

# Staten Island

DAILY NEWS

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## Suit backs retardates

New York State sued a Staten Island co-op apartment complex to stop it from evicting a group home for the retarded, who were once housed at the former Willowbrook institution.

The suit was filed Wednesday against the Fountains Clove Road Apartments, a cooperative, by State Attorney General Robert Abrams and Commissioner Arthur Y. Webb of the State Office of Mental Retardation and Developmental Disability.

As many as 12 former residents of the Staten Island Developmental Center, once known as Willowbrook, live in the group home, which consists of three apartments leased from their owners.

Abrams and Webb said there were no reports that the residents had caused any disruption or inconvenience at the apartment complex.

"A vague worry about 'declining property values' cannot be allowed to interfere with the housing of disabled persons in community settings where they can receive the care and treatment to which they are entitled," Abrams said.

But Robert A. Bruno, lawyer for the cooperative, said the eviction has "nothing to do with the handicapped."

"We have had problems not with the people—not with the handicapped—but with the caretakers," the United Cerebral Palsy Associations of Greater New York, which first leased the apartments in 1977, he said.

Bruno claimed employees of that group have been involved in incidents involving fights in laundry rooms, guns and drugs.

"We have human rights, too, and we do have legal

rights," he said.

According to the suit filed in State Supreme Court in Staten Island, the co-op served the eviction papers on the owners of the three apartments, stating that they were not occupied by family units.

When one of the apartments was vacated temporarily so it could be painted and the carpeting replaced, the co-op allegedly changed the locks and refused to allow the residents to return.

A judge issued a temporary restraining order that forced the co-op to allow the residents back in, but he later found in the co-op's favor.

The United Cerebral Palsy Associations complained to the State Division of Human Rights, charging that the co-op was engaging in unlawful discrimination against the residents on the basis of their physical and mental

disability.

Glenn Rickles, the organization's general counsel, said group homes are given family status under the law when they are approved by community boards, as the Fountains home was approved. Also, he said, there are at least 20 nonfamily units living at the complex at the moment.

But Bruno said the group home was in violation of "express and explicit wording" of the clause of the co-op agreement. He said the owners of the apartments had compressed five apartments into three without permission, and had not sought the right to sublet the apartments.

The group home is part of the state's effort to comply with a 1975 federal consent decree and deinstitutionalize Willowbrook's 6,000 residents. The institution is scheduled to be closed in 1987.