

CITY OF NEW YORK  
COMMISSION ON HUMAN RIGHTS

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In the Matter of the Complaint of:

NEW YORK CITY  
COMMISSION ON HUMAN RIGHTS,

Complaint No.: M-H-G-25-149152

Complainant,

- against -

VERIFIED COMPLAINT

CAPITAL VENTURES GROUP INC. D/B/A  
EDGE REALTY GROUP, YEHUDA  
GESTETNER, JESSICA FILOMENO and EISHA  
“DOE,”

Respondents.

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**NATURE OF THE CASE**

The New York City Commission on Human Rights (“Commission”) brings this action against Capital Ventures Group Inc. d/b/a Edge Realty Group, Yehuda Gestetner, Jessica Filomeno, and Eisha “Doe”, collectively “Respondents,” for violations of §§ 8-107(5) and 8-107(17) of the Administrative Code of the City of New York (“NYCHRL” or “Code”). The Commission alleges that Respondents have engaged in discriminatory practices in violation of the Code. Specifically, Respondents have withheld and denied individuals an opportunity to view and apply for a housing accommodation because of their lawful source of income. Specifically, Respondents have prioritized “cash paying tenants” over individuals with other, public lawful source of income by refusing to offer viewings to those without housing vouchers. The Commission, for its complaint against Respondents, alleges as follows:

## **JURISDICTION AND VENUE**

The Commission initiates this Complaint through its Law Enforcement Bureau (“LEB”) pursuant to § 8-109(c) of the Administrative Code of the City of New York (“Code”). The unlawful policies and practices alleged in this complaint occurred in the City of New York.

## **THE PARTIES**

1. LEB’s mailing address is 22 Reade Street, 3<sup>rd</sup> Floor, New York, NY 10007.
2. Respondent Capital Ventures Group Inc. d/b/a Edge Realty Group (“Capital Ventures”) is a residential real estate brokerage company that, for another person and for a fee, lists for sale, exchange, purchase, or rental of an estate or interest in real estate, as defined by § 8-102 of the Code. Respondent Capital Ventures address for service of process is 1 Spruill Court, Monsey, NY 10952.
3. Respondent Yehuda Gestetner (“Gestetner”) is the owner and/or principal broker of Respondent Capital Ventures and is a real estate broker and/or real estate salesperson, as defined by § 8-102 of the Code. Respondent Gestetner’s address for service of process is c/o Capital Ventures Group Inc., 1 Spruill Court, Monsey, NY 10952.
4. Respondent Jessica Filomeno (“Filomeno”) is an agent or employee of Respondent Capital Ventures, and is a real estate salesperson as defined by § 8-102 of the Code. Respondent Filomeno’s address for service of process is c/o Capital Ventures Group Inc., 1 Spruill Court, Monsey, NY 10952.
5. Respondent Eisha “Doe” (“Eisha”) is an agent or employee of Respondent Capital Ventures, and is a real estate broker and/or salesperson as defined by § 8-102 of the Code. Respondent

Eisha's address for service of process is c/o Capital Ventures Group Inc., 1 Spruill Court, Monsey, NY 10952.

## **FACTS**

### **Background**

6. Respondent Capital Ventures is an independent residential real estate brokerage with approximately eight agents operating in New York State.
7. Respondents and/or their agents have misrepresented of the availability of units to voucher holders to prevent them for accessing apartments.

### **Test 1**

8. On or about September 30, 2024, a tester employed by the Commission and posing as a Section 8 Housing Choice Voucher ("Section 8") holder and disabled veteran ("Tester 1"), submitted an inquiry in response to an ad for 2288 Atlantic Ave, Unit #4D, Brooklyn, NY, a one-bedroom apartment listed with a rental price of \$2,650.00 on StreetEasy.com. The ad listed Respondent Filomeno as the contact person. Tester 1 submitted an inquiry to Respondent Filomeno directly on the StreetEasy platform.
9. Later that same day, Respondent Eisha emailed Tester 1 requesting their credit and income information and seeking confirmation that they would be the only person living in the unit, as well as provided a link to a video of the apartment. Tester 1 responded stating the unit was for their sole occupancy and that they would be utilizing a Section 8 voucher and veteran benefits to pay their rent.

10. Respondent Eisha responded to Tester 1, stating that they were working on obtaining access to the unit from the current tenants, and would follow up when access was obtained, or words to that affect. When Tester 1 inquired about the anticipated timeframe to gain access for a viewing, Respondent Eisha informed Tester 1 that they don't have an estimate.

