

Landlords get high-tech in housing court

Video surveillance becomes a powerful tool in rent-regulation cases

BY RICH BOCKMANN

Landlords are increasingly using video surveillance in housing court cases over rent-regulated apartments, most commonly to investigate tenants who say the valuable unit is their primary residence, but may live elsewhere, the Wall Street Journal reported.

Bradley Silverbush, a senior litigator at Rosenberg & Estis, said he has at least a dozen video investigations under way at any single time. Each camera costs between \$5,000 and \$10,000 to setup and install, with an additional monthly fee, he said.

Courts have found that building owners have the right to set up security cameras in lobbies and public hallways, just as long as they aren't focused inside tenants' apartments, New York University law professor Andrew Scherer said.

In October, a tenant lawyer who removed a surveillance camera from a Lloyd Goldman-owned apartment building in 2015 agreed to pay \$700 in restitution.

And in 2015 a young woman living on the Upper West Side filed charges against her landlord after she discovered a hidden camera in her bathroom clock.

Some tenant lawyers argue the cameras are a form of harassment.

"Video surveillance is very intrusive and



frequently used to monitor tenant movements," said attorney Mark Bierman, who represented a pair of defendants in a case the Journal cited. "Tenants should not be subjected to that."

Bierman's clients, New York City Police Department veteran Miguel Cruz and his brother Victor, were both indicted and convicted for perjury after video evidence con-

tradicted statements they made in court.

Miguel Cruz testified in court that he visited his brother several times a week at his rent-regulated apartment on West 16th Street in Manhattan, but video recorded in the building in 2014 and 2015 showed the brothers stopping by the apartment over more than 12 months. They never appeared together. **TRD**