

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

HOUSING RIGHTS INITIATIVE, INC.,

Plaintiff,

-against-

DOUGLAS ELLIMAN, MARJORIE
TORNATORE, MARYAM DAGHOUMI,
DORIAN NASTO, TOY ONG CHEUNG, 109
CONGRESS STREET LLC, 254-125 LLC,
COLDWELL BANKER RELIABLE,
CHRISTIAN FLOREZ, OXFORD PROPERTY
GROUP, MAY AMOS, 750 TENTH AVE
REALTY LLC, AAG MANAGEMENT, INC.,
REMAX EDGE, ELENA LEAL, 9430 RIDGE
OWNERS CORP., KEYSTONE REALTY USA,
PARESHKUMAR SHAH, GLEN OAKS
VILLAGE OWNERS, INC., CENTURY HOMES
REALTY GROUP LLC, JANE GAO, STEVEN
CORCORAN REAL ESTATE LLC, SHERRIE
MORGAN, HOMEMAX REALTY, ERIC ZHAO,
351 MARINE OWNERS CORP, EXP REALTY,
GORDANA SKUGOR, NEW YORK CASAS,
CHARLAR ACAR, RALPH FRANKEN LLC,
MOMENTUM REAL ESTATE, LILY LUU,
STANLEY CHEUNG, AVANGUARD REALTY
CORP, JENNY VASSILEVA, DAGINATI LLC,
SARDELL REALTY LLC, KAREN SARDELL,
EDEL FAMILY MANAGEMENT CORP,
JHOLEYNI PENA, REAL NEW YORK,
EDWARD XU, CUCCIA EDWARD, J.,
CHRISTY CHOK, L & C REALTY ASSOCIATE,
INC., J SIKAR REALTY, NELLY BERNSTEIN,
AAA Y.S. REALTY INC, FEI CHEN, NYC
MODERN REALTY, INC., HELEN LIN, GUO
XIAN KAI, THE COOP CONNECTION LLC,
EILEEN MASSONE, SRL MANAGEMENT
LLC, VLADISLAV DAVIDOV, BROOKLYN
PROPERTIES OF SEVENTH AVENUE, INC.,
CARLOS ARZE, 685 STERLING ASSOCIATES
LLC, REALTEGRITY NY, CARYL SCHIFF,
FOLEY'S 8 REAL ESTATE, TIM FOLEY,
MONTGOMERY 5 ASSOCIATES LLC, J.
WINTER REAL ESTATE, JEFF WINTER,
AIDONIS REALTY, MARIA AIDONIS,

Date Filed: _____

Index No.: _____
(NYSCEF Case)

SUMMONS

**Plaintiff designates New York
County as the place for trial: the
basis of venue is the residence of
Plaintiff.**

KELLER WILLIAMS REALTY OF GREATER NASSAU COUNTY, JOHN ARGYROS, JOHN SILVER LLC, MACCABEE 1 REALTY CORP, DAVID NAJAFI, ASMA BEGUM EMRAN, REALTY PLUS GROUP, INC., DAE KIM, YOUNGGIL CORP, COMFORT PROPERTIES, INC., OSAMA GHEITH, AMERICAN REALTY AIJ 214, LLC, FULTONEX REALTY, EUNICE CHEN, THE PAVILION OWNERS CORP, NEW SPIRIT REALTY, INC., FRANK DESANTIS, APTS 601 79 LLC, HOMETOWN PROPERTIES, JACK CHENG, ABBA REALTY ASSOCIATES, ANAT ELGARISI, MENDEL BOYMELGREEN, RENAISSANCE EQUITY HOLDINGS LLC A, CONTACT REALTY, DAYANA ZAMORA, B. BELINDA REALTY LLC, BELINDA GILLIS, 863 STERLING LLC, IVEY NORTH LLC, AYANNA BARTON, BATRA GROUP, INC., JOHNATHAN CRUZ, 251 HIMROD LLC, OLAUSSON PARTRIDGE STEFFAN, REBEKAH GIBSON, MANHATTAN FLATS, Yael DAVID, GUARDIAN REALTY GROUP, DANNY DOUMANIS, 25-41 12TH STREET LLC, MAYFLOWER REALTY AND ASSOCIATES, LINDA CHENG, EVA M. DANIELS REALTY, EVA DANIELS, CITI NEST GROUP LLC, MIKE ATIA, 123 PARK LLC, MAXIMILLION REALTY, INC., BORIS BERYLAND, DAVID REYTBAT, RICHARD CUFFARO, EDWARD ROZENTHAL, NIINA POOLE, PAUL NYLAND,

Defendants.

TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance on Plaintiff's attorneys within twenty (20) days after service of this summons, exclusive of the day of service (or, within thirty (30) days after completion of service when the service is made in any other matter than by personal delivery 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.

Dated: New York, New York
May 25, 2022

Yours, etc.,

NEWMAN FERRARA LLP
Attorneys for Plaintiff

By: *Randolph M. McLaughlin*
Randolph M. McLaughlin

By: *Casey Katz Pearlman*
Casey Katz Pearlman

Newman Ferrara LLP
Randolph M. McLaughlin
Debra S. Cohen
Casey Katz Pearlman
1250 Broadway, 27th Floor
New York, New York 10001
(212) 619-5400

Defendants Addresses

Douglas Elliman
Marjorie Tornatore
Maryam Daghoumi
Dorian Nasto
575 Madison Avenue
New York, New York 10022

Toy Ong Cheung
1560 78th Street
Brooklyn, New York 11228

109 Congress Street LLC
399 Pacific Street
Brooklyn, New York 11217

254-125 LLC
254 East 125th Street
New York, New York 10035

Coldwell Banker Reliable
Christian Florez
1133 Bedford Avenue
Brooklyn, New York 11216

Oxford Property Group
May Amos
5 West 37th Street, 12th Floor
New York, NY 10018

750 Tenth Ave Realty LLC
421 Seventh Avenue, Suite 1400
New York, New York 10001

AAG Management, Inc.
421 Seventh Avenue, 15th Floor
New York, New York 10001

RE/MAX Edge
Elena Leal
1812 Bath Avenue
Brooklyn, New York 11214

9430 Ridge Owners Corp.
1 Metrotech Center, Suite 1701
Brooklyn, New York 11201

Keystone Realty USA
Pareshkumar Shah
163-10 Northern Blvd, Suite 205
Flushing, New York 11358

Glen Oaks Village Owners, Inc.
70-33 260th Street
Glen Oaks, New York 11004

Century Homes Realty Group LLC
Jane Gao
34-36 Union Street #201
Flushing, New York 11354

Steven Corcoran Real Estate LLC
Sherrie Morgan
5 Tudor City Place, Lobby 11
New York, New York 10017

Homemax Realty
Eric Zhao
6212 5th Avenue
Brooklyn, New York 11220

351 Marine Owners Corp
622 Third Avenue, 14th Floor
New York, New York 10017

EXP Realty
Gordana Skugor
150 Motor Parkway, Suite 401
Hauppauge, New York 11788

New York Casas
Charlar Acar
745 Fifth Avenue, Suite 500
New York, New York 10151

Ralph Franken LLC
740 Cherry Tree Lane
Warrenton, Virginia 20186

Momentum Real Estate
Lily Luu
289 Kings Hwy
Brooklyn, New York 11223

Stanley Cheung
1933 79th Street
Brooklyn, New York 11214

Avanguard Realty Corp.
Jenny Vassileva
32-02 30th Ave, Suite 201
Astoria, New York 11102

Daginati LLC
5901 Riverdale Avenue
Bronx, New York 10471

Sardell Realty LLC
Karen Sardell
368 Avenue U, Suite 2
Brooklyn, New York 11223

Edel Family Management Corp
Jholeyni Pena
2207 Coney Island Avenue
Brooklyn, New York 11223

Real New York
Edward Xu
164 Ludlow Street
New York, New York 10002

Cuccia Edward, J.
Christy Chok
121 Walker Street
New York, New York 10013

L & C Realty Associate, Inc.
7 Windsor Gate Drive
Dix Hills, New York 11746

J Sikar Realty
Nelly Bernstein
1706 Sheepshead Bay Road #2
Brooklyn, New York 11235

AAA Y.S. Realty Inc.
Fei Chen
14714 45th Avenue
Flushing, New York 11355

NYC Modern Realty
Helen Lin
36-22 Francis Lewis Blvd, Suite 202
Flushing, New York 11358

Guo Xian Kai
4646 158th Street
Flushing, New York 11358

The Coop Connection LLC
Eileen Massone
112 16 Queens Blvd
Forest Hills, New York 11375

SRL Management LLC
Vladislav Davidov
5319-C 16th Avenue
Brooklyn, New York 11215

685 Sterling Associates
7224 19th Avenue
Brooklyn, New York 12204

RealTegrity NY LLC
Caryl Schiff
43-07 Greenpoint Ave
Sunnyside, New York 11104

Foley's 8 Real Estate
Tim Foley
1765 Victory Victory Blvd
Staten Island, New York 10314

Montgomery 5 Associates
c/o NASO
32 Lincoln Street
Staten Island, New York 10314

J. Winter Real Estate
Jeff Winter
249-B 24th Street
Brooklyn, New York 11232

Aidonis Realty
Maria Aidonis
33-31 29th Street
Astoria, New York 11106

Keller Williams Realty of Greater Nassau County
John Argyros
400 Garden City Plz, Suite 438
Garden City, New York 11530

John Silver LLC
31-26 28th Avenue
Astoria, New York 11102

Maccabee 1 Realty Corp
David Najafi
123 Church Avenue
Brooklyn, New York 11278

Asma Begum Emran
379 E 2nd Street
Brooklyn, New York 11218

Realty Plus Group
Dae Kim
219-02 Northern Blvd, Suite 2F
Bayside, New York 11361

Younggil Corp
70-14 Loubet Street
Forest Hills, New York 11375

Comfort Properties, Inc.
Osama Gheith
323 9th Street
Brooklyn, New York 11215

American Realty AIJ 214 LLC
c/o Katy Kaloudis
50-18 Skillman Avenue
Woodside, New York 11377

Fultonex Realty
Eunice Chen
136-20 38th Avenue, Suite 11A
Flushing, New York 11354

The Pavilion Owners Corp
6080 Jericho Turnpike, Suite 201
Commack, New York 11725

New Spirit Realty
Frank DeSantis
9805 3rd Avenue
Brooklyn, New York 11209

Apts 601 79 LLC
1651 Coney Island Avenue, 4th Floor
Brooklyn, New York 11230

Hometown Properties
Jack Cheng
8114 3rd Avenue
Brooklyn, New York 11209

Abba Realty Associates
Anat Elgarisi
Mendel Boymelgreen
315 Albany Avenue
Brooklyn, New York 11213

Renaissance Equity Holdings LLC A
P.O. Box 407
Brooklyn, New York 11219

Contact Realty
Dayana Zamora
104-35 Queens Blvd
Forest Hills, New York 11375

B. Belinda Realty
Belinda Gillis
160 Rogers Avenue
Brooklyn, New York 11216

863 Sterling LLC
750 59th Street, Apt 4
Brooklyn, New York 11220

Ivey North LLC
Ayanna Barton
1 Dock 72 Way
Brooklyn, New York 11205

Batra Group, Inc.
Johnathan Cruz
79 Madison Avenue
New York, New York 10016

251 Himrod LLC
238 Starr Street
Brooklyn, New York 11237

Olausson Partridge Steffan
Rebekah Gibson
30-79 Steinway Street
Astoria, New York 11103

