

NY Home

Real Estate Guide

Mezuzah-palooza

Q ■ My landlord sent around a letter saying that all mats, etc., including religious objects, must be removed from the doors of your apartment. Can he make me remove my mezuzah from my door?

A landlord is allowed to set rules for building facilities — like limitations on laundry room hours and restrictions on noise.

What does that mean for doors, and for a mezuzah (the small Jewish religious item placed on the outer door post of the apartment)?

I went to the lawyer for this one. “Generally speaking, landlords may enact certain reasonable rules outlined in the lease, to govern the conduct of their tenants,” explains Steven R. Ebert, managing member of Ebert & Associates, a New York-based firm specializing in real estate, business transactions, litigation and taxation.

They cannot, however, engage in illegal, discriminatory behavior.

So a mezuzah can be prohibited by a landlord if, for example, he intends to paint the doorframes of the building. “However, if the landlord is acting in a malicious way and requires the removal of the mezuzah for discriminatory reasons, then the action of the landlord is prohibited,” Ebert explains.

I would keep in mind that proving discrimination can be a difficult,



DON'T PANIC

By JANE REILLY MOUNT

lengthy and expensive process. So, before you call the lawyer, I'd suggest you press your landlord to rethink his note with a polite written reminder of the law ... you know, just in case he'd forgotten.

Q ■ Our air-conditioner is ancient and slowly falling apart. We asked our landlord to please replace it. He has (politely) refused and says he's “just not obligated to do so.” Is that true?

This comes down to a simple issue: What does your lease say?

Puhleez People! I BEG you! Read your leases!

If your lease specifically mentions that an air-conditioner is provided, then the landlord must fix it or replace it when it breaks. However, in your case, since it's still working — albeit not well — the landlord could insist that he has provided the service required.

If air-conditioning is not mentioned on the legal document at all, then you're on your own for cooler breezes.

Keep all this in mind next time you sign a new lease. Make sure that the landlord writes in any and all specific amenities that come with the apartment — the washer and dryer, dishwasher, etc. This way, if anything breaks, the landlord is legally bound to fix or repair these items. Don't allow the landlord to shrug off your requests to have these details in writing; after all, a lease protects him as much as you.

Q ■ I say that I live in “Greenwich Village,” but was recently told that I live in the “West Village.” Is that right? I moved here a few months ago and don't want to sound like a tourist.

“The Village” is the area between 14th Street and Houston Street (north to south) and Lafayette Street and the Hudson River (east to west). Once you cross Sixth Avenue, you can amend it to the “West Village” to be more accurate (though if you don't say it, you're not technically wrong). If you live east of Lafayette Street you must say “East Village” to be correct. But do avoid saying that you live in “Greenwich Village.” Even if you pronounce it properly (that's Nitch not Witch!) you'll be pegged as a tourist.

email: janereillymount@hotmail.com