

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

JOSE ALMARAZ, LUISA ARAGON, DOROTEA
AYALA, RITIKA BHARATI, KATHRYN BUEHLER,
JUANA CARVAJAL, ZENAIDA CASTILLA, SANDEEP
CHANDUR RAVI, KARENA CHAZIN, TOM
CRAWFORD, ALEX DESCHAMPS, ZOILA GARCIA,
JODY GONZALES, TYLER HESTON, YOSUKE
HIRAIWA, BASILISA HOYOS, ISABELLE JENNER,
CHARLES KARCHER, DEREK LEDOUX, BLANCA
LOPEZ, ROSA LOPEZ, HELADIA MAGDALENO,
EDWIN MANZANET, SARAH OZELIERI, IVAN
PAULOVICH, CONCEPCION RAMIREZ, WILLIAM
RIVERA, BRANDON RODEMAN, DANIELLA ROSEN,
ELMAR RUSTAMZADE, KAREEM SAMUELS,
CAROLINE SCHETTLER, HARRISON SHERRILL,
ARTEMIO VELIZ, REGINA VILLAR, CLARA VERA,
KATELYN WOLGAMUTH, ANNA LISA YOUNG,

Plaintiffs,

-against-

112 EAST 103 LLC, 118 EAST 103 LLC, 122 EAST 103
LLC, 124 EAST 103 LLC, and 126 EAST 103 LLC,

Defendants.

SUMMONS

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer on Plaintiffs' attorneys within twenty (20) days after service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York), and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

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Plaintiffs designate New York County as the place of trial. The basis for this choice of venue is that Plaintiffs' primary places of residence are 112, 118, 122, 124, and 126 E. 103rd Street, New York, NY 10029, which are located within New York County.

Dated: New York, New York
March 14, 2024



Manhattan Legal Services
Attorneys for Plaintiffs Jose Almaraz, Ritika Bharati, Kathryn Buehler, Juana Carvajal, Sandeep Chandur Ravi, Karen Chazin, Tom Crawford, Alex Deschamps, Jody Gonzales, Tyler Heston, Yosuka Hiraiwa, Isabelle Jenner, Charles Karcher, Rosa Lopez, Edwin Manzanet, Sarah Ozelier, Ivan Paulovich, William Rivera, Brandon Rodeman, Daniella Rosen, Caroline Schettler, Clara Vera, Katelyn Wolgamuth, and Anna Lisa Young.
By: Matthew Latterner
1827 Madison Avenue
New York, New York 10035
646-442-3162
mlatterner@lsnyc.org

/s/ Yesenia Godoy & Sebastian Perez

Legal Aid Society
Attorneys for Plaintiffs Luisa Aragon, Dorotea Ayala, Zenaida Castilla, Zoila Garcia, Basilisa Hoyos, Derek LeDoux, Blanca Lopez, Heladia Magdaleno, Concepcion Ramirez, Elmar Rustamzade, Kareem Samuels, Harrison Sherrill, Artemio Veliz and Regina Villar.
By: Yesenia Godoy and Sebastian Perez
2090 Adam Clayton Powell Jr. Blvd.
3rd Floor
New York, NY 10027
646-784-6884 and 646-784-3375
YGodoy@legal-aid.org and
SPerez@legal-aid.org

SUPREME COURT OF THE STATE OF NEW YORK
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JOSE ALMARAZ, LUISA ARAGON, DOROTEA AYALA, RITIKA BHARATI, KATHRYN BUEHLER, JUANA CARVAJAL, ZENAIDA CASTILLA, SANDEEP CHANDUR RAVI, KARENA CHAZIN, TOM CRAWFORD, ALEX DESCHAMPS, ZOILA GARCIA, JODY GONZALES, TYLER HESTON, YOSUKE HIRAIWA, BASILISA HOYOS, ISABELLE JENNER, CHARLES KARCHER, DEREK LEDOUX, BLANCA LOPEZ, ROSA LOPEZ, HELADIA MAGDALENO, EDWIN MANZANET, SARAH OZELIERI, IVAN PAULOVICH, CONCEPCION RAMIREZ, WILLIAM RIVERA, BRANDON RODEMAN, DANIELLA ROSEN, ELMAR RUSTAMZADE, KAREEM SAMUELS, CAROLINE SCHETTLER, HARRISON SHERRILL, ARTEMIO VELIZ, REGINA VILLAR, CLARA VERA, KATELYN WOLGAMUTH, ANNA LISA YOUNG,

Plaintiffs,

-against-

112 EAST 103 LLC, 118 EAST 103 LLC, 122 EAST 103 LLC, 124 EAST 103 LLC, and 126 EAST 103 LLC,

Defendants.

VERIFIED COMPLAINT

PRELIMINARY STATEMENT

1. Plaintiffs are tenants of various apartments (each an “Apartment” and together the “Apartments”) in 112 E. 103rd Street, New York, NY 10029 (the “112 Building”); 118 E. 103rd Street, New York, NY 10029; 122 E. 103rd Street, New York, NY 10029; 124 E. 103rd Street, New York, NY 10029 (the “124 Building”); and 126 E. 103rd Street, New York, New York 10029 (together, the “Buildings”).
2. Defendants 112 East 103 LLC, 118 East 103 LLC, 122 East 103 LLC, 124 East 103 LLC, and 126 East 103 LLC (together, the “Defendants”) are the respective owners of the Buildings.

