

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS: IAS PART 52

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**SUNDEEP SINGH SUCHDEV, LUCAS SHAPIRO,  
SHRUTI PAREKH, JESSICA TURNER, LILI  
SALMERON, AND SANJEEVAN THARMARATAM,**

Index No. 518435/2020

Plaintiffs,

**AFFIDAVIT IN  
OPPOSITION**

- against -

**JUDITH GRUNBAUM, MOSHE DEUTSCH, SAMUEL  
GRUNBAUM, AND YHT MANAGEMENT INC.,**

Defendants.

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**STATE OF NEW YORK }  
                                  }ss.  
COUNTY OF KINGS }**

**SAMUEL GRUNBAUM**, being duly sworn, deposes and says:

1. I am a Defendant in this action. I am also the stepson of Judith Grunbaum (“Owner”), another named Defendant. I am fully familiar with the facts and circumstances stated herein.

2. This affidavit is submitted in opposition to Plaintiffs’ Order to Show Cause seeking a Temporary Restraining Order with respect to certain alleged conduct concerning the property located at 70 South Elliott Place, Brooklyn, New York (“Building”).

3. Plaintiffs’ motion must be denied as Defendants, the Owner and management of the Building, have an absolute right to access the common areas of the Building at their discretion and are entitled to maintain security cameras for the purposes of ensuring the security of the common areas.

4. Although Plaintiffs allege harassment and discrimination, it is Plaintiffs who have engaged in such conduct, repeatedly locking Owner and her agents out of Owner's property.

5. My stepmother purchased the Building on September 3, 2015. (See Exhibit "E"—Deed)

6. From the time she purchased the Building until August 2019, my stepmother largely dealt with the Building and the attendant litigations relating to the Building on her own.

7. On July 31, 2019 she had an altercation with Plaintiffs Singh and Parekh which left her visibly shaken.

8. When she returned from the Building on that day, she told me that she can no longer deal with the Building and she asked me to take over managing the Building on her behalf.

9. When I asked her for additional details, she stated that a number of tenants had moved out of the Building and Plaintiff Singh confirmed to her that he had rented those rooms out to other persons.

10. One of my first orders of business at the Building was to ensure that the tenants and unlawful occupants would no longer have the option to lock ownership/management out of the Building.

11. Accordingly, I posted notice at the Building that the locks were going to be changed at the Building in a few days' time and that anyone who needed a key could obtain it by contacting YHT Management.

12. In response to that notice, Plaintiffs Singh, Shapiro, Tharmartan and Salmeron claimed keys from YHT Management.

13. Jules Skloot, one of the tenants of the Building, but not a party to this action, also claimed a key.

14. After that time, I periodically visited the Building to check on things and to collect any mail sent to Owner at the Premises. I was there a few times in August 2019, a few times in September 2019 and a few times in December 2019, including one time on December 11, 2019 to accompany the process server who came to serve Plaintiff Salmeron with a Notice to Quit.

15. Coincidentally, on December 11, 2019, four (4) months after the locks to the Building were changed, Plaintiff Parekh emailed YHT Management that she would be “back in town soon” and would like to pick up keys on December 19, 2019.

16. Management confirmed the date, but Parekh never actually came to retrieve the keys.

17. Plaintiffs Parekh, Singh and Shapiro all state in their affidavits that Parekh was out of town at the time the pandemic began and was unable to return until August 2020

18. Upon information and belief, Parekh is/was a teacher at UCLA, and was in California from August 2019 through August 2020. (See **Exhibit “T”—List of courses taught by Parekh at UCLA in Summer 2019, Fall 2019 and Winter 2020**)

19. In February 2020, Owner received notice from HPD of certain violations at the Building.

20. I went to the Building on or about March 16, 2020 to inspect these violations for which notice was received.

21. Contrary to the representations of Plaintiffs, the Governor's shut down orders were not yet issued.<sup>1</sup>

22. I did not wear a mask on that date, as mask-wearing was only recommended for medical personnel at that time. Since that visit, I have always worn a mask and taken appropriate social distancing precautions.

