

**Ismat Mangla**

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### **Housing Disaster in West Harlem**

Xiomara Garcia's 1-year-old granddaughter, Jada, barefoot and clad in a pink onesie, toddles happily into her grandparents' bedroom. Garcia, 55, scoops her up before she can get any closer to the two giant rat traps positioned against the bedroom wall. Garcia's 14-year-old son, Aaron, translates her comments from Spanish. "Sometimes she catches five rats in one night!" he says. Garcia, who baby-sits her two granddaughters each day while her daughter Patricia is at work, typically keeps Jada and her sister, 5-year-old Kiara, out of the bedroom because of the rat traps. But just because there are no rat traps set in the other rooms doesn't mean the rats aren't there.

"She is very worried about the rats," Aaron adds. And with good reason. Garcia's second-floor apartment, located at 565 W. 139th St. in West Harlem, is infested with rodents. While her granddaughters scamper about the winding, maze-like four-bedroom apartment, Garcia keeps an eye out for unwelcome "visitors." That's because there is a gaping hole beneath the heater in living room, and another hole surrounding the heating pipe in Aaron's cramped bedroom. Holes in the kitchen ceiling abound. There are several more holes in the tiles of the bathroom her family shares.

All of these cavities in the construction, of course, provide rats and other vermin easy access to Garcia's family. Aaron points to several dark stains along one of the walls in the kitchen. "Those are roach droppings on the wall. We clean, we clean, we clean," he says with a sigh that seems to triple his age. "But they come anyway."

In addition to the holes, chipped paint and cracks in the ceiling plague the apartment. The family has complained to superintendent Manuel Luigicota multiple times, but Garcia claims that he pays no attention. Instead, he deflects their complaints and makes excuses about not having enough money for the repairs. When confronted about his lack of attention, Luigicota shrugs and accuses the tenants of being noisy and uncooperative. "The super says to give him a chance," says Aaron, translating for his mother. "But she has been waiting for six months, and he still hasn't done anything." Despite the problems, Garcia says she and her husband haven't considered moving. They have lived in that apartment for 26 years, and they don't believe they could find another place that size for the price they currently pay—\$678 a month.

From the outside, 565 W. 139th St. seems pleasant enough. The lower portion of the 75-year-old building's façade is painted a welcoming cream color, and a dark green awning above the entrance features the number 565 painted in white letters. Flanked by two gargantuan flower pots overflowing with fuchsia impatiens, the front doors look inviting.

Inside, the structure is riddled with problems. The hallways are dimly lit, and there is grime on the floors that look like they are rarely cleaned. There are so many problems, in fact, that the 36-unit building has racked up 107 open violations with the city Department

of Housing Preservation and Development. Thirty-seven of those violations fall within Class C, the category for the most egregious and dangerous problems.

Denora Gonzales, 37, has experienced many of the Class C violations firsthand. She and her two children live in the two-bedroom apartment across the hall from the Garcias, and she has reported numerous problems with chipping, lead-based paint in her apartment. She is worried that it is affecting her family's health. "My 7-year-old, Ashley, has chronic asthma. Plus she gets seizures," she says. Gonzales then rattles off a list of other problems. "I have leaks in my apartment. When it rains, the water comes in through my kids' room," she says. "We have rats, we have mice, we have everything. And they're not small rats. They look like cats. The roaches get inside my refrigerator. The elevator is always broken. And there are always leaks. Or there's not hot water."

Gonzales, who has lived there for seven years, has not suffered quietly. She has been active in organizing the other tenants' protests and demands. HPD suggests that tenants in privately-owned buildings take several steps to resolve their problems, and Gonzales has followed the instructions. Gonzales contacted the superintendent, wrote letters to building owner Howard Lepow, and even reported the conditions to the city's Citizen Service Center at 311. "When I tell the other tenants that we're going to have a meeting, they go down there. I organize them," she says. "They sign the papers I ask them to sign." Just last month, she sent a batch of complaint letters to the city and to the landlord. But she and the rest of the tenants are still waiting for a response. They have even tried turning to the news media, without any luck: "We've been calling Channel 41 to see if they can come."

So why don't the residents take their unresponsive landlord to court? A year ago, Gonzales did just that. "I've been to court with Howard Lepow. He even signed the yellow papers from the court. But I have been here for seven years, and I've never had him come paint my apartment," she says. State records reveal that Lepow is linked to several properties in New York and New Jersey, but they are all registered under different corporate entities. Five hundred sixty-five W. 139th St. is managed by 565 W. 139th Street LLC. Another property he owns at nearby 102 Convent Avenue is listed under 102 Convent Avenue LLC (it has 42 open violations on record). Known as a "developer" who is occasionally mentioned in local newspapers regarding more savory properties that he is buying or selling, Lepow himself lives on the Upper East Side of Manhattan. He and his wife, Sally, reside at East 88th Street and Fifth Avenue, and his office is just a few blocks away at East 79th and Fifth. Lepow did not respond to multiple attempts to contact both his home and office phone numbers.

In interviews with six other building residents, the complaints are similar. Leaky roofs and windows. Holes in the walls. Rats, roaches and mice. And who can forget the elevator? Its malfunctions are routine, and several tenants have been trapped inside. According to records at the city Department of Buildings, there are five active violations with the Environmental Control Board regarding the elevator. Records indicate that since 1989, the elevator has been inspected 20 times. Fourteen out of those 20 times, there have

been violations or defects found with the elevator. The most recent inspection on March 3 revealed a defect, but nothing has been done to improve it.

Tenant organizations and local politicians are trying to enact change, but not much has been accomplished for these residents yet. Just a few weeks ago, mayoral candidate Fernando Ferrer stood in front of 567 W. 149th St., a building with numerous HPD violations 10 blocks north of Lepow's building, and attacked the Bloomberg administration's oversight of problem landlords. And organizations such as Housing Here and Now, the city's housing activist group, have brought attention to the problem by launching the New York City's Worst Landlords Web site. Chloe Tribich, the lead organizer with HHN, says that the organization is focusing its efforts on strengthening housing code enforcement. "We're trying to get the department of housing to be more aggressive. The city already has a mechanism in place to do repairs when landlords don't do them, but it's frequently not utilized in a timely manner or at all," she says.

In the meantime, Gonzales doesn't plan on giving up on her complaints. "We're paying to live good," she says. "We shouldn't live like animals."