

C&C is pressuring tenants to sign new leases:

When they Knock, Keep in Mind

1) You have the right to refuse to sign the new leases.

Tenants at Harlem River Houses have united and filed a lawsuit against Management for pressuring us to sign leases which take away our rights. RAD conversions led to evictions in other NYCHA developments.

2) You are represented by a lawsuit against C&C.

“These new leases do not contain the guarantees or rights that NYCHA tenants have in NYCHA leases, and give C&C Apartment a far greater rights than NYCHA to impose various fees and evict tenants.”

-Attorney Arthur Schwartz, letter to Greg Russ, 4/23/2021
If you are pressured to sign the lease, tell management to talk to the attorney

3) Even Senator Chuck Schumer Opposes the Plan

On June, 13, New York Senator Chuck Schumer stated that the RAD Conversion at Harlem River Houses Should Be Halted: See OneNycha Podcast (facebook.com/1Nycha)

4) You can join the rent-strike

Fill out the enclosed form

5) Residents have organized a meeting to get organized and fight back:

Saturday, June 26, 3pm Charles Young Triangle Park, 153 and Macombs Pl.

For more information, visit theUFAD.org/nyc
nogonyc@riseup.net or call 646-780-9657
@theUFAD : Facebook/IG/Twitter

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C&C está presionando a los inquilinos para que firmen nuevos contratos de alquiler

Tienes derecho a negarte a firmar los nuevos contratos de alquiler.

Los inquilinos de Harlem River Houses se han unido y han presentado una demanda contra la dirección por presionarnos a firmar contratos de alquiler que nos quitan nuestros derechos. Esta demanda los representa.

"Estos nuevos contratos de alquiler no contienen las garantías oderechos que los inquilinos de NYCHA tienen en los contratos de arrendamiento de NYCHA, y dan a C&C Apartment Management muchos más derechos que a NYCHA para imponer diversas tasas desalojar a los inquilinos"

El 13 de junio de 2021, el senador de Nueva York Chuck Schumer dijo que la privatización de las Harlem River Houses debería detenerse.

Las conversiones de RAD provocaron desalojos en otras viviendas de NYCHA. Algunos inquilinos de Harlem River y otros inquilinos de NYCHA están en huelga de alquileres para exigir mejoras y oponerse a la privatización.

Más información sobre la huelga de alquileres y la demanda está incluida en este paquete. Si desea unirse a la huelga de alquileres, por favor, rellene el formulario incluido.

Tendremos una reunión comunitaria para discutir la demanda, la huelga de alquileres, y las formas de unirnos para luchar contra el desplazamiento: Sábado, .. de junio, 3pm Charles Young Triangle Park 153 & Macombs Pl.

Para más información, visite theUFAD.org/nyc

**contacto: nogonyc@riseup.net o llame al 646-780-9657
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Harlem River Houses Rent Strike Information:

Tenants in NYCHA developments are going on rent strike to demand:

Their rights be respected, proper maintenance of their buildings is restored, and they have a real say in whether or not their buildings are transferred from public ownership into the hands of banks and developers as part of privatization schemes, including RAD/PACT and Blueprint for Change.

Under state and federal law, tenants have the right to organize and to withhold rent due to violations by the owners of their buildings. Courts may rule in favor of tenants in such actions. To better protect the interests of tenants, rent payments during the rent strike are held in “escrow” by a court recognized lawyer, and released back to the tenants or to the landlord following a court hearing or settlement.

A rent strike puts pressure on authorities to fulfill the people’s demands.

To join the rent strike or to learn more contact:

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Inquilinos en viviendas de Harlem River
Houses van a hacer
una huelga de alquileres el 1 de June:

Exigen que se les dé voz y voto sobre si sus viviendas pasan de ser propiedad pública a ser la propiedad privada de bancos y desarrolladores como parte del plan RAD. También exigen que se respeten sus derechos y que se restablezca el mantenimiento adecuado de sus edificios.

Según las leyes estatales y federales, los inquilinos tienen derecho a organizarse y a retener el alquiler debido a las infracciones cometidas por los propietarios de sus edificios. Los tribunales pueden fallar a favor de los inquilinos en estos casos. Para proteger mejor los intereses de los inquilinos, los pagos del alquiler durante la huelga de alquileres se depositan en una "cuenta de retención" por un abogado reconocido por el tribunal. Luego el dinero es devuelto a los inquilinos o al propietario tras una audiencia judicial o un acuerdo.

La huelga de alquileres presiona a las autoridades para que cumplan con las demandas de los residentes.

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If you wish to join the rent strike and/or be named in the lawsuit, please fill out the forms to retain services of attorney Arthur Schwartz. Tenants are being represented for free.

Please email a photo of that page to aschwartz@afjlaw.com or drop off this page with the lawsuit/rent strike coordinator at Harlem River Houses by calling 646-780-9657

For those joining the rent strike: Advocates For Justice will hold monthly rent in escrow until a court decision. Rather than paying your monthly rent as usual, you will make out monthly check to "Advocates for Justice Escrow Account" and mail it to:

Advocates for Justice 225 Broadway, Suite 1902 New York, NY 10007

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Si desea unirse a la huelga de alquileres y / o ser nombrado en la demanda, complete los formularios para contratar los servicios del abogado Arthur Schwartz. Los inquilinos están siendo representados de forma gratuita.

