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FOR IMMEDIATE RELEASE

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**Flatbush Landlord Sentenced to Jail and Probation
in Connection with Fatal Fire that Left One Tenant Dead**

Defendant Rented Out Illegally Subdivided Apartments Leading to Unsafe Conditions

Brooklyn District Attorney Eric Gonzalez, New York City Department of Investigation Commissioner Jocelyn E. Strauber, New York City Fire Department Acting Commissioner Laura Kavanagh and New York City Buildings Department Commissioner Eric Ulrich, announced today that the owner of an illegally subdivided Flatbush apartment building has been sentenced to six months in jail and five years' probation in connection with a fatal two-alarm fire in 2019 that left one tenant dead and six others injured.

District Attorney Gonzalez said, "This landlord's unconscionable negligence cost an innocent man his life and left six others injured when a horrific fire broke out in his illegal apartments. Today's sentence holds him accountable and sends a strong message to landlords who put profit over the health and safety of their tenants that violations of our housing laws and regulations can come with serious consequences."

Commissioner Strauber said, "The City's housing laws and regulations protect tenants' safety, including in the event of a fire. This defendant broke those laws, renting out four illegally-subdivided apartments and creating other hazardous conditions that led to the death of one tenant and injuries to the others when a two-alarm fire broke out in his property. Mr. Leon's conviction and sentence for criminally negligent homicide reflects his utter disregard for his tenants' lives and his legal obligations. I thank the Brooklyn District Attorney's Office, the City Department of Buildings and Fire Department for their commitment and partnership on this investigation."

Acting Commissioner Kavanagh said, "This landlord forced his residents to live in incredibly unsafe conditions which led to a fire that claimed the life of one innocent New Yorker, and needlessly risked the lives of other occupants and dozens of Firefighters who bravely responded to fight the fire. The outstanding efforts of our Fire Marshals to determine the cause and origin of this fire were critical to the investigation. Thank you to the members of the Department of Investigation and the Department of Buildings for their close collaboration with our Marshals and thank you to District Attorney Gonzalez for his office's work to bring justice in this case."

Commissioner Ulrich said, "The defendant carved up a building into illegal apartments without regard for fire-safety protections – causing the death of one tenant, injuring six others, and even putting his own family at risk. I commend District Attorney Gonzalez for his swift prosecution in this case. He is sending a strong message to New Yorkers that we will not tolerate landlords who act recklessly and disregard the law."

The District Attorney identified the defendant as Evener Leon, 63, of Flatbush, Brooklyn. He was sentenced today to six months in jail and five years' probation by Brooklyn Supreme Court Justice Danny Chun. The defendant was convicted of criminally negligent homicide on May 23, 2022, following a bench trial.

The District Attorney said that, according to the evidence, Leon owned 1776 Nostrand Avenue, a three-story, two-family dwelling with a commercial space on the first floor. The

defendant's 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, according to the evidence, 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 some of the tenants used hot plates to cook their meals.

On December 2, 2019, at approximately 4:00 a.m., a two-alarm fire erupted on the second floor and spread to the third floor, according to the evidence. Most of the tenants suffered some smoke inhalation and other injuries as they crowded onto a rear fire escape to get out of the building.

A tenant who lived in a small room in the front of the building, Jean Yves Lalanne, 70, was trapped in what firefighters refer to as a "dead man's room" because once the fire engulfed the stairwell, he had no way to safely exit the property. There was no fire escape in the front of the building and at least one of the rear illegal apartments was locked, which prevented him from reaching the fire escape in the rear. Lalanne jumped from his third-floor window and fell to his death.

Fire Marshals determined that it was an electrical fire that started in the vicinity of the insulation of a cord connected to a space heater in the rear bedroom on the second floor. 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, all of which were violations of provisions of the New York State Multiple Dwelling Law.

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 was prosecuted by Special Counsel to the Frauds Bureau Frank Longobardi and Senior Assistant District Attorney Rina Lee, also of the District Attorney's Frauds Bureau, under the supervision of Assistant District Attorney Gregory Pavlides, Chief of the Frauds Bureau, and the overall supervision of Michel Spanakos, Deputy Chief of the District Attorney's Investigations Division, and Assistant District Attorney Patricia McNeill, Chief.