Manhattan Flats
Yael David
245 E 84th Street
New York, New York 10028

Guardian Realty Group
Danny Doumanis
213 16 48th Avenue
Bayside, New York 11364

25-41 12th Street LLC
c/o Green Gold Development Corp
18-56 42nd Street
Astoria, New York 11105

Mayflower Realty and Associates
Linda Cheng
132-44 Booth Memorial Avenue
Flushing, New York 11355

Eva M. Daniels Realty
Eva Daniels
6 Portland Ave, Apt 1A
Brooklyn, New York 11217

Citi Nest Group LLC
Mike Atia
506 5th Avenue, 2nd Floor
Brooklyn, New York 11215

123 Park LLC
1524 86th Street
Brooklyn, New York 11214

Maximillion Realty Inc
Boris Beryland
101 Avenue U
Brooklyn, New York 11223

David Reytblat
230 Gateway Drive
Staten Island, New York 10304

Richard Cuffaro
1779 61st Street #3R
Brooklyn, New York 11204

Edward Rozenenthal
2753 Coney Island Avenue, Suite 208
Brooklyn, New York 11235

Niina Poole
2299 East 13th Street, Apt. 5A
Brooklyn, New York 11229

Paul Nyland
71-50 69th Place #2L
Ridgewood, New York 11385

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OWNERS CORP., KEYSTONE REALTY USA,
PARESHKUMAR SHAH, GLEN OAKS
VILLAGE OWNERS, INC., CENTURY HOMES
REALTY GROUP LLC, JANE GAO, STEVEN
CORCORAN REAL ESTATE LLC, SHERRIE
MORGAN, HOMEMAX REALTY, ERIC ZHAO,
351 MARINE OWNERS CORP, EXP REALTY,
GORDANA SKUGOR, NEW YORK CASAS,
CHARLAR ACAR, RALPH FRANKEN LLC,
MOMENTUM REAL ESTATE, LILY LUU,
STANLEY CHEUNG, AVANGUARD REALTY
CORP, JENNY VASSILEVA, DAGINATI LLC,
SARDELL REALTY LLC, KAREN SARDELL,
EDEL FAMILY MANAGEMENT CORP,
JHOLEYNI PENA, REAL NEW YORK,
EDWARD XU, CUCCIA EDWARD, J.,
CHRISTY CHOK, L & C REALTY ASSOCIATE,
INC., J SIKAR REALTY, NELLY BERNSTEIN,
AAA Y.S. REALTY INC, FEI CHEN, NYC
MODERN REALTY, INC., HELEN LIN, GUO
XIAN KAI, THE COOP CONNECTION LLC,
EILEEN MASSONE, SRL MANAGEMENT
LLC, VLADISLAV DAVIDOV, BROOKLYN
PROPERTIES OF SEVENTH AVENUE, INC.,
CARLOS ARZE, 685 STERLING ASSOCIATES
LLC, REALTEGRITY NY, CARYL SCHIFF,
FOLEY'S 8 REAL ESTATE, TIM FOLEY,
MONTGOMERY 5 ASSOCIATES LLC, J.
WINTER REAL ESTATE, JEFF WINTER,
AIDONIS REALTY, MARIA AIDONIS,

Index No.: _____

VERIFIED COMPLAINT

JURY TRIAL DEMANDED

KELLER WILLIAMS REALTY OF GREATER NASSAU COUNTY, JOHN ARGYROS, JOHN SILVER LLC, MACCABEE 1 REALTY CORP, DAVID NAJAFI, ASMA BEGUM EMRAN, REALTY PLUS GROUP, INC., DAE KIM, YOUNGGIL CORP, COMFORT PROPERTIES, INC., OSAMA GHEITH, AMERICAN REALTY AIJ 214, LLC, FULTONEX REALTY, EUNICE CHEN, THE PAVILION OWNERS CORP, NEW SPIRIT REALTY, INC., FRANK DESANTIS, APTS 601 79 LLC, HOMETOWN PROPERTIES, JACK CHENG, ABBA REALTY ASSOCIATES, ANAT ELGARISI, MENDEL BOYMELGREEN, RENAISSANCE EQUITY HOLDINGS LLC A, CONTACT REALTY, DAYANA ZAMORA, B. BELINDA REALTY LLC, BELINDA GILLIS, 863 STERLING LLC, IVEY NORTH LLC, AYANNA BARTON, BATRA GROUP, INC., JOHNATHAN CRUZ, 251 HIMROD LLC, OLAUSSON PARTRIDGE STEFFAN, REBEKAH GIBSON, MANHATTAN FLATS, YAEL DAVID, GUARDIAN REALTY GROUP, DANNY DOUMANIS, 25-41 12TH STREET LLC, MAYFLOWER REALTY AND ASSOCIATES, LINDA CHENG, EVA M. DANIELS REALTY, EVA DANIELS, CITI NEST GROUP LLC, MIKE ATIA, 123 PARK LLC, MAXIMILLION REALTY, INC., BORIS BERYLAND, DAVID REYTBAT, RICHARD CUFFARO, EDWARD ROZENTHAL, NIINA POOLE, PAUL NYLAND,

Defendants.

Plaintiff Housing Rights Initiative, Inc. (“HRI”), by and through its attorneys, NEWMAN FERRARA LLP, alleges upon personal knowledge as to itself and upon information and belief as to all other matters:

NATURE OF THE ACTION

1. HRI brings this action against the above-named Defendants (collectively, “Defendants”) for Defendants’ pattern and practice of unlawfully discriminating against persons in the rental or lease of housing accommodations based on lawful source of income.

2. The New York State Human Rights Law (“NYSHRL”), codified at New York Executive Law Article 15 (“N.Y. Exec. Law”), prohibits owners, real estate brokers, and others from discriminating against tenants and prospective tenants based on their “lawful source of income.” N.Y. Exec. Law §296(5)(a), §296(5)(c). “Lawful source of income” includes “any form of federal, state, or local public assistance or housing assistance. . .” N.Y. Exec. Law §292(32).

3. The New York City Human Rights Law (“NYCHRL”), codified at Title 8 of the Administrative Code of the City of New York (“N.Y.C. Admin. Code”), prohibits owners, real estate brokers, managing agents, and others from refusing to rent to prospective tenants “because of any lawful source of income”. N.Y.C. Admin. Code §8-107(5)(a)(1); §8-107(5)(c)(1). Under the NYCHRL, “lawful source of income” includes “. . . any form of federal, state, or local public assistance or housing assistance . . .” N.Y.C. Admin. Code §8-102.

4. In violation of the NYSHRL and the NYCHRL, Defendants have explicitly and systematically refused to rent apartments to tenants who intend to pay their rent with government-provided rental assistance, and refused to permit prospective tenants with government-provided rental assistance the opportunity to apply to apartments.

5. As a result, individuals and families with rental assistance vouchers have not been able to rent apartments, causing great harm to the affected voucher-holders.

6. HRI brings this civil action against the Defendants for declaratory and injunctive relief, damages, attorneys' fees, costs, and such other remedies as may be appropriate under the NYSHRL and NYCHRL.

JURISDICTION AND VENUE

7. This Court has jurisdiction over Defendants pursuant to CPLR §301 *et seq.*

8. Venue in New York County is proper pursuant to CPLR §503(a) and (c).

PARTIES

9. Plaintiff HRI is a national nonprofit housing watchdog group with its principal office located in New York County. HRI is dedicated to promoting fair and lawful housing practices. A key aspect of HRI's mission to ensure that all individuals have equal access to housing in New York. HRI expended staff time and other resources to investigate and respond to Defendants' discriminatory rental practices, which diverted resources away from other HRI activities. Additionally, Defendants' discriminatory rental practices frustrated HRI's mission to ensure all individuals have equal access to housing by making apartments unavailable to renters using government-provided rental assistance.

10. HRI investigates housing discrimination in various ways, including civil rights testing. Civil rights testers are persons who contact housing providers to test their compliance with applicable fair housing laws.

11. During its investigations, HRI conducted tests to inquire about the practices and policies of brokers and landlords in New York City. HRI's testing and investigations revealed discrimination and policies or practices of refusing to accept CityFHEPS vouchers throughout the City, ultimately prompting HRI to take steps to address such violations of the law.

12. Defendants are residential real estate brokers and/or individuals or companies who own, operate, control, supervise and/or manage, directly or indirectly, the properties, all of which are located in New York City.

13. Defendant Douglas Elliman is a corporation registered to do business in New York. At all relevant times, Defendant Douglas Elliman and its employees Defendant Marjorie Tornatore, Defendant Maryam Daghoumi, and Defendant Dorian Nasto were in the real estate business and, among other things, were brokering apartments in New York City.

14. Upon information and belief, Defendant Toy Ong Cheung was the owner of the unit at 1560 78th Street #2, Brooklyn, New York 11228, and utilized the real estate services of Defendant Maryam Daghmoumi, an employee of Defendant Douglas Elliman.

15. Upon information and belief, Defendant 109 Congress Street LLC was the owner of the unit at 109 Congress Street #4R, Brooklyn, New York 11201, and utilized the real estate services of Defendant Maryam Daghmoumi, an employee of Defendant Douglas Elliman.

16. Upon information and belief, Defendant 254-125 LLC was the owner of the unit at 254 East 125th Street #8, New York, New York 10035, and utilized the real estate services of Defendant Dorian Nasto, an employee of Defendant Douglas Elliman.

17. Defendant Coldwell Banker Reliable is a corporation registered to do business in New York. At all relevant times, Defendant Coldwell Banker Reliable and its employee Defendant Christian Florez, were in the real estate business and, among other things, were brokering apartments in New York City.

18. Defendant Oxford Property Group LLC is a corporation registered to do business in New York. At all relevant times, Defendant Oxford Property Group and its employee

Defendant May Amos, were in the real estate business and, among other things, were brokering rental apartments in New York City.

19. Upon information and belief, Defendant 750 Tenth Ave. Realty, LLC was the owner of the unit at 465 West 51st Street #4A, New York, New York 10019, and utilized the real estate services of Defendant May Amos, an employee of Defendant Oxford Property Group.

20. Upon information and belief Defendant AAG Management, Inc. was the managing the unit at 465 West 51st Street #4A, New York, New York 10019, and utilized the real estate services of Defendant May Amos, an employee of Defendant Oxford Property Group.

21. Defendant Remax Edge is a corporation registered to do business in New York. At all relevant times, Defendant Remax Edge and its employee Defendant Elena Leal, were in the real estate business and, among other things, were brokering apartments in New York City.

22. Upon information and belief, Defendant 9430 Ridge Owners Corp. was the owner of the unit at 9430 Ridge Boulevard #1D, Brooklyn, New York 11209, and utilized the real estate services of Defendant Elena Leal, an employee of Defendant Remax Edge.

23. Defendant Keystone Realty USA is a corporation registered to do business in New York. At all relevant times, Defendant Keystone Realty USA and its employee Defendant Pareshkumar Shah, were in the real estate business and, among other things, were brokering apartments in New York City.

24. Upon information and belief, Defendant Glen Oaks Village Owners, Inc. was the owner of the unit at 26107 Langston Avenue #2, Glen Oaks, New York 11004, and utilized the real estate services of Defendant Pareshkumar Shah, an employee of Defendant Keystone Realty USA.

25. Defendant Century Homes Realty Group LLC is a corporation registered to do business in New York. At all relevant times, Defendant Century Homes Realty Group LLC, and its employee Defendant Jane Gao, were in the real estate business and, among other things, were brokering rental apartments in New York City.

26. Defendant Steven Corcoran Real Estate LLC is a corporation registered to do business in New York. At all relevant times, Defendant Steven Corcoran Real Estate, and its employee Defendant Sherrie Morgan, were in the real estate business and, among other things, were brokering rental apartments in New York City.

