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Seaport Manor Home for Adults: 32 Residents File Suit

NEW YORK, NY, May 24, 2002—Thirty-two mentally disabled residents of Seaport Manor Home for Adults (“Seaport”) filed a lawsuit in Brooklyn Supreme Court on May 22, 2002 demanding that the New York State Department of Health (“DOH”) immediately appoint a receiver to run the home to protect their health, welfare and safety. Residents are challenging a plan agreed to between DOH and Seaport wherein the operators surrender their license in return for payment of \$20,000 in fines. (Another \$20,000 in fines will be suspended if the operators comply with various terms of the agreement.)

The residents were granted a temporary restraining order (“TRO”) against Seaport operators from transfers without consent of counsel. The TRO also protects the residents against retaliation and intimidation by the operators.

When asked why the residents would want to continue to live at Seaport Manor given the horrendous conditions there (Seaport was featured in the recent front page The New York Times series, “Broken Homes,”), residents state that many of the homes they are being offered are in as poor condition as Seaport. They want DOH to impose a receiver who will operate the home responsibly until a permanent operator can be found.

MFY lawyers representing the residents have tried to negotiate a better solution to the longstanding problems at Seaport with DOH, to no avail. Jeanette Zelhof, Managing Attorney at MFY states: “We are disappointed that the only solution DOH has found to address the deplorable living conditions at Seaport Manor is to facilitate the closing of the home. The public policy implications of this decision are enormous. Allowing a repeat offender like Seaport to evade regulatory oversight in this manner makes a mockery of the enforcement process. And attempting to transfer over 300 individuals with special needs to an already overwhelmed supportive housing system is resulting in the shuffling of residents to other poor performing homes that may soon be subject to closure as well.”

MFY Legal Services, Inc. represents over 1,000 seriously and persistently mentally ill clients each year through its Mental Health and Adult Home Projects. MFY has provided legal assistance to those with mental illness for over twenty years.

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