23. When I arrived at the Building on March 16, 2020, I knocked loudly on the door, before opening the door with my key, and called out loudly to let anyone who was in the Building know that I was there.

24. I was immediately confronted by Lucas Shapiro.

25. At that time, I noticed a person who I had not previously seen at the Building before, and who I now know to be Plaintiff Jessica Turner.

26. I asked her who she was and what she was doing at the Building. She did not provide me her name, but she stated she was just visiting. Although Turner claims in her affidavit that I have seen her many times at the Building since March 2016, this is not true. I first saw her in March 2020 and she told me she was just a visitor.

27. Lucas Shapiro attempted to prevent me inspecting the Building. He claims that I refused to identify myself, but that is not true, I had been at the Building several times prior to that video and had previously made my identity, and my relationship to the Building, known to several Plaintiffs. In any event, I informed Shapiro that I was the son of the Owner.

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<sup>1</sup> <https://www.governor.ny.gov/news/no-2024-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>

28. One of the violations issued by HPD was relating to personal property left in the hallways of the Building. Accordingly, I asked Shapiro to remove those items. He refused.

29. Notices were posted in the common areas stating that all common areas must be cleared of personal property as HPD had determined those items to be a violation.

30. I returned to the Building on April 29, 2020 and discovered that Plaintiffs had not removed their personal property. I reiterated my request that they remove their property, as HPD had determined the presence of these items in the common areas to be a violation.

31. On April 30, 2020 Plaintiff Singh emailed management demanding that I stop coming to the Building to require the personal property to be removed from the hallways. Singh further alleged that I was acting in a threatening manner. In response management again requested the hallway be cleared of obstructions (See **Exhibit "S"**)

32. I also saw that Plaintiff Turner was at the Building again.

33. When I saw that Plaintiffs were falsely accusing me of threatening Plaintiffs and of going through their possessions without permission, their refusal to rectify HPD violations they had caused, and my continuing to discover that new persons appeared to be occupying the Premises, and my knowledge that Singh and Shapiro have previously sublet vacant rooms without Owner's consent, I determined that installing cameras in the common areas of the Building was prudent for Owner's security.

34. I returned the Building a week later, on May 5, 2020 with a representative from the security camera installation company to inspect the common areas and determine the best locations for the cameras.

35. The common areas still contained personal property on that date.

36. Mr. Shapiro again demanded that I identify myself, even though Singh had just emailed management acknowledging that I told them I am the son of the Owner.

37. Even though I had repeatedly identified myself and my relationship to the Building, I told him my name again and even showed my drivers' license to him at some point, which he took a picture of.<sup>2</sup>

38. At that time, Mr. Shapiro stated that he did not want anyone from management coming to the Building anymore because "you people don't wash."

39. Considering myself and the rest of the management team are Orthodox Hassidic Jews, I suspect that is what he meant by "you people." A Facebook post by Lucas Shapiro on May 26, 2020 confirms my suspicions. (See **Exhibit "U"**)

40. On May 6, 2020, the attorney for the Shapiro and Singh<sup>3</sup> emailed Owner's attorney demanding that I stop visiting the Premises. (See Exhibit "M" to Plaintiff's Order to Show Cause, NYSCEF Doc. 17)

41. Owner's attorney reiterated that the Building contains SRO units, that the common areas are within Owner's control and that HPD is the entity that determined the items in the common area to be a violation. (See Id.)

42. On June 6, 2020, the Housing Court granted Owner's request to discontinue the Owner's use Holdover Proceedings.

43. Shortly thereafter, I retained counsel to prepare leases for the tenants of record.

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<sup>2</sup> In the past few months I have been receiving constant phone calls at my home from "tenant advocates." I am certain that my personal information was provided to these people by Lucas Shapiro.

<sup>3</sup> Judith Grunbaum commenced Holdover Proceeding against the six (6) tenants of record: Plaintiffs Singh and Shapiro, Jules Skloot, Jacob Hodes, Heidi Chua and Yashma Padamsee ("Tenant"). Each of the Tenants retained Brooklyn Legal Services.