27. Defendant HOMEMAX Realty, Inc. is a corporation registered to do business in New York. At all relevant times, Defendant HOMEMAX Realty and its employee Defendant Eric Zhao a/k/a Yifei Zhao, were in the real estate business and, among other things, were brokering rental apartments in New York City.

28. Upon information and belief, Defendant 351 Marine Owners Corp. was the owner of the unit at 351 Marine Avenue Apartment A9, Brooklyn, New York 11209, and was utilizing the real estate services of Defendant Eric Zhao, an employee of Defendant HOMEMAX Realty.

29. Defendant EXP Realty is a corporation registered to do business in New York. At all relevant times, Defendant EXP Realty and its employee Defendant Gordana Skugor, were in the real estate business and, among other things, were brokering rental apartments in New York City.

30. Defendant New York Casas, LTD is a corporation registered to do business in New York. At all relevant times, Defendant New York Casas, LTD and its employee Defendant

Charlar Acar, were in the real estate business and, among other things, were brokering apartments in New York City.

31. Upon information and belief, Defendant Ralph Franken LLC was the owner of the unit at 1490 East 35th Street #3I, Brooklyn, New York 11234, and utilized the real estate services of Defendant Charlar Acar, an employee of Defendant New York Casas.

32. Defendant Momentum Real Estate is a corporation registered to do business in New York. At all relevant times, Defendant Momentum Real Estate and its employee Defendant Lily Luu, were in the real estate business and, among other things, were brokering apartments in New York City.

33. Upon information and belief, Defendant Stanley Cheung was the owner of the unit at 1933 79th Street #1, Brooklyn, 11214, and utilized the real estate services of Defendant Lily Luu, an employee of Defendant Momentum Real Estate.

34. Defendant Avanguard Realty Corp is a corporation registered to do business in New York. At all relevant times, Defendant Avanguard Realty Corp and its employee Defendant Jenny Vassileva, were in the real estate business and, among other things, were brokering apartments in New York City.

35. Upon information and belief, Defendant Daginati LLC was the owner of the unit at 25-95 37th Street #B3, Astoria, New York 11103, and utilized the real estate services of Defendant Jenny Vassileva, an employee of Defendant Avanguard Realty Corp.

36. Defendant Sardell Realty LLC is a corporation registered to do business in New York. At all relevant times, Defendant Sardell Realty LLC and its employee Defendant Karen Sardell, were in the real estate business and, among other things, were brokering apartments in New York City.

37. Defendant Edel Family Management Corp. is a corporation registered to do business in New York. At all relevant times, Defendant Edel Family Management Corp and its employee Defendant Jholeyni Pena, were in the real estate business and, among other things, were brokering apartments in New York City.

38. Defendant Real New York is a corporation registered to do business in New York. At all relevant times, Defendant Real New York and its employee Defendant Edward Xu, were in the real estate business and, among other things, were brokering apartments in New York City.

39. Defendant Cuccia Edward, J is a licensed real estate broker permitted to do business in New York. At all relevant times, Defendant Cuccia Edward, J and its employee Defendant Christy Chok a/k/a Cheng H. Chok, were in the real estate business and, among other things, were brokering apartments in New York City.

40. Upon information and belief, Defendant L & C Realty Associate Inc. was the owner of the unit at 100 Madison Street #16, New York, New York 10002, and utilized the real estate services of Defendant Christy Chok, an employee of Defendant Cuccia Edward, J.

41. Defendant J Sikar Realty is a licensed real estate broker permitted to do business in New York. At all relevant times, Defendant J Sikar Realty and its employee Defendant Nelly Bernstein, were in the real estate business and, among other things, were brokering apartments in New York City.

42. Defendant AAA Y.S. Realty Inc. is a corporation registered to do business in New York. At all relevant times, Defendant AAA Y.S. Realty Inc. and its employee Defendant Fei Chen, were in the real estate business and, among other things, were brokering apartments in New York City.

43. Defendant NYC Modern Realty, Inc. is a corporation registered to do business in New York. At all relevant times, Defendant NYC Modern Realty, Inc. and its employee Defendant Helen Lin a/k/a Ziling Lin, were in the real estate business and, among other things, were brokering apartments in New York City.

44. Upon information and belief, Defendant Guo Xian Kai was the owner of the unit at 4646 158th Street #2, Flushing, New York 11358, and was utilizing the real estate services of Defendant Helen Lin, an employee of Defendant NYC Modern Realty, Inc.

45. Defendant The Coop Connection LLC is a corporation registered to do business in New York. At all relevant times, Defendant The Coop Connection LLC and its employee Defendant Eileen Massone, were in the real estate business and, among other things, were brokering apartments in New York City.

46. Defendant SRL Management LLC is a corporation registered to do business in New York. At all relevant times, Defendant SRL Management LLC and its employee Defendant Vladislav Davidov, were in the real estate business and, among other things, were brokering apartments in New York City.

47. Upon information and belief, Defendant Vladislav Davidoff was the owner of the unit at 7355 Amboy Road #1, Staten Island, New York 10307.

48. Defendant Brooklyn Properties of Seventh Avenue, Inc. is a corporation registered to do business in New York. At all relevant times, Defendant Brooklyn Properties of Seventh Avenue, Inc. and its employee Defendant Carlos Arze, were in the real estate business and, among other things, were brokering apartments in New York City.

49. Upon information and belief, Defendant 685 Sterling Associates LLC was the owner of the unit at 685 Sterling Place #6, Brooklyn, New York 11216, and was utilizing the

real estate services of Defendant Carlos Arze, an employee of Defendant Brooklyn Properties of Seventh Avenue, Inc.

50. Defendant RealTegrity NY is a corporation registered to do business in New York. At all relevant times, Defendant RealTegrity NY and its employee Defendant Caryl Schiff, were in the real estate business and, among other things, were brokering apartments in New York City.

51. Defendant Foley's 8 Real Estate is a corporation registered to do business in New York. At all relevant times, Defendant Foley's 8 Real Estate and its employee Defendant Tim Foley, were in the real estate business and, among other things, were brokering apartments in New York City.

52. Upon information and belief, Defendant Montgomery 5 Associates LLC was the owner of the unit at 77 Montgomery Avenue #1, Staten Island, New York 10301, and utilized the real estate services of Defendant Tim Foley, an employee of Defendant Foley's 8 Real Estate.

53. Defendant J. Winter Real Estate is an independent brokerage company permitted to do business in New York. At all relevant times, Defendant J. Winter Real Estate and its employee Defendant Jeff Winter, were in the real estate business and, among other things, were brokering apartments in New York City.

54. Defendant Aidonis Realty is a corporation registered to do business in New York. At all relevant times, Defendant Aidonis Realty and its employee Defendant Maria Aidonis, were in the real estate business and, among other things, were brokering apartments in New York City.

55. Defendant Keller Williams Realty of Greater Nassau County is a corporation registered to do business in New York. At all relevant times, Defendant Keller Williams Realty of Greater Nassau County and its employee Defendant John Argyros, were involved in the real estate business and, among other things, were brokering rental apartments in New York City.

56. Upon information and belief, Defendant John Silver LLC was the owner of the unit at 18-36 21st Drive #2R, Astoria, New York 11103, and utilized the real estate services of Defendant John Argyros, an employee of Defendant Keller Williams Realty of Greater Nassau County.

57. Defendant Maccabee 1 Realty Corp. is a corporation registered to do business in New York. At all relevant times, Defendant Maccabee 1 Realty Corp. and its employee Defendant David Najafi, were in the real estate business and, among other things, were brokering apartments in New York City.

58. Upon information and belief, Defendant Asma Begum Emran was the owner of 379 E 2nd Street #2, Brooklyn, New York 11218, and utilized the real estate services of Defendant David Najafi, an employee of Defendant Maccabee 1 Realty Corp.

59. Defendant Realty Plus Group, Inc. is a corporation registered to do business in New York. At all relevant times, Defendant Realty Plus Group, Inc. and its employee Defendant Dae Kim, were in the real estate business and, among other things, were brokering apartments in New York City.

60. Upon information and belief, Defendant Younggil Corp. was the owner of the unit at 4528 Smart Street, Flushing, New York 11355, and was utilizing the real estate services of Defendant Dae Kim, an employee of Defendant Realty Plus Group, Inc.

61. Defendant Comfort Properties, Inc. is a corporation registered to do business in New York. At all relevant times, Defendant Comfort Properties, Inc. and its employee Defendant Osama Gheith, were in the real estate business and, among other things, were brokering apartments in New York City.

62. Upon information and belief, Defendant American Realty AIJ 214, LLC was the owner of the unit at 214 23rd Street #2L, Brooklyn, New York 11232, and was utilizing the real estate services of Defendant Osama Gheith, an employee of Defendant Comfort Properties, Inc.

63. Defendant Fultonex Realty is a corporation registered to do business in New York. At all relevant times, Defendant Fultonex Realty and its employee Defendant Eunice Chen, were in the real estate business and, among other things, were brokering apartments in New York City.

64. Upon information and belief, Defendant The Pavilion Owners Corp. was the owner of the unit at 144-63 35th Avenue #6A, Flushing, New York 11354, and was utilizing the real estate services of Defendant Eunice Chen, an employee of Defendant Fultonex Realty.

65. Defendant New Spirit Realty, Inc. is a corporation registered to do business in New York. At all relevant times, Defendant New Spirit Realty, Inc. and its employee Defendant Frank DeSantis, were in the real estate business and, among other things, were brokering apartments in New York City.

66. Upon information and belief, Defendant Apts 601 79 LLC was the owner of the unit at 601 79th Street #C5, Brooklyn, New York 11209, and was utilizing the real estate services of Defendant Frank DeSantis, an employee of Defendant New Spirit Realty, Inc.

67. Upon information and belief, Defendant 351 Marine Owners Corp. was the owner of the unit at 351 Marine Avenue #A1, Brooklyn, New York 11209, and was utilizing the real estate services of Defendant Frank DeSantis, an employee of Defendant New Spirit Realty, Inc.

68. Defendant Hometown Properties is a corporation registered to do business in New York. At all relevant times, Defendant Hometown Properties and its employee Defendant Jack Cheng, were in the real estate business and, among other things, were brokering apartments in New York City.

69. Defendant Abba Realty Associates is a corporation registered to do business in New York. At all relevant times, Defendant Abba Realty Associates and its employees Defendant Anat Elgarisi and Defendant Mendel Boymelgreen, were in the real estate business and, among other things, were brokering apartments in New York City.

70. Upon information and belief, Defendant Renaissance Equity Holdings LLC A was the owner of the unit at 1405 New York Avenue Apartment 4C, Brooklyn, New York 11210, and was utilizing the real estate services of Defendant Anat Elgarisi, an employee of Defendant Abba Realty Associates.

71. Defendant Contact Realty is a corporation registered to do business in New York. At all relevant times, Defendant Contact Realty and its employee Defendant Dayana Zamora, were in the real estate business and, among other things, were brokering apartments in New York City.

72. Defendant B. Belinda Realty LLC is a corporation registered to do business in New York. At all relevant times, Defendant B. Belinda Realty LLC and its employee Defendant

Belinda Gillis, were in the real estate business and, among other things, were brokering apartments in New York City.

73. Upon information and belief, Defendant 863 Sterling LLC was the owner of the unit at 863 Sterling Place #1, Brooklyn, New York 11216, and was utilizing the real estate services of Defendant Belinda Gillis, an employee of Defendant B. Belinda Realty LLC.

74. Defendant Ivey North LLC is a corporation registered to do business in New York. At all relevant times, Defendant Ivey North LLC and its employee Defendant Ayanna Barton, were in the real estate business and, among other things, were brokering apartments in New York City.

