A PIT BULL LANDLORD PUTS THE BITE ON HELL'S KITCHEN RENTERS

TOSSELLING OUT TENANTS

BY TOM ROBBINS page 14
Tenants be gone

AMID WEST SIDE DEVELOPMENT FEVER, A PIT BULL LANDLORD ON WEST 45TH STREET CONFRONTS HIS Loft DWELLERS

BY TOM ROBBINS

The blocks west of Tenth Avenue, past the railroad cut in Hell's Kitchen, have always been a no-man's-land, an anything-goes kind of place where bad things can happen to good and not-so-good people alike. So when the big-bulldog guy with the pit bull stepped into the concrete courtyard of an aging industrial complex now filled with artists' living lofts, bellowing that he would kill the next person who called the authorities on him, it wasn't the biggest shock in the world for those who heard him.

Hell's Kitchen knows from tough guys. The sunken railroad line just east of the property is where the old Coppers gang used iron spikes to club the guards before they looted the boxcars. In the '70s, when the artists moved in, a savage crew called the Westies shook down everyone in sight. These days, however, it's the land itself that's worth the most. The new land developers are more likely to settle homes than wreaths.

And as near as the beleaguered tenants of 517-25 West 45th Street could figure out, the man screaming in the courtyard, a Win Diesel-style bruiser with a criminal record named Kaine Rosado, was there at the request of their landlord to make their lives somewhat less than comfortable. After all, when Stavros Papaionannou, owner of a couple of Greek restaurants in the Bronx, bought the place, he promptly told the building's rent-controlled residents they would all have to go.

Records show that Papaionannou paid a hefty $5.2 million, a price that bought him an entire four-building property with 19 units containing a hedgehog of eight rent-regulated tenants who'd been there for years, paying less than $200 apiece, and 10 free-market units topping out at an impressive $3,200 a month. Papaionannou first told his tenants their days were up at a meeting in the courtyard. Then, incredibly, he put it in writing. "You have been here long enough," the landlord wrote in May 2004. They had "two choices": "the good way," which meant a modest $12,000 each buyout, or a vague "second choice" that included lawyers, city clerks, etc. They had a month to decide.

The tenants didn't budge. Last week, Papaionannou's lawyer, Michael Hartofilis, dismissed the letters as a "feasible attempt at harassment." "He took a shot," said Hartofilis. "Let's not kid each other. A landlord is looking to displace the lower-paying tenants. So the tenant goes and finds out what his rights are and says, 'Hey, go scratch your ass.'"

As for the trouble with the big guy who lives with the dog, Hartofilis insisted his client had absolutely nothing to do with that. Residents, however, couldn't help but wonder.

Their suspicions began when Rosado, 32, moved in last summer, telling everyone that he was friendly with Tommly Papaionannou's son, who serves as a building manager. Rosado announced that he was installing an eight-bedroom bed-and-breakfast on the fourth floor of the rear building. While the bed-and-breakfast gambit was a new one, tenants knew that the space had already been scouted by massage parlor entrepreneurs, and wasn't even supposed to be used for residential living.

"He was this big guy, all bulked up with tattoos, and he had three other big guys with him," recalled Branden Solotoff, who lives on the ground floor. "He asked me what he was going to be, and he said, 'There's going to be people coming and going here all the time.' I was like, 'I'm not sure that's a good idea,'" and he said he was going to do whatever he wanted and it would be better stay out of his way."

Things went downhill fast from there. Rosado let his 70-pound pit bull roam unattended and menacingly around the courtyard. At three or four in the morning, his work crews were still hammering away over the heads of Tom Cayler and his wife, Claire Marshall, who live on the floor below.

One night in the wee hours, Rosado and a girlfriend took a stroll on the roof of an adjoining two-story building in the property, awakening Edward Jabeel Ashley and his family downstairs. Ashley, who's lived there since 1978, enduring countless leaks in the fragile roof, went to see what was up. Words were exchanged in which Rosado suggested, "He didn't appreciate being questioned and that the complaint had to get through his tenant," according to the prosecutor.

