



For more information:
David Ureña, Esq.
212-417-3784 / durena@mfy.org
Maia Goodell, Esq.
212-417-3749 / mgoodell@mfy.org

For Immediate Release

Essex St. Market Vendor Sues City after It Cancelled Permit on Her Stall

City Turns Its Back on Long-Term Small Businesswoman as Market Prepares to Move

NOVEMBER 21, 2013, NEW YORK, NY—Carmen Salvador, who has operated a clothing stall at the Essex Street Market in Manhattan for 23 years, filed suit in state Supreme Court yesterday charging the city’s Economic Development Commission (EDC) and others with arbitrary and capricious actions and violating her rights under the Americans with Disabilities Act and other anti-discrimination laws. She is represented by MFY Legal Services, Inc., a non-profit law firm that assists low-income New Yorkers.

Ms. Salvador’s troubles started when she returned to her stall in the market in mid-August after a month-long medical leave. She had notified the EDC, which manages the market, of her need to have surgery. Instead of following its own Operations Procedures with respect to tenants who do not operate their stalls the required number of hours, the EDC notified Ms. Salvador that it was not renewing her permit and then padlocked her stall on October 1, 2013.

“Ms. Salvador is considered disabled under the law and should have been given a reasonable accommodation,” said David Ureña, the MFY attorney representing her. “The EDC has violated federal, state and city laws by abusing its discretion in this matter.” The suit seeks a temporary restraining order that would prevent the EDC from re-letting Ms. Salvador’s stall and allow her to re-open her business, which is her sole livelihood.

A long-time institution on the Lower East Side, the Essex Street market is slated to move to a new location a short distance away as part of the Seward Park Urban Renewal plan. In negotiating the move of the Essex Street Market, the city promised to protect current vendors, giving them first priority in the new market and keeping their rents on par with current rents.

Ms. Salvador sells low-cost clothing and draws customers from the thousands of public housing units and tenements in the area. Over the past few years, new vendors at the market have been food-related businesses, and local organizations fear that the city wants the new market to appeal to more upscale consumers. At a recent meeting of Community Board 3, Damaris Reyes, Executive Director of Good Ole Lower East Side (GOLES) addressed the situation: “Right now there are some vendors at the Essex Street Market who have been vendors for a long time and they are being pushed out. We are extremely concerned about the timing of this . . . This is what we’re beginning to see and it’s one of our fears being realized.”