44. The next time I returned to the Building was on June 9, 2020, when I accompanied the camera installation company.

45. Prior to that date, management emailed Singh that workers would be coming that day. (See **Exhibit “S”—Email chain between YHT Management and Singh<sup>4</sup>**)

46. The camera installation crew consisted of three (3) technicians.

47. In addition to myself and the camera crew, a supervisor from the camera company appeared at one point for a few minutes to check in and a general maintenance person from management came as well, at Singh’s request, to fix the kitchen sink.

48. As the cameras require an internet connection to allow for remote viewing, a technician from the internet company appeared as well. However, the internet technician left after a few minutes because he needed to get access to the rear yard of the Building and could not do so, as access to the yard is through the room allegedly occupied by Turner, and the door was closed and his knocks went unanswered.

49. The technicians installed a total of four (4) interior cameras, one for each floor, and one (1) exterior camera. Annexed as **Exhibit “V”** are diagrams of each of the four (4) floors of the Building, with the camera position denoted by the three-tiered rectangle.

50. The exterior camera faces the steps and front door of the Building.

51. The cameras are not positioned to capture the interior of any of the SRO units or any of the bathrooms. The cameras are not set up to record audio.

52. They are specifically positioned to maintain a view of the hallways and stairwells.

53. As I was unable to remotely access the camera feeds because Plaintiffs refused to give me access to the yard, I returned periodically to the Building to check and make

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<sup>4</sup> Shapiro and Skloot were copied on portions of the email chain as well.

sure that Plaintiffs did not damage my cameras and to review the video footage, which required me to bring a screen and plug it into the hard drive.

54. On June 9, 2020, management emailed Singh advising him that access to the yard was required. (See **Exhibit "S"**)

55. I returned to the Premises in the afternoon of June 11, 2020 to check on the cameras, but the Plaintiffs had locked me out using a lock on the entrance door which had previously never been locked before.

56. I knocked on the door and waited for about five minutes, but no one answered. I returned to my car and waited for a few minutes longer and left.

57. Management emailed Singh the next morning that he must provide a copy of the key to the Building's entrance to Owner. (See **Exhibit "S"**)

58. Singh responded that he is not providing the keys because he objects to Owner's installation of cameras and Owner's refusal to obtain his permission before entering the Building. (See **Exhibit "S"**)

59. I did not go to the Building on June 12, 2020. Jessica Turner's statement that I was banging on her door for ninety (90) minutes on June 12, 2020 is false. With the exception of briefly knocking on the door on June 9, 2020 with the internet technician and maybe one additional time on another date with the internet technician, I never attempted to access the room that Turner claims to be occupying.

60. On June 14, 2020 I was at the Building for approximately 15 minutes to review the camera footage. I discovered that within a few hours of installation, Plaintiffs had covered the cameras and immediately obstructed their views. Annexed as **Exhibit "W"**



are a series of screenshots, time and date-stamped, showing Lucas Shapiro covering a camera the night after it was installed. Tharmartan and Turner also covered cameras.

61. I next returned to the Building on June 16, 2020 at 1:15 P.M. but was again locked out of the Building.

62. I was in the process of engaging a locksmith to gain access to the Building when Singh emailed management that he would provide the key. (See **Exhibit "S"**)

63. Management then further inquired regarding access to the yard, to which Singh responded that he is withholding access to the yard because he suspects it has to do with the cameras and he objects to the cameras. (See Id.)

64. I next returned on June 22, 2020 but was once again locked out. I left after five minutes.

65. On June 26, 2020 at 11:45 A.M. I returned to pick up a copy of the key. Plaintiff Tharmartan gave me a key, but it was not the key to the lock that we had been discussing.<sup>5</sup> I was provided access to the Building and confirmed that the cameras were still covered.

66. When I insisted on being given the proper key, I was told that Plaintiffs do not have a key to that lock.

67. I told Shapiro that it was illegal for him to cover, alter or damage the cameras.

68. I left the Building after about half an hour.

69. I returned again a few weeks later, on July 5, 2020, for about half and hour, to review the video footage.

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<sup>5</sup> To date I have not received a copy of that key.