75. Defendant Batra Group, Inc. is a corporation registered to do business in New York. At all relevant times, Defendant Batra Group, Inc. and its employee Defendant Johnathan Cruz, were in the real estate business and, among other things, were brokering apartments in New York City.

76. Upon information and belief, Defendant 251 Himrod LLC was the owner of the unit at 251 Himrod Street Apartment 2R, Brooklyn, New York 11237, and was utilizing the real estate services of Defendant Johnathan Cruz, an employee of Defendant Batra Group.

77. Defendant Olausson Partridge Steffan is a licensed real estate broker permitted to do business in New York. At all relevant times, Defendant Olausson Partridge Steffan and its employee Defendant Rebekah Gibson were in the real estate business and, among other things, were brokering apartments in New York City.

78. Defendant Manhattan Flats is a corporation registered to do business in New York. At all relevant times, Defendant Manhattan Flats and its employee Defendant Yael David, were

in the real estate business and, among other things, were brokering apartments in New York City.

79. Defendant Guardian Group Realty is a corporation registered to do business in New York. At all relevant times, Defendant Guardian Group Realty and its employee Defendant Danny Doumanis, were in the real estate business and, among other things, were brokering apartments in New York City.

80. Upon information and belief, Defendant 25-41 12th Street LLC was the owner of the unit at 25-41 12th Street #3, Astoria, New York 11102, and utilized the real estate services of Defendant Danny Doumanis, an employee of Defendant Guardian Group Realty.

81. Defendant Mayflower Realty and Associates is a corporation registered to do business in New York. At all relevant times, Defendant Mayflower Realty and Associates and its employee Defendant Linda Cheng, were in the real estate business and, among other things, were brokering apartments in New York City.

82. Defendant Eva M. Daniels Realty is a corporation registered to do business in New York. At all relevant times, Defendant Eva M. Daniels Realty and its employee Defendant Eva Daniels, were in the real estate business and, among other things, were brokering apartments in New York City.

83. Defendant Citi Nest Group LLC is a corporation registered to do business in New York. At all relevant times, Defendant Citi Nest Group LLC and its employee Defendant Mike Atia, were in the real estate business and, among other things, were brokering apartments in New York City.

84. Upon information and belief, Defendant 123 Park LLC was the owner of the unit at 127 27th Avenue #3B, Brooklyn, New York 11214, and utilized the real estate services of Defendant Mike Atia, an employee of Defendant Citi Nest Group LLC.

85. Defendant Maximillion Realty, Inc. is a corporation registered to do business in New York. At all relevant times, Defendant Maximillion Realty, Inc. and its employee Defendant Boris Beryland, were in the real estate business and, among other things, were brokering apartments in New York City.

86. Defendant David Reytblat is involved in the rental and leasing of apartments in New York City. At all relevant times, Defendant David Reytblat was in the real estate business and, among other things, was brokering an apartment in New York City.

87. Defendant Richard Cuffaro is a property owner in New York City. Upon information and belief, Richard Cuffaro owned and brokered the rental of the apartment at 1779 61st Street #3R, Brooklyn, New York 11204.

88. Defendant Edward Rozenthal is involved in the rental and leasing of apartments in New York City. At all relevant times, Defendant Edward Rozenthal was in the real estate business and, among other things, was brokering an apartment in New York City.

89. Defendant Niina Poole is a property owner in New York City. Upon information and belief, Defendant Niina Poole owned and brokered the property at 2299 East 13th Street Apartment 5A, Brooklyn, NY 11229.

90. Defendant Paul Nyland is a property owner in New York City. Upon information and belief, Paul Nyland owned and brokered the property at 71-50 69th Place #2L, Ridgewood, New York 11385.

FACTS

A. CityFHEPS Program

91. The CityFHEPS program is a rental assistance program that assists families and individuals in New York City who are at risk of or are experiencing homelessness to access secure, clean, and safe housing.

92. Over the last several years, there have been tens of thousands of CityFHEPS vouchers administered in New York City by the Department of Social Services.

93. A CityFHEPS voucher is often the only thing that stands between a family or individual's homelessness.

94. In 2019, only 20% of New Yorkers with a CityFHEPS voucher were able to secure housing.¹ One of the primary reasons for this low percentage is source of income discrimination.

B. Defendants' Rental Operations

95. As real estate brokers, property managers, and/or owners or operators of residential real estate, Defendants are required to comply with anti-discrimination laws under the NYSHRL and the NYCHRL.

96. At all times relevant to this Complaint, the monthly rent charged by Defendants at each of the properties did not exceed the CityFHEPS program's maximum allowable rent.

97. Defendants, their employees and/or their agents, stated to HRI testers that Defendants would not accept CityFHEPS rental assistance as a source of payment for rent at the subject properties.

¹ See https://cdn.glitch.global/b185c63a-8d27-412b-b4cb-047ca0c8de79/AnIllusionofChoice_FinalDigital_CORRECT.pdf?v=1644419510693.

98. Defendants' acts, policies, and practices constitute impermissible discrimination based on source of income.

C. Defendants' Discriminatory Policies and Practices

99. On January 24, 2022, an HRI tester posing as a prospective tenant text-messaged Maryam Daghmoumi, an employee of Douglas Elliman, at (646) 403-6595, regarding an available apartment at 109 Congress Street #4R, Brooklyn, New York 11201. At all relevant times, 109 Congress Street #4R was owned by 109 Congress Street LLC. The listing advertised a studio apartment for \$1,850 per month. The representative who answered the tester's text message confirmed the apartment was available. When the tester inquired about using a City FHEPS voucher, the representative stopped responding. On January 25, 2022 the tester followed up with the representative. The representative responded and said "hey sorry I asked but the owner is not currently accepting vouchers." Upon information and belief, Douglas Elliman and its employee Maryam Daghmoumi performed the complained-of actions on behalf of 109 Congress Street LLC, were authorized by 109 Congress Street LLC to act as agents for 109 Congress Street LLC, and were acting as agents of 109 Congress Street LLC at the time of the tester's inquiry.

100. On February 7, 2022, an HRI tester posing as a prospective tenant contacted Maryam Daghoumi, an employee of Douglas Elliman, at (347) 381-4145, regarding an available apartment at 1560 78th Street #2, Brooklyn, New York 11228. At all relevant times, 1560 78th Street #2 was owned by Toy Ong Cheung. The listing advertised a three bedroom, one bathroom apartment for \$2,500 per month. The representative who answered the tester's call confirmed the apartment was available. When the tester inquired about using a City FHEPS voucher, the representative said "the owner is not accepting that." Upon information and belief,

Douglas Elliman and its employee Maryam Daghmoumi performed the complained-of actions on behalf of the Toy Ong Cheung, were authorized by Toy Ong Cheung to act as agents for Toy Ong Cheung, and were acting as agents of Toy Ong Cheung at the time of the tester's inquiry.

101. On November 2, 2022, an HRI tester posing as a prospective tenant contacted Marjorie Tornatore, an employee of Douglas Elliman, at (917) 608-0060, regarding an apartment at 107-03 120th Street #GF, South Richmond Hill, New York 11419. The StreetEasy listing advertised a three bedroom, one bathroom apartment for \$2,499 per month. The representative who answered the tester's call confirmed she was "Marjorie" and implied the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative stated "she's not going to accept it." Upon information and belief, Douglas Elliman, and its employee Marjorie Tornatore, performed the complained-of actions on behalf of the property owner, and were acting as agents of the property owner at the time of the tester's inquiry.

102. On May 6, 2022, an HRI tester posing as a prospective tenant contacted Dorian Nasto, an employee of Douglas Elliman, at (212) 819-7683, regarding an apartment at 254 East 125th Street #8, New York, New York 10035. At all relevant times, 254 East 125th Street #8 was owned by 254-125 LLC. The StreetEasy listing advertised a one bedroom, one bathroom apartment for \$1,796 per month. The representative who answered the tester's call identified himself as Dorian and confirmed the apartment was available. He also confirmed that another apartment in the building which was listed at \$1,750 per month was also available. When the tester asked if they could use a CityFHEPS voucher for the apartment, the representative said "the owners are not currently participating in any programs." Upon information and belief,

Douglas Elliman and its employee Dorian Nasto, performed the complained-of actions on behalf of 254-125 LLC, were authorized by 254-125 LLC to act as agents for 254-125 LLC, and were acting as agents of 254-125 LLC at the time of the tester's inquiry.

103. On October 9, 2021, an HRI tester posing as a prospective tenant answered a call from Christian Florez, an employee of Coldwell Banker Reliable, at (347) 423-3413 returning the tester's earlier call regarding an available apartment at 45-20 43rd Street 2E, Queens, New York 11104. The Zillow listing advertised a one bedroom, one bathroom apartment for \$1,800 per month. The representative who answered the phone identified himself as "Christian Florez" and confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "not in this building." Upon information and belief, Coldwell Banker Reliable and its employee Christian Florez, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

104. On October 7, 2021, an HRI tester posing as a prospective tenant contacted May Amos, an employee of Oxford Property Group, LLC, at (917) 975-6367, regarding an available apartment at 465 West 51st Street, Apartment #4A, New York, New York 10019. At all relevant times, 465 West 51st Street #4A was owned by 750 Tenth Ave. Realty, LLC and was managed by AAG Management, Inc. The StreetEasy listing advertised a one bedroom, one bathroom apartment for \$1,920 per month. The representative who answered the phone identified herself as "May" and confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said "no. Its rent stabilized so the landlord is looking for an excellent applicant." Upon information and belief, Oxford Property Group, LLC and its employee May Amos, performed the complained-of

actions on behalf of the property owner and the management company, and were acting as agents of the property owner and management company at the time of the tester's inquiry.

105. On December 1, 2021, an HRI tester posing as a prospective tenant contacted Elena Leal, an employee of Remax Edge, at (718) 360-7723, regarding an apartment at 9430 Ridge Boulevard #1D Brooklyn, New York 11209. At all relevant times, 9430 Ridge Boulevard #1D was owned by 9430 Ridge Owners Corp. The StreetEasy listing advertised a studio apartment with one bathroom for \$1,700 per month. The representative who answered the tester's call confirmed she was Elena and confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said "I have to call the management company." On December 2, 2021, an HRI tester posing as a prospective tenant contacted Elena Leal, an employee of Remax Edge, at (718) 360-7723, following up on the previous call. The representative who answered the tester's call confirmed she was Elena. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said that she spoke with the management company and it would not work because it is a co-op. The tester then asked, "so you're saying that it wouldn't- that I wouldn't be able to use it here, then?" The representative responded by saying, "yea, yea, because this is a co-op". The representative also said "I think I'm gonna take a look for another place for you." Upon information and belief, Remax Edge, and its employee Elena Leal, performed the complained-of actions on behalf of 9430 Ridge Owners Corp., were authorized by 9430 Ridge Owners Corp. to act as agents for 9430 Ridge Owners Corp., and were acting as agents of 9430 Ridge Owners Corp. at the time of the tester's inquiry.

106. On October 22, 2021, an HRI tester posing as a prospective tenant contacted Pareshkumar Shah, an employee of Keystone Realty USA, at (917) 979-8210, regarding an

available apartment at 26107 Langston Ave #2, Glen Oaks, New York 11004. At all relevant times, 26107 Langston Ave #2 was owned by Glen Oaks Village Owners, Inc. The Zillow listing advertised a one bedroom, one bathroom apartment for \$1,699 per month. The representative who answered the phone implied the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said “co-op board won’t accept the voucher”. When the tester asked again to confirm that they would not be able to use the voucher, the representative said “yep, sorry and I wish you good luck.” Upon information and belief, Keystone Realty USA and its employee Pareshkumar Shah, performed the complained-of actions on behalf of Glen Oaks Village Owners, Inc., were authorized by Glen Oaks Village Owners, Inc. to act as agents for Glen Oaks Village Owners, Inc. and were acting as agents of Glen Oaks Village Owners, Inc. at the time of the tester’s inquiry.

