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Group home residents file suit over allowance

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In a class-action lawsuit, three residents of a Coney Island adult home have accused staff members of withholding their state-mandated allowances as a form of punishment.

The lawsuit, filed Tuesday in U.S. District Court in Brooklyn, alleges that Oceanview Manor Home for Adults illegally de-

nie residents the use of their personal allowances as a form of behavior control and withholds the funds if they fail to take part in certain voluntary programs or shower or bathe.

"This practice is widespread in the home, and it's very repressive, intimidating and abusive," said Lycette Nelson, an attorney for MFY Legal Services Inc., which brought the suit.

Joseph Rosenfeld, the home's operator and administrator,

said he was unaware of the lawsuit but denied that allowances are being withheld. "There is no such practice," he said.

Oceanview Manor, at 3010 W. 33rd St., houses about 176 residents, the majority with mental disabilities who receive Supplemental Security Income. Under state law, each resident receives \$127 a month to buy personal items such as toiletries, clothing and snacks while the home is paid \$872 a month

for rent, board and services. "Adult home residents have almost no control over their lives," Nelson said. "Their small monthly allowance gives them a minimal degree of independence. The withholding of allowances is having an intimidating effect throughout the home."

The suit, which seeks a halt to the alleged punishment and unspecified monetary damages, claims the home and Rosen-

feld violated the residents' rights under the Americans With Disabilities Act, the federal Rehabilitation Act and state and local anti-discrimination laws.

"Oceanview and its operator have an obligation to help residents with money management and personal care, not to punish them by denying them access to what is legally theirs," said Susan Kohlmann, another attorney for the residents.