70. After July 5, 2020, I did not return to the Building until near the end of August 2020.

71. At the end of August, I was able to finally connect the cameras to the internet, by climbing into the rear yard through the main floor level, as Plaintiffs refused to allow me to access the yard through the ground level room. It took several days during the last week of August to complete that.

72. On August 31, 2020 I came to the Premises at around 3:00 P.M. to deliver the leases to the Tenants. I also was there to accept surrender of the Ground Floor Room from Plaintiff Salmeron, who was to have surrendered on that date pursuant to the Court stipulation. She did not surrender possession.

73. On September 1, 2020 I observed security footage of an unknown female leaving the Third Floor Front Room. The tenant of record of that room was Heidi Chua.

74. Heidi Chua had vacated the Premises at least nearly four (4) years earlier. However, she never formally surrendered possession to Owner and continued to assert that she was the tenant of record of that unit.<sup>6</sup>

75. On September 1, 2020 Plaintiff Parekh brought a computer and monitor into the room and stayed in the room for a few hours.

76. Nobody slept in that room the night of September 1, 2020. Shruti Parekh slept in Plaintiff Singh's room, **as she had every night since she returned to the Building in August 2020.**

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<sup>6</sup> She continued to litigate the Owner's use holdover proceeding. She submitted a verified answer in June 2017 admitting the allegation in a complaint dated April 24, 2017 that she was presently residing at the Third Floor Front Room at the Building. (See **Exhibit "X"**). She also testified at an EBT in 2018 that she had not surrendered the room and has not yet determined if she would be returning. (See **Exhibit "Y"**)

77. On September 2, 2020 I sent two agents to the Building, but Plaintiffs denied them access. Therefore, I was required to come to the Building to let them in. When I arrived at around 5:12 P.M. Plaintiff Parekh **was standing at the front door of the Building** arguing with the agents.

78. I then proceeded to walk past her and Singh, who was in the common area on the main (2nd) floor, and up to third floor.

79. Annexed as **Exhibit "Z"** are screenshots of the security footage from September 2, 2020 showing that I (in the white shirt) went up to the third floor and Plaintiff Parekh (green shirt) and Singh **followed behind me**.

80. I then instructed my locksmith to secure the room.

81. Plaintiff Parekh stated that she had left her computer and monitor in the room and would like to retrieve those items. I allowed her into the room to retrieve those items.

82. I then locked the room and left the Premises.

83. Singh and Parekh, as well as possibly Tharmartan appeared to be recording the incident on their phones. Yet, none of them have produced evidence corroborating their claims.

84. I returned the next day to confirm that the lock had not been tampered with and left after ten minutes.

85. I returned again on September 4, 2020 with the internet repair technician to address an issue with the internet. I was at the Building for approximately half an hour.

86. On September 8, 2020 I sent an agent to go into the locked room and document its contents.

87. On September 11, 2020, Jessica Turner, under the supervision of a NYPD Community Affairs, broke the lock securing the Third Floor Front Room.

88. That evening, Plaintiffs hosted a rally at the Premises, where dozens of persons, including Stephanie Rudolph, Esq., participated without adhering to proper social distancing requirements. (See **Exhibit "AA"—Photo of Rally and Ms. Rudolph speaking at rally**)

89. I believe this was intentionally done on Friday evening because Plaintiffs know I am a Sabbath Observer and would not even discover their acts until the following Sunday.

90. Since that trespass, Parekh and Singh have spent each night in the Third Floor Front Room of the Building.

91. On September 15, 2020 I went to the local precinct and explained the situation to the commanding Sergeant. Specifically, I informed him that the person who claims to have been locked out had not spent a single night in that room for any of the previous thirty (30) days. He told me that his officer was provided a different set of facts and that I can go back and secure the room again, without interference from the precinct.

92. However, when I returned to the Building on September 15, 2020 to do so, Plaintiffs called the police and the police prevented me from securing the room, refusing to let me present my position, refusing to contact the Sergeant I spoke with and threatening to arrest me.

93. I directed my agents to remain at the Building while I attempted to return to the precinct and sort things out.

94. The Sergeant I spoke with was gone for the day, so I sent my agents home.

95. On September 25, 2020, Plaintiffs issued a letter to Owner rejecting the leases that had been offered to each of the lawful tenants and demanding that each Plaintiff be offered their own lease.