That was Rosado's version, anyway. Ashley heard something more along the lines of "I'll deal with you tomorrow," a threat that disturbed him enough to file a complaint with police.

Cayler and others called everyone they could think of—the buildings department, the fire department, fire cops. They got nowhere. The Managing Office of Midtown Enforcement, Robert Saglow, an inept and indifferent cop from the office, along with two police officers assigned to the unit, warned Rosado that his construction was illegal. He was told he was being monitored around giving everyone those long, hard stares," said Ashley.

Tenant letters increased when it was learned Rosado had a record stemming from a kidnapping incident involving an undercover girl in New Jersey. In 1999 in New York, records show, Rosado also pled guilty to criminal contempt for harassing a woman. He got probation on both charges.

The cops warned residents to steer clear of the big guy. But that was hard to do. A couple of days later, Cayler and his 10-year-old son, Cali, encountered Rosado in the stairwell. Rosado addressed Cali. "Tell your father I'm coming after him," he said.

A disturbed Cayler took that story to the Midtown North precinct, where Detective Joe Cornetta agreed to have a talk with Rosado. That evening, Cornetta and three officers went to see him on the fourth floor. There, according to a criminal complaint, they spotted illegal steroids and 20 hypodermic needles. When cops tried to cuff Rosado, he broke away and had to be subdued. As he was led downstairs, past Cayler's door, he screamed, "I'm going to kill you!"

Rosado was hit with four misdemeanors, including drug possession, resisting arrest, and harassment. Cayler got a record stemming from protection. But Rosado raked bail and was back in the building the next day.

He'd been bailed out by Tommy Papaionannou, Rosado said later. He tried to go back to work, but inspectors kept the pressure up, and after a few weeks, Rosado packed his bags and left. He skipped town to Boston, where, reached last week by cell phone, he acknowledged that there were warrants for his arrest from the incident. "I'm going to take care of them when I get my life back together," he said.

As to his involvement with the Papaionannou, Rosado said he too was a victim. "That's right, Tommy paid my bail. I called him from jail and said, 'You got me into a lot of trouble.' Not only did the younger Papaionannou spring for the $2,000 bail, Rosado said, he also repaid him nearly $40,000 to cover expenses from the failed construction project. It had been Tommy's plan, Rosado said, that the "bed-and-breakfast" would somehow help the owners win eviction of the loft tenants.

"He said I would be a tool for him to get them out. Not a physical tool, but like political," said Rosado. "But he was supposed to get the permits. He got the permits. Tommy is a con artist."

Hartofilis, the owners' lawyer, said he knew nothing about those details, including why Tommy Papaionannou would've paid Rosado's bail. "That Kaine was a very good guy," said Hartofilis. "He called me a few times. Very nasty."

> Although they never quite bargained to have a tough guy and his dog prowling the property, the loft dwellers knew they were moved in the place that could get rough. Cayler, an actor, and Marshall, a board president, moved into the floor loft at the rear of the courtyard in 1979. They joined painters, sculptors, and musicians who had been there for years. Back then, the buildings were owned by a retired movie director who brews metal helmets. He was happy to rent raw space to anyone willing to pay rent in cash and put up with no heat or hot water after 7 p.m. and weekends. Any improvements were up to them.

Cayler and Marshall installed a kitchen, bath, and wiring, a kind of sweet equity to the loft. But the old buildings were owned by a retired movie director with local Savagery. On the street, the couple often encountered hookers servicing complete strangers.
Robbins from p15

ted of the block. On Christmas Day, 1991, one
dealer torched another’s Cadillac right out
front. Cayler snapped a photo of the flaming
auto and made it into a greeting card. “Merry
Christmas from Hell’s Kitchen,” he wrote.

But the price was right. Their 1,600
square feet of bare floor and walls back then
went for $300 a month; today it’s $480, a frac-
tion of what the market would bring. “We’re
what John Tierney of the Times calls the
‘rentocracy,’” said Cayler. “We pay very little
for a lot of space. But we’ve paid a lot of dues,
and we’re part of the reason this area’s attrac-
tive now to developers.”