107. On November 17, 2021, an HRI tester posing as a prospective tenant contacted Jane Gao, an employee of Century Homes Realty Group, at (718) 801-9079, regarding an available apartment at 4546 163rd Street, Flushing, New York 11358. The Trulia listing advertised a three bedroom, two bathroom apartment for \$2,600 per month. The representative who answered the phone confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “no voucher.” Upon information and belief, Century Homes Realty Group and Jane Gao, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

108. On October 6, 2021, an HRI tester posing as a prospective tenant contacted Sherrie Morgan, an employee of Steven Corcoran Real Estate LLC, at (212)949-1031, regarding an apartment at 45 Tudor City Place #1614, New York, New York 10017. The StreetEasy listing

advertised a studio apartment with one bathroom for \$1,900 per month. The representative who answered the tester's call indicated the apartment was available for rent. When the tester asked if they could use a City FHEPS voucher for this apartment, the representative stated "the vouchers don't really work with the co-op." Upon information and belief, Steven Corcoran Real Estate LLC, and its employee Sherrie Morgan, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

109. On October 6, 2021, an HRI tester posing as a prospective tenant contacted Eric Zhao, an employee of HomeMax Realty, at (917) 920-0068 regarding an available apartment at 351 Marine Avenue, Apartment A9, Brooklyn, New York 11209. At all relevant times, 351 Marine Avenue, Apartment A9 was owned by 351 Marine Owners Corp. The Zillow listing advertised a studio apartment for \$1,550 per month. The representative who answered the phone confirmed he was Eric Zhao and confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said "let me confirm with the owner." On October 7, 2021, when the HRI tester called (917) 920-0068 to follow up on the previous call, the representative who answered the phone confirmed he was Eric Zhao. When the tester asked if he would be able to use a CityFHEPS voucher, the representative said "the owner said he cannot accept [the] voucher because the board. The board will not approve that". Upon information and belief, HomeMax Realty and its employee Eric Zhao, performed the complained-of actions on behalf of 351 Marine Owners Corp., were authorized by 351 Marine Owners Corp. to act as agents for 351 Marine Owners Corp., and were acting as agents of 351 Marine Owners Corp. at the time of the tester's inquiry.

110. On November 18, 2021, an HRI tester posing as a prospective tenant contacted Gordana Skugor, an employee of EXP Realty NYC, at (347) 773-9666 regarding an available apartment at 32-62 44th Street, Apartment #3F Astoria, New York 11103. The Trulia listing advertised a three bedroom, one bathroom apartment for \$2,300 per month. The representative who answered the phone confirmed she was Gordana and confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “oh, no I’m so sorry, we don’t accept vouchers.” Upon information and belief, EXP Realty NYC and Gordana Skugor, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

111. On October 7, 2021, an HRI tester posing as a prospective tenant contacted Charlar Acar, an employee of New York Casas, at (347) 570-5316, regarding an available apartment at 1490 East 35th Street #3L, Brooklyn, New York 11234. At all relevant times, 1490 East 35th Street #3L was owned by Defendant Ralph Franken LLC. The Trulia listing advertised a two bedroom, one bathroom apartment for \$2,000 per month. The representative who answered the phone identified himself as “Charlar” and confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said “I’ll have to confirm”. On October 12, 2021, when the HRI tester called (347) 570-5316 to follow up on the previous call, the representative identified himself as “Charlar.” When the tester asked if he would be able to use a CityFHEPS voucher, the representative said “no, I’m afraid not.” Upon information and belief, New York Casas and Charlar Acar, performed the complained-of actions on behalf of Ralph Franken LLC, were authorized by Ralph Franken LLC to act as

agents for Ralph Franken LLC, and were acting as agents of Ralph Franken LLC at the time of the tester's inquiry.

112. On October 7, 2021, an HRI tester posing as a prospective tenant contacted Lily Luu, an employee of Momentum Real Estate, at (646) 859-5466, regarding an available apartment at 1933 79th Street #1, Brooklyn, New York 11214. At all relevant times, 1933 79th Street #1 was owned by Stanley Cheung. The Trulia listing advertised a two bedroom, one bathroom apartment for \$2,100 per month. The representative who answered the phone confirmed she was Lily Luu and said she would contact the landlord to check if the apartment was still available and if the landlord accepted vouchers. On October 8, 2021, when the HRI tester called (347) 570-5316 to follow up on the previous call, the representative confirmed she was Lily. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said "not for this property." Upon information and belief, Momentum Real Estate and Lily Luu performed the complained-of actions on behalf of Stanley Cheung, were authorized by Stanley Cheung to act as agents of Stanley Cheung, and were acting as agents of Stanley Cheung at the time of the tester's inquiry.

113. On November 15, 2021, an HRI tester posing as a prospective tenant contacted Jenny Vassileva, an employee of Avanguard Realty Corp., at (917) 553-4168, regarding an available apartment at 25-95 37th Street #B3, Astoria, New York 11103. At all relevant times, 25-95 37th Street was owned by Daginati LLC. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,900 per month. The representative who answered the phone confirmed she was Jenny and confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said "the building management doesn't accept vouchers." Upon information and belief, Avanguard Realty Corp.

and its employee Jenny Vassileva, performed the complained-of actions on behalf of Daginati LLC, were authorized by Daginati LLC to act as agents for Daginati LLC, and were acting as agents of Daginati LLC at the time of the tester's inquiry.

114. On October 8, 2021, an HRI tester posing as a prospective tenant contacted Karen Sardell, an employee of Sardell Realty LLC, at (929) 560-0137, regarding an available apartment at 2035 East 7th Street, Apartment 5F, Brooklyn, New York 11223. The Zillow listing advertised a studio apartment with one bathroom for \$1,500 per month. When the tester first contacted Karen Sardell, she did not answer. She then called the tester back and indicated the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said "not for a co-op building. You know, it's all private and they don't allow it, no." Upon information and belief, Sardell Realty LLC and its employee Karen Sardell, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

115. On October 12, 2021, an HRI tester posing as a prospective tenant contacted Jholeyni Pena, an employee of Edel Family Management, at (212) 567-2500, regarding an available apartment at 860 West 181st Street, New York, New York 10033. The StreetEasy listing advertised a one bedroom, one bathroom apartment for \$1,600 per month. The representative who answered the phone confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "no that is a co-op building and they don't do that. They don't take vouchers." Upon information and belief, Edel Family Management and its employee Jholeyni Pena, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

116. On October 15, 2022, an HRI tester posing as a prospective tenant contacted Jholeyni Pena, an employee of Edel Family Management, at (212) 567-2500, regarding an available apartment 675 Academy Street #5a, New York, New York 10034. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,800 per month. The representative who answered the phone confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “that building is a co-op building so they don’t take that.” Upon information and belief, Edel Family Management and Jholeyni Pena, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

117. On October 7, 2021, an HRI tester posing as a prospective tenant contacted Edward Xu, an employee Real New York, at (646)963-1306, regarding an apartment at 66-15 Wetherole Street #F8, Rego Park, New York 11374. The StreetEasy listing advertised a studio apartment with one bathroom for \$1,475 per month. The representative who answered the tester’s call confirmed he was Edward and confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative stated “unfortunately not, no.” Upon information and belief, Real New York, and its employee Edward Xu, performed the complained-of actions on behalf of the property owner, and were acting as agents of the property owner.

118. On October 13, 2021, an HRI tester posing as a prospective tenant contacted Christy Chok, an employee of Cuccia Edward, J., at (646) 772-3686, regarding an available apartment at 100 Madison Street #16, New York, New York 10002. At all relevant times, 100 Madison Street #16 was owned by L & C Realty Associate Inc. The StreetEasy listing advertised a two bedroom, one bathroom apartment for \$2,100 per month. The representative who answered

confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said “oh sorry the owner does not accept, sorry about that.” Upon information and belief, Cuccia Edward, J. and his employee Christy Chok, performed the complained-of actions on behalf of L & C Realty Associate Inc., were authorized by L & C Realty Associate Inc. to act as agents for L & C Realty Associate Inc., and were acting as agents of L & C Realty Associate Inc. at the time of the tester’s inquiry.

119. On October 14, 2021, an HRI tester posing as a prospective tenant contacted Nelly Bernstein, an employee of J. Sikar Realty, at (646) 606-3829, regarding an available apartment at 3041 Brighton 2nd Street #2A, Brooklyn, New York 11235. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,860 per month. The representative who answered the phone identified herself as “Nelly” and implied the apartment was still available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “no, no, no – it’ a condo, no.” Upon information and belief, J. Sikar Realty and Nelly Bernstein performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

120. On October 25, 2021, an HRI tester posing as a prospective tenant contacted Fei Chin, an employee of AAA Y.S. Realty, Inc., at (646) 766-8307, regarding an available apartment at 5821 Granger Street, Floor 1, Corona, New York 11368. The Zillow listing advertised a two bedroom, one bathroom apartment for \$2,100 per month. The representative who answered the phone confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said “this one is no good for a voucher,” but agreed to confirm with the property owner. On October 26, 2021, an HRI tester posing as a prospective tenant again contacted Fei Chin at (646) 766-8307, to follow up on the

previous call. When the tester asked if he would be able to use a CityFHEPS voucher, the representative said “no voucher for this one.” Upon information and belief AAA Y.S. Realty, Inc. and its employee Fei Chin, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

121. On October 27, 2021, an HRI tester posing as a prospective tenant contacted Helen Lin, an employee of NYC Modern Realty, at (917) 456-9028, regarding an available apartment at 4646 158th Street #2, Flushing, New York 11358. At all relevant times, 4646 158th Street #2 was owned by Guo Xian Kai. The Trulia listing advertised a two bedroom, one bathroom apartment for \$2,000 per month. The representative who answered the phone confirmed she was Helen and confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said “no they don’t accept.” Upon information and belief, NYC Modern Realty and Helen Lin performed the complained-of actions on behalf of Guo Xian Kai, were authorized by Guo Xian Kai to act as agents for Guo Xian Kai, and were acting as agents of Guo Xian Kai at the time of the tester’s inquiry.

122. On October 27, 2021, an HRI tester posing as a prospective tenant contacted Eileen Massone, an employee of The Coop Connection, at (646) 220-3253, regarding an available apartment at 111-45 76th Avenue #A48, Forest Hills, New York 11375. The Trulia listing advertised a studio apartment with one bathroom for \$1,595 per month. The representative who answered the phone confirmed she was Eileen and confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said “unfortunately it’s a co-op building so those vouchers don’t allow you to rent in co-ops.” Upon information and belief, The Coop Connection and its employee Eileen Massone,

performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

123. On October 27, 2021, an HRI tester posing as a prospective tenant contacted Vladislav Davidov, an employee of SRL Management, at (646)289-0022, regarding an available apartment at 7355 Amboy Road #1, Staten Island, New York 10307. At all relevant times, 7355 Amboy Road #1 was owned by Vladislav Davidov. The Trulia listing advertised a two bedroom, one bathroom apartment for \$1,900 per month. The representative who answered the phone implied the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "other people have asked and they said no, so I don't want to waste your time." Upon information and belief, SRL Management and Vladislav Davidov performed the complained-of actions on behalf of Vladislav Davidov.