3. Upon information and belief, the Buildings are owned, directly or indirectly, by Emerald Equity Group LLC.

4. George Zayas, who is listed as number 72 on the New York City Public Advocate's 2023 Top 100 Worst Landlords Watchlist, is the managing agent for each of the Defendants.

5. Plaintiffs bring the instant action against the Defendants alleging failure to comply with General Obligations Law § 7-103, which requires a landlord to deposit and maintain security deposit funds in segregated bank accounts in trust for their tenants.

6. That is, in the course of bankruptcy proceedings for other buildings previously owned (directly or indirectly) by the Emerald Equity Group, it was revealed that security deposits for tenants in the bankrupt buildings were not kept in separately segregated accounts as required by law but were instead deposited into operating accounts for the bankrupt buildings.

7. This put the tenants in the bankrupt buildings in a perilous position. In a bankruptcy plan of reorganization that has yet to be confirmed by the bankruptcy court, the bankrupt entities' lenders agreed to replenish the tenants' security deposits in full. In the absence of such an agreement, however, there is caselaw indicating that the security deposits would have been treated as stolen trust funds, putting the tenants in line to receive pennies on the dollar for their lost security deposits.

8. Upon information and belief, the same is true with respect to the Plaintiffs' security deposits – the Defendants deposited the Plaintiffs' security deposits in the Defendants' own operating accounts rather than separately segregated accounts as required by law.

9. Various of the Plaintiffs sent the Defendants a demand letter on October 20, 2023, requesting, among other things, an accounting of the security deposits. Defendants have failed to respond to this letter.

10. Plaintiffs therefore bring this proceeding and ask this Court to order the Defendants to return the Plaintiffs' security deposits or, in the alternative, for monetary judgments in favor of each Plaintiff for the amount of their respective security deposit with interest.

11. Separately, HPD issued building-wide rent-impairing violations against the 112 and 124 Buildings more than a year ago.

12. The conditions underlying those violations remain unrepaired as of the date of this filing.

13. Rent-impairing violations are a particularly serious class of violations. Briefly, if the landlord does not fix the conditions underlying such violations within six months, the landlord cannot collect unpaid rent in the affected apartment for the period after the six-month deadline elapses until the repairs are complete.

14. Because HPD issued rent-impairing violations for conditions in common areas in the 112 and 124 Buildings, those violations are treated as building-wide and apply to all of the apartments in the 112 and 124 Buildings.

15. The 112 Plaintiffs (as that term is defined below) therefore ask this Court for declaratory judgments that they are not required to pay any unpaid rent that accrued after the six-month deadlines to correct the building-wide rent-impairing violations in the 112 Building through the date that the conditions underlying those violation are repaired. The 124 Plaintiffs (as that term is defined below) ask for the same relief with respect to the building-wide rent-impairing violations in the 124 Building.

VENUE

16. Venue is properly placed in the County of New York pursuant to Civil Practice Law and Rules Section 503(c) because the subject premises and Defendants' principal places of business are located in this county.

PARTIES

17. Plaintiff Jody Gonzales is a tenant of Apartment 11 in 112 East 103rd Street, New York, NY 10029.

18. Plaintiff Ivan Paulovich is a tenant of Apartment 19 in 112 East 103rd Street, New York, NY 10029.

19. Plaintiff Sarah Ozelieri is a tenant of Apartment 13 in 112 East 103rd Street, New York, NY 10029.

20. Plaintiff Anna Lisa Young is a tenant of Apartment 2 in 112 East 103rd Street, New York, NY 10029.

21. Plaintiff Rosa Lopez is a tenant of Apartment 29 in 112 East 103rd Street, New York, NY 10029.

22. Plaintiff Sandeep Chandur Ravi is a tenant of Apartment 1 in 112 East 103rd Street, New York, NY 10029.

23. Plaintiff Tom Crawford is a tenant of Apartment 7 in 112 East 103rd Street, New York, NY 10029 (together with Plaintiffs Jody Gonzales, Ivan Paulovich, Sarah Ozelieri, Annalisa Young, Rosa Lopez, and Sandeep Chandur Ravi, the “112 Plaintiffs”).

