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My name is Tyler A. Chase, a film maker and an activist for human rights. It used to be that the pen was mightier than the sword but now the digital camera is mightier than a smoking gun. I am making a film called, A Castle in Brooklyn, King Arthur and the Serfdom of Kent. The significance of the title is that a person's home is their castle. Arthur Wood was king of the castle he built for his family, the Broken Angel. The renters at 475 Kent were like serfs under a landlord who exploited them and although they invested capital and time into their individual living places they are treated like serfs from the middle ages, like expendable peasants. These are not isolated incidents but two examples of what is happening in New York and most likely across the nation, and why we need to implement Human Rights in the United States of America.

Eric Tars recently reminded me of the power of words. There are two words that don't belong in a country that is purported to be a democracy, let alone on that is supposedly implementing Human Rights: landlord and gentrification.

The word landlord originated between the years 800 and 1200 A.D., when wealthy knights promised to protect the poor people who were called serfs, in return for their stay on the land and giving the knight most of the profits. Later in the United States this concept was warped into something more sinister called sharecropping. Landlord comes from around the same time in history and implies the presence of a wealthy person of noble birth as in LORD. A landlord is like a macrocosm of a government. A landlord collects taxes for the land he owns (called "rent"), and makes laws (lease conditions).

Landlords have security guards to defend their territory, like a county has soldiers. Landlords also have their own judicial process and because of the money they have, they control the politicians and the Department of Building and other institutions that we citizens pay for with our taxes. Landlords can evict people for many reasons and government agencies work in conjunction with them by condoning and carrying out these evictions. Historically, men like Thomas Paine and Thomas Jefferson, and others, recognized that freedom requires limiting the power of landlords, just as it requires limiting the power of government at all levels.

Gentrification is derived from an old French word, genterie, from gentil 'high-born, noble. It means "well-born and well-bred people" of high social class. These words originate and denote feudal times in Europe, a system of the middle ages. Feudalism was that the power of the ruling class (the aristocracy) rested on their control of arable land, leading to a class society based upon the exploitation of the peasants who farm these lands, typically under serfdom.

For all the above reasons, I called the film: A Castle in Brooklyn, King Arthur and the Serfdom of Kent. I refuse to give those words power and that is why I have successfully stayed in my rent controlled building all these years fighting through four proprietors. I

assure you that we must denounce these words from our vocabulary completely if we are to evolve as a society. I don't have any lords and I don't know any gentry. I call landlords, **proprietors** and I describe gentrification exactly as it is, a Human Rights Violation.

I experienced eviction in 1998 after a ceiling fell on me in my rented flat. The proprietor responded to my injuries by evicting me. I had thirty days to find a new place and I ended up in a pre war, rent controlled, roach infested apartment in Brooklyn with a front door that wouldn't close. This was only the beginning as I have been in a constant tug of war with the following three proprietors of my Brooklyn flat. It has been a struggle to make it habitable, protecting my neighbors from harassment and trying to live in peace.

After my eviction, I found out that the ceiling had damaged my spinal chord. I had an operation on my cervical spine but my life was over as an actress/singer and dancer. Had I been treated earlier instead of being evicted and forced to run around finding a place to live maybe I would have been less injured. Obviously, eviction strikes an ominous chord in that metal plate and four screws that are now a part of my anatomy.

I had thirty days to leave my apartment because the proprietor pretended a relative was moving in when in reality he was angry that I reported him to the buildings department in Weehawken, NY, where the ceiling collapsed. The authorities there did nothing to protect me.

Now, I want you to imagine being told you have **five hours** to gather all your precious belongings and that you must leave. Where would you go?

### **TWO CASE STUDIES: THE BROKEN ANGEL BUILDING AND 475 KENT**

In 2007 I began filming A Castle in Brooklyn by following the lives and circumstance of residents of two Brooklyn buildings who had been force evicted in an increasingly popular technique that I call them Preemptive Eviction. These incidents were well publicized and you may have heard of them: The Broken Angel and 475 Kent.