Whatever the rent, lofts like those on
West 45th Street are protected under a 1982
Koch-era law that declared existing lofts
“Interim Multiple Dwellings”—IMDs in
housing jargon. The deal brought relative
peace to years of bitter landlord-tenant bat-
tles. To get out from under the law’s con-
straints, owners must obtain a proper
certificate of occupancy. The lofts are then
shifting into the rent stabilization system;
owners can also legally try to take one unit
every two years for their own use.

Marty has slipped just that. “There were
600 buildings originally in the system, and
almost half of those owners have done what
they were supposed to do and are no longer
covered,” said Chuck DeLaurier, a loft ten-
tant and longtime member of the city’s loft board.
“The rest collect the rent. And there are al-
ways a couple of wild men.”

Papahianou has not appeared in the
court, bureaucratic route. Instead, tenants
say, he immediately began trying to get the
IMDs out, while shortchanging everyone.
market-rate residents included, on services.

When Elliott Patterson, her husband, and
her baby moved in a year ago, paying $3,000
for about 1,000 square feet, Tommy Papahian-
uou promised in writing that the elevator
would work. Instead, Patterson said, the man-
ager made a series of excuses and then con-
fessed that he didn’t really want it to operate.

“He admitted to me he had IMDs in the build-
ing and he had to get them out and that was
why the elevator wasn’t working,” she said.
Patterson was also alarmed when the
landlord rented out an auto body spray-paint
operation on her building’s ground floor—a
violation cited repeatedly by city inspectors.

“The fumes were so strong you didn’t even
want to be in the apartment,” said Patterson.

Others paying top dollar also voiced gripes. Richard Meyer, who pays $2,500, said
he had to run his stove and electric heating
the past two winters. “They just weren’t paying
the oil bill,” he said. Meyer said Tommy Pa-
phianou also suggested to him that his
game plan was to get the IMDs out. “He said
he was going to raise the rents really high and
get everybody out,” said Meyer.

Aric Zago, who shells out $3,200
a month for 1,200 square feet, said the new
owners’ arrival coincided with a slide in
services and other headaches. Roof leaks
went unpatched, he said. One night, hun-
dreds of teenagers filled the courtyard.

It turned out that a vacant space had been
rented for a saw. “It was a lot of noise, fights.
I just kept my door closed,” he said.

Hartofis pinned the elevator outages to a
CalEd fraud, and denied that the heat was
out. As for Tommy Papahianou’s alleged
vow to rid the place of the IMDs, he said,
“Landlords talk that way all the time. I ex-
plained to him he couldn’t force people out.”

The lawyer also insisted that his clients
were not responsible for the most recent de-
velopment at the complex, in which units
have been broken up into sublet units.

City inspectors issued criminal summonses
to building owners for
apartments illegally
broken up into hazardous
single-room-occupancy
apartments, with as many as
six bedrooms each.

enforcement unit. “You have to make sure it’s
safe, that people have sufficient space to get
out in case of fire or other emergencies.”

Hartofis said he thought the crim-
inal summonses had been dealt with. “I’m
ever sure, I thought they’d been an-
swered,” he said.

Meanwhile, tenants in the buildings
have formed a popular front, with the
low-
rent dwellers and the high-end tenants
mutually seeking a court order appointing an
outside administrator to run the buildings.

The court action is being pressed by a local
neighborhood group, Housing Conservation
Coordinators, for a ban on tenant protec-
tions in the area.

Bob Kalin, a veteran organizer at the
group, said the Papahianous have failed to
live up to numerous promises made in court
to make repairs. “These buildings really typ-
ify this Wild West mentality you see out
there these days,” he said. “The owners think
they can do whatever they want. The atti-
dute has been stoked by the fowever West
Side development market and the recent
Hudson Yards rezoning to the south, Kalin
said. “The market and all of agressive de-
velopment activity we’re seeing is between
Tenth and Eleventh avenues,” said Kalin.

Even the mileaue, avoided stigma by the
gophers provided there, is, a target
for development now. “Before,” he said, “it
was just too expensive.”