24. Plaintiff Zoila Garcia is a tenant of Apartment 7 in 118 East 103rd Street, New York, NY 10029.

25. Plaintiff Blanca Lopez is a tenant of Apartment 25 in 118 East 103rd Street, New York, NY 10029.

26. Plaintiff Derek LeDoux is a tenant of Apartment 26 in 118 East 103rd Street, New York, NY 10029.

27. Plaintiff Kareem Samuels is a tenant of Apartment 6 in 118 East 103rd Street, New York, NY 10029.

28. Plaintiff Artemio Veliz is a tenant of Apartment 12 in 118 East 103rd Street, New York, NY 10029.

29. Plaintiff Concepcion Ramirez is a tenant of Apartment 29 in 118 East 103rd Street, New York, NY 10029.

30. Plaintiff Basilisa Hoyos is a tenant of Apartment 27 in 118 East 103rd Street, New York, NY 10029.

31. Plaintiff Regina Villar is a tenant of Apartment 14 in 118 East 103rd Street, New York, NY 10029.

32. Plaintiff Harrison Sherrill is a tenant of Apartment 30 in 118 East 103rd Street, New York, NY 10029.

33. Plaintiff Zenaida Castilla is a tenant of Apartment 22 in 118 East 103rd Street, New York, NY 10029.

34. Plaintiff Dorotea Ayala is a tenant of Apartment 2 in 118 East 103rd Street, New York, NY 10029.

35. Plaintiff Luisa Aragon is a tenant of Apartment 5 in 118 East 103rd Street, New York, NY 10029.

36. Plaintiff Heladia Magdaleno is a tenant of Apartment 15 in 118 East 103rd Street, New York, NY 10029.

37. Plaintiff Daniella Rosen is a tenant of Apartment 16 in 122 East 103rd Street, New York, NY 10029.

38. Plaintiff Juana Carvajal is a tenant of Apartment 14 in 122 East 103rd Street, New York, NY 10029.

39. Plaintiff Yosuke Hiraiwa is a tenant of Apartment 4 in 122 East 103rd Street, New York, NY 10029.

40. Plaintiff William Rivera is a tenant of Apartment 3 in 122 East 103rd Street, New York, NY 10029.

41. Plaintiff Charles Karcher is a tenant of Apartment 12 in 122 East 103rd Street, New York, NY 10029.

42. Plaintiff Clara Vera is a tenant of Apartment 18 in 122 East 103rd Street, New York, NY 10029.

43. Plaintiff Alex Deschamps is a tenant of Apartment 12 in 124 East 103rd Street, New York, NY 10029.

44. Plaintiff Ritika Bharati is a tenant of Apartment 24 in 124 East 103rd Street, New York, NY 10029.

45. Plaintiff Jose Almaraz is a tenant of Apartment 23 in 124 East 103rd Street, New York, NY 10029.

46. Plaintiff Edwin Manzanet is a tenant of Apartment 17 in 124 East 103rd Street, New York, NY 10029.

47. Plaintiff Caroline Schettler is a tenant of Apartment 3 in 124 East 103rd Street, New York, NY 10029.

48. Plaintiff Katelyn Wolgamuth is a tenant of Apartment 18 in 124 East 103rd Street, New York, NY 10029.

49. Plaintiff Tyler Heston is a tenant of Apartment 10 in 124 East 103rd Street, New York, NY 10029.

50. Plaintiff Karena Chazin is a tenant of Apartment 1 in 124 East 103rd Street, New York, NY 10029.

51. Plaintiff Isabelle Jenner is a tenant of Apartment 25 in 124 East 103rd Street, New York, NY 10029.

52. Plaintiff Elmar Rustamzade is a tenant of Apartment 30 in 124 East 103rd Street, New York, NY 10029.

53. Plaintiff Kathryn Buehler (formerly known as Kathryn Peterson) is a tenant of Apartment 15 in 124 East 103rd Street, New York, NY 10029 (together with Plaintiffs Alex Deschamps, Ritika Bharati, Jose Almaraz, Edwin Manzanet, Caroline Schettler, Katelyn Wolgamuth, Tyler Heston, Karena Chazin, Isabelle Jenner, and Elmar Rustamzade, the “124 Plaintiffs”).

54. Plaintiff Brandon Rodeman is a tenant of Apartment 24 in 126 East 103rd Street, New York, NY 10029.

55. 112 East 103 LLC is a limited liability corporation organized in Delaware and registered with the New York Department of State. 112 East 103 LLC owns the Building located at 112 East 103rd Street, New York, NY 10029.

56. 118 East 103 LLC is a limited liability corporation organized in Delaware and registered with the New York Department of State. 118 East 103 LLC owns the Building located at 118 East 103rd Street, New York, NY 10029.

57. 122 East 103 LLC is a limited liability corporation organized in Delaware and registered with the New York Department of State. 122 East 103 LLC owns the Building located at 122 East 103rd Street, New York, NY 10029.

58. 124 East 103 LLC is a limited liability corporation organized in Delaware and registered with the New York Department of State. 124 East 103 LLC owns the Building located at 124 East 103rd Street, New York, NY 10029.

59. 126 East 103 LLC is a limited liability corporation organized in Delaware and registered with the New York Department of State. 126 East 103 LLC owns the Building located at 126 East 103rd Street, New York, NY 10029.

RELEVANT STATUTORY AND REGULATORY SCHEME

60. N.Y. General Obligations Law (“GOL”) § 7-103(1) provides that money paid as security deposit for rented real property continues to be the property of the person advancing the security deposit, should be held in trust by the landlord, and should not be commingled with the landlord’s personal moneys.

61. A landlord’s failure to provide complete information on account maintenance, in response to a tenant’s inquiry about her security deposit, gives rise to an inference of improper commingling.

62. Where a landlord unlawfully commingles a tenant’s security deposit with its own funds, the landlord forfeits any right to avail itself of the security deposit for any purpose and the tenant is entitled to its immediate return.