124. On October 28, 2021, an HRI tester posing as a prospective tenant contacted Carlos Arze, an employee of Brooklyn Properties of Seventh Ave., Inc., at (917) 613-1722, regarding an available apartment at 685 Sterling Place, #6, Brooklyn, New York 11216. At all relevant times, 685 Sterling Place #6 was owned by 685 Sterling Associates LLC. The StreetEasy listing advertised a studio apartment with one bathroom for \$1,800 per month. The representative who answered the phone identified himself as "Carlos" and implied the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "I asked him earlier and he wouldn't accept the vouchers, you know it's not up to us." Carlos then offered to ask the owner again to confirm, but the tester never heard back from him. Upon information and belief, Brooklyn Properties of Seventh Ave. Inc and its employee Carlos Arze, performed the complained-of actions on behalf 685 Sterling Associates LLC, were authorized by 685 Sterling Associates LLC to act as agents for 685

Sterling Associates LLC, and were acting as agents of 685 Sterling Associates LLC at the time of the tester's inquiry.

125. On October 29, 2021, an HRI tester posing as a prospective tenant contacted Caryl Schiff, an employee of RealTegrity NY, at (917) 751-3833, regarding an available apartment at 52-30 39th Ave, #1C, Woodside, New York 11377. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,900 per month. The representative who answered the phone confirmed she was Caryl and confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "the owners paying all the fees, there's like application fees involved that they're paying and she's not gonna want to put out the money she told me and then have some type of rejection." The representative explained that using the CityFHEPS voucher "would be a bit of a pickle" because of the "whole co-op situation". Upon information and belief, RealTegrity NY and its employee Caryl Schiff, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

126. On October 29, 2021, an HRI tester posing as a prospective tenant contacted Tim Foley, an employee of Foleys 8 Real Estate LLC, at (917) 423-7490, regarding an available apartment at 77 Montgomery Avenue #1, Staten Island, NY 10301. At all relevant times, 77 Montgomery Avenue #1 was owned by Montgomery 5 Associates LLC. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,900 per month. The representative who answered the phone confirmed he was Tim and implied the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "no", explaining that the owner said to "forget it" because "there were too many hurdles to have to jump through". Upon information and belief, Foleys 8 Real Estate LLC and its

employee Tim Foley, performed the complained-of actions on behalf of Montgomery 5 Associates LLC, were authorized by Montgomery 5 Associates LLC to act as agents for Montgomery 5 Associates LLC, and were acting as agent of Montgomery 5 Associates LLC at the time of the tester's inquiry.

127. On October 29, 2021, an HRI tester posing as a prospective tenant contacted Jeff Winter, an employee of J. Winter Real Estate, at (917) 375-7749, regarding an available apartment at 563 56th Street, #3L, Brooklyn, New York 11220. The Trulia listing advertised a two bedroom, one bathroom apartment for \$1,900 per month. The representative who answered the phone identified himself as "Jeff" and confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "this is a condo so unfortunately the owner here is not taking any vouchers or programs." Upon information and belief, J. Winter Real Estate and its employee Jeff Winter, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

128. On November 8, 2021, an HRI tester posing as a prospective tenant contacted Maria Aidonis, an employee of Aidonis Realty, at (347) 248-5825, regarding an available apartment at 4406 25th Avenue # 7, Astoria, New York 11103. The Trulia listing advertised a two bedroom, one bathroom apartment for \$1,899 per month. The representative who answered the phone confirmed she was Maria and confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "you would not because this is a co-op." Upon information and belief, Aidonis Realty and its employee Maria Aidonis, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

129. On November 10, 2021, an HRI tester posing as a prospective tenant contacted John Argyros, an employee of Keller Williams Realty of Greater Nassau County, at (917) 577-9755, regarding an available apartment at 18-36 21st Drive #2R, Astoria, New York 11105. At all relevant times, 18-36 21st Drive #2R was owned by John Silver LLC. The Trulia listing advertised a two bedroom, one bathroom apartment for \$2,150 per month. The representative who answered the phone confirmed himself as John and confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said “I’ve gotta ask.” On November 11, 2021, an HRI tester posing as a prospective tenant contacted John Argyros at (917)577-9755, to follow up on the previous call. The representative who answered the phone confirmed himself as John. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said the landlord “has no experience, basically. He don’t want to mess with it.” When the tester re-confirmed and asked “so, I wouldn’t be able to use it here?” the representative said “according to that, no.” Upon information and belief, Keller Williams of Greater Nassau County and John Argyros, performed the complained-of actions on behalf of John Silver LLC, were authorized by John Silver LLC to act as agents for John Silver LLC, and were acting as agents of John Silver LLC at the time of the tester’s inquiry.

130. On December 2, 2021, an HRI tester posing as a prospective tenant contacted David Najafi, an employee of Maccabee 1 Realty Corp, at (347) 324-4277, regarding an available apartment at 379 E. 2nd Street, #2, Brooklyn, New York 11218. At all relevant times, 379 E. 2nd Street #2 was owned by Asma Begum Emran. The Trulia listing advertised a three bedroom, one bathroom apartment for \$2,600 per month. The representative who answered the phone confirmed he was David and implied the apartment was available. When the tester asked

if she would be able to use a CityFHEPS voucher, the representative said “I’ll speak to the landlord and if he accepts vouchers I’ll call you back.” On December 3, 2021, an HRI tester posing as a prospective tenant contacted David Najafi, to follow-up of the previous call. The representative who answered the phone confirmed he spoke with the tester previously. When the tester asked if he would be able to use a CityFHEPS voucher, the representative said “no he doesn’t take it.” Upon information and belief, Maccabee 1 Realty Corp and its employee David Najafi, performed the complained-of actions on behalf of Asma Begum Emran, were authorized by Asma Begum Emran to act as agents for Asma Begum Emran , and were acting as agents of Asma Begum Emran at the time of the tester’s inquiry.

131. On December 2, 2021, an HRI tester posing as a prospective tenant contacted Dae Kim, an employee of Realty Plus Group Inc., at (917) 699-5686, regarding an available apartment at 4528 Smart Street, Flushing, New York 11355. At all relevant times, 4528 Smart Street was owned by Younggil Corp. The Trulia listing advertised a studio apartment with one bathroom for \$1,650 per month. The representative who answered the phone confirmed he was Dae and confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “no, no, no. The landlord had a bad experience about that and they are not gonna allow a new tenant use any kind of voucher.” Upon information and belief, Realty Plus Group Inc. and its employee Dae Kim, performed the complained-of actions on behalf of Younggil Corp., were authorized by Younggil Corp. to act as agents for Younggil Corp., and were acting as agents of Younggil Corp. at the time of the tester’s inquiry.

132. On December 1, 2021, an HRI tester posing as a prospective tenant contacted Osama Gheith, an employee of Comfort Properties, Inc., at (917) 705-0430, regarding an

available apartment at 214 23rd Street, #2L, Brooklyn, New York 11232. The StreetEasy listing advertised a one bedroom, one bathroom apartment for \$1,850 per month. At all relevant times, 214 23rd Street #2L was owned by American Realty AIJ 214, LLC. The representative who answered the phone stated that the apartment had one offer on it, but that nothing was set in stone. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “the landlord doesn’t take any vouchers.” Upon information and belief, Comfort Properties, Inc. and its employee Osama Gheith, performed the complained-of actions on behalf of American Realty AIJ 214, LLC, were authorized by American Realty AIJ 214, LLC to act as agents for American Realty AIJ 214, LLC, and were acting as agents of American Realty AIJ 214, LLC at the time of the tester’s inquiry.

133. November 29, 2021, an HRI tester posing as a prospective tenant contacted Eunice Chen, an employee of Fultonex Realty, at (516) 469-7785, regarding an available apartment at 144-63 35th Avenue #6A, Flushing, New York 11354. At all relevant times, 144-63 35th Avenue was owned by The Pavilion Owners Corp. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,650 per month. The representative who answered the phone identified herself as “Eunice” and confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “that will not work, that will not work with the building management.” Upon information and belief, Fultonex Realty and its employee Eunice Chen, performed the complained-of actions on behalf of The Pavilion Owners Corp., were authorized by The Pavilion Owners Corp. to act as agents for The Pavilion Owners Corp., and were acting as agents of The Pavilion Owners Corp. at the time of the tester’s inquiry.

134. On November 24, 2021, an HRI tester posing as a prospective tenant contacted Frank DeSantis, an employee of New Spirit Realty Inc., at (718) 921-1200, regarding an available apartment 601 79th Street #C5, Brooklyn, New York 11209. At all relevant times, 601 79th Street #C5 was owned by Apts 601 79 LLC. The Trulia listing advertised a studio apartment with one bathroom for \$1,700 per month. The representative who answered the phone confirmed he was Frank and implied the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “no they’re not gonna take a CityFHEPS voucher”. Upon information and belief, New Spirit Realty Inc. and its employee, Frank DeSantis, performed the complained-of actions on behalf of t Apts 601 79 LLC, were authorized by Apts 601 79 LLC to act as agents for Apts 601 79 LLC, and were acting as agents of Apts 601 79 LLC at the time of the tester’s inquiry.

135. On February 23, 2022, an HRI tester posing as a prospective tenant contacted Frank DeSantis, and employee of New Spirit Realty, at (718) 921-1200, regarding an apartment at 351 Marine Avenue, Apt. A1, Brooklyn, New York 11209. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,700 per month. At all relevant times, 351 Marine Avenue, Apt. A1 was owned by 351 Marine Owners Corp. The representative who answered the tester’s call confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said “its not going to take a CityFHEPS voucher, that building”. Upon information and belief, New Spirit Realty and its employee Frank DeSantis, performed the complained-of actions on behalf of 351 Marine Owners Corp., were authorized by 351 Marine Owners Corp. to act as agents for 351 Marine Owners Corp., and were acting as agents of 351 Marine Owners Corp. at the time of the tester’s inquiry.

136. On November 23, 2021, an HRI tester posing as a prospective tenant contacted a property manager, at (917) 797-3388, regarding an available apartment at 756 40th Street, #2F, Brooklyn, New York 11232. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,900 per month. The representative who answered the phone confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “we don’t take that here.” Upon information and belief, the property manager was Jack Cheng, an employee of Hometown Properties. Upon information and belief, Hometown Properties and its employee Jack Cheng, performed the complained-of actions on behalf of the property owner and was acting as an agent of the property owner at the time of the tester’s inquiry.

137. On January 24, 2022, an HRI tester posing as a prospective tenant contacted Anat Elgarisi, an employee of Abba Realty Associates Inc., at (917) 330-7954, regarding an available apartment at 1405 New York Avenue Apartment 4C, Brooklyn, New York 11210. At all relevant times 1405 New York Avenue, Apartment 4C was owned by Renaissance Equity Holdings LLC A. The Zillow listing advertised a one bedroom, one bathroom apartment for \$1,620 per month. The representative who answered the phone identified himself as “Anat” and confirmed the apartment was available. When the tester asked if they would be able to use a CityFHEPS voucher, the representative said “not for this apartment.” Upon information and belief, Abba Realty Associates Inc. and its employee Anat Elgarisi, performed the complained-of actions on behalf of Renaissance Equity Holdings LLC A, were authorized by Renaissance Equity Holdings LLC A to act as agents for Renaissance Equity Holdings LLC A, and were acting as agents of Renaissance Equity Holdings LLC A at the time of the tester’s inquiry.

