

Ratner renter revolt

Holdout tenants prep Yards suit

By Ariella Cohen

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Rent-stabilized tenants living in buildings owned by Atlantic Yards mega-developer Bruce Ratner say they'll sue the state to block the condemnation of their homes to make way for the project.

At issue is whether the Empire State Development Corporation — by condemning the buildings — has given Ratner a green light to evict the tenants despite protections guaranteed by their rent-stabilized leases.

“[The ESDC] is depriving a whole group of people of rights they have,” said George Locker, a lawyer representing 15 tenants within the footprint.

The latest legal twist in the Atlantic Yards project was set into motion last week, when the ESDC released a list of exactly which Prospect Heights properties it plans to acquire through eminent domain.

In total, 410 people will be displaced to make way for Ratner's basketball arena and 6,860 units of housing — 2,250 of them rent-stabilized.

Most of the renters in Ratner-owned buildings have already left the 22-acre Atlantic Yards footprints, taking generous relocation offers from the developer.

Yet about 20 rent-stabilized renters remain — and once the condemnation goes through, their rent-stabilized protection will vanish, experts said.

“Rent-stabilized tenants will get less than what they would get” when eminent domain isn't used, said attorney Michael Rikon, who once represented tenants who settled with Ratner after the state condemned their homes to make way for his Metrotech development in Downtown Brooklyn.

The legal hoops a building owner must jump through in order to demolish a building that houses protected tenants often add years of delay — and lots of legal fees — to a project.

Ratner made buyout offers before the state moved to condemn the properties.

About a month after Ratner bought the slim, brick tenements, he made an offer that some tenants could not refuse: subsidized rents for three years and then an affordable rental apartment in Atlantic Yards. A few took the package. A few refused.

Melvin Gunther was a renter who took the money and ran. In June, Ratner helped relocate him from a \$410-a-month SRO on Dean Street to a \$1,000-a-month two-bedroom in Bushwick.

With a \$120-a-month check from Ratner and a housing voucher from the city — which ACORN, a Ratner ally, helped Gunther get — the retiree pays only \$48 more per month for the far-bigger pad.

He believes that in three years, when his deal with Ratner runs out, the developer will deliver on his promise of an affordable unit in the Atlantic Yards complex.

Ratner says that Gunther's situation is typical among renters who chose to sign on the dotted line before the condemnation process began.

“[W]e have offered all renters the opportunity to move into the development at comparable rents and into apartments of comparable size,” said Ratner spokesman Joe DePlasco.

Robin Weil, an artist who has lived on disability payments in her rent-stabilized Dean Street studio for 13 years, rejected Ratner's offer, fearing he wouldn't be able to build within the three-year deal.

“I couldn't take an offer [from a] developer who has overtaken the past three years of my life,” said Weil, sitting in her 200-square-foot studio — a book-filled room that costs her \$594.96 a month.



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Atlantic Yards holdout Joseph Pastori wants to stay at 473 Dean St., where he's lived here since 1967. He's pictured in the apartment of his neighbor and fellow holdout, Robin Weil.