63. N.Y. Multiple Dwelling Law (“MDL”) § 302-a provides, among other things, that if HPD issues a rent-impairing violation in a multiple dwelling and such violation is not cancelled or removed from the record within six months after the date that the building owner was notified of

that violation by mail, then no rent is recoverable by the owner in the apartment in which the condition exists for the period that the violation remains uncorrected after the expiration of the six months. *See* MDL 302-a.

64. If the rent-impairing violation exists in a part of the building that is used in common by the residents, the violation is deemed to exist in all of the building's apartments. *See id.*

STATEMENT OF FACTS

I. EMERALD EQUITY GROUP AND GEORGE ZAYAS ARE PREDATORY LANDLORDS.

65. Emerald Equity Group operates under a “predatory equity” business model. Prior to passage of the Housing Stability and Tenant Protection Act (“HSTPA”) in 2019, the Emerald Equity Group used Wall Street funding to purchase large numbers of rent-regulated buildings in New York and, through its direct and indirect subsidiaries, harassed tenants out of their apartments by, among other things, withholding repairs.

66. When an apartment was empty, Emerald Equity Group would commonly, through its direct or indirect subsidiaries, raise the rent in that apartment by, among other things, performing renovations in that apartment, with the goal of raising the rent above a threshold that would take the apartment out of rent-regulation and allow it to charge whatever rent it wished.

67. Emerald Equity Group's business model – harassing tenants out of their apartments so that it could take those apartments out of rent-regulation or otherwise increase rents – was extremely profitable until the 2019 passage of the HSTPA, which eliminated or strictly limited rent increases and deregulation of rent-stabilized apartments.

68. Isaac Kassirer is affiliated with the Emerald Equity Group.

69. Upon information and belief, when a building is purchased by a direct or indirect subsidiary of the Emerald Equity Group, Isaac Kassirer commonly signs the deed conveying that

building on behalf of the purchased entity.

70. In the present case, Isaac Kassirer signed Real Property Transfer Reports on behalf of each of the Defendants when they purchased the Buildings in 2016.

71. Upon information and belief, the Defendants are direct or indirect subsidiaries of, or otherwise affiliated with, Emerald Equity Group.

72. George Zayas is affiliated with Emerald Equity Group.

73. George Zayas was listed as number 72 on the New York City Public Advocate's 2023 Top 100 Worst Landlords Watchlist.

74. George Zayas is listed on HPD registration forms as the managing agent for each of the Buildings.

II. IN THE COURSE OF BANKRUPTCY PROCEEDINGS FOR OTHER EMERALD EQUITY GROUP ENTITIES, IT WAS REVEALED THAT HUNDREDS OF SECURITY DEPOSITS WERE STOLEN.

75. As a result of, among other things, the passage of the HSTPA in 2019 and the onset of the COVID-19 pandemic in 2020, eleven entities (the "Bankrupt Emerald Entities") that were owned by, directly or indirectly, Emerald Equity Group filed for bankruptcy in December 2020 in the case captioned *In re 203 W 107 Street LLC, et al.*, No. 20-12960 (Bankr. S.D.N.Y.) (the "Bankruptcy Case"). Those bankruptcy proceedings are still ongoing.

76. The Bankrupt Emerald Entities owned eleven buildings in Morningside Heights and East Harlem (the "Bankruptcy-Affected Buildings").

77. Prior to commencement of the Bankruptcy Case, some or all of the Bankrupt Emerald Entities filed HPD registration forms listing, among others, George Zayas.

78. The Bankrupt Emerald Entities do not include any of the Defendants.

79. New management was installed to manage the Bankrupt Emerald Entities during the pendency of the Bankruptcy Case.

80. On February 4, 2021, the CRO of the new management for the Bankrupt Emerald Entities filed an affirmation stating that those entities “generally collected security deposits from tenants but deposited the funds into the [Bankruptcy Emerald Entities’] operating accounts instead of maintaining segregated security deposit accounts.” That affidavit is docket number 39 in the Bankruptcy Case and is attached as Attachment A to this Complaint.

81. Upon information and belief, Emerald Equity Group and/or George Zayas engaged in a pattern or practice of misappropriating tenant security deposits, which they employed not just at the Bankruptcy Emerald Entities but at all or substantially all of Emerald Equity Group’s directly or indirectly owned subsidiaries and affiliated entities.

82. Upon information and belief, the Defendants and/or George Zayas also misappropriated the Plaintiffs’ security deposits, commingling those security deposits with the Defendants’ own funds and/or transferring those funds to persons affiliated with or entities owned by, directly or indirectly, or otherwise affiliated with Emerald Equity Group.

83. In September 2023, at least one of the Plaintiffs received a letter from Capital One Bank representing that the Defendants had opened an escrow account on that Plaintiff’s behalf and requesting a W-9 form for that account.

84. Upon information and belief, the Defendants have created those segregated accounts in anticipation of this lawsuit.

85. Upon information and belief, the Defendants have failed to properly segregate Plaintiffs’ security deposits or to fund those segregated accounts with the moneys Plaintiffs have previously

placed into deposit.

86. On October 20, 2023, Manhattan Legal Services sent a letter on behalf of a number of the Plaintiffs to, among others, George Zayas and Isaac Kassirer, requesting (among other things) an accounting of those Plaintiffs' security deposits. Defendants have not responded to this letter.

