

LITTLE ITALY FUROR

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Robert Kalish

NO SALE: Tenants behind Da Nico say the city has broken its promise to let them buy their homes.

Eatery neighbors fight city

EXCLUSIVE

By KATI CORNELL SMITH

Thirty families, lifelong residents of Little Italy, say officials reneged on a promise to sell them their city-owned apartments — a deal the Giuliani administration made to stifle outrage over leasing the tenants' back yard to one of Hizzoner's favorite restaurants.

Residents of 168 Mulberry St. and two adjoining tenements ended their protests in June 2000, when Mayor Rudy Giuliani said they'd be offered the chance to buy their apartments at below-market rates if they'd give up their yard for a dining patio for Da Nico.

The restaurant was one of the places where Giuliani courted now-wife Judith Nathan while married to Donna Hanover.

Last year, he put the eatery on his Top 10 list for a Web site targeting visitors to last year's Republican convention.

At about the same time, restaurateur Perry Criscitelli, whose family owns Da Nico, was identified as a Bonanno soldier by the FBI during testimony in the trial of mob boss Joseph Massino.

More than four years after agreeing to the deal, the tenants say they've been had.

"They give us hopes and then rob us," said Lillian Tozzi, 58, a second-

generation resident of 168 Mulberry and president of the tenants association.

"We're in a worse situation than we were before," she said, adding that officials don't return her calls.

Under the deal, the three buildings would have been sold to their residents under the "tenant interim leasing" program and turned into a sort of co-op, with the residents buying their apartments for \$13,000 and paying relatively small monthly maintenance fees.

In a Jan. 27 letter to Housing Preservation and Development Commissioner Shaun Donovan, tenants-association lawyer Barry Mallin demanded that the city live up to the promise it made when Giuliani authorized a 20-year lease on the yard for \$1,300 a month.

The residents claim all they've gotten is more noise and rats.

"The tenants do not understand what is holding up the process," Mallin said. "They are entitled to an answer. The tenants have put their lives on hold waiting to hear from HPD."

The city obtained the buildings nearly 30 years ago, when the previous owner fell behind on taxes.

HPD spokeswoman Carol Abrams said the city has received Mallin's letter and is reviewing it. "No decisions have been made yet about the future of these three buildings," Abrams said.