

HOUSING DISCRIMINATION COMPLAINT

1. Complainant:

Fair Housing Justice Center (“FHJC”)
30-30 Northern Blvd., Suite 302
Long Island City, New York 11101
(212) 400-8201
fhjc@fairhousingjustice.org

2. Represented by:

Daniel Mullkoff, Esq.
dmullkoff@chwllp.com
Mariann Meier Wang, Esq.
mwang@chwllp.com
Cuti Hecker Wang LLP
305 Broadway, Suite 607
New York, New York 10007
(212) 620-2600

3. Other Aggrieved Parties:

FHJC conducted its investigation in response to individuals reporting discrimination by Urban Pads LLC, but this complaint is filed only on behalf of FHJC.

4. The following is alleged to have occurred or is about to occur:

- Withholding the rental of a housing accommodation because of lawful source of income [Sections 296(5)(a)(1) and 296(5)(c)(1)]
- Refusing to negotiate for the rental of a housing accommodation because of lawful source of income [Section 296(5)(c)(1)]

5. The alleged violation occurred because of:

Source of income

6. Address and location of the properties in question:

- 655 Hancock Street, Brooklyn, New York [a 2-unit rental building]
- 2157 Pacific Street, Brooklyn, New York [an 8-unit rental building]
- 290 East 56th Street, Brooklyn, New York [a 24-unit rental building]
- 2909 Albemarle Road, Brooklyn, New York [a 9-unit rental building]
- 1059 Winthrop Avenue, Brooklyn, New York [a 2-unit rental building]
- 1517 Dean Street, Brooklyn, New York [a 3-unit rental building]
- 1253 East 69th Street, Brooklyn, New York [a 3-unit rental building]

- 1930 Pacific Street, Brooklyn, New York [a 6-unit rental building]

7. Respondents:

- a. Urban Pads LLC (Brokerage Firm)
77 Rogers Avenue
Brooklyn, New York 11216
- b. Sarah Roumani (Licensed Broker)
c/o Urban Pads LLC
77 Rogers Avenue
Brooklyn, New York 11216
- c. Lev Alperowitz (Licensed Broker)
c/o Urban Pads LLC
77 Rogers Avenue
Brooklyn, New York 11216
- d. Levi Cohen (Licensed Broker)
c/o Urban Pads LLC
77 Rogers Avenue
Brooklyn, New York 11216

8. The following is a brief and concise statement of the facts regarding the alleged violations:

Plaintiff Fair Housing Justice Center, Inc. (“FHJC”) is a non-profit organization incorporated in the State of New York and based in Queens. FHJC is dedicated to ensuring that all people have equal access to housing opportunities in the New York region by eliminating housing discrimination and creating open and inclusive communities.

Among other activities, FHJC (a) engages in public advocacy, outreach, and education to increase public awareness about fair housing rights; (b) provides technical assistance, training, and other tools to strengthen fair housing law enforcement; (c) assists individuals and organizations in exercising their fair housing rights; and (d) investigates and litigates instances of discrimination. FHJC provides these services free of charge and without regard to the income of those seeking assistance.

As part of its investigations, FHJC employs individuals as “testers” who pose as renters or homebuyers in order to obtain information about the conduct of landlords, real estate companies, brokers, agents, and others. These tests help FHJC determine whether illegal housing discrimination is taking place.

FHJC expended significant staff time, expenses, and other resources to investigate and respond to Respondents’ discriminatory housing policies and practices, which diverted resources away from other FHJC activities. Specifically, FHJC staff spent significant time

coordinating and reviewing the results of the testing of Respondents, as well as meeting and corresponding with FHJC's legal counsel.

Respondents' discriminatory housing policies and practices also frustrated FHJC's mission to ensure that all people have equal access to housing opportunities in the New York region, including by not renting apartments and/or providing real estate brokering services in an equal or non-discriminatory manner due to source of income.

Respondents' discriminatory housing policies and practices have also increased the demand for FHJC's services from individuals with housing vouchers and from communities seeking education and outreach about voucher holders' rights. This has placed additional burden and strain on FHJC's resources and its effort to fulfill its mission.

On July 25, 2022, FHJC received a complaint from an individual with a Section 8 voucher who reported that on July 18, 2022 she had responded to a Streeteasy listing by Urban Pads LLC ("Urban Pads") for a three-bedroom apartment at 655 Hancock Street #5 in Brooklyn for \$2,850, asking to view that apartment. The individual reported that Respondent Sara Roumani from Urban Pads had asked for her income and credit score, and that after the individual informed Roumani that she had a Section 8 voucher and asked whether those are accepted, Roumani did not reply. The complainant had faced a pattern of discrimination when trying to find an apartment using her voucher, and sought assistance after this suspicious response.