87. Defendants' failure to provide complete information upon Plaintiffs' request about the maintenance of the accounts in which their security deposits are held gives rise to the inference that Defendants have unlawfully commingled such funds.

88. As a result of Defendants' unlawful conversion of Plaintiffs' security deposits, Plaintiffs are entitled to the immediate return of all funds paid in deposit.

III. HPD ISSUED BUILDING-WIDE RENT-IMPAIRING VIOLATIONS MORE THAN SIX MONTHS AGO FOR THE 112 AND 124 BUILDINGS AND THOSE VIOLATIONS REMAIN UNCORRECTED.

89. On January 8, 2023, HPD issued a building-wide rent-impairing violation for the 112 Building with the following description: "§ 27-2005 adm code repair the roof so that it will not leak at ceiling at public hall, 6th story." The six-month deadline for this violation to be resolved was July 8, 2023.

90. Adonis Iciano, a building organizer employed by Community Voices Heard, visited the 112 Building on December 15, 2023, January 12, 2024, and March 1, 2024 and personally confirmed continued evidence of a leak in the hallway of the top floor of the 112 Building.

91. On June 3, 2023, HPD issued a building-wide rent-impairing violation for the 112 Building with the following description: "§ 27-2005, 2007 adm code remove the illegal fastening chain and padlock yard, 1st story." The six-month deadline for this violation to be resolved was December 3, 2023.

92. Mr. Iciano visited the 112 Building on December 15, 2023, January 12, 2024, and

March 1, 2024 and personally observed a chain and padlock at the gate leading from the front of the 112 Building to the side and rear yard of that building.

93. On August 4, 2022, HPD issued a building-wide rent-impairing violation for the 124 Building with the following description: “§ 27-2005, 2007 adm code remove the illegal fastening consisring [sic] of chain and padlock at gate leading from building basement to sidewalk at fire escape.” The six-month deadline for this violation to be resolved was February 4, 2023.

94. Mr. Iciano visited the 124 Building on December 15, 2023, January 12, 2024, and March 1, 2024 and personally observed a chain and padlock at the gate leading from the building basement to the sidewalk under the fire escape.

95. Attached as Attachments B are photos of the conditions underlying these three rent-impairing violations, which were taken by Mr. Iciano during a March 1, 2024 visit to the 112 and 124 Buildings.

IV. THE 112 AND 124 PLAINTIFFS ARE ON RENT-STRIKE DUE TO, AMONG OTHER THINGS, THE UNCORRECTED RENT-IMPAIRING VIOLATIONS.

96. The 112 and 124 Plaintiffs are on rent-strike and have withheld some or all of the rent for their respective apartments for the months January 2024, February 2024, and/or March 2024.

FIRST CAUSE OF ACTION:
Breach of General Obligations Law §7-103

97. Plaintiffs hereby repeat and re-allege each and every allegation contained in paragraph 1-95 above as if they were stated herein.

98. Defendants breached General Obligations Law §7-103 by failing to maintain Plaintiffs’ security deposits in segregated security deposit accounts but instead depositing those funds in the Defendants’ operating accounts or otherwise commingling the security deposits with the

Defendants' own funds.

99. As a result, Plaintiffs are entitled to the immediate return of their security deposits.

SECOND CAUSE OF ACTION:
Breach of Fiduciary Duty

100. Plaintiffs hereby repeat and re-allege each and every allegation contained in paragraphs 1-98 as if they were stated herein.

101. Defendants had a fiduciary duty to maintain Plaintiffs' security deposits in segregated security deposit accounts.

102. Defendants breached this fiduciary duty by instead depositing those funds in the Defendants' operating accounts or otherwise commingling the security deposits with the Defendants' own funds.

103. As a result, Plaintiffs are entitled to the immediate return of their security deposits.

THIRD CAUSE OF ACTION:
Conversion

104. Plaintiffs hereby repeat and re-allege each and every allegation contained in paragraph 1-102 above as if they were stated herein.

105. Plaintiffs had a possessory right or interest in their respective security deposits.

106. Defendants converted those security deposits by depositing those funds into Defendants' own operating accounts or otherwise commingling the security deposits with Defendants' own funds.

107. As a result, Plaintiffs are entitled to the immediate return of their security deposits.

FOURTH CAUSE OF ACTION:
Declaratory Relief that the 112 Plaintiffs are not Required to Pay Rent for their Respective Apartments from July 8, 2023

108. Plaintiffs hereby repeat and re-allege each and every allegation contained in paragraph 1-106 above as if they were stated herein.

109. On January 8, 2023, HPD issued a building-wide rent-impairing violation for the 112 Building with the following description: “§ 27-2005 adm code repair the roof so that it will not leak at ceiling at public hall, 6th story.”

110. The six-month deadline for this violation to be resolved was July 8, 2023.

111. On June 3, 2023, HPD issued a building-wide rent-impairing violation for the 112 Building with the following description: “§ 27-2005, 2007 adm code remove the illegal fastening chain and padlock yard, 1st story.”

112. The six-month deadline for this violation to be resolved was December 3, 2023.

113. The repair conditions underlying these violations were for common areas of the 112 Building, so these rent-impairing violations are building-wide and cover all tenants of the 112 Building.