## **Test 2**

11. On or about October 2, 2024, a tester employed by the Commission ("Tester 2") submitted an inquiry on the StreetEasy platform to the same ad listed on StreetEasy.com for 2288 Atlantic Ave, Unit #4D, Brooklyn, NY. The unit was still being advertised by Respondent Filomeno at the same rental price. The inquiry stated that Tester 2 had an income of \$ 115,000 and had a good credit score, and requested to schedule a viewing.
12. Later that same day, Respondent Eisha emailed Tester 2 asking him to share more information about themselves and any other individuals who will be moving in, including the credit score of all adults, whether the adults were roommates, a couple or other household dynamic, and if their combined income met the requirement of forty (40) times the rent.
13. Tester 2 replied stating the unit was only for one person with no pets, and reiterated the income of \$115,000. Tester 2 also stated that their credit was around the 740s.
14. Respondent Eisha responded several minutes later stating they were showing the unit on Sunday, October 6, 2024, at 1:30 pm, and asked whether Tester 2 would like to book a tour.

### **Subsequent Interactions**

15. On or about October 3, 2024, Tester 1 emailed Respondent Eisha requesting an update and inquired about other similar units that might be available.
16. Respondent Eisha emailed Tester 1, stating that the unit was no longer available, but there were other apartments that may fit their needs. Respondent Eisha requested Tester 1's preferences.
17. Tester 1 responded, stating they were looking for a studio or one bedroom unit within their Section 8 voucher payment of \$ 2,624, and requested information on the next steps to schedule a viewing.
18. Respondent Eisha responded that same day, stating an agent would get back to them with units that matched their preferences, or words to that affect.
19. On or about October 7, 2024, Tester 1 followed up with Respondent Eisha to inquire again about additional units and a timeframe to expect a response from agents as he had not been contacted by anyone.
20. Later that same day, Respondent Eisha emailed Tester 1 back stating that many of the apartment viewings were delayed as agents were awaiting access from current tenants in the units.
21. To date, Respondents have never scheduled Tester 1 for any apartment viewings.
22. Upon information and belief, as a pattern and practice, Respondent Capital Ventures and its agents misrepresent the availability of units for viewing once a prospective tenant reveals they utilize a housing voucher or rental assistance.

23. Upon information and belief, Respondents intentionally discriminate against applicants based on lawful source of income.
24. Upon information and belief, Respondents have a pattern and/or practice of discriminating against applicants based on lawful source of income.

### **CHARGE I**

#### **Lawful Source of Income Discrimination in a Housing Accommodation in Violation of § 8-107(5) of the NYCHRL**

25. The Commission incorporates and realleges paragraphs 1 through 24 of the Complaint as though fully set forth herein.
26. The Commission charges that Respondents have committed an unlawful discriminatory practice by refusing to rent or lease, and/or refusing to negotiate for the rental or lease of, or approve the rental or lease of a housing accommodation because of prospective tenants' lawful source of income in violation of § 8-107(5) of the NYCHRL, and have damaged them thereby.
27. The Commission charges that Respondents have committed unlawful discriminatory practices in the terms, conditions, and privileges of a housing accommodation against prospective tenants on the basis of their lawful source of income in violation of § 8-107(5) of the Code and have damaged them thereby.
28. Upon information and belief, Respondents are engaging in a pattern and practice of discrimination on the basis of lawful source of income in violations of § 8-107(5) of the Code, and are damaging voucher holders thereby.

## **PRAYER FOR RELIEF**

WHEREFORE, the Commission respectfully requests judgment against Respondents as follows:

- a) Declaring that Respondents' acts, practices, and omissions complained of herein violate the NYCHRL;
- b) Enjoining Respondents and its/their agents, employees, and successors and all other persons in active concert or participation from aiding, abetting, inciting, compelling, or coercing the doing of any of the acts forbidden by the NYCHRL;
- c) Directing Respondents to make all necessary modifications to their policies, practices, and procedures to comply with NYCHRL;
- d) Directing Respondents to train all management, agents, and employees on NYCHRL;
- e) Directing Respondents to engage in affirmative relief, including anti-discrimination training, policy revisions, posting and notice to employees, and monitoring;
- f) Directing Respondents to pay civil penalties; and
- g) Awarding such other relief as the Commissioner deems just and proper.

**[NO FURTHER TEXT ON PAGE]**


Katherine Carroll, being duly sworn, deposes and says: that I am the Deputy Commissioner of the Law Enforcement Bureau of the New York City Commission on Human Rights, the Complainant herein; I have read the foregoing Complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

Dated: New York, New York  
January 28, 2025



Katherine Carroll

Subscribed and Sworn to before me  
This 28 day of January, 2025



(Signature of Notary Public)  
Prepared by: Stephanie Rivera, Esq.

