

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

SUNDEEP SINGH SUCHDEV, LUCAS SHAPIRO,  
SHRUTI PAREKH, JESSICA TURNER, LILI  
SALMERON, and SANJEEVAN THARMARATNAM

Plaintiffs,

-against-

JUDITH GRUNBAUM, MOSHE DEUTSCH, SAMUEL  
GRUNBAUM, and YHT MANAGEMENT INC.,

Defendants.

Index No. \_\_\_\_\_

**ATTORNEY AFFIRMATION OF  
EXIGENCY AND CERTIFICATION  
PURSUANT TO CPLR § 2217**

STEPHANIE R. RUDOLPH, an attorney duly admitted to practice law before the Courts of the State of New York, hereby affirms the truth of the following under the penalties of perjury and pursuant to CPLR § 2106:

1. I am the Director of Fair Housing at Communities Resist, attorneys for the above-captioned Plaintiffs in this action, and I submit this Affirmation of Exigency in support of the accompanying Order to Show Cause seeking, inter alia, a Temporary Restraining Order pending a hearing on Plaintiffs’ request to preliminary enjoin Defendants from altering the status quo at 70 South Elliot Place, Brooklyn, NY 11217 (“House”) that existed prior to Defendants’ course of conduct that is the subject of the above-captioned case.
2. More particularly, Plaintiffs seek a Temporary Restraining Order which provides that pending the hearing and determination on this motion, Defendants, their agents, and any persons in active concert with Defendants be stayed, enjoined and restrained from:
  - A. Entering 70 South Elliott Place, Brooklyn, NY 11217 (“House”), unless such entry is with the permission of one of the Plaintiffs or after reasonable notice has been provided as required by NYC Admin. Code § 25-101.

- B. Entering the House if not for the purpose of repairs that are immediately necessary to prevent damage to property or to prevent injury to persons.
- C. Entering the House after 5:00 PM (NYC Time) or on weekends unless for the purpose of repairs that are immediately necessary to prevent damage to property or to prevent injury to persons.
- D. Enjoining Defendant Samuel Grunbaum from coming within 50 feet of the House.
- E. Removing, evicting, or attempting to remove or evict any Plaintiff from their current dwelling unit at the House without a Court order enforced by a New York City Marshall.
- F. Harassing in any way any Plaintiff by any of the following conduct:
  - i. engaging in or threatening to engage in any conduct which interferes with or is intended to prevent such Plaintiff from the lawful occupancy of their dwelling unit at the House;
  - ii. interfering with or disturbing the comfort, repose, peace or quiet of such Plaintiff in the use and occupancy of such dwelling unit;
  - iii. inducing the Plaintiffs to vacate the dwelling unit including by, but not limited to, threatening Plaintiffs with eviction, physical harm, criminal action, or other unlawful actions;
  - iv. discontinuing or reducing essential services at the House;
  - v. removing the possessions of any of the Plaintiffs or lawful occupants or guests; or removing or changing locks to any entrance door to the House or dwelling units therein without providing a new lock and key; and/or
  - vi. commencing baseless eviction proceedings.

- G. Retaliating in any way against the Plaintiffs for exercising any of their rights under New York's housing laws (such as by bringing the instant complaint) and/or participating in activities of a tenant association, including by commencing baseless or frivolous proceeding against Plaintiffs.
  - H. Removing any of Plaintiffs' property from their dwelling units or shared common areas at the Building unless such Plaintiff has been duly evicted pursuant to a court order.
  - I. Communicating in any way with Plaintiffs concerning this action or any allegations herein outside the presence of counsel or by written communications;
  - J. Surveilling Plaintiffs in the interior portions of the House, including by using technology that records audio or video recordings; and
  - K. Granting such further relief that is just and proper.
3. As detailed in the Affidavits of Plaintiff Sundeep Singh Suchdev ("Singh Aff."), Shruti Parekh ("Parekh Aff."), Lucas Shapiro ("Shapiro Aff."), Jessica Turner ("Turner Aff.") and Lili Salmeron ("Salmeron Aff.") and evinced by the exhibits annexed hereto, as well as the Verified Complaint in this action, exigent circumstances exist for the award of the Temporary Restraining Order. More specifically, Defendants have been engaging in a campaign of unlawful harassment and discrimination since the beginning of the COVID-19 pandemic. This harassment has included video surveillance of the interior of Plaintiffs' living space, unannounced visits by more than a dozen male agents previously unknown to Plaintiffs, threats of civil and criminal action, and unlawful lock outs of at least one Plaintiff.
4. The following are exhibits provided in support of the instant Order to Show Cause:

- a. Annexed as **Exhibit A** is a copy of the New York City Department of Housing Preservation and Development (“HPD”) Multiple Dwelling Registration and open violations dated September 24, 2020;
- b. Annexed as **Exhibit B** is a copy of the Contract of Sale between the Estate of the deceased owner Arthur Gassner to Elimelech Leifer & Lipa Leifer dated April 24, 2014;
- c. Annexed as **Exhibit C** is a copy of a Deed transferring the property from the Estate of Arthur Gassner to the current owner, Judith Grunbaum dated September 3, 2015;
- d. Annexed as **Exhibit D** is copy of an Answer interposed in the Owner’s Use holdover proceeding in Kings County Housing Court by Plaintiff Parekh dated June 13, 2016 (Index No. 62816/16);
- e. Annexed as **Exhibit E** is a copy of an order issued by the New York State Division of Homes and Community Renewal (“DHCR”) dated November 10, 2017, finding that the House contains at least six (6) Single Room Occupancy (“SRO”) dwelling units;
- f. Annexed as **Exhibit F** is a settlement agreement resolving a contempt motion in an “HP” Proceeding regarding the House, listing repairs so-ordered to be performed in Plaintiff Parekh’s Room (Second Floor/Front) dated June 4, 2018 (HP No. 6229/17—Kings County Housing Court);
- g. Annexed as **Exhibit G** is a stipulation of discontinuance in an “HP” proceeding bearing the name of Plaintiff Parekh in the caption regarding a lack of water service at the House dated April 3, 2018 (HP No.1392/18);
- h. Annexed as **Exhibit H** is the 2018 list of multiple dwellings entered into HPD’s Alternative Enforcement Program (“AEP”)—a program for the most dilapidated properties in New York City;
- i. Annexed as **Exhibit I** is an email exchange from 2019 between Plaintiffs and Defendant YHT Management Inc. related to Defendants’ issuance of front door keys to Plaintiffs;
- j. Annexed as **Exhibit J** is an order dated June 10, 2020 issued by the Honorable Thomas M. Fitzpatrick, Judge of Housing Court, discontinuing the Owner’s Use holdovers against various Plaintiffs (L&T Index Nos. 62648, 62649, 62815, 62816, 62817, 62945/2016—Kings County House Court);

- k. Annexed as **Exhibit K** is Administrative Order (“AO”) 68/20 dated March 16, 2020, closing all non-essential functions of New York State Courts and suspending residential evictions;
  - l. Annexed as **Exhibit L** is a copy of an email from Plaintiffs regarding their concerns about Defendants’ unannounced visits and other harassing conduct dated April 30, 2020;
  - m. Annexed as **Exhibit M** is a copy of an email from Plaintiffs’ former attorney to Defendants’ former attorney expressing concerns about Defendants’ harassing conduct dated May 6, 2020;
  - n. Annexed as **Exhibit N** is copy of an email exchange between Defendant YHT Management Inc. and Plaintiffs regarding the camera installation in June 2020;
  - o. Annexed as **Exhibit O** is a copy of the website depicting the brand and model of cameras that Plaintiffs believe were installed inside and outside the House in June 2020;
  - p. Annexed as **Exhibit P** is a photograph of the notice Defendants placed on Plaintiff Parekh’s room on September 2, 2020 after 5:00pm, following her unlawful eviction;
  - q. Annexed as **Exhibit Q** is a copy of the summons and complaint dated September 1, 2020 in Kings County Supreme Court by Defendant Judith Grunbaum, alleging in paragraph 40 that Plaintiff Parekh purports to have rights to the room located on the Second Floor/Front (referred to in the complaint as “Room 3/Front”);
  - r. Annexed as **Exhibit R** is a copy of an email sent to Defendants’ counsel on September 13, 2020 regarding the discriminatory treatment and impact Plaintiffs alleged regarding the interior surveillance cameras and unnoticed visits.
  - s. Annexed as **Exhibit S** is a copy of a letter, sent via email, to Defendants’ counsel providing notice of the filing of the instant Order to Show Cause seeking the Temporary Restraining Order.
5. Defendants’ above-described conduct has been unrelenting and escalating since the beginning of the COVID-19 pandemic. Despite repeated written and oral demands between March and September 2020 from Plaintiffs themselves, from Plaintiffs’ formers counsel, and from myself that the harassing and discriminatory conduct cease, Defendants’ conduct continues to intensify. Specifically:

- a. On March 16, 2020, Plaintiff Lucas Shapiro told Defendant Samuel Grunbaum that he did not want him to come by the House unannounced and that the Plaintiffs were organized and knew their rights; *See* Shapiro Aff. at ¶ 10.
- b. On April 30, 2020, in response to multiple unnoticed visits and bizarre behavior from a man claiming to be the owner and/or owner's son, Plaintiff Singh emailed Defendants YHT Management Inc., Judith Grunbaum and their then-counsel to ask that the conduct cease. Specifically, Plaintiffs asked that they received reasonable notice before visits from agents of the owner and that all agents identify themselves. *See* Exhibit L.
- c. On May 6, 2020, Plaintiffs' then-counsel from Brooklyn Legal Services emailed Defendants then-counsel from Schwartz Sidrane Perinbasekar & Littman LLP to request that unknown male agents of Defendant Judith Grunbaum cease unannounced visits, particularly in light of the COVID-19 pandemic and public health concerns; *See* Exhibit M.
- d. On June 10, 2020, Plaintiffs emailed Defendants to object to the unnoticed eight (8) hours of work to install the camera, involving up to ten (10) workers during COVID-19. Plaintiffs further protested the installation of security cameras in the interior of their House. Responding from a YHT Management Inc., email, Defendants wrote back, "One of the main reasons we installed a Camera system is to protect our self's from this kind of frivolous allegation (sic)." *See* Exhibit N.
- e. On September 2, 2020, after Defendant Samuel Grunbaum and his agents came to the House unannounced and locked Plaintiff Parekh out of her room, I called and emailed Defendants' counsel to request that his clients open the room. I provided

documents regarding Plaintiff Parekh's possession of the room. Defendants refused.

- f. On September 13, 2020, I emailed Jonathan Schreier of Borah Goldstein, Defendants' attorneys, to ask that Defendants and their agents cease unnoticed visits and cease surveilling Plaintiffs inside the Home. I described the discriminatory impact and treatment this course of conduct had on Plaintiff Singh, an observant Sikh and on the female Plaintiffs. Specifically, I explained that Plaintiff Singh is a religious Sikh who feels greatly uncomfortable and embarrassed being surveilled in his home with his hair unwrapped. Plaintiff Singh requires notices to prepare for visitors in his home. I also explained that the female Plaintiffs feel intimidated and scared because male agents of Defendants show up unannounced, even in the evening and on Sundays. Further, the female Plaintiffs feel degraded and humiliated by the Defendants surveilling them inside their home. Defendants refused to comply with any of Plaintiffs' requests.
6. With each request for relief made by Plaintiffs or their counsels, Defendants' conduct has only escalated their harassing and discriminatory conduct. Defendants have persisted, for months, in endangering the health, life and safety of Plaintiffs by:
    - a. Repeatedly coming to the House unannounced to berate Plaintiffs and threatening them with criminal and civil action, including evictions;
    - b. Attempting to or actually entering two (2) female Plaintiffs' room by force on several occasions. *See* Turner Aff. at ¶ 12-16; Parekh Aff. at ¶ 12-30.

- c. Sending male agents of Defendants as well as Defendant Samuel Grunbaum to the House unannounced to lock out Plaintiff Parekh and to take photos and videos of her personal belongings without her consent. *See* Parekh Aff. at ¶ 21-23.
- d. Repeatedly sending male agents, including Defendant Samuel Grunbaum, to the House unannounced to intimidate, berate, and interfere with Plaintiffs use and enjoyment of their home. *See* Turner Aff. at ¶ 18; Parekh Aff. at ¶ 31-34; Salmeron Aff. at 9-13.
- e. Repeatedly invading Plaintiffs' privacy by taking photos of their mail and photographing and videoing their personal belongings. *See* Shapiro Aff. at ¶ 11; Singh Aff. at ¶ 20.
- f. Visiting the House nearly every other day between August 25, 2020 and September 15, 2020 to harass and intimidate Plaintiffs. *See* Parekh Aff. at ¶ 31; Turner Aff. at ¶ 19; Singh Aff. at ¶ 31.
- g. Installing surveillance cameras inside Plaintiffs' living spaces to surveil their movement, sleeping location, and bathroom usage in a way that intimidates and degrades Plaintiff Singh as a religious Sikh and the female Plaintiffs (Turner, Salmeron, and Parekh). *See* Singh Aff. at ¶ 12-19; Turner Aff. at ¶ 11-17 & ¶ 19-22).
- h. Engaging in a repeated course of conduct that has necessitated the New York Police Department ("NYPD") visiting the House on multiple occasions throughout September 2020. *See* Parekh Aff. at ¶ 15, 24, 25-30.
- i. Upon information and belief, threatening to violently, and by force, breakdown the front door to the House on the morning September 29, 2020 in order for



Defendant Samuel Grunbaum to effectuate service of termination notices on various Plaintiffs. Also, berating Plaintiff Singh and threatening to install a 24-hour guard inside the House.

7. No prior application has been made for the relief sought herein.
8. On September 29, 2020, I sent a letter, via email, to Defendants' counsel alerting them that Plaintiffs' counsel would be filing the Order to Show Cause today and would be appearing in the Ex-Parte office of this Court at 9:30am on September 30, 2020. *See Exhibit S.*

Dated: Brooklyn, NY  
September 29, 2020



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Stephanie R. Rudolph