114. The repair conditions underlying these violations had yet to be repaired on March 1, 2024.

115. As a result, the 112 Plaintiffs are entitled to a declaratory judgment pursuant to CPLR § 3001 that they are not required to pay unpaid rent that accrued after July 8, 2023.

FIFTH CAUSE OF ACTION:
Declaratory Relief that the 124 Plaintiffs are not Required to Pay Rent for their Respective Apartments from February 4, 2023

116. Plaintiffs hereby repeat and re-allege each and every allegation contained in paragraph 1-114 above as if they were stated herein.

117. On August 4, 2022, HPD issued a building-wide rent-impairing violation for the 124 Building with the following description: “§ 27-2005, 2007 adm code remove the illegal fastening consisring [sic] of chain and padlock at gate leading from building basement to sidewalk at fire escape.”

118. The six-month deadline for this violation to be resolved was February 4, 2023.

119. The repair conditions underlying these violations were for common areas of the 124 Building, so these rent-impairing violations are building-wide and cover all tenants of the 124 Building.

120. The repair condition underlying that violation had yet to be repaired on March 1, 2024.

121. As a result, the 124 Plaintiffs are entitled to a declaratory judgment pursuant to CPLR § 3001 that they are not required to pay unpaid rent that accrued after February 4, 2023.

SIXTH CAUSE OF ACTION:
Attorneys’ Fees

122. Plaintiffs hereby repeat and re-allege each and every allegation contained in paragraph 1- 120 above as if they were stated herein.

123. Plaintiffs are entitled to an award of attorneys’ fees pursuant to the leases between the Defendants and each Plaintiff, and pursuant to RPL § 234, in an amount to be determined by the trier of fact upon being declared the prevailing party in this action.

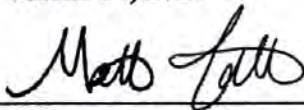
124. Plaintiffs are also entitled to an award of costs and attorneys’ fees pursuant to RSL (NYC Admin Code) § 26-516(a)(4) and RSC (9 NYCRR) § 2526.1(d).

RELIEF REQUESTED

WHEREFORE, Plaintiffs respectfully requests that this Court issue:

- a. Injunctive relief requiring that the Defendants immediately return the Plaintiffs' security deposits;
- b. Or, in the alternative, a monetary judgment in favor of each Plaintiff and against Defendants in the amount of that Plaintiff's security deposit; and
- c. An award of interest on Plaintiffs' security deposits calculated at the statutory rate of 9% from the moment that each security deposit was commingled; and
- d. A declaratory judgment that the 112 Plaintiffs are not required to pay unpaid rent that accrued after July 8, 2023; and
- e. A declaratory judgment that the 124 Plaintiffs are not required to pay unpaid rent that accrued after February 4, 2023; and
- f. An award of reasonable attorney fees and costs; and
- g. Such other and further relief as the Court may deem just, proper, and equitable.

Dated: New York, New York
March 14, 2024



Manhattan Legal Services
Attorneys for Plaintiffs Jose Almaraz, Ritika Bharati, Kathryn Buehler, Juana Carvajal, Sandeep Chandur Ravi, Karen Chazin, Tom Crawford, Alex Deschamps, Jody Gonzales, Tyler Heston, Yosuka Hiraiwa, Isabelle Jenner, Charles Karcher, Rosa Lopez, Edwin Marzanet, Sarah Ozelieri, Ivan Paulovich, William Rivera, Brandon Rodeman, Daniella Rosen, Caroline Schettler, Clara Vera, Katelyn Wolgamuth, and Anna Lisa Young.
By: Matthew Lattner
1827 Madison Avenue
New York, New York 10035
646-442-3162
mlattner@lsnyc.org



/s/ Sebastian Perez
Legal Aid Society
Attorneys for Plaintiffs Luisa Aragon, Dorotea Ayala, Zenaida Castilla, Zoila Garcia, Basilisa Hoyos, Derek LeDoux, Blanca Lopez, Heladia Magdaleno, Concepcion Ramirez, Elmar Kareem Samuels, Harrison Sherrill, Rostamzade Artemio Veliz and Regina Villar.
By: Yesenia Godoy and Sebastian Perez
2090 Adam Clayton Powell Jr. Blvd.
3rd Floor
New York, NY 10027
646-784-6884 and 646-784-3375
YGodoy@legal-aid.org and
SPerez@legal-aid.org

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Jose Almaraz, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this March 5
 day of February, ~~2022~~ 2024

Matthew J. Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023
2027

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Ritika Bharti _____, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this 29th
___ day of February, 20224

Matthew J. Latterner
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires ~~December 09, 2023~~

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Buehler
Kathryn Petersen, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Kathryn Buehler

Sworn to before me this 27th
___ day of February, 2022

Matthew J. Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Juana Carrizal, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Juana Carrizal

Sworn to before me this 5th
 day of ~~February~~, 2022
March 2024

Matthew J Lattener
NOTARY PUBLIC

MATTHEW J LATERNER
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Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

2027

AFFIDAVIT OF TRANSLATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

YOCARI ALMANZAR, being duly sworn, deposes and says:

1. I am fluent in written and spoken Spanish and English.
2. I read the Complaint to Juma Corvajal and translated it into Spanish.
3. They acknowledged that they understood it and affirmed that the facts contained in the Complaint about them are true except where it says "upon information and belief," and as to the those facts, they believe they are true.

