

N.Y. human rights commission settles discrimination case

Sunday, 02 March 2008

By Suzan Clarke • The Journal News • March 1, 2008

The Rockland County Commission on Human Rights has settled a case against a Spring Valley co-op, its agent and others who were accused of failing to perform improvements on an apartment unit after accepting payment from an infirm father and his disabled daughter.

Hickory House Tenants Corp. of 215 N. Main St. allegedly violated fair housing laws when its representatives and agents sold an apartment to Joanne Claman, who already owned a unit there, and her New City father, Morton Claman, and then failed to provide the agreed-upon improvements to the new unit, according to the complaint.

The terms of the August 2006 sale indicated that the new unit was to come installed with two new air-conditioning units, a handicapped rail, a larger toilet and a larger refrigerator in order to make it suitable for Joanne Claman, according to the complaint filed last year by Judy Claman-Fantasia - Morton Claman's daughter and Joanne Claman's sister.

The Clamans put down \$75,000 in cash for the unit and an additional \$2,500 for the repairs, the complaint alleges.

The contract said that the improvements had been made, but they in fact had not been made, Claman-Fantasia said.

Hickory House Tenants Corporation; JTF Management Associates Ltd.; Marc Fishman, a broker for Hickory House Corp.; Chris Wyatt, superintendent at Hickory House; and William C. Wyatt and JCW Construction, have jointly paid to settle the case, according to the commission.

The co-op and its management company paid \$10,700 and the construction company paid \$1,850. In addition, the management company agreed to remove another \$2,500 in charges it had imposed.

Claman-Fantasia disputed the legitimacy of the \$2,500 charges yesterday, saying they should never have been imposed. She declined to comment on the rest of the complaint.

Claman-Fantasia had alleged in her complaint that the respondents took funds and ongoing maintenance fees and failed to make the promised and paid-for renovations because they knew her disabled sister and infirm father could not do anything about the situation.

Morton Claman died in December. He was 89.

Joanne Claman is reportedly a longtime resident of Hickory House, and her disabilities were known to the respondents, the complaint said.

The repairs to the unit had not been made even six months after the purchase of the unit, the complaint alleged. A message left for Hickory House was not returned yesterday.

The commission didn't make a determination of wrongdoing on the case but settled because it is mandated by law to encourage conciliation at every step in the process, Commissioner S. Ram Nagubandi said yesterday.

The case was settled after several meetings. The respondents agreed in January to the payment amount on the condition they were admitting no wrongdoing, he said.

They also agreed to drop an Article 78 proceeding against the commission, Nagubandi said. An Article 78 lawsuit allows citizens to challenge actions of state and local governments.

In a statement, County Executive C. Scott Vanderhoef said: "We would not stand for discrimination against our citizens with disabilities in our county. We should all work to make sure that our citizens with disabilities have the same privileges as any other citizens."

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Source: <http://lohud.com/apps/pbcs.dll/article?AID=/20080301/NEWS03/803010374>