Envíe por correo electrónico una foto de esa página a aschwartz@afjlaw.com o entregue esta página con el coordinador de huelga de demanda / alquiler en Harlem River Houses llamando al 646-780-9657

Para aquellos que se unen a la huelga de alquileres: Advocates For Justice mantendrá el alquiler mensual en depósito hasta que se tome una decisión judicial. En lugar de pagar el alquiler mensual como de costumbre, extenderá un cheque mensual a nombre de "Advocates for Justice Escrow Account" y envíelo por correo a: Advocates for Justice 225 Broadway, Suite 1902 New York, NY 10007

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**advocates
for justice**
chartered attorneys

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New York, New York 10007

t. (212) 285-1400
f. (212) 285-1410

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Arthur Z. Schwartz
Principal Attorney
aschwartz@afjlaw.com

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for justice**
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225 Broadway, suite 1902
New York, NY 10007

TEL: 212-285-1400
FAX: 212-285-1410

RETAINER FOR NYCHA TENANTS

I retain ARTHUR SCHWARTZ, of the Law Firm Advocates for Justice Chartered Attorneys to represent me in dealings with the NYC Housing Authority concerning the lack of gas and other essential services in my building. This representation includes assisting with a tenant rent strike.

I understand that this representation will not be of cost to me.

Print name _____

Signature _____

Date: _____

Address: _____ Apt. _____

Cell phone number _____

Email address _____

Number of people living in my apartment _____

Return this to aschwartz@afjlaw.com of fax to 212-285-1410

ESCROW AGREEMENT FOR NYCHA TENANTS

I agree to have the Law Firm Advocates for Justice Chartered Attorneys hold my rent in escrow, commencing April 1, 2021, and to hold that money for me until such time as a court directs payment of the rent, or a majority of the tenants in my development who are withholding rent direct that the rent be paid over. There will be no charge for this money being held in escrow.

Print name _____

Signature _____

Date: _____

Address: _____ Apt. _____

Cell phone number _____

Email address _____

Number of people living in my apartment _____

Return this to aschwartz@afjlaw.com of fax to 212-285-1410

ADVOCATES FOR JUSTICE
A Public Interest Organization

225 Broadway, Suite 1902
New York, NY 10007

TEL: 212-285-1400

FAX: 212-285-1410
info@advocatesforjustice.net



Elizabeth Turner
Executive Director
Arthur Z. Schwartz, Esq.
Lead Attorney
President, Board of Directors
Laura D. Barbieri, Esq.
Of Counsel

By Email (c/o
evelyn.sanchez@nycha.nyc.gov) Greg Russ Chair and
Chief Executive Officer
NYC Housing Authority
250 Broadway
New York, NY 10007

June 14, 2021

Dear Chairman Russ:

I am sure that you are aware that I am representing 12 Harlem River Houses tenants in a lawsuit to stop the progress of the PACT/RAD program at Harlem River Houses. We contend that the PACT/RAD program causes a loss of property rights, and that proceeding in the face of Congress' imminent passage of a \$40 billion capital grant to NYCHA is arbitrary and capricious. We exchanged letter about this in April. Since then Senator Schumer has publicly expressed his support for our request that the PACT/RAD program at Harlem River be put on hold, and he has done so on several occasions.

A number of my clients received letters telling them that they had to sign leases today. One such letter is enclosed. Tenants in this development continue to be harassed and cajoled, daily, to sign new leases with PACT participant and C&C Apartment Management. Their records have already been transferred to C&C.

There is no question that these leases do not contain the guarantees or rights that NYCHA tenants have in NYCHA leases, both statutory and those involved in the HUD Consent Decree, or the Baez Consent Decree, are similarly destroyed by PACT.

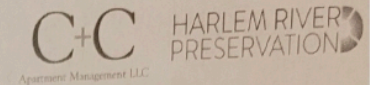
We request that you tell C&C to back off pending this litigation. If you won't do that we will be asking Judge Pauley for a Preliminary Injunction accomplishing the same. And, I should note tenants at Harlem River have commenced a rent strike over this issue; their rent will be held by my office in escrow.

cc: C&C Management, LLC - by facsimile 212-348-3670
Senator Charles Schumer Mayor Bill de Blasio
Congresswoman Nydia Velazquez Congressman
Adriano Espailla

Arthur Z. Schwartz
Arthur Z. Schwartz

**You may receive this or a similar letter from C+C Management/
Harlem River Preservation.**

**This is an attempt to intimidate tenants into signing the new leases.
You have legal protection if you do not sign these leases.**



FIRST NOTICE

June 17, 2021

Dear Resident,

As stated in the March 31st notice, Harlem River Houses and Harlem River II will convert to Project-Based Section 8 under NYCHA's Permanent Affordability Commitment Together (PACT) program. As part of the conversion, you will be required to sign a new PACT Project-Based Section 8 lease to ensure that your apartment remains affordable to your household.