Sara Roumani is registered as a licensed salesperson associated with Urban Pads on the New York State licensing website and is listed as a Real Estate Agent on the Urban Pads website.

Following that complaint, FHJC conducted an investigation through four paired tests. In each test, one tester posed as a prospective renter with a voucher and the other tester posed as a prospective renter relying solely on income from employment. In each test, the prospective renters were treated disparately depending on the stated source of income – those with solely employment income were permitted to view apartments and encouraged to rent them, while Respondents instead stopped responding to those with vouchers as soon as they learned of the vouchers, and did not permit them to view apartments.

In the first test, an FHJC tester posing as a prospective tenant with income solely from employment ("Tester 1") contacted Respondent Roumani on July 26, 2022 through the Streeteasy listing for 655 Hancock Street #5. Roumani asked for Tester 1's income and credit score, which he provided. Roumani then told Tester 1 that the apartment had been rented, but sent him listings for three additional apartments that were available. Tester 1 expressed interest in one of those apartments, a three-bedroom apartment at 2157 Pacific Street #4 in Brooklyn, and on July 28, 2022, Roumani confirmed an appointment for Tester 1 to view that apartment. Tester 1 viewed the apartment at 2157 Pacific Street #4 on August 1, 2022, and Roumani confirmed that it was available and that the rent was \$2,400, and sent Tester 1 an application.

Meanwhile, on July 29, 2022, an FHJC tester posing as a prospective tenant with a Section 8 voucher (“Tester 2”) contacted Roumani through a Streeteasy listing for 2157 Pacific Street #4 and asked to view that apartment. Roumani asked when Tester 2 wanted to view the apartment and asked for Tester 2’s income and credit score. Tester 2 said she wanted to view the apartment on August 1, and said she her combined income was \$56,000, her credit score was 720, and that she would be using an HPD Section 8 voucher for the rent which covered up to \$3,188. Roumani never responded. Tester 2 wrote to Roumani again on July 31, 2022 to again ask if she could view the apartment on August 1. Roumani never responded.

In the second test, a tester posing as a prospective tenant with income solely from employment (“Tester 3”) contacted Roumani on August 2, 2022 through a Streeteasy listing for a one-bedroom apartment at 290 East 56th Street Apt. D5 in Brooklyn for \$1,600 per month, and requested to view that apartment. Roumani asked when Tester 3 would like to view the apartment, and for her income and credit score. Tester 3 responded that she would like to view the apartment on August 4 and provided her income and credit score. Roumani confirmed the viewing. On August 4, 2022, Tester 3 went to view the apartment at 290 East 56th Street Apt. D5. Roumani was not present, but said she would give Tester 3 the code for the lockbox with the key when Tester 3 arrived. When Tester 3 arrived, Roumani first asked, “Remind me again what is your income and credit score?”, and only after Tester 3 sent that information again did Roumani give Tester 3 the lockbox code so Tester 3 could view the apartment.

Meanwhile, on August 3, 2022 an FHJC tester posing as a prospective tenant with a CityFHEPS voucher (“Tester 4”) contacted Roumani through the Streeteasy listing for 290 East 56th Street Apt. D5. Roumani asked Tester 4 he would like to see it, and for his income and credit score. Tester 4 asked if he could view it on August 5, said his credit score is 695, and that he makes about \$19,500 a year but that he will be using a City FHEPS voucher for up to \$2,218 per month. Tester 4 attempted to make an appointment to view the apartment. Roumani confirmed that the unit was still available, but when Tester 4 suggested a specific time, Roumani stopped responding to him.

In the third test, an FHJC tester posing as a prospective tenant with income solely from employment (“Tester 5”) contacted Respondent Levi “Lev” Alperowitz of Urban Pads on August 31, 2022 through a Streeteasy listing for a three-bedroom apartment at 2909 Albemarle Road, #1F in Brooklyn for \$3,045 per month, and asked to view it. Alperowitz asked for Tester 5’s income and credit score. Tester 5 provided that information and asked if he could view the apartment that afternoon. Alperowitz confirmed that viewing for that afternoon. At the time of the viewing appointment, Alperowitz called Tester 5, but Tester 5 explained he had accidentally gone to the wrong location. They confirmed another appointment for Tester 5 to view the apartment the next day. The next day, September 1, 2022, Alperowitz showed the apartment to Tester 5. Alperowitz confirmed that it was available and that the rent was \$3,045, and encouraged him to apply.

Meanwhile, on August 31, 2022, an FHJC tester posing as a prospective tenant with a Section 8 voucher (“Tester 6”) contacted Alperowitz through the Streeteasy listing and asked to view 2909 Albemarle Road, #1F. Alperowitz asked for her income and credit score, and

Tester 6 responded that her credit score was 790 and her income was \$52,000 but she would be using a Section 8 subsidy for up to \$3,188. Tester 6 asked if she could schedule a time to view the apartment on September 1 or 2. Alperowitz did not respond. A few hours later (shortly after Alperowitz had confirmed a second viewing appointment with Tester 5), Tester 6 emailed Alperowitz again to ask if she could schedule a viewing. Alperowitz did not respond. On September 1, 2022, a few minutes after Alperowitz showed the apartment to Tester 5, Tester 6 emailed Alperowitz yet again to ask if she could view the apartment. Alperowitz never responded.