96. On September 29, 2020, I accompanied a process server to the Building to serve tenants Skloot, Hodes and Chua with notice of termination based upon their failure to primarily reside in their respective units. (See Exhibit "L")

97. At that time, Singh locked the door to the Building and stood outside to prevent me from entering.

98. I told Singh that if he did not allow me access to the Building, I would break the lock and replace it with one that I would have the key to.

99. Parekh, who was standing nearby, called Stephanie Rudolph and then told Singh that Stephanie Rudolph said to let me in.

100. In response, Singh opened the door, using a key which I had been previously told did not exist, and entered the Premises to serve the papers.

101. That same date, Skloot, Padamsee and Chua emailed management that they were no longer occupying the Building. (See **Exhibit "D"**)

102. The next day, Plaintiffs commenced this action.

103. The foregoing constitutes the actual sequence of events at the Building.

104. Plaintiffs' affidavits are riddled with contradictions, hearsay and misrepresentations of fact.

105. Plaintiffs claim that I am constantly threatening them. This is not true. I only interact with Plaintiffs if they initiate conversation with me. Otherwise, I go to the Building to perform my management duties and leave.

106. The conversations only turn “heated” if Plaintiffs approach me in a confrontational manner.

107. I have repeatedly asserted that it is Owner’s lawful right to access, or send her agents into, the common areas of the Building. Owner does not need the consent of tenants, and Owner certainly does not need the consent of any unauthorized persons occupying parts of the Building.

108. Since Plaintiffs broke into the Third Floor Front Room and hosted a rally at the Building, they have engaged various other persons to sit at the front steps of the Building and attempt to intimidate me and prevent me from accessing the Building whenever I try to go there.

109. For example, Plaintiffs claim that my presence at the Building during the pandemic is a risk to their health and safety. However, Plaintiffs have repeatedly allowed other persons into the Premises, often without masking or social distancing.

Annexed as **Exhibit “Q”** are photos demonstrating:

- On October 5, 2020, Plaintiff Singh, a musician, had his bandmates over to play music in the yard, unmasked and without social distancing.
- On September 3, 2020, Plaintiffs had an unmasked guest walking around the Premises.
- On June 26, 2020 Plaintiffs had a guest walking around inside the Premises.
- On August 29, 2020 Plaintiffs had an unmasked guest walking around inside the Premises.

110. Plaintiffs also have admittedly allowed a stranger to live in the Building throughout the pandemic.

111. Likewise, Sonny Singh claims that he is discriminated against by the fact that if he walks in the common areas with his hair uncovered, Defendants would be able to see his hair on camera.

112. Singh admits that his website, www.sonnysingh.com, available to the public to view, contains video footage of him uncovering and revealing his hair.

113. Annexed as Exhibit "R" are photographs showing Singh walking someone through the ground level with his hair uncovered on September 16, 2020, as well as a sequence of photos from October 6, 2020 showing Singh interacting with people at the front door of the Building while he is without a mask and with his hair uncovered and a screenshot from October 21, 2020 of Singh walking in the hallway with his hair uncovered in the presence of a maintenance worker.

114. Plaintiffs' propensity for stretching the truth, as demonstrated by their misleading affidavits, further underscores Defendants' need to maintain security cameras at the Building.

115. The security cameras are also necessary so that Owner can document the carousel of occupants put into possession by Singh and Shapiro without Owner's consent.

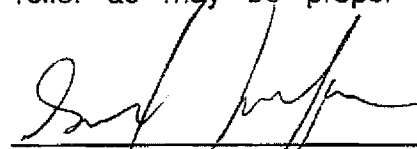
**WHEREFORE**, it is respectfully requested that Plaintiffs' Order to Show Cause be denied, together with such other, further relief as may be proper under the circumstances

Sworn to before me on this 22 day of October 2020



Notary Public

*Remotely Notarized in NY County pursuant to Executive Order*



SAMUEL GRUNBAUM

JONATHAN B. SCHREIER  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 025C6280037  
Qualified In Nassau County  
My Commission Expires APR 15, 2021