In the case of Arthur Wood, "King Arthur," owner of his castle, the Broken Angel building, they had settled in years before when the building and surrounding area was crime infested and unwanted. They paid their taxes and were law abiding citizens and Arthur was an Air Force engineer veteran. They are elderly and due to lack of funds cannot afford proper legal recourse. They were force evicted because the authorities deemed their home was more dangerous for them then the streets. In the case of 475 Kent, "the Serfdom of Kent", the victims of the eviction had settled years before when the building and surrounding area was crime infested and unwanted, paid their rent and taxes and were law abiding citizens of all races and religions. Approximately three hundred of them were force evicted because the fire department claimed that a matzoh factory that had been there for ten years was, all of a sudden, an imminent danger.

I am here to tell you that forced eviction can happen to anyone. If you think that only the poor and those who don't pay their rent are evicted then you are dreadfully wrong. There are many ways to evict people and to get around the laws that are supposed to protect them. If you saw these incidents with your eyes you would think you are in a war zone. Did you know that you can be evicted in a matter of hours with no due process? Are you

aware that for the reason of a new law or code or for what an agency deems is our own safety, that you can be discarded like refuse, on the street?

**PREEMPTIVE:** taken as a measure against something anticipated, or feared; preventive; deterrent: a preemptive tactic.

### **PREEMPTIVE EVICTION**

The forced evictions that are so prevalent are preemptive. How is it possible to get a family out of a building they owned for twenty eight years and do it in one day as what happened at the Broken Angel to Arthur and Cynthia Wood? How is it possible to force 300 people out of the building they have lived in for ten years, and built into habitable apartments as with the Kent building?

People are pulled from their homes because there may be a blazing fire or there may be an explosion or you may trip over your own carpet and die. There were no blazing fires or floods that caused the evictions of the people of the Broken Angel and Kent building from their homes. Preemptive eviction has been used effectively and frequently for years. The Troutman evictions in Brooklyn saw the eviction of 150 people and the press demonized the victims by referring to them as “HIPSTERS”. So we have a web of cynical factors working together to desensitize the public to Human Rights Violations. People are taught to shrug at the suffering of other people and that’s easy because the media has labeled them with some cute word like “Hipsters” or “scofflaw”. The Fire Department, hand in hand with the Office of Emergency Management, the Police Department and of course the Department of Buildings work together to carry out this shock and awe technique of eviction. The scenario may be like this: the Department of Buildings or the Fire Department discovers a danger in your building, and in most cases one that has been in front of their noses for years, and then come the experts who swear that the danger is imminent. You may at one point be able to supply experts (if you can afford them) with equal expertise but they do not count against the “officials”. The next step is the urgency of it. Swarms of officials (Department of Buildings, Red Cross, Police, Office of Emergency Management and the Fire Department.) appear sometimes making it hard to follow the orders to vacate since they are everywhere (as with the Kent building). You may or may not be handed a pink slip (listing the reasons you are being thrown out) that you cannot argue with. The Firemen have battering rams and break down apartment doors of those residents who aren’t home or to drag you out if you don’t agree to leave your home. Your pets wander about in the mayhem. Although there isn’t a fire the firemen have axes and hammers. You experience a home invasion as they come into your dwelling to make sure you leave. You are evicted and loaded onto the nearest sidewalk. You are homeless.

A homeless dog is more likely to be taken in and comforted than a homeless person. This is certainly an innovative style of eviction. Are these well planned and coordinated land grabs? Is there a reason for the warped rationalizations of the agencies involved in these preemptive evictions? There can be no rationalization for violating human rights.

Preemptive evictions are much like saying to a child, don’t run with the stick, Bobby or you’ll fall and poke out your eye out. It is a violation of Human Rights to take anyone out of their home against their will, whether there is a danger or not. It is a Human Rights Violation to take away a persons ability to make a living. It is a Human rights violation to take away a person’s privacy and comfort.