138. On January 27, 2022 an HRI tester posing as a prospective tenant contacted Mendel Boymelgreen, an employee of Abba Realty Associates, Inc., at (929) 210-1342, regarding an apartment at 1415 New York Avenue, Aptartment 4C, Brooklyn, New York 11210. The listing advertised a two bedroom, one bathroom apartment for \$1,876 per month. When the tester inquired about using a CityFHEPS voucher, the representative stated “we’re not doing CityFHEPS right now.” Upon information and belief, Abba Realty Associates, Inc. and Mendel Boymelgreen performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

139. On February 8, 2022, an HRI tester posing as a prospective tenant text-messaged Dayana Zamora, an employee of Contact Realty, at (347) 691-0389, regarding an available apartment at 6140 Saunders Street, Apt C4, Flushing, New York 11367. The listing advertised a one bedroom, one bathroom apartment for \$1,700 per month. The representative who answered the tester’s text message indicated that the apartment was available. When the tester inquired about whether the landlord would accept a City FHEPS voucher, the representative said “this is a co-op they do not.” Upon information and belief, Contact Realty and its employee Dayana Zamora performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

140. On February 8, 2022, an HRI tester posing as a prospective tenant text-messaged Dayana Zamora, and employee of Contact Realty, at (347) 691-0389, regarding an apartment at 64-62 Booth Street #2, Rego Park, New York 11374. The Zillow listing advertised a one bedroom, one bathroom apartment for \$1,850 per month. The representative who answered the tester’s text confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said “this is a coop they do not.”

Upon information and belief, Contact Realty and its employee Datana Zamora, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

141. On February 22, 2022, an HRI tester posing as a prospective tenant text-messaged Belinda Gillis, an employee of B. Belinda Realty LLC, at (917) 604-9893, regarding an available apartment at 863 Sterling Place #1, Brooklyn, New York 11216. Upon information and belief, 863 Sterling Place #1 was owned by 863 Sterling LLC. The listing advertised a studio apartment for \$1,650 per month. The representative who answered the tester's text message confirmed the apartment was available. When the tester inquired about whether they could use a CityFHEPS voucher for the apartment, the representative said "no." Upon information and belief, B. Belinda Realty LLC and Belinda Gillis performed the complained-of actions on behalf of 863 Sterling LLC, were authorized by 863 Sterling LLC to act as agents for 863 Sterling LLC, and were acting as agents of 863 Sterling LLC at the time of the tester's inquiry.

142. On January 20, 2022, an HRI tester posing as a prospective tenant contacted Ayanna Barton, an employee of Ivey North, at (646) 408-6817, regarding an apartment at 99-54 62nd Road #1Y, Rego Park, New York 11374. The listing advertised a studio apartment for \$1,475 per month. The representative who answered the tester's call confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative stated "not this one, not this one." Upon information and belief, Ivey North and Ayanna Barton performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

143. On November 2, 2022, an HRI tester posing as a prospective tenant text-messaged Johnathan Cruz, an employee of Batra Group, at (646) 316-9928, regarding an apartment at 251 Himrod Street, Apartment 2R, Brooklyn, New York 11237. At all relevant times, 251 Himrod Street Apartment 2R was owned by 251 Himrod LLC. The StreetEasy listing advertised a two bedroom, one bathroom apartment for \$2,100 per month. The representative who responded to the tester's text message confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative stated "the landlord does not." Upon information and belief, Batra Group, and its employee Johnathan Cruz, performed the complained-of actions on behalf of 251 Himrod LLC, were authorized by 251 Himrod LLC to act as agents for 251 Himrod LLC, and were acting as agents of 251 Himrod LLC at the time of the tester's inquiry.

144. On November 4, 2022, an HRI tester posing as a prospective tenant contacted Rebekah Gibson, an employee of Olausson Partridge Steffan, at (347) 699-5480, regarding an apartment at 24-35 Steinway Street #5, Astoria, New York 11103. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,900 per month. The representative who answered the tester's call confirmed she was "Rebekah" and confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative stated "I do not think I can get [the landlord] when that has been such a bad situation for him." The representative would not check with the landlord to confirm whether they would accept a CityFHEPS voucher, instead she continued "maybe you can find somebody else that will work with you cause I- it's just been difficult." Upon information and belief, Olausson Partridge Steffan, and its employee Rebekah Gibson, performed the

complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

145. On March 3, 2022, an HRI tester posing as a prospective tenant contacted Yael David, and employee of Manhattan Flats, at (347) 273-3243, regarding an apartment at 252 E 89th Street, #3B, New York, New York 10128. The Trulia listing advertised a studio apartment for \$1,850 per month. The representative who answered the tester's call confirmed it was Yael and confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said "no" and explained that the tester should "stay away from co-op" because "you cannot do vouchers on a co-op". Upon information and belief, Manhattan Flats, and its employee Yael David, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

146. February 28, 2022, an HRI tester posing as a prospective tenant contacted Danny Doumanis, an employee of Guardian Group Realty, at (917) 705-2600, regarding an apartment at 25-41 12th Street #3, Astoria, New York 11102. At all relevant times, 25-41 12th Street #3 was owned by 25-41 12th Street LLC. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,750 per month. The representative who answered the tester's call confirmed he was Danny and told the tester to contact another number to confirm the apartment was available. The tester then asked Danny a few questions about the apartment. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said "not this one, no." Upon information and belief, Guardian Group Realty and Danny Doumanis, performed the complained-of actions on behalf of 25-41 12th Street LLC, were authorized by

25-41 12th Street LLC to act as agents for 25-41 12th Street LLC, and were acting as agents of 25-41 12th Street LLC at the time of the tester's inquiry.

147. On February 22, 2022, an HRI tester posing as a prospective tenant contacted (646) 461-4667, regarding an apartment at 5928 159th Street #2, Fresh Meadows, New York 11365. The Trulia listing advertised a two bedroom, one bathroom apartment for \$1,950 per month. The representative who answered the tester's call confirmed the apartment was available. Although the Trulia listing indicated the phone number was for Steven Cheng, the person who answered the phone identified herself as Linda. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said "I have to ask the landlord." On February 23, 2022, an HRI tester posing as a prospective tenant followed up and re-contacted (646) 461-4667. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative, who identified herself as Linda, said "city voucher no sorry". Upon information and belief, Mayflower Realty and Associates and Linda Cheng, performed the complained-of actions on behalf of the property owner and were acting on behalf of the property owner at the time of the tester's inquiry.

148. On February 14, 2022, an HRI tester posing as a prospective tenant contacted (718) 852-8018, regarding an apartment at 107 South Elliott Place #3R, Brooklyn, New York 11217. The Trulia listing advertised a studio apartment with one bathroom apartment for \$1,825 per month. The representative who answered the tester's call said her name was Maya and was Eva Daniel's assistant- Eva Daniels was the listed broker. When the tester asked if the apartment was still available, Maya placed the tester on a brief hold to confirm with the realtor. When the tester asked if they could use a City FHEPS voucher for this apartment, Maya placed the tester on hold again to check with the realtor. After checking with the realtor, Maya said

“yeah, no, we do not accept any vouchers.” Upon information and belief, Eva M. Daniels Realty, Eva Daniels, and Maya, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

149. On March 14, 2022, an HRI tester posing as a prospective tenant contacted Mike Atia, an employee of Citi Nest Group LLC, at (347) 229-7660, regarding an apartment at 127 27th Avenue #3B, Brooklyn, New York 11214. At all relevant times, 127 27th Avenue #3B was owned by 123 Park LLC. The StreetEasy listing advertised a one bedroom, two bathroom apartment for \$2,100 per month. The representative who answered the tester’s call confirmed he was Mike, and confirmed the apartment was available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said “not on this one.” Upon information and belief, Citi Nest Group LLC and its employee Mike Atia, performed the complained-of actions on behalf of 123 Park LLC, were authorized by 123 Park LLC to act as agents for 123 Park LLC, and were acting as agents of 123 Park LLC at the time of the tester’s inquiry.

150. On March 15, 2022, an HRI tester posing as a prospective tenant contacted Boris Beryland, an employee of Maximillion Realty, Inc., at (516) 469-5549, regarding an apartment at 1180 Ocean Parkway #5C, Brooklyn, New York 11230. The StreetEasy listing advertised a studio apartment for \$1,500 per month. The representative who answered the tester’s call implied the apartment was still available. When the tester asked if they could use a CityFHEPS voucher for this apartment, the representative said “I do not think so” and agreed to call management to confirm whether they would accept the voucher. On March 17, 2022, the tester called the number back to follow up on their previous conversation. When the tester asked if they would be able to use a CityFHEPS voucher for the apartment, the representative said “I

don't think you'll be able to use the CityFHEPS over there". Upon information and belief, Maximillion Realty, Inc. and its employee Boris Beryland, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester's inquiry.

151. On November 17, 2021, an HRI tester posing as a prospective tenant contacted David Reytblat, at (917) 905-8763, regarding an apartment at 2909 Ocean Avenue, Apartment 4J, Brooklyn, New York 11235. The Zillow listing advertised a studio apartment with one bathroom for \$1,450 per month. The representative who answered the tester's text message implied the apartment was available. When the tester asked if they could use a City FHEPS voucher for this apartment, the representative replied "no, owner doesn't accept it." Upon information and belief, David Reytblat performed the complained-of actions on behalf of the property owner and was acting on behalf of the property owner at the time of the tester's inquiry.

152. On November 1, 2021, an HRI tester posing as a prospective tenant contacted property owner Richard Cuffaro, at (516) 447-8913, regarding an available apartment at 1779 61st Street, #3R, Brooklyn, New York 11204. The Trulia and Zillow listing advertised a two bedroom, one bathroom apartment for \$1,850 per month. The representative who answered the phone implied the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said "we don't accept the vouchers." Upon information and belief, Richard Cuffaro performed the complained-of actions on his own behalf.

153. On November 2, 2021, an HRI tester posing as a prospective tenant contacted Edward Rozenenthal at (917) 960-8973, regarding an available apartment at 1200 Gravesend

Neck Road, #5L, Brooklyn, New York 11229. The Trulia listing advertised a one bedroom, one bathroom apartment for \$1,600 per month. The representative who answered phone implied the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative said “they’re not obligated to take it”. When the tester then asked if he would be able to apply, the representative said “I’m sorry”. Upon information and belief, Edward Rozenthal, performed the complained-of actions on behalf of the property owner and were acting as agents of the property owner at the time of the tester’s inquiry.

154. On November 3, 2021, an HRI tester posing as a prospective tenant contacted property owner Niina Poole, at (929) 800-8330, regarding an available apartment at 2299 East 13th Street, Apartment 5A, Brooklyn, New York 11229. The Zillow listing advertised a studio apartment with one bathroom for \$1,400 per month. The individual who answered the phone confirmed she was Niina and confirmed the apartment was available. Initially, when the tester asked if they could use their CityFHEPS voucher, Niina said she would check with the co-op board. When the tester followed up on November 3, 2022, and asked if Niina was able to find out if the co-op board would accept his CityFHEPS voucher, she said “no, they don’t.” Upon information and belief, Niina Poole performed the complained-of actions on behalf of herself.

155. On October 25, 2021, an HRI tester posing as a prospective tenant contacted a property manager at (929) 560-2011, regarding an available apartment at 71-50 69th Place #2L, Ridgewood, N.Y. 11385. At all relevant times, 71-50 69th Place #2L was owned by Paul Nyland. The Trulia listing advertised a two bedroom, one bathroom apartment for \$1,895 per month. The representative who answered the phone confirmed the apartment was available. When the tester asked if she would be able to use a CityFHEPS voucher, the representative

said “we don’t get involved in the city programs and vouchers, I’m sorry.” Upon information and belief, the property manager was Paul Nyland. Paul Nyland performed the complained-of actions on behalf of himself.

156. Upon information and belief, and based on the statements Defendants and their representatives made to HRI testers during the calls described above, Defendants have policies or practices of refusing to accept CityFHEPS at the subject properties, which Defendants are owners of or persons with permission to rent or lease.

