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**Flatbush Landlord Indicted for Manslaughter in Connection
With Fatal Fire That Left One Dead**

*Defendant Allegedly Rented Out Illegally Subdivided Apartment Leading to Unsafe Conditions,
Deceased Victim Rented So-Called "Dead Man's Room"*

Brooklyn District Attorney Eric Gonzalez, together with New York City Department of Investigation Commissioner Margaret Garnett, New York City Buildings Commissioner Melanie E. La Rocca and New York City Fire Commissioner Daniel A. Nigro, today announced that the owner of a Flatbush apartment building who rented out rooms in an illegally subdivided apartment has been indicted on manslaughter and other charges stemming from a fatal fire caused by a space heater that left one tenant dead and several injured. The deceased victim was trapped in his room with no way to escape the fire and jumped from a third-floor window to his death.

District Attorney Gonzalez said, "This defendant was well aware of the dangers he allegedly created and allowed to persist, but tragically and disastrously chose to disregard building safety regulations leaving a tenant with no way to escape the fire. His alleged reckless disregard for the law and his failure to protect his tenants cost a man his life. We will now seek to hold him accountable for his actions."

Commissioner Garnett said, "This tragedy was preventable and exemplifies why disregarding New York City building laws is not only illegal but also dangerous conduct. Apartments without safe escape routes or without the proper fire safeguards can have grave consequences as this incident demonstrates. DOI thanks the Brooklyn District Attorney's Office and the City's Buildings and Fire Departments for their partnership in exposing this wrongdoing and holding accountable those who choose to undermine safety by flouting the rules."

Commissioner La Rocca said, "This case shows how chopping up apartments with illegal and unsafe construction can have deadly consequences. The fact is this tragic fatal fire could have been avoided, if not for the owner's reckless disregard for both the law and the safety of his tenants. We thank District Attorney Gonzalez and our partner agencies for bringing charges in this important case, and we are proud to join in this critical effort of holding bad actors accountable."

Commissioner Nigro said, "When critical safety regulations are ignored and apartments are illegally subdivided, lives are needlessly placed in danger. In this instance, a life was tragically lost due to fire. Thank you to the Department of Investigation, the Department of Buildings, and the Brooklyn District Attorney's office for their collaboration on this investigation with our Fire Marshals, which we hope will prevent future tragedies from occurring."

The District Attorney identified the defendant as Evener Leon, 62, of Flatbush, Brooklyn. He was arraigned today before Brooklyn Supreme Court Justice Danny Chun on a seven-count indictment in which he is charged with second-degree manslaughter, criminally negligent homicide, second-degree reckless endangerment and four counts of endangering the welfare of a child. The defendant was released without bail and ordered to return to court on June 30, 2021. He faces up to 15 years in prison if convicted of the top count.

The District Attorney said that, according to the investigation, Leon was the owner of 1776 Nostrand Avenue, a three-story, two-family dwelling with a commercial space on the first

floor. The defendant and his family lived in the second-floor apartment and the third-floor apartment was divided into four illegal apartments occupied by a total of seven adults and four children.

Furthermore, it is alleged, the building did not have gas or heat because the defendant stopped paying his utility bills years before the fire. Instead, he provided tenants with space heaters and they used hot plates to cook their meals.

On December 2, 2019, at approximately 4:00 a.m., a two-alarm fire erupted at 1776 Nostrand Avenue, starting on the second floor and spreading to the third floor, according to the investigation. Eight adults and five children were home at the time. Most suffered some smoke inhalation and other injuries as they crowded onto a rear fire escape to get out of the building.

A tenant who occupied a small room in the front of the building, Jean Yves Lalanne, 70, was trapped by the fire in what firefighters refer to as a “dead man’s room” because once the fire engulfed the stairwell he had no way to exit. There was no fire escape in the front of the building, and he was unable to reach the rear fire escape because of the layout of the third floor. Lalanne jumped from the third-floor window and fell to his death.

Fire Marshals determined that it was an electrical fire that started in the insulation of a cord connected to a space heater in the rear bedroom on the second floor and spread up to the third floor.

The Department of Buildings determined that Mr. Lalanne did not have free and unobstructed access to exits. Additionally, there were no sprinkler heads on the second or third floors, and there were no fire-proof or self-closing doors on the third floor.

The District Attorney thanked the New York City Department of Investigation, the New York City Department of Buildings and the New York City Fire Department for their assistance in this investigation.

The case is being prosecuted by Senior Assistant District Attorney Elliot Wertheim, Special Counsel to the Frauds Bureau Frank Longobardi and Senior Assistant District Attorney Rina Lee, of the District Attorney’s Frauds Bureau, under the supervision of Assistant District Attorney Samantha Magnani, Chief of the District Attorney’s Construction Crimes and Labor Fraud Unit and the overall supervision of Michel Spanakos, Deputy Chief of the District Attorney’s Investigations Division, and Assistant District Attorney Patricia McNeill, Chief.

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An indictment is merely an accusation and not proof of a defendant’s guilt