## **WHAT HAPPENED?**

When people see a segment of the film or hear about these incidents they are shocked and afraid. There is much more to this than I am telling you in this testimony. Evidence that there really wasn't any logic to the preemptive evictions I am speaking of. Many of the victims of these forced evictions could be deemed middle class and they were struggling to pay rent and taxes. The Broken Angel building was owned since the 1970's and should have been grandfathered. Arthur Wood built a work of art on the top of his home that was a landmark to people in the US and abroad. The family lived there in relative peace until the building was the backdrop of Dave Chappell's *Block Party* movie. Then in October of 2006 came the end of their lives as they knew it. There was a fire in a top piece of the building. Cynthia Wood said, "There was a fire in the top of the building that didn't spread to the rest of the building but it was enough to get their foot in the door. I think it was a put on fire. We weren't up there and there was no electricity up there so that's why I think it was a put on fire."

A couple of days after the fire there was a visit by Bryan Winter from the Department Of Buildings, and Arthur and Cynthia were told that they had to get out immediately. The Woods were arrested days later and after a series of events that have no place on American soil, they were banned from their building. At the suggestion of a government official, The Woods, (now living in an old Volkswagen van and desperate) became involved with a developer. This developer became a partner with the Woods and (with the elderly couple's property as collateral) borrowed millions of dollars to purportedly "build condos inside the building and bring it up to code but would keep Arthurs vision." According to an attorney who later worked for Arthur, the developer paid himself a hefty salary and Arthur could have simply hired him instead of making him a partner. The developer hired a Professor of Architecture from Pratt University to be the architect and do the plans for the building. These plans were rejected time and time again by the Building Department. Years later, the beautiful Broken Angel building is torn to its original 1970s box like structure and no condos were ever built despite the millions of dollars borrowed. Cynthia Wood was never allowed back into her home.

Being as the condos weren't built and building had stopped because it appears that the money was spent, the bank foreclosed on the Woods. From what I was told by Cynthia and Arthur Wood, the rent for their temporary apartment, paid to the developer, was collected from the bank loan that was earmarked to rebuild Broken Angel. Once the building was not built, the bank foreclosed and the developer evicted them from his apartment building. The Woods claim that they never saw a penny of any payment for their property except for a salary Arthur received as a worker with the construction crew that dismantled the Broken Angel after the DOB ordered that the entire top fifty feet be torn down. Being evicted without notice and having no control over your own life is terrifying, painful and is a matter of life and death. Cynthia Wood died on January 30<sup>th</sup> 2010. She said that "the buildings department should have just shot us instead of taking our home".

## **THE ACTUAL EVICTIONS**

### **1. BROKEN ANGEL**

In October 12<sup>th</sup> 2006, just after the fire of October 10<sup>th</sup> on a top platform of Broken Angel, a DOB representative, Bryan Winter, visited the Broken Angel with one building inspector, no engineer, and said it was an informal visit. As soon as Arthur let them into

the building Mr. Winter purportedly walked around uninvited, taking pictures of the inside of the building and sent the building inspector to the site of the fire upstairs. The inspector never made it to the actual site because he did not climb the ladder. Regardless of not seeing the offending area, they claimed that the building was a hazard. According to the Woods the DOB did not bring an engineer with him to make that assertion. Arthur says that he later gave him four days to get an architect and submit plans, which was impossible. On the 18<sup>th</sup> of October the street was cordoned off and seven police cars, the fire department and the Red Cross appeared at Broken Angel. The police were sporting a battering ram so Cynthia left the building with Jack their dog. The police said "if you come out we won't arrest you". They went in and got Arthur who was led away in handcuffs. Cynthia Wood was placed in handcuffs and arrested. Once at the police station the police even took a mug shot of Jack the dog. Arthur Wood and his wife claim that they were verbally intimidated at the police station and they were let go hours later. They were banned from their building and Cynthia had to find a way to feed her cats who were trapped inside. They received little or no help and lived for a short time with their son, Christophers' in his very small flat. It was not long until that proprietor threatened to evict them all. The elderly couple then moved into an old Volkswagen van parked near their beloved home in the cold winter months.

