

Woman who faced eviction over 3 emotional support parrots wins \$165,000 in federal case

A woman who faced eviction from her Manhattan apartment over her three emotional support parrots will be paid



\$165,000 in damages plus \$585,000 for her apartment under a consent decree announced by federal prosecutors.

Lesser purchased an apartment at the Rutherford in Manhattan's Gramercy Park neighborhood in 1999 and moved into it with her birds.

A neighbor started complaining in 2015. "Oh God, I wake up still with nightmares of them screaming in my head."

The New York City Department of Environmental Protection sent inspectors 15 times but did not find any evidence of excessive noise. "No birds, no screeching — no noise," [an inspector wrote](#) on Feb. 7, 2016.

Lesser submitted letters from her psychiatrist explaining that she needed the birds for her mental well-being, but the Rutherford board began eviction proceedings in May 2016.

Lesser moved out and sublet her apartment. She filed a federal fair housing complaint with the Department of Housing and Urban Development in 2018, and HUD found probable cause to believe that Rutherford had violated Lesser's fair housing rights.

The consent decree approved by a federal judge on Aug. 16 represents the largest recovery the federal government has ever obtained for a person with disabilities whose housing provider denied them their right to have an assistance animal.

"This outcome should prompt all housing providers to consider carefully whether their policies and procedures comply with federal law," Williams said.

In addition to paying Lesser \$165,000 and purchasing her shares in the co-op for \$565,000, the Rutherford must adopt a reasonable accommodation policy for assistance animals and allow the federal government to monitor compliance. It must also dismiss the eviction proceeding against Lesser in housing court.