Year) - Employee ID - Sample ID (3 digits) e.g. 041804-1234-001	Room Name (Must match XRF room name)	Component	Sample Area (Length x Width in inches)	Comments Note special sample conditions, locations, and sample type. For example: Conditions: carpeted floor; bare soil Location: window on left on Wall 1; back yard Type: dust, soil, paint chip, water
031319 - 2228 - 006	Stairs From 2nd to 3rd Floor Public Hallway	<input type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input checked="" type="checkbox"/> Other: Tread	12x10.5	<input type="checkbox"/> No Window Marble (Half-Landing Present) 67
031319 - 2228 - 007	Stairs From 2nd to 3rd Floor Public Hallway	<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Window Sill <input type="checkbox"/> Other:	7x3	<input type="checkbox"/> No Window Painted wood 94
031319 - 2228 - 008	3rd Floor Public Hallway From Stairs	<input checked="" type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x12	<input checked="" type="checkbox"/> No Window Tile 71
031319 - 2228 - 009	Stairs From 3rd to 4th Floor Public Hallway	<input type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input checked="" type="checkbox"/> Other: Tread	12x10.5	<input type="checkbox"/> No Window Marble (Half-Landing Present) 123
031319 - 2228 - 010	Stairs From 3rd to 4th Floor Public Hallway	<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x4.5	<input type="checkbox"/> No Window Painted wood 76

Collected by PHS (Print): N. Huynh	Batch #:
PHS Signature:	Badge #: 130
Associate PHS I Signature:	ID #: 2228
Transferred to:	Reason for Transfer: Lead Lab Analysis
Transferred to:	Reason for Transfer:
Transferred to:	Reason for Transfer:
	Date Collected: 03/12/19
	Date Transferred: 3/13/19
	Date Transferred: 8U 3/18/19
	Date Transferred: 1230

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031819

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Field Sampling and Chain of Custody Form for Environmental Sampling

Page 3 of 4

Child ID #:	<input type="checkbox"/> Case <input checked="" type="checkbox"/> Complaint	Job Number (XRF):	<input checked="" type="checkbox"/> Check here if no XRF readings were taken in or outside the apartment
Sampling Address: 332 East 4th Street	Apt.: CNN	Boro: 1	Health Area: 14-6700
Name of Property Owner: Bell and Company		Boro: 1	LASU #: L2019-0390
Owner Address: 380 Lexington Avenue			

Sample ID # Date (Month/Day/Year) - Employee ID - Sample ID (3 digits) e.g. 041804-1234-001	Room Name (Must match XRF room name)	Component	Sample Area (Length x Width in inches)	Comments Note special sample conditions, locations, and sample type. For example: Conditions: carpeted floor; bare soil Location: window on left on Wall 1; back yard Type: dust, soil, paint chip, water
031319 - 2228 - 011	4 th Floor Public Hallway From Stairs	<input checked="" type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x12	<input checked="" type="checkbox"/> No Window Tile 85
031319 - 2228 - 012	Stairs From 4 th to 5 th Floor Public Hallway	<input type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input checked="" type="checkbox"/> Other: Tread	12 x 10.5	<input type="checkbox"/> No Window Marble (Half-Landing Present) 89
031319 - 2228 - 013	Stairs From 4 th to 5 th Floor Public Hallway	<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12 x 5	<input type="checkbox"/> No Window Painted wood 1354
031319 - 2228 - 014	5 th Floor Public Hallway From Stairs	<input checked="" type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x12	<input checked="" type="checkbox"/> No Window Tile 99
031319 - 2228 - 015	Stairs From 5 th to 6 th Floor Public Hallway	<input type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input checked="" type="checkbox"/> Other: Tread	12 x 10.5	<input type="checkbox"/> No Window Marble (Half-Landing Present) 147

Collected by PHS (Print): N. Huynh	Batch #:
PHS Signature:	Badge #: 130
Associate PHS I Signature:	ID #: 2228
Transferred to:	Reason for Transfer: Lead Lab Analysis
Transferred to:	Reason for Transfer:
Transferred to:	Reason for Transfer:
	Date Collected: 03/13/19
	Date Transferred: 3/15/19
	Date Transferred: 04/18/19
	Date Transferred: 1220

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Child ID #:	<input type="checkbox"/> Case <input checked="" type="checkbox"/> Complaint	Job Number (XRF):	<input checked="" type="checkbox"/> Check here if no XRF readings were taken in or outside the apartment
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Name of Property Owner: Bell and Company			
Owner Address: 380 Lexington Avenue	Boro: 1	LASU #: L2019-0390	

Sample ID # Date (Month/Day/Year) - Employee ID - Sample ID (3 digits) e.g. 041804-1234-001	Room Name (Must match XRF room name)	Component	Sample Area (Length x Width in inches)	Comments Note special sample conditions, locations, and sample type. For example: Conditions: carpeted floor; bare soil Location: window on left on Wall 1; back yard Type: dust, soil, paint chip, water
031319 - 2228 - 016	Stairs From 5th to 6th Floor Public Hallway	<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x5	<input type="checkbox"/> No Window Painted wood 245
031319 - 2228 - 017	6th Floor Public Hallway From Stairs	<input checked="" type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:	12x12	<input checked="" type="checkbox"/> No Window Tile 214
031319 - 2228 - 018	Blank	<input type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:	—	<input type="checkbox"/> No Window — 25
-		<input type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:		<input type="checkbox"/> No Window
-		<input type="checkbox"/> Floor <input type="checkbox"/> Window Sill <input type="checkbox"/> Other:		<input type="checkbox"/> No Window

Collected by PHS (Print): N. Huynh		Batch #:	
PHS Signature:	Badge #: 130	ID #: 2228	Date Collected: 03/13/19
Associate PHS I Signature:	Reason for Transfer: Lead Lab Analysis	Date Transferred: 3/15/19	
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