

Queens family beats back eviction after co-op board tries to force them to get rid of their precious pooch

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Tamara Yaguda of Rego Park was born with little hearing in her left ear. Her right ear has none. Like many deaf people she was isolated from the world. That is until she got Luna, a 34-pound extroverted husky-pomeranian mix -- a pomsky -- who brought her out of her shell and became her ambassador to the world of sound.

“Luna changed my life for the better,” she said in an affidavit. “She never rejected me or made fun of me because of my disability, like some people have done to me my whole life.”

But what the 32-year-old early intervention counselor for disabled kids thought was a kibble of hope became a nearly two-year ordeal after the co-op board of the building in which she’s lived with her family for

20 years tried to evict them over their precious pooch. Her mother, Margarita Yaguda, 55, said she tried everything to help her daughter.

“We tried hearing aids, different devices, everything. Nothing worked,” said Margarita, a nurse who works with the elderly. “So, the doctor said, ‘It’s better for you to get a dog.’ So, we got a dog,” the mom said. “We were looking for this special breed.”

Luna has the intelligence of a husky and the attentiveness of a pomeranian, she said. “She’s a happy girl and she loves to eat! It was easy to train her,” Tamara signed to a translator during an interview with the Daily News. “She picked it up fast.”

The loyal pet would signal if someone was at the door and helped her engage with people when they went for daily walks. “She’s very smart,” Margarita said. “Luna’s a very intelligent dog. She understood what you wanted from her from the very beginning.”

“Everybody loves her, “ she said. “And she loves everyone.” Everyone, that is, but the co-op board management of the Park City apartment building in Queens. In August 2017, about two months after the family got the dog, they were told that Luna had to go. “My clients were contacted with a demand letter,” the family’s lawyer Maddy Tarnofsky said.

“Either the dog had to go or they had to go with the dog.” The Yagudas appealed to building manager Chandra Jain to let the dog stay. “We submitted the paperwork three times (to the board) – a doctor’s letter, an audiologist report, everything necessary,” Margarita said. “They knew my daughter had a disability even without the paperwork.” Jain would not hear it. “I went to the manager and he put his hand in my face,” she signed. “He said, ‘I don’t’ care about your disability. I’ll see you in court.” Other tenants in the building have dogs, so the family knew it wasn’t just about Luna.

“I think they just wanted our apartment,” she said of the three-bedroom flat that the family recently renovated and valued at over \$600 grand. “Our apartment is valuable and we live in a good area.”

When the family refused to come to heel, the co-op board filed for eviction in Landlord/Tenant court claiming the family disobeyed the building’s rules against pets.

The Yagudas countered with a federal complaint to the Department of Housing and Urban Development, claiming discrimination based on Tamara’s disability.

In late February, the board settled without an admission of wrongdoing and dropped the eviction case. Jain and his assistant must undergo training in the Fair Housing Act and the board paid the Yagudas \$7,000 for

half their legal fees. The board also waived a \$14,778 legal bill they tried to stick on the family. The Park City co-op lawyer, Robert Cecere, said the definition of “emotional support” animals has been abused. “People are trying to fly on airlines with peacocks,” he said.

The co-op board was never against Luna, though, Cecere said. He maintains that this all could have been avoided if the family had simply registered their pet as all tenants are required to do. “If they had followed the rule from day one, they would have had no problem,” he said.