

SUPREME COURT FOR THE STATE OF NEW YORK  
COUNTY OF THE BRONX

LAWRENCE CHAIFETZ, JUAN ROSADO, KIDDY  
MORALES, ROBBAN TOLENO, ASATO IKEDA,  
CALPURNYIA ROBERTS and KEVIN ROBERTS,  
on behalf of themselves and all others similarly situated,

Plaintiffs,

-v-

WEINREB MANAGEMENT LLC, 3660 OXFORD  
AVENUE ASSOCS. LLC, and 3950 BLACKSTONE  
ASSOCIATES LLC

Defendants.

Index No.: 20844/2018E

**IMPORTANT NOTICE**

**TO: EVERY CURRENT AND FORMER TENANT OF THE BUILDINGS LOCATED AT 3660 OXFORD AVENUE, BRONX, NEW YORK 10463 OR 3950 BLACKSTONE AVENUE, BRONX, NEW YORK 10471 (the “BUILDINGS”)**

- (1) WHO IS LIVING OR HAS LIVED IN AN APARTMENT THAT WAS TREATED AS DEREGULATED DURING THE PERIOD WHEN J-51 TAX BENEFITS WERE BEING RECEIVED BY THE OWNER OF THE BUILDINGS;**
- (2) WHO LIVED IN SUCH APARTMENT AT ANY TIME AFTER JANUARY 23, 2014; AND**
- (3) WHO OCCUPIED SUCH APARTMENT BEFORE JUNE 30, 2019 (IF A RESIDENT AT 3660 OXFORD), OR JUNE 30, 2016 (IF A RESIDENT AT 3950 BLACKSTONE) (THE DATE UPON WHICH THE BUILDINGS’ J-51 TAX BENEFITS EXPIRED).**

*This Notice has been authorized by a New York State Court.*

*This Notice affects your rights – please read it carefully.*

*You are not being sued. This is not a solicitation from a lawyer.*

You are receiving this Notice, pursuant to Rule 904 of the New York Civil Practice Law, because records indicate that you may be a member of a plaintiff class in a lawsuit on behalf of tenants in the Buildings, which is currently pending in the New York Supreme Court, County of the Bronx.

The purpose of this notice is to explain to you:

1. What the lawsuit is about;
2. The certified Class, and your rights as a member;
3. Your right to request exclusion from the Class (as defined below); and
4. How to get more information.

**DESCRIPTION OF THE LAWSUIT**

A class action is a lawsuit where one or more persons sue on their own behalf and on behalf of other people who have similar claims. These other people are known as Class Members. In a class action, one court resolves the issues for all Class Members.

The Plaintiffs here claim that the Defendants received J-51 tax benefits at the Buildings. Under New York State law, these benefits were only available if all the apartments at the Buildings were subject to the rent stabilization laws. The Plaintiffs claim that the Defendants violated the law by treating the apartments at the Buildings as if they were not rent stabilized while they were receiving J-51 benefits. The Plaintiffs claim that, as a result, tenants at the Buildings were charged more than the maximum legal rent for their apartments and/or were denied the other benefits of rent stabilization, such as mandatory lease renewals at amounts allowed under New York State law.

The Plaintiffs seek to recover for rent overcharges from the Defendants for both themselves and the class. They seek an order returning to rent regulated status any Class Members' apartments that were destabilized during the period in which the Defendants received J-51 tax benefits and that have not been returned to rent stabilized status. Plaintiffs seek to have the Court determine the correct legal regulated rents for the apartments at the Buildings. The Plaintiffs also seek an order that any Class Member residing in an apartment at the Buildings be offered proper lease renewals at regulated rents as required by the rent stabilization laws.

Plaintiffs are not seeking on behalf of themselves, or the members of the Class, the treble damages penalty provided for in the rent stabilization laws and regulations for willful rent overcharges.<sup>1</sup> In seeking class certification, Plaintiffs have agreed to waive that penalty on behalf of themselves and the Class, seeking only injunctive relief and compensatory relief for the actual amounts of the overcharges, plus interest. If you are a Class Member and wish to pursue the statutory penalty, you may do so. But to ensure your ability to pursue treble damages, *you must exclude* yourself from the Class and commence your own action pursuant to the procedures described below. You should note that any claims that you may be able to pursue individually are governed by a statute of limitations.