[Handwritten Signature]

Sworn to before me this 5th
 day of February, 2024
 March 2024

[Handwritten Signature]
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Sandeep Chandur Ravi, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Sandeep Ravi

Sworn to before me this 27th
__ day of February, 2022

Matthew J. Lattner
NOTARY PUBLIC

MATTHEW J. LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

MATTHEW J. LATTERNER
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Commission Expires December 09, 2023

MATTHEW J. LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023
12/9/22

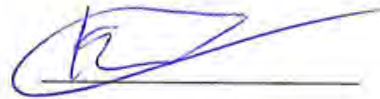
VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Karena Chazin, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this 5th
 day of ~~February, 2022~~ March 2024

Matthew J. Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

2027

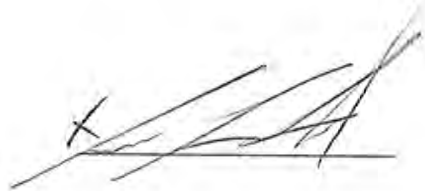
VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Tam Crawford, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this 27th
day of February, 2024


NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Alex Deschamps, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this 27th
day of February, 2022


NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Jody Gonzales, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Jody Gonzales

Sworn to before me this _____
_____ day of ~~February, 2022~~ March 5, 2024

Matthew J Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023 2027

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Tyler Heston, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this 27th day of February, 202~~7~~


NOTARY PUBLIC

MATTHEW J LATERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023
12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Yosuke Hiraiwa, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Yosuke Hiraiwa

Sworn to before me this 27th
day of February, 202~~7~~

Matthew J Latterner
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December ~~09~~, 2023

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Isabelle Jenner, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Isabelle Jenner

Sworn to before me this 27th
___ day of February, 2022

Matthew J. Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Charles Korcher, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Cheryl Kuman

Sworn to before me this 27th
___ day of February, 2024

Mathew J Lattener
NOTARY PUBLIC

MATHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December ~~09, 2024~~
12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Rosa Lopez, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Rosa Lopez

Sworn to before me this 6th
day of ~~February, 2022~~ March 2024

Matthew J Latterner
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

2027

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Edwin Manzonet, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this 27th
day of February, 202~~2~~


NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023
12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Sarah Ozilieri, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

[Signature]

Sworn to before me this 27th day of February, 2027

[Signature]
NOTARY PUBLIC

MATTHEW J LATERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires ~~December 09, 2023~~

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Ivan Pavlovich, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this _____
_____ day of February, 2022 March 6, 2024



NOTARY PUBLIC

MATTHEW J LATERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

2027

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

William Rivera, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

William Rivera

Sworn to before me this 1
~~day of February, 2022~~

March 27
Matthew J. Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires ~~December 09, 2023~~

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Brandon Rademan, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.



Sworn to before me this
27th day of February, 202~~2~~⁷


NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires ~~December 09, 2022~~

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Daniella Rosen, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Daniella Rosen

Sworn to before me this ___
___ day of ~~February, 2022~~
March 6, 2024

Matthew J Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

2027


VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

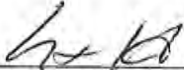
Caroline Schettler, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.


Caroline Schettler

Sworn to before me this
6th day of March 2024


NOTARY PUBLIC
Steven Heller
Reg # 02HE6350808
Commissioned in New York County
Commission Expires 11/21/2024

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Clara Vera, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Clara Vera

Sworn to before me this 1
~~day of February, 2022~~
March 2024

Matthew J Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires ~~December 09, 2023~~
12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Katelyn Wolgamuth, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Katelyn Wolgamuth

Sworn to before me this 27th
day of February, 2024

Matthew J. Lattener
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires ~~December 09, 2023~~

12/9/27

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Anna Lisa Young, being duly sworn, deposes and says:

1. I am a Plaintiff in the within proceeding. I have read the Complaint or had the Complaint read to me.

2. I know that the facts contained in the Complaint that are about me are true, except where it says "upon information and belief," and as to those matters, I believe the information to be true based on the facts available to me.

Anna Lisa Young

Sworn to before me this 27th
day of February, 2024

[Signature]
NOTARY PUBLIC

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

12/7/27

MATTHEW J LATTERNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6401457
Qualified in Kings County
Commission Expires December 09, 2023

VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

LUISA ARAGON, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024

Luisa Aragon

Sworn to before me this
27 day of February, 2024


Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

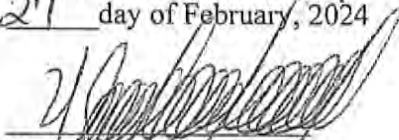
DOROTEA AYALA GARCIA being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024



Sworn to before me this
27 day of February, 2024



Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

ZENIDA CASTILLA, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024

Zenaida Castilla

Sworn to before me this
27 day of February, 2024


Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Zoila Garcia _____, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024