Levi Alperowitz is registered as a licensed salesperson associated with Urban Pads on the New York State licensing website.

In the fourth test, an FHJC tester posing as a prospective tenant with income solely from employment (“Tester 7”) contacted Respondent Levi Cohen on August 15, 2022 through a Streeteasy listing for a one-bedroom apartment at 1059 Winthrop Street, #1R in Brooklyn for \$2,200 per month, and asked to view the apartment. Cohen asked for her income and credit score. Tester 7 provided that information and asked if she could view the apartment on August 17. Cohen sent a video of the apartment and confirmed an appointment for Tester 7 to view the apartment on August 17. On August 17, Cohen showed the apartment to Tester 7. Cohen confirmed it was available and said the price had dropped from \$2,200 to \$2,125. When Tester 7 indicated that he was not inclined to apply for the apartment, Cohen told him about an available one-bedroom apartment at 60 Clarkson in Brooklyn with a rent of \$1,351.

Meanwhile an FHJC tester posing as a prospective tenant with a City FHEPS voucher (“Tester 8”) contacted Cohen on August 16, 2022 through the Streeteasy listing and asked to view 1059 Winthrop Street, #1R. Cohen asked for his income and credit score. Tester 8 responded that his credit score is around 700 and his income is \$29,000 but he would be using a City FHEPS voucher to cover the rent for a one-bedroom or studio up to \$2,218. Tester 8 asked if he could view the apartment on August 18. Cohen never responded. On August 17, 2022, Tester 8 emailed Cohen again to ask if there was any update on whether he could view the apartment the following day. Cohen never responded.

Levi Cohen is registered as a licensed salesperson associated with Urban Pads on the New York State licensing website and is listed as a Real Estate Agent on the Urban Pads website.

In all four tests, Respondents treated testers who presented as having vouchers disparately from testers who presented as having income solely from employment. Respondents consistently asked each prospective tenant first for their income and credit scores. When testers indicated that they had income solely from employment, Respondents proceeded to schedule viewings, encouraging the testers to apply for the apartments, and informing them of other available apartments. When testers indicated that they had vouchers, Respondents would not schedule viewings, instead ceasing contact with those testers (“ghosting” them).

The timing of the tests – in which Respondents scheduled viewing and showed apartments to the testers with income solely from employment shortly before and/or shortly after refusing

to schedule viewing with testers with vouchers – confirms that Respondents’ behavior cannot be explained by changes in unit availability. The only explanation is discrimination.

Even after those four tests were conducted and confirmed that Respondents were engaged in a pattern of source-of-income discrimination, FHJC received a complaint from another individual with a City FHEPS voucher who reported that she contacted Urban Pads through three separate Streeteasy listings on October 4, 2022 and November 16, 2022 – for apartments in Brooklyn, located at 1517 Dean Street, #2, 1253 East 69th Street, #5, and 1930 Pacific Street, #2B. Upon learning that she had a City FHEPS voucher, Urban Pads (including its agents Respondents Roumani and Israel Mendlewicz) ceased contact with her and did not permit her to view any of those apartments. That complainant had likewise faced a pattern of discrimination when trying to find an apartment using her voucher, and her treatment by Respondents shows that their pattern of source-of-income discrimination is ongoing.

As further confirmation of the broad scope of Respondents’ ongoing discrimination, a partner organization of FHJC’s Unlock NYC (which is a non-profit organization dedicated to making the apartment search process transparent, fair, and free from discrimination for all New Yorkers), received complaints from at least seven individuals with housing subsidy vouchers who were subjected to ghosting by Urban Pads between May 2022 and July 2023.

9. The most recent date on which the alleged discrimination occurred:

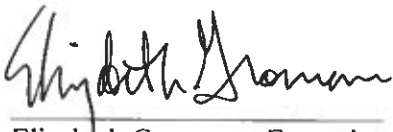
From July 18, 2022 through November 16, 2022 and ongoing.

10. Types of federal funding identified: N/A

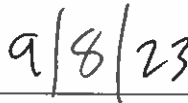
11. The acts alleged in this complaint, if proven, may constitute a violation of the following laws:

New York State Human Rights Law, § 296(5), as well as comparable provisions of the New York City Human Rights law.

I declare under penalty of perjury that I have read this complaint and that it is true and correct.



Elizabeth Grossman, Executive Director
Fair Housing Justice Center, Inc.



Date