

Mike -
This is
the one
from
Leticia Remandro



HUGH L. CAREY
BATTERY PARK
CITY AUTHORITY

FAX COVER SHEET**Date:** 5-17-02**Subject:** _____**Number of pages
(including cover sheet):** 5**To:** Robert Alvatore
Deputy Commissioner**From:** Timothy S. Carey, Pres. & CEOHLC - Battery Park City AuthorityOne World Financial Ctr., 24th Fl.New York, NY 10281-1097**Phone:** _____**Phone:** (212) 417-4205**Fax:** _____**Fax:** (212) 417-4153**Cc:** _____**E-mail:** careyt@bpcauthor.org**Remarks:** ☐ Urgent ☐ For your review ☐ Reply ASAP ☐ Please comment

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TIMOTHY S. CAREY
PRESIDENT & CEO



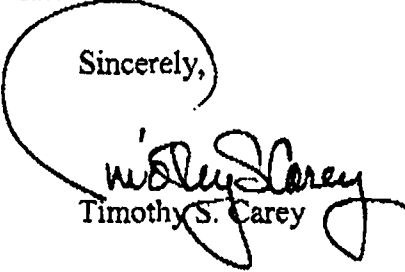
May 17, 2002

Robert Alvatroni, Deputy Commissioner
NYC DEP
59-17 Junction Boulevard
Corona, New York 11368

Dear Commissioner Alvatroni:

I am writing to ask your assistance in a matter relating to the Department of Environmental Protection. If you would be so kind as to take the time to review the case and assist in any way possible, it would be most appreciated.

Sincerely,


Timothy S. Carey

TIMOTHY S. CAREY
PRESIDENT & CEO



May 17, 2002

PII

99 Battery Place, Apt. PII
New York, New York 10280

Dear PII

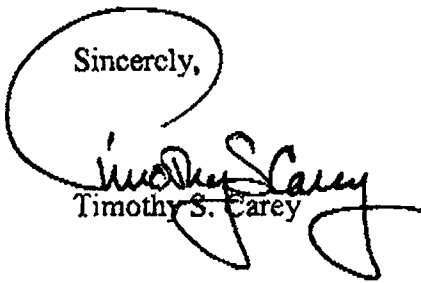
Governor Pataki has received your e-mail regarding the cleanup of your Battery Park City apartment after the September 11th attack of the World Trade Towers and he has asked me to respond.

As you know, following the attack we worked diligently with various city, state and federal agencies to expedite the return of residents to Battery Park City while ensuring their safety. Under the direction of the New York City Department of Environmental Protection, air, water and soil in Battery Park City was tested for contamination. It was only by DEP's consent that buildings were deemed safe to re-inhabit.

While your letter is not specific as to what violations you believe your former landlord is guilty of, it is the New York City Department of Environmental Protection that monitors interior safety conditions. I have therefore forwarded a copy of your letter to DEP Deputy Commissioner Robert Alvatroni so that he may assist you. You may contact the Deputy Commissioner at (718) 595-4418 or write to him at NYC DEP, 59-17 Junction Boulevard, Corona, New York 11368

If you need further assistance, please do not hesitate to call.

Sincerely,


Timothy S. Carey

Correspondence Profile

PII	Addressed To	Governor
99 Battery Place Apt PII	Correspondence Number	1262333
New York, NY 10280	Correspondence Type	
County New York		
Open	Date of Correspondence	03/17/2002
	Date Received	03/17/2002
	Date Entered	03/18/2002
	Date Completed	
Type	Referred To	Sarah Newman
Email	Date Referred	03/18/2002
Issue 1	Referred By	Wendy Tromblee
48330 Tenant Issues	Subject	
	Please help the resident of Downtown Manhattan disaster area	

Email Received From Website

From PII
 99 Battery Place Apt. PII
 New York, NY 10280

Dear Governor Pataki!

My name is PII I'm sending you this letter to ask for help.

I and my family live in Battery Park City located in Downtown Manhattan. On September 11, 2001 I (as many other Americans) experienced the worst day of my life. Seeing North Tower of WTC on fire on my way to work; seeing people jump out of the windows; seeing plane fly above my head and hoping that somehow it was a rescue plane but instead seeing it crush in to the second tower, running away from the cloud of dust and debris of the crushing buildings; looking for my wife who was at home located a few blocks from WTC; evacuating on the boat; finding out that two of my coworkers died that day?. All of these experiences were unbearable and they changed my life forever.

