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An E.V. landlord's past assault conviction has his tenants more worried

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BY YANNIC RACK

| While dozens of East Village residents have accused their new landlord of shady practices ever since he bought their buildings last year, they may be surprised to find out that he also has a criminal past.

Raphael Toledano, the 25-year-old who last September expanded his real estate portfolio in the neighborhood with the purchase of 16 buildings, is the subject of a state investigation into tenant harassment. In addition, The Villager has learned that he was convicted of aggravated assault and causing bodily injury less than four years ago, and once was charged with trying to swindle a bank out of hundreds of dollars, according to New Jersey court records and police reports.

In a 2012 confrontation that landed two teenagers in the hospital, Toledano allegedly beat the two youths with what police reports alternatively describe as a “crowbar,” “a branch” and “a metal or wood object approximately two and a half feet long.”

The violent assault earned Toledano, who was then a realtor, two years of probation.

And in a separate case three years earlier, Toledano was charged with defrauding TD Bank of \$500 in a scheme involving multiple withdrawals from three different banks.

Only 19 years old at the time of that earlier incident, he was charged with one count of theft by deception and entered into a pretrial intervention program — which provides defendants, often first-time offenders, with an alternative to traditional prosecution. The complaint was ultimately dismissed in 2012.

A spokesman for Toledano and his company, Brookhill Properties, dismissed any discussion of his client's criminal record as “character assassination.”

“These alleged incidents from years ago have absolutely nothing to do with Brookhill Properties or



Raphael Toledano was probably not smiling like this when he was arrested for aggravated assault a few years ago in his hometown in New Jersey.

the company's conduct as a landlord," he wrote in a statement.

But to many of Toledano's tenants, who have joined together to fight back against their new landlord's practices, the convictions merely affirm the negative impression they already have.

"It's pretty crazy who we're dealing with," said Ben Lebovitz, a tenant at one Toledano-owned property, 97 Second Ave., who successfully fought off an effort to evict him last year.

"How does it feel that that guy is my landlord? It's scary," he said. "Maybe I'm just paranoid, but I definitely creep around corners when I walk down my stairs and look who's waiting outside my building," Lebovitz said.

"Although now he apparently prefers using lawsuits instead of crowbars," he added.

Both the state attorney general and the state's Tenant Protection Unit, or T.P.U., are currently investigating Toledano and the management company he hired and later fired, Goldmark Properties, on charges of tenant harassment.

The probes came after residents of one of his buildings, 444 E. 13th St., took Toledano to court over alleged attempts to drive them out of their rent-regulated homes through illegal construction and persistent threats and buyout offers.

Representatives for the attorney general's office as well as the state Department of Homes and Community Renewal, the agency that oversees the T.P.U., would not comment on the investigations because they are ongoing.

Meanwhile, though, tenants claim that the harassment isn't letting up.

In a letter sent to Toledano on Jan. 5, tenants urged their landlord to stop serving them with notices to vacate and holdover lawsuits, threatening to shut off their heat and hot water, pressuring them to accept buyout offers and following them "in and around their buildings, after hours, on the street, and close to where they live."

The letter was signed by the Toledano Tenants Coalition, a group that meets once a month and includes representatives from many of the buildings owned by the investor.

"Our work is essentially just trying to keep people from taking crappy buyout offers and knowing their rights," said Lebovitz, who now informs other tenants of their rights through the coalition.

Nina D'Alessandro, who started the group last July after complaints first started to amass, said it now includes 19 different buildings across the East Village and Chelsea.

She has lived at 231 E. Fifth St., which Toledano owns, since 1978.

"It's very sad and disturbing news," D'Alessandro said of the landlord's prior conviction. "It really makes one very uneasy to be at the hands of somebody like this."

In police reports obtained by The Villager, Toledano is described as someone who was known to the authorities in his hometown of Lakewood, N.J.

According to the police report in the assault case, which occurred on April 9, 2012, the victims testified that Toledano and two other men showed up at the victims' house in a black Lexus with New York license plates.

Toledano then got out of the car and attacked two of the four boys, ages 16 and 17, on the front lawn, according to the report.

"Toledano had the crow-bar and he [and a fellow attacker] chased [the victims] towards the house attacking them along the way, and yelling at them 'Don't talk to my sister! Don't be messing with her!'" the police report said.

One of the officers who responded to the incident and arrived after the attackers had already left, described in his report seeing "a large amount of blood on the front door as well as a trail of blood on the floor."

"I observed a male party sitting on the couch, with what appeared to be a large gash on the top of his head," the officer wrote. "I asked the male who did this, he responded Ralphie Toledano [sic] hit him with what he thought was a crowbar."

The victims were treated at a nearby hospital. One of them had at least two separate head wounds that had to be stapled, according to the report, and the other one reportedly suffered a broken jaw, which hospital staff said would require surgery.

Police later searched the car Toledano was driving at the time of his arrest later that same night, and found a blood-smearred Blackberry phone belonging to one of the victims, according to the report.

The incident, together with his previous run-in with the law, paint a picture that is alarming to those that have to deal with Toledano today.

Stephanie Rudolph, a lawyer at the Urban Justice Center who currently represents the tenants of nine apartments at 444 E. 13th St., said the conviction raises serious concerns for her clients.

“There were a lot of really scary threats made at 444 E. 13th St. by agents allegedly hired by Mr. Toledano,” she said. “I think that it’s particularly worrying to now learn that Mr. Toledano himself has a violent criminal past.”

In their lawsuit against Toledano, Rudolph’s clients claim that they were threatened with losing their heat and hot water, as well as having their belongings thrown out into the street and the police called on them.

Court papers in the E. 13th St. case also show that the landlord claimed in his defense that the “relocation specialists” that allegedly harassed tenants at the buildings were not employed by Toledano and therefore outside of his control.

“It’s definitely something that has been concerning to my clients,” David Frazer, a lawyer who represents three East Village tenants in active court cases against Toledano, said of the assault conviction.

“Particularly when you couple that with his persistence, where people come home and there are multiple messages from him on their answering machines or cell phones,” he added.

Regarding accusations of harassment, the Brookhill spokesperson insisted that Toledano and his employees treat every tenant with respect.

“These baseless accusations are false and do not reflect or represent the feelings of the tenants we interact with on a daily basis,” he said. “Over the course of the next year, we will continue ensuring that all of our tenants’ needs are met.”

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