Zoila Garcia

Sworn to before me this
27 day of February, 2024



Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

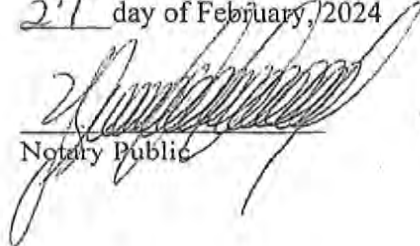
BASILISA HOYOS, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024

Basilisa Hoyos

Sworn to before me this
27 day of February, 2024


Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

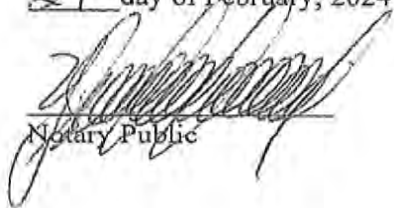
DEREK LE DOUX _____, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024



Sworn to before me this
27 day of February, 2024



Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

BLANCA LOPEZ _____, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024

Blanca Lopez R.

Sworn to before me this
27 day of February, 2024

[Signature]
Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

HELADIA MAGDALENO, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024

Sworn to before me this
27 day of February, 2024

Notary Public

VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

CONCEPCION RAHIREZ, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024

Concepcion Ramirez

Sworn to before me this
27 day of February, 2024

[Signature]
Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

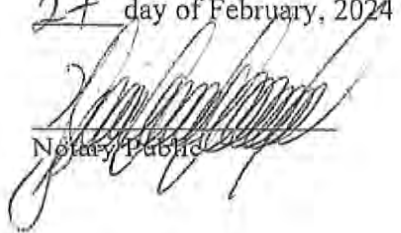
Kareem Samuels, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024



Sworn to before me this
27 day of February, 2024


Notary Public

VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

HARRISON SHERRILL, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
February 27, 2024

Harrison Sherrill

Sworn to before me this
27 day of February, 2024

[Signature]
Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

ARTEMIO VELIZ, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
~~February 27, 2024~~
MARCH 12, 2024

Artemio Veliz

Sworn to before me this
12 day of ~~February~~ 2024
MARCH

[Signature]
Notary Public



VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

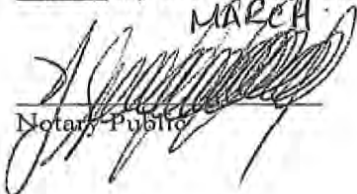
REGINA VILLAR, being duly sworn deposes and says:

I am the petitioner in this proceeding. I have had the petition read to me and know the truth of the contents thereof except as to those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

Dated: New York, New York
~~February 27, 2024~~
MARCH 12, 2024

Regina Villar

Sworn to before me this
12 day of ~~February~~, 2024

MARCH

Notary Public



Mark Frankel
Backenroth Frankel & Krinsky, LLP
800 Third Avenue, Floor 11
New York, New York 10022
(212) 593-1100

Counsel for the Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

In re

Chapter 11

203 W 107 Street LLC, *et al*,¹

Case No. 20-12960 (SCC)
Jointly Administered

Debtors.

-----X

Ephraim Diamond hereby affirms and says under the penalties of perjury:

1. I am an attorney duly admitted to practice law in the courts of the State of New York and in the Southern District of the State of New York.
2. I am the CRO of the above-captioned debtors herein (“Debtors”), and as such I am fully familiar with all the facts and circumstances contained herein.
3. I am submitting this Affidavit at the request of the United States Trustee to disclose the status of the tenant security deposits.

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: 203 W 107 Street LLC (8429); 210 W 107 Street LLC (3364), 220 W 107 Street LLC (0461), 230 W 107 Street LLC (3686), 124-136 East 117 LLC (6631), 215 East 117 LLC (6961), 231 East 117 LLC (0105), 235 East 117 LLC (8762), 244 East 117 LLC (1142), East 117 Realty LLC (1721) and 1661 PA Realty LLC (5280).

4. The facts contained herein were given to me by the Debtors' pre-petition management company.

5. Upon information and belief, the prior owners of the Debtors' properties did not maintain segregated security deposit accounts. At the closing of the Debtors' purchase of the properties, segregated security deposit accounts were not turned over to the Debtors. The purchase prices reflected the absence of security deposit accounts either implicitly or by an explicit credit a closing, or both.

6. Since acquiring the properties, the Debtors generally collected security deposits from tenants but deposited the funds into the Debtors' operating accounts instead of maintaining segregated security deposit accounts.

7. The Debtors' amended plan and amended disclosure statement, which will be filed on the Court's ECF system on February 5, 2021, addresses the treatment of tenant security deposits.

8. As of the filing of these cases, the Debtors estimate up to \$213,391.80 in security deposits for tenants in the buildings owned by 203 W 107 Street LLC, 210 W 107 Street LLC, 220 W 107 Street LLC, and 230 W 107 Street LLC. The Debtors estimate up to \$260,139.74 in security deposits for tenants in the buildings owned by 124-136 East 117 LLC, 215 East 117 LLC, 231 East 117 LLC, 235 East 117 LLC, 244 East 117 LLC, East 117

Realty LLC and 1661 PA Realty LLC. The Debtors will provide an updated breakdown with additional detail by February 19, 2021.

Dated: New York, New York
February 4, 2021

By: s/ Ephraim Diamond