The Defendants have denied the allegations made by Plaintiffs and have asserted affirmative defenses.

### CLASS CERTIFICATION AND COMPOSITION OF THE CLASS

The Court has certified the Lawsuit to proceed as a class action on behalf of:

All tenants at 3660 Oxford and/or 3950 Blackstone living, or who had lived, in apartments that were deregulated during the period when J-51 tax benefits were being received by owner of the 3660 Oxford and/or 3950 Blackstone, except that the class shall not include (i) any tenants who vacated such apartment prior to January 23, 2014 and (ii) tenants whose occupancy in any such apartment commenced after such J-51 benefits to the Buildings ended.

Further, the Court certified a subclass of all current residential tenants of the Buildings seeking injunctive relief, whose tenancies in the Buildings commenced during the period when J-51 benefits were being received by the owner of the Buildings, and are still in occupancy.

The Court named Plaintiff Lawrence Chaifetz as Lead Plaintiff for the Class.

This Notice is being given to you in the belief that you may be a Class Member whose rights might be affected by this lawsuit. It should not be understood to be an expression of any opinion by the Court concerning the merits of the claims and defenses in this action. The Notice is merely to advise you of the pendency of the action and your rights with respect thereto.

As described below, Class Members have the opportunity to exclude themselves from the damages aspect of the Class by filing an opt-out form with the Court. Apart from this opportunity to opt out, Class Members will be bound by the Court's determination of the Class' claims.

### HOW TO EXCLUDE YOURSELF FROM THE CLASS

If you wish to be excluded from the Class, you must mail a first-class letter setting forth your name, your present address, the address of the apartment at the Buildings in which you resided, the dates of your tenancy at the Buildings, and a statement that you wish to be excluded from the Class to the address below. Your letter must be postmarked on or before **June 13, 2026**.

<sup>1</sup> In the usual course, if a court or an administrative agency were to find that the landlord's conduct was "willful," a penalty of treble (three times) the amount of the overcharge would be assessed for any excess funds collected by the landlord for the period immediately preceding the filing of the complaint. Penalties, such as treble damages, may NOT be sought in a class action, and by participating in this case you would be waiving that right.

If you do not request exclusion from the Class, or if your letter of exclusion is not postmarked on or before **June 13, 2026**, and the Court determines that you are a Class Member, you will be included in the Class and bound by any judgment ordered by the Court. In the event such judgment results from a settlement by the parties, you will have the right to object to the terms of the settlement, to participate in the settlement, or to exclude yourself from the settlement. If the case proceeds to judgment absent a settlement, and you are a Class Member, you will be bound by the judgment without any further opportunity to exclude yourself or to object.

If you exclude yourself, you will not be bound by the Court's determination of the Class' claims – whether positive or negative to the Class – and you will remain free to pursue your own claim for damages independently.

Letters requesting exclusion should be mailed first class and postmarked on or before **June 13, 2026**, to the following address:

Weinreb Buildings  
Class Action Administration  
P.O Box 5475  
Portland, OR 97228-5475

### **NO RETALIATION PERMITTED**

State law prohibits the Defendants from terminating your lease or retaliating against you in any fashion because you have joined and/or participated in this lawsuit. The law also provides for additional monetary damages and penalties for retaliation.

### **GETTING MORE INFORMATION**

This Notice summarizes this class action lawsuit. You can obtain more information by contacting Class Counsel (Newman Ferrara LLP) by calling (212) 619-5400 or emailing Roger Sachar at [rsachar@nflfp.com](mailto:rsachar@nflfp.com).

All communications and discussions with Newman Ferrara LLP, other than requests to opt out of the lawsuit, are confidential and will not be disclosed without your consent.

Please do not contact the Court with questions involving this lawsuit.

Additional information about the lawsuit is available at [WeinrebOverchargeLitigation.com](http://WeinrebOverchargeLitigation.com) or by calling 1-877-355-3872.