The Kent people saw firemen walking through the building which was a common sight. Later they were surprised to see a lot of firemen and police arrive with an OEM bus. They were given a pink slip from the ax wielding firemen and told to leave their homes or face arrest and a huge fine. It was the coldest day of the year and a holiday. The doors of the tenants who were away and for which there were no keys, were knocked down. The elevators broke down after more than a hundred people scrambled to take their things out. They hurried down cement stairs carrying their items with no help from the officials standing around blocking the lobby. When one tenant asked the fireman to wait outside to complete his eviction paperwork while the tenant and his wife prepared their six month old baby, the fireman refused to leave. When the Kent people were on the street they got a fifty dollar check from the Red Cross and there was coffee but nothing for the baby and certainly nothing for the pets who were also homeless. The grain in the basement that was the cause of the eviction, could have been taken out in the time it took to get all these agencies organized so they could terrorize Americans in the guise of protecting them. The grain was removed a week later which doesn't make sense if it was so dangerous. It didn't end there because the DOB wanted the sprinkler system replaced. The ridiculous aspect to that is that had they removed the sprinkler system altogether before all this happened, they would not have had to fix it. When they were finally allowed to get the rest of their things they entered the building twenty at a time and signed in with police who were stationed on every floor. They had one hour to get whatever they could take of their possessions. There were crowds on the street trying to get their belongings but the police did not block off the streets so moving trucks could not be employed. The agencies created many dangerous situations in their preemptive eviction of the Kent residents. The tenants joined together and organized and due to their tenacity and massing together funds to hire a lawyer, they managed to get back into their homes three months later but according to a lawyer at NESRI this had never happened before

No one should have their home or apartment invaded by our own civil servants who are there to serve us. Imagine being told to leave your home in five hours or face prison. If indeed these pre-emptive evictions were for the safety of people then it would seem that they would be allowed to return once the danger was removed. Also wouldn't it be

logical to remove the danger as quickly as possible? In these evictions, once you have been evicted “for your own protection”, you have to fight like hell to get back in. In the case of 475 Kent, the well organized community of artists, despite their activism and cooperation with the city and the proprietor, waited for three months to be allowed to return to their homes. Many of the 300 people who were thrown out that cold January night had to find new places to live because they were living from couch to couch with families separated and dogs living in cars. They couldn’t make a living because they were living couch to couch and many worked from their homes.

### **Summary**

In the case of 475 Kent, the two hundred people were told to leave their loft dwellings in five hours. These individuals were artists who had spent their own time and money to make homes out of cement units in a filthy and unlivable warehouse. The proprietor was using it to store lampshades and other items and saw a chance to make money on rents where there would be no controls. What a deal! They do the improvements and they pay market rent and later you can get rid of them and get in richer people who will pay more rent. In this case the tenants received a ten year lease that essentially meant nothing since they were not covered by certificates of occupancy. They invested considerable time and money in their dwellings. In return for their cooperation and support of the proprietor and of the city during the pre-emptive eviction he raised the rents astronomically once they returned. May I add that some rents were not raised and it appears to be that he favors some people over others..

Our society needs to be tempered with a basic foundation of human rights. Making stronger laws and fines and penalties that are implemented by people and organizations motivated by greed and a lack of compassion isn’t working. Arthur and Cynthia Wood who resided at Broken Angel raised two children there? Arthur was in the Corp of Army Engineers, serving his country and both he and his wife believed in the American dream. The Woods just wanted to be left alone. The people of 475 Kent were working artists. When people land at Kennedy Airport, terminal 4 they are greeted by the enormous sculpted wall plaques created by Deborah Masters a resident of 475 Kent. She was an activist in her community and helped one young boy of the area to get his first art exhibit that she shared with him so he could start out. You can listen to the music of Connie Crothers, a jazz musician, at the Blue Note, and hear about her in Time Out Magazine. You may have seen the films of Eve Sussman at the Whitney Museum or the seen the photographs of Rob Clark in National Geographic Magazine. These are just some of the faces of pre-emptive eviction.