

Once 'Very Good Rent Payers' Now Facing Eviction Notices

By MANNY FERNANDEZ

A registered nurse came close to losing her \$1,550-a-month apartment on the Upper East Side after being let go from two jobs in three months. A woman found herself dipping into a 401(k) to keep her \$3,375 unit in Peter Cooper Village after her husband was laid off in February from his six-figure marketing job. A father of two with an M.B.A. and a law degree owed \$5,400 in back rent in Stuyvesant Town after he struggled to find steady work and lent money to his wife's family.

Lawyers, judges and tenant advocates say the staggering economy has sent an increasing number of middle-class renters across New York City to the brink of eviction, straining the legal and financial services of city agencies and charities. Suddenly, residents of middle-class havens like Rego Park in Queens and Riverdale in the Bronx are crowding into the city's already burdened housing courts, long known as poor people's court.

Even some affluent people in high-end places are finding themselves facing off with landlords. One man, laid off by Merrill Lynch, was forced to move out of his \$5,700 apartment in TriBeCa, owing \$20,000 in back rent. Todd Nahins, a lawyer who represents owners of luxury residential buildings, has been busy negotiating payment plans for tenants in arrears.

"There's definitely an uptick of people who were basically very good rent payers until the economic downturn," Mr. Nahins said. "There's so many of them. People who at one point had made money are now not earning enough to pay their rent."

No one knows exactly how many of those kinds of tenants are facing eviction; the city's five housing courts, and two smaller community courts that hear similar cases, do not keep data on the income level of litigants. Overall, court records show that the number of cases filed citywide for nonpayment of rent jumped about 19 percent in the first two months of 2009 from the same pe-

"It's cutting across all lines," said Jaya K. Madhavan, supervising judge of Bronx Housing Court. "The economy is really taking a toll on everyone."

While the downturn has certainly put plenty of lower-income people at risk of eviction, those involved in the housing court system say the growing numbers of accountants, salespeople, small business owners, construction project managers and other white-collar professionals being pursued for nonpayment is striking.

Lawyers for District Council 37, the city's largest public employee union, provided free legal assistance to members on 2,572 housing court cases last year, up from 2,277 in 2006. "People who never had eviction cases before are coming through our doors now," said Joan L. Beranbaum, director of the union's Municipal Employees Legal Services.

On the Upper East Side, the nonprofit Eviction Intervention Services has seen a spike in

phone calls and office visits from tenants in rent-stabilized or rent-controlled apartments. In Bronx Housing Court, Room 360, which handles cases concerning units in co-ops and condominiums — which are often more expensive than those in rental apartment buildings — had 10,205 cases last year, up from 7,818 in 2007.

Landlords typically start non-payment proceedings in housing court after a few months of missed rent, depending in part on a tenant's previous payment history; the goal is usually not eviction. "It's not about, 'If you don't have the money, get the hell out,'" Mr. Nahins said. "It's about, 'Look, we want to work it out.' Nobody wants vacancies in high-end apartments."

Diane Scott, a single mother on Staten Island, lost her home to foreclosure in 2007 after she was laid off as a \$72,000-a-year legal recruiter, only to be threatened with eviction from her \$1,750 apartment when her \$40,000-a-year bookkeeping job was eliminated in June. After appearing in housing court in February, Ms. Scott 42 said she had been un-



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Christine A. Lewis has had to borrow furniture and clothing since her eviction because her belongings are stuck in storage.

able to tell her three sons they might again have to move.

Kevin Brewster-Streeks, 29, and his partner, Greg Armstrong, 22, struggled to pay their \$1,650

rent on Mr. Armstrong's \$18-an-hour salary as a medical assistant after Mr. Brewster-Streeks's \$36,450 job as a records clerk at a law firm was eliminated last year.

ONLINE: A CASE STUDY

▶ A video focusing on one woman's eviction case in the Bronx:

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