Unfortunately, we missed you for your scheduled lease signing on June 15th.

Please contact us at 212-348-3248 ext. 429 or email pporter@ccmanagers.com to re-schedule a new date/time that is convenient for you.

The lease signing will take place at **210L West 153rd Street (the old library).**

We will ensure that the lease signing process is kept at a safe and socially distant manner. All staff will be wearing masks. Masks will also be available at the office for residents who do not have their own.

We are excited to welcome all Harlem River Houses and Harlem River II residents to the C&C family!

C&C Apartment Management
Harlem River Preservation LLC

For full text of lawsuit filed by attorney Arthur Schwartz on behalf of
Harlem River Houses Tenants, visit: theUFAD.org/nyc

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

_____, on behalf of a class of similarly situated
tenants of the New York City Housing Authority

Case No. 21-cv-4872

**VERIFIED CLASS
ACTION COMPLAINT**

Plaintiffs,

-against-

GREGORY RUSS, as Chairman of the NEW YORK
CITY HOUSING AUTHORITY,

Defendant.

----- X

PRELIMINARY STATEMENT

1. This is an action for injunctive relief addressed to the continued efforts by the New York City Housing Authority (“NYCHA”) to force their tenants into a program which would require them to give up their leases with NYCHA and sign new leases with C & C Apartment management Management LLC under a privatization program called Permanent Affordability Commitment Together (“PACT”), which NYCHA asserts is authorized under a Federal program called Rental Assistance Demonstration (“RAD”). This complaint asserts that the PACT program, as implemented diminishes their rights as tenants, both under Federal Law and under various Consent Decrees entered into involving mold, lead paint and generally with the U.S. Department of Housing and Urban Development (“HUD”), without due process of law. Plaintiffs further argue that given the imminent passage of legislation, by Congress, to fully fund all of NYCHA’s capital repair needs, at a price tag of \$40 Billion, the demand that Plaintiffs and the class of

tenants they represent sign leases with a private developer/managing company and move from becoming tenants under Section 8 of the Housing and Community Development Act of 1978, instead of under Section 9 of the US Public Housing Act of 1937 is arbitrary and capricious.

2. NYCHA was created in 1935 with a mission of providing decent, affordable housing for low- and moderate-income New York residents. Today, more than 400,000 New Yorkers reside in one of the 326 NYCHA housing developments in New York (the “NYCHA Developments”).¹ Although the NYCHA Developments were built as models of affordable public housing, NYCHA has failed in its responsibilities to its Residents and allowed the NYCHA Developments to fall into disrepair, rendering such housing unsanitary, dangerous, and often uninhabitable. This is true of the buildings Plaintiffs live in.

3. In failing to fulfill its mission to its Residents, NYCHA has flagrantly violated numerous contractual, statutory, and common law obligations that it owes to those Residents and subjected those Residents to deplorable living conditions. See generally the Court’s opinion in *United States v NYCHA*, 347 F. Supp.3d 182 (SDNY 2018).

4. The Plaintiffs here are residents of the Harlem River Houses in Manhattan who have suffered, and will continue to suffer, from NYCHA’s failure to provide them with decent and sanitary housing, in complete breach of their Lease Agreements and in breach of the implied warranty of habitability.

5. NYCHA has acknowledged that the various Consent Decrees which it has entered into, which grant relief to NYCHA tenants, do not apply to tenants of PACT/RAD developers/

¹ N.Y.C. Hous. Auth., About NYCHA, NYC GOV, <https://www1.nyc.gov/site/nycha/about/about-nycha.page> (last visited April 2, 2021).

property managers. See, for example, Exhibit F, NYCHA Memo of Law opposing extension of Baez class action mold consent decree, at pages 6-8 and 11-16.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over Plaintiffs' claims pursuant 28 U.S.C. § 1331 because Plaintiffs allege claims that arise under federal law. Venue in this Court is proper pursuant to CPLR § 503(a) because the Plaintiffs reside in New York County, and because the events giving rise to the Plaintiffs' claims occurred in New York County.

7. The Court has supplemental jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1367 because Plaintiffs' state law claims arise from the same acts and transactions that give rise to Plaintiffs' federal claims.

PARTIES

8. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

9. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

10. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

11. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

12. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

13. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

14. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

15. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

16. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

17. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

18. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

19. [REDACTED], New York, NY 10039, a part of the Harlem River NYCHA Housing Development.

20. Defendant NEW YORK CITY HOUSING AUTHORITY (NYCHA) is a New York State Public Development Corporation, with its headquarters at 90 Church Street, New York, NY 10007, which exists under the Public Housing Law, which provides public housing in New York City under Section 9 of the US Public Housing Act of 1937. It was the first agency in the United States to provide housing for low- and moderate-income residents throughout the five boroughs of New York City. NYCHA also administers a citywide Leased Housing Program under Section 8 of the Housing and Community Development Act of 1978 involving rental apartments. These communities are often referred to in popular culture as "projects," or "developments." These include single and double family houses, apartment units, singular floors, and shared small building units. Greg Russ is sued in his capacity as Chairman of NYCHA.