We finally returned home after weeks of being displaced to find our apartment and building in unacceptable condition: dust was everywhere; smell of spoiled food penetrated everything in the building, clothes, furniture and electronics destroyed by soot. The air conditioning and heating units were also full of dust. To turn them on meant to release all of the dust from the inside into the air of the apartment. At the same time flyers distributed by EPA advised not to open the windows. While all other buildings managements hired companies specializing in environmental cleaning to clean each apartment, our management (RY Management) did not do anything. I talked many times to building manager Mr. John Piastro, asking him to clean my apartment especially air conditioning units. I also told him that if I could not turn on air conditioning units, there was no way to control the temperature - it was either too hot or too cold. Mr. Piastro told me that management does not have to and will not clean anything. At the same time other buildings in the area were cleaned up. This means that while our building was officially open, we could not stay there and spent almost all the time living in the place we used to sublet while being displaced.

For a few weeks I and many other residents called RY Management every day demanding that they clean up the building. They did not answer. Then I and many others demanded RY to release us from the lease, so we do not have to live in dangerous conditions, but we did not get any answer again. A month later RY Management called for tenants' meeting and told us that they will permit people to break their leases for the price: they would keep the security deposit plus one month payment. Paying two months

rent in order to get out of the building that was dangerous to live in did not sound right. For most of the tenants like me it was also financially impossible. RY also offered 15% rent discount for 6 months and no cleaning of the apartments. I and most other tenants were outraged by RY's offer. All I wanted was either my apartment to be cleaned or to get out of my lease. This decrease in rent did not even closely cover the price of hiring environmental cleaning company myself. When I told RY's representative Ms. Teresa Tota that their offer does not meet tenants' needs, she told me that the offer was not negotiable. Ms. Tota also said that RY Management will not do any cleaning because they do not have to and will not release people from the leases without penalties.

After this outrageous incident I and residents of more than 60 other apartments organized together and created South Cove Plaza Tenants Association. We decided to withhold our rents until RY agrees to clean the apartments and to release from lease tenants who wanted to leave the building. In response RY sent me (and other tenants who decided to protest) a letter saying that since I did not agree with the offer they have made, I will get nothing: no rent discount, no opportunity to get out of the lease and no clean up. That, in my opinion, was an outrageous act of retaliation. As a result I and my wife were forced to stay in the dirty apartment for four months until our lease ended. Through all of the winter we had to live in the very cold apartment because we could not turn on dirty heating units. I and my wife had to visit doctors because dirty air caused all kinds of respiratory problems. All of this was accompanied by continuous harassment by RY Management. They were sending us a message that if you are quiet then you will get at least something, but if you are trying to fight for your right you will get nothing.

By December, while harassing us and demanding full rent for our dirty inhabitable apartments, RY was renting out empty apartments (I estimate that more than 1/3 of the apartments were emptied by people who could afford to leave the building) at 40% discount. I calculated that with this discount I would be able to afford to clean the apartment myself, and this would make my life much easier: I would have cleaner apartment and would not have to break the lease. I went to on-site RY representative Denise Kosta to ask to move to an empty apartment in the building at the rate they offered to a friend of mine just a day before. Ms. Kosta told me that apartments are only available for "not difficult tenants". I knew it was an illegal statement and contacted building manager Mr. Piastro, who promised to investigate the matter but never got back to me.

Finally after our lease expired at the end of the February, we moved to another building in Battery Park City. In contrast to our old building, the new building was cleaned within weeks after the attacks, and each apartment was certified to be environmentally clean. I contacted Ms. Tota again after I moved my family out telling her that while I was extremely disappointed by RY's lack of response and unlivable conditions we were forced to live in, the stress of fighting with them was just too much and I would like to pay back the rent using their initial offer of 15% discount. Ms. Tota told me with a smirk that "we are not going to give you anything; we will get you one way or another?". She also told that if "I would not try to be difficult" from the beginning they would handle my situation much better. I find these facts alarming and outrageous and ask you to help me. I feel that behavior of RY management and especially Ms. Teresa Tota, Ms. Denise Kosta and Mr. John Piastro are not only immoral considering the situation but also illegal. And I do not know if there are any laws that specifically state that building owners have to help tenants as much as they can in case of the disaster. If not, then may be you can help me to create one. I feel that owners like RY/Dematteis should be banned from getting government subsidized loans and contracts. They are predators who try to hurt their tenants as much as they can. Please help me in this horrible situation. I am anxiously waiting for your reply.

Sincerely,

PII

My old address in RY/Dematteis building was:

PII

MAY-17-02 FRI 02:40 PM CAFFIELLO

FAX:15164740883

PAGE 6

New York, NY 10280

RY Management address:

Dematteis Battery Pk Assoc LLC

c/o RY Management CO.,INC

1619 Third Avenue

New York, NY 10128

Routing History

03/18/2002 11:55 AM (Routed By --> Linda Douglas) (Routed Via Hardcopy to --> Sarah Newman)

03/18/2002 11:47 AM (Routed By --> Wendy Tromblee) (Routed Via Hardcopy to --> Linda Douglas)