

Event: TEDxConnecticutCollege
Date: April 9, 2022
Topic: The Pursuit of Justice

In August of 2018, I took a faith of leap to travel from India to the United States to pursue a Master of Science in Integrated Digital Media at New York University. Within ten days of arriving in the country, I signed a residential lease for a room in Brooklyn, New York which was going to be my home away from home for the next two years.

There was nothing special about this apartment that I found through an online listing of accommodations for rent, apart from the fact that it was within a twenty-five-minute walk from my school, so on days when the weather was good, I could walk to the campus. The lease agreement for a single room in the two-bedroom and the one-bathroom apartment was drafted by the landlord and was a standard one favoring and protecting the rights of the landlord. The other room was taken by the daughter of the landlord. Aside from the rent of \$1000, I had to pay the landlord for the internet but the electricity was included in the rent; however, I had to pay an additional fixed amount for the months the landlord would install an air-conditioner in my room.

On the day of move-in, my friend who was helping me got a chance to briefly chat with the two Bangladeshi students who used to live in that same room before I rented it. They told my friend that it wasn't the kind of apartment one would want to live in as a student and that there were unjust deductions from their security deposit. When my friend told me about this, I didn't give it much thought because I had already signed the lease and I was quite preoccupied with moving all my stuff.

The same evening, I locked myself out of the apartment when I had gone downstairs to collect the delivery of my pizza. I didn't have the keys or my wallet with me, all I had was my phone. I wasn't used to the idea of self-locking doors and even my Airbnb, which I stayed at before moving into this apartment, did not have a self-locking mechanism. The daughter of the landlord wasn't home and neither did the landlord nor the daughter of the landlord return till the next afternoon to let me back into the apartment. As a result, I spent much of the night on the staircase before I decided to go to my friend's apartment - thanks to the ride he booked!

Within the first month itself, the landlord texted me to inform that that they will be deducting \$250 from my security deposit as the toilet was chocking up and the water seepage had gone down to the apartment below ours. I revolted to the fact but it wasn't of much help. Soon after, one evening after I returned from school, the daughter of the landlord approached me saying that her mother had asked them to remove the air-conditioner from my room since the electricity bill was too high and if I continued using the air-conditioner, I would have to pay extra. When I told the daughter of the landlord that there were still five days left in the month to end and my lease agreement with her mother mentions a fixed payment for the air-conditioner, they replied that it was her house and it works as per what she wants and not per the lease. When I denied their request and contacted the landlord for clarification, the daughter of the landlord started banging on my door and hurling abuse at me, enough to give anyone a heart attack. I was scared for my safety and I went out of the apartment for some fresh air. Upon my return, I found the daughter of the landlord sitting on the couch in the common area, and on seeing me they made some outright derogatory racist remarks.

The next morning I reported the incident to NYU Campus Safety and a few of my professors since I wasn't able to turn in my assignments on time for that week. Everyone had the same suggestion that I should report this incident to the New York

City Police Department and the NYU Campus Safety even offered me to drive to the nearby police station as according to their professional opinion, the incident amounted to an assault. But I wasn't ready to involve the police as I was hoping that things would ease out and that it is natural to disagree or quarrel with your roommates. Every evening I was scared to go back to the apartment after school hours and tried to spend as much time on campus as possible.

Even though I didn't face any other huge violent episodes during my remaining time at the apartment, every third or fourth month, I would receive texts or emails from the landlord saying I owed them more money because of errors in the calculation of the total amount that was due in a month. One such incident was when I was at a school event and the landlord sent me an email saying that I had to pay them \$80 for the internet when I was only paying \$30 for the last nine months. I told them that we had mutually decided to pay \$25 per month for the internet before I signed the lease but the cost was increased to \$30, even after my strongest disagreement, after I moved in. I told them in no way I was going to pay an additional \$50 for the internet retrospectively as this was unfair and impossible on a tight student budget. I was also ordered not to use the couch in the hall or even the hall in general where after a few months the boyfriend of the daughter of the landlord moved in and a shoe was hurled at me for, what I guess, no particular reason.

I was sick and tired of this constant harassment by my landlord and their daughter. Things went south when the Coronavirus Disease pandemic hit and I came to know that the apartment was rent-stabilized by the government. I didn't automatically understand what that meant or what regulations I was entitled to but upon research, I got to know that landlords aren't supposed to overcharge tenants in a rent-stabilized tenancy. From this point forward I started to question everything the landlord told me.

The main question now was how much more was I willing to suffer and what was I going to do to get justice for all the suffering that I had to go through. First and foremost, I contacted the New York state's Division of Housing and Community Renewal for verifying the information if the apartment was indeed rent-stabilized. The DHCR gave me a document certifying that the apartment was rent-stabilized and therefore, was subject to the rent-stabilization law.

Once I moved to a safe and secure new apartment, I sent the landlord a legal notice to inform them of the violations of the law they had committed and in good faith that they would realize their mistake and just refund the extra money without requiring me to file a case against them. The landlord denied my request with threats to sue me instead for things I hadn't done. At this point, I started gathering facts and researching case laws and reading the judgment of similar past cases in city courts and appellate courts. Thankfully, I had a mandatory Intellectual Property Law class in my curriculum at NYU which made things a little bit easier.

