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Deaf tenants battle Lower East Side landlords in court

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CoStar

174 Forsyth St.

A class-action suit filed by residents of 174 and 184 Forsyth St., designed for the hearing impaired, alleges dangerous conditions

Two Manhattan buildings that were intended to make life easier for deaf tenants are failing at their mission, according to a lawsuit filed in federal court Tuesday.

The class-action suit by dozens of residents of 174 and 184 Forsyth St. on the Lower East Side alleges that landlords and managers have created dangerous conditions and are thus discriminating against the hearing impaired in the process.

Chief among the complaints is that the buildings' fire alarms rely on sounds and not flashing lights, according to the civil suit, which was filed in U.S. District Court in the Southern District. "This is literally a life-or-death issue," the suit says.

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Other problems include door locks that are the buzzer variety when video-based security systems are necessary, and all three of the elevators lack cameras, which could potentially doom passengers during breakdowns.

"Defendants failed to design, construct, maintain, operate and manage its buildings to be fully accessible," the suit adds.

What makes the violations so egregious, according to lawyers for the plaintiffs, is that the buildings, which cater to low-income Section 8 renters, were specifically designed to accommodate deaf tenants.

One of them, 174 Forsyth St., a 6-story red-brick building with 40 apartments that opened in 1994, was developed with federal Housing and Urban Development funds. The other, 184 Forsyth, completed in 2001 with 21 units, enjoyed similar financing, records show.

The list of defendants, at seven, includes private managers and state and federal agencies. A message left for Jeffrey Goldstein, president and chief executive of Philadelphia-based MMS Group, one of the managers, was not returned by press time. The New York Society for the Deaf, a not-for-profit advocacy group that is listed as an owner in the suit, had a disconnected phone number.

It's [not the first time](#) the buildings have been in the crosshairs. Two years ago tenants began demonstrating against general living conditions there, including rats, mold and broken ceilings. Complaints about out-of-service elevators stretch back to at least 2013, according to Department of Building records.

But the current suit is focused solely on possible violations of the federal Americans with Disabilities Act and a similar state statute.

The lead plaintiff, Elewood Torres, who is legally deaf, was not immediately available for an interview, according to a spokesman for his attorney.

But his attorney, Andrew Lieb, said he is proud of the tenants for taking their longtime complaints to the next level.

“The tenants have a feeling they will be retaliated against if they do anything,” Lieb said. “But the law is 100% on their side.”

Inline Play

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