157. By their acts, policies, and practices, Defendants refused to rent to individuals who intend to use CityFHEPS at their rental properties. In doing so, Defendants unlawfully discriminated against renters based on their source of income.

HARM TO HRI AND THE COMMUNITIES IT SERVES

158. Defendants’ unlawful conduct has harmed HRI and the communities that it serves.

159. As part of HRI’s mission to ensure all New Yorkers have equal access to housing, HRI employed a testing program to monitor compliance with federal, state, and local civil rights laws that prohibit discrimination against members of legally protected classes. If HRI discovers housing discrimination, HRI undertakes broad remedial efforts to eliminate the discrimination in order to further its goals of promoting fair housing and eliminating unfair real estate practices.

160. When HRI finds discrimination, it diverts resources to address the problem through education and outreach, advocacy, training, collaboration and, if necessary, enforcement. Because it is not only important to remedy past discrimination but to take steps to prevent similar future discrimination from occurring, the activities used in this effort have included education and outreach to affected or potentially affected populations, the public at large,

enforcement agencies, schools, houses of worship, and the owners and employees of entities engaged in discriminatory conduct for future compliance with applicable laws. With respect to source of income discrimination, HRI has used all of these measures.

161. When HRI became aware of the widespread source of income discrimination in New York's housing markets, HRI diverted time and financial resources to fully investigate and identify the extent of the unlawful practices through its testing program. In addition to the testing, HRI made the following efforts:

- Creating and providing educational materials to schools, churches, and other local partners informing them of discrimination HRI discovered, the rights of prospective tenants, and the responsibilities of landlords and brokers concerning source of income discrimination;
- Creating and publishing website content for HRI's website about source of income discrimination in New York;
- Outreach to elected officials and government agencies in New York City to discuss HRI's findings;
- Outreach directly to the Defendants to educate them about their responsibilities as landlords and brokers; and
- Publishing op-eds and advertisements about source of income discrimination and the rights of tenants.

162. The diversion of HRI's resources to address Defendants' discrimination has reduced HRI's ability to further its other efforts, including their advocacy in New York State's rent stabilization laws and tax benefit programs, among other matters.

163. Defendants' wrongdoing will continue to injure HRI by frustrating its mission to promote fair housing opportunities in New York State, and will require HRI to continue to divert its resources to combat practices that deny housing opportunities to voucher holders, preventing HRI from continuing its other advocacy work on behalf of tenants.

FIRST CLAIM FOR RELIEF

(New York State Human Rights Law)

164. Plaintiff restates and incorporates by reference the preceding paragraphs as if fully set forth herein.

165. Plaintiff is a "person" within the meaning of the New York State Human Rights Law. The NYSHRL defines a "person" as including "one or more individuals, partnerships, associates, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers." N.Y. Exec. Law §292(1).

166. Defendants are brokers and/or owners of housing accommodations and/or have the right to approve or assist in the rental of housing accommodations in New York State. Defendants are "persons" under the NYSHRL. N.Y. Exec. Law §292(1).

167. The NYSHRL defines a "housing accommodation" broadly to include "any building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied, as the home, residence, or sleeping place of one or more human beings." N.Y. Exec. Law §292(1).

168. The NYSHRL defines "lawful source of income" to include "local public assistance or housing assistance . . ." N.Y. Exec. Law §292(36).

169. The NYSHRL provides that it should be an "unlawful discriminatory practice for the owner, lessee, sub-lessee, assignee, or managing agent of, or other person having the right to sell, rent or lease a housing accommodation," among others

to refuse to sell, rent, lease or otherwise to deny or withhold from any person or group of persons such a housing accommodation because of . . . ***lawful source of income*** . . . or to represent that any housing accommodation or land is not available for inspection, sale, rental or lease when in fact it is available to do so.

N.Y. Exec. Law §296(5)(a)(1) (emphasis added).

170. The NYSHRL also makes it an “unlawful discriminatory practice for the owner, lessee, sub-lessee, assignee, or managing agent of, or other person having the right to sell, rent or lease a housing accommodation,” among others

to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such housing accommodation or to make any record or inquiry in connection with the prospective purchase, rental or lease of such a housing accommodation which expresses, directly or indirectly, any limitation, specification or discrimination as to . . . ***lawful source of income*** . . . or any intent to make any such limitation, specification or discrimination.

N.Y. Exec. Law §296(5)(a)(3) (emphasis added).

171. Section 296(5)(c) of the N.Y. Exec. Law provides that it is “unlawful discriminatory practice for any real estate broker, real estate salesperson or employee or agent thereof: (1) To refuse to . . . rent or lease any housing accommodation . . . to any person or group of persons because of . . . lawful source of income . . .”

172. Section 296(6) of the N.Y. Exec. Law provides that it shall be “an unlawful discriminatory practice for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden [by Section 296(5)], or attempt to do so.”

173. Defendants as owners, landlords, real estate brokers, persons with the right to rent or lease property, or agents or employees thereof, with respect to the subject properties, engaged in a pattern or practice of discriminating against voucher holders by refusing to rent

or lease apartments to them based on lawful source of income, in violation of N.Y. Exec. Law §296.

174. Defendants' conduct was willful and intentional.

175. HRI has suffered injury as a result of Defendants' actions.

176. Under the NYSHRL, a Plaintiff may seek actual damages, punitive damages, injunctive relief, and reasonable attorneys' fees and costs.

177. By reason of the foregoing, HRI is entitled to actual damages, punitive damages, injunctive relief, and reasonable attorneys' fees and costs.

SECOND CLAIM FOR RELIEF

(New York City Human Rights Law)

178. Plaintiff restates and incorporates by reference the preceding paragraphs as if set forth fully herein.

179. Defendants are the brokers and/or landlords of housing accommodations and/or have the right to approve the housing accommodation located in New York City as defined by Section 8-102(10) of the N.Y.C. Admin. Code to include "any building . . . which is used or occupied . . . as the home, residence, or sleeping place of one or more human beings."

180. As owners, real estate brokers, and/or real estate sales people, the Defendants are "persons" and "covered entities" under Section 8-107 of the New York City Admin Code. *See* N.Y.C. Admin. Code §8-102.

181. Section 8-102 of the N.Y.C. Admin. Code provides that "lawful source of income" includes income derived from "any form of federal, state or local public assistance or housing assistance . . ."

182. Section 8-107(5)(a) of the N.Y.C. Admin. Code provides that it shall be

unlawful discriminatory practice for the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease or

approve the sale, rental or lease of a housing accommodation . . . or any agent or employee thereof . . . to refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any such person or group of persons such a housing accommodation

because of any lawful source of income.

183. Section 8-107(5)(c) of the New York City Admin. Code provides that it shall be “an unlawful discriminatory practice for any real estate broker, real estate salesperson or employee or agent thereof, to refuse to sell, rent, lease any housing accommodation . . . to any person or group of persons . . . because of any lawful source of income of such persons.”

184. Section 8-107(6) of the New York City Admin. Code provides that it shall be “an unlawful discriminatory practice for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden [by Section 8-107(5)], or to attempt to do so.”

185. Defendants violated Sections 8-107(5) and 8-107(6) of the N.Y.C. Admin. Code by adopting policies that deny or withhold apartments for rent because of source of income.

186. Defendants’ conduct was willful and intentional.

187. Plaintiff HRI is an “aggrieved person” as defined by New York City Admin. Code §8-502(a), and has suffered damages as a direct and proximate result of Defendants’ discriminatory conduct.

188. Accordingly, under New York City Admin. Code §§8-502, Plaintiffs are entitled to actual damages, punitive damages, injunctive relief, and reasonable attorneys’ fees and costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment against Defendants as follows:

- a. Declaring that Defendants’ discriminatory practices violate the New York State Human Rights Law, New York Executive Law §296 *et seq.*;

- b. Declaring that Defendants' discriminatory practices violate the New York City Human Rights Law, New York City Administrative Code §8-107 *et seq.*;
- c. Enjoining Defendants, Defendants' agents, employees, and successors, and all other persons in active concert or participation from:
 - (i) Denying or withholding, or otherwise making housing unavailable on the basis of lawful source of income;
 - (ii) Making, printing, or publishing any statement with respect to the rental of a dwelling that indicates any preference, limitation, or discrimination on the basis of lawful source of income;
 - (iii) Making any record or inquiry in connection with the prospective purchase, rental, or lease of any housing accommodation which expresses, directly or indirectly, any limitation, specification or discrimination as to lawful source of income;
 - (iv) Representing to any person because of lawful source of income that a dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available and by limiting information, by word or conduct, regarding suitably priced dwellings for inspection, sale, or rental because of lawful source of income;
 - (v) Discriminating against any person in the terms, conditions, or privileges of rental of a dwelling because of source of income;
 - (vi) Aiding, abetting, inciting, compelling, or coercing the doing of any of the acts forbidden by the New York State Human Rights Law and/or the New York City Human Rights Law; and
 - (vii) Coercing, intimidating, threatening, or interfering with any person in the exercise or enjoyment of or on account of his having exercised or enjoyed, or on account of

his having aided or encouraged any other person in the exercise or enjoyment of any rights granted or protected by the New York State Human Rights Law and/or the New York City Human Rights Law;

- d. Enjoining Defendants and their agents, employees, and successors, and all other persons in active concert or participation to:
 - (i) Make all necessary modifications to their policies, practices, and procedures to comply with fair housing laws;
 - (ii) Train all management, agents, and employees on fair housing laws;
 - (iii) Display an Equal Opportunity logo (or statement to that effect) on all advertisements for rental property and display HUD, state, and local fair housing posters in all offices;
 - (iv) Allow monitoring of their advertising, listings, showing of apartments, application process, and rental decisions;
 - (v) Retain records to allow for appropriate monitoring;
 - (vi) Develop written procedures on rental process and fair housing policy to be distributed to all staff, tenants, and rental applicants; and
 - (vii) Establish a system so that their employees and agents can be tested for unlawful discriminatory practices;
- e. Awarding such damages to Plaintiff Housing Rights Initiative as will fully compensate it for the diversion of resources and frustration of mission caused by Defendants' unlawful practices;
- f. Awarding punitive damages to Plaintiff;

- g. Awarding Plaintiff reasonable attorneys' fees, costs, and expenses incurred in prosecuting this action; and
- h. Granting Plaintiffs such other and further relief as may be just and proper.

A JURY TRIAL IS DEMANDED

Dated: New York, New York
May 25, 2022

NEWMAN FERRARA LLP

By: Randolph M. McLaughlin
Randolph M. McLaughlin

By: Casey Katz Pearlman
Casey Katz Pearlman

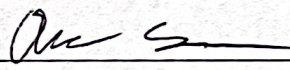
Randolph M. McLaughlin
Debra S. Cohen
Casey Katz Pearlman
1250 Broadway, 27th Floor
New York, New York 10001
Tel: 212-619-5400
Fax: 212-619-3090
rmclaughlin@nflp.com
dcohen@nflp.com
cpearlman@nflp.com

Counsel for Plaintiff

VERIFICATION

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

Aaron Carr, being duly sworn, deposes and says that deponent is the founder and Executive Director of the Plaintiff in the within action, that he has read the foregoing Complaint and knows the contents thereof, that the same is true to Deponents own knowledge, except as to the matters stated therein to be alleged on information and belief, and that as to those matters deponent believes to be true.



Aaron Carr

Sworn to before me this

23 day of May 2022



NOTARY PUBLIC

EUCARYS S MARTINEZ
Notary Public - State of New York
NO. 01MA6348755
Qualified in Bronx County
My Commission Expires Oct 3, 2024