At this juncture, my parents, along with my aunt and uncle who are lawyers in India, were against me pursuing legal recourse against the landlord. Understandably enough their concerns were genuine as I am an alien in this country with no support and connection with an attorney or any person with a definitive and comprehensive knowledge of US laws and underlying procedures. Nonetheless, that did not deter me and I made a conscious choice to sue the landlord because it wasn't about the money anymore - it was about principles and about standing up for what is right and if I didn't stand up for myself, then who would?

I finally managed to sue my landlord, as a Pro-se Plaintiff, meaning self-represented or one without an attorney, in the Civil Court of the City of New York for the Kings County of New York on account of:

1. Violation of the New York City Rent Stabilization Law of 1969 which makes it illegal for landlords to overcharge sub-tenants in a rent-stabilized tenancy and subjects them to a fine of up to three times the overcharged rent and the violation of the Rent Stabilization Code which specifies the applicability of the Rent Stabilization Law in case of roommates. As per the Rent Stabilization Code, a roommate is only supposed to pay their proportionate share of the legally regulated rent.
2. Violation of the Warranty of Habitability of the New York Property Law outlines the responsibilities of the landlord and requires the landlord to maintain a safe, secure and habitable environment.
3. Violation of the Lease Agreement for unjustly deducting from the security deposit without providing a written itemized bill.

The landlord was served the Summons with the Complaint and the wheels of justice had just begun to grind. The landlord did answer the Court but chose to keep me out of the loop. Mailing the Answer to Plaintiff is a legal requirement that I now understand. While all of this was happening, the Governor of the State of New York issued Executive Order 202.8 temporarily limiting Court operations and tolling time limits due to the ongoing COVID-19 disaster emergency. This meant that the landlord need not follow the time limits as set under the law till the Executive Order was in effect or the same was amended. This was a welcome move for people facing hardships due to the pandemic but it also delayed justice from being served.

While I was waiting for the Court to announce the date of the hearing, I went on with dotting the I's and crossing the t's. Meanwhile, one of my friends at NYU, also an international student, contacted me to discuss how their landlord was harassing them and had denied to return their security deposit and instead was asking them for an additional hefty amount of money and their landlord even blackmailed them that if they didn't clear the balance, they would complain to the police making sure that they are

deported from the US. Sadly, this friend ended up paying the amount in the hope that the landlord will not file a complaint with the authorities.

Eventually, after months of waiting, I got my day in court for the trial and I remember not closing my eyes even for a single second the preceding night. I made sure my presentation of the case was solely based on the facts and left no room for conjecture of any kind. The landlord began by pleading not guilty but given the examination of facts and documents along with questioning from the Judge and me, by the end of the trial, they pleaded no contest on account of not knowing the law.

Luckily or not, I proved the prima facie case, and a judgment was entered in my favor and against the landlord and I was awarded the amount I had lost with interest and Court fees. It might be safe to say that I ran the opposition to the ground!

While no monetary compensation can ever mitigate the pain and suffering I went through on all those countless nights that I didn't feel like going back to the apartment; At the minimum, I'll get back the money that I lost due to the fraudulent and illicit scheme of my landlord. To be honest, this was not even my money - it was the hard-earned money of my parents or the money borrowed from the student loan that my parents helped me secure by keeping our home in India as collateral.

In May 2019, I had the honor and privilege of visiting the Martin Luther King, Jr. National Historic Site in Atlanta, Georgia which is the resting site of Dr. King and his wife, amongst other things. Located at the Visitor Center, is a statue of Mahatma Gandhi, fondly known as India's Father of the Nation. As it turns out, Dr. King was highly inspired by Mahatma Gandhi and his ideology of non-violence civil disobedience, so much so, that a statue of Mahatma Gandhi is permanently housed at the National Historic Site in close proximity to Dr. King's grave.

The question here is that would India be independent today without the leadership of Mahatma Gandhi or would the US have equal rights for everyone irrespective of the race without Dr. King? While no one will know the answer to that question or the answer will be hypothetical - my point today is that no one is asking you to be King or Gandhi. All I am emphasizing is that it is important to stand up for one's rights because in real life, unlike the reel life, we cannot skip to the good part!

Please don't get me wrong here - I am not suggesting that everyone should start suing everyone. It is extremely hard and complicated to navigate through any legal system and it takes a lot of mental energy to research and come up with arguments to support your case. Honestly, if you ask me, I never want to fight any other legal battle. During a conversation with one of my friends, I realized that the whole world wants to live in an equilibrium state where everything is perfect; but sadly, that is impossible. We never choose to be in a tough spot - we just happen to land in one.

Instead, what I am trying to stress is that it is not important what I did or how I did it. Yes, I sued my landlord and I did it by myself but what is of importance is why I did that. What was the reason or the driving force behind me suing my landlord? In America, we take the idea of life, liberty, and the pursuit of happiness very seriously yet one person's exercise of life, liberty, and pursuit of happiness should not alienate others of their right to life, liberty, and pursuit of happiness.

As Steve Jobs said, "You can't connect the dots looking forward, you can only connect them looking backward. So you have to trust that that dots will somehow connect in the future." Looking back and trying to connect the dots, I realize that maybe if I didn't stand up for what was right, the landlord might have continued overcharging and harassing others like me, especially international students.

If nothing else, I sincerely hope, even if, my pursuit of justice made, at least, an iota of a difference in the world - then it was worth it. I am proud to say that the world is a little better place to live in than I found it to be. Always remember, all it takes to set the record straight is one human with courage and conscience and that can be you!