

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: HOUSING PART C

.....X

THOMAS D. KRAEMER

Petitioner-Tenant

-against-

FLORENCE AND MICHAEL EDELSTEIN
Edel Family Management Corp;
Majestic Realty Corp.
2207 Coney Island Avenue Brooklyn, NY 11223

Respondent-Owner

.....X

**AFFIDAVIT IN SUPPORT OF
ORDER TO SHOW CAUSE**

Index No. L&T 79433/14

FOR: NON-PAY OF RENT
OVERCHARGES /
RESTORE TO
CALENDAR

A PDF COPY OF THIS MOTION AND PDF EXHIBITS CAN BE FOUND:

https://kraemerinc.com/housing_court/

.....

THOMAS D. KRAEMER being duly sworn, deposes and says:

2. REQUEST:

1. Restore to the calendar for trial CASE # 79433/14 Edelstein v. Kraemer.
2. Review [Exhibit 1](#) [attached] as proof there is no pending appeal preventing the adjudication of this OSC request. [Exhibit 1](#)
3. ORDER EDELSTEIN TO PAY ME WHAT IS DUE. [12/18/2014](#) Judge Arlene Hahn ordered a stipulated settlement: "Petition amended to reflect the subject premises as subject to rent stabilization." Judge Hahn's STIP on rent stabilization was never challenged by the opposing

party attorney Christopher J. DuVal.

12/18/2014 attorney Christopher J. DuVal was caught proffering a false instrument in the first degree by Judge Arlene Hahn resulting in the STIP. An e class felony. Attorney DuVal confessed on the record lying about the rent-stabilized status of apartment 8G, (“a mistake”) concealing [\\$283,644.00](#) [+ treble damages or \$850,934.97] in rent overcharges owed to me by his clients Michael, Florence, and Ronald Edelstein while he demanded the court order me to pay [\\$14,747.40](#) and get a marshal to evict me. [Exhibit 2](#)

Attorney Christopher J. DuVal’s request for [\\$14,747.40](#) in back rent became MOOT the moment he was caught lying about the rent stabilized status of the apartment and with it the instant **\$850,934.97 due to me in rent overcharges.** [I overpaid rent until the year 2036]

I request the rent overcharges be calculated as per DHCR Deputy Commissioner Woody Pascal: they need to be calculated from the base-rent date of **1996 to 2014.**

DHCR # [313311](#) Rent history | 145W71 NY NY | 8G Rooms 3

[Exhibit 3](#)

DHCR # [313312](#) Rent history | 145W71 NY NY | 8G1 Rooms NA

[Exhibit 4](#)

4. That Judge Peter Wendt abused his position as a public servant and to be held accountable.

02/05/2015 Judge Wendt independently ordered me to pay [\\$14,747.40](#) in illegal back rent proscribed by the 12/18/2014 settlement stipulation order attorney DuVal agreed to. NO MOTION to strike the stipulated order regarding the rent stabilized status of apt 8G was filed by attorney DuVal. Judge Peter Wendt simply acted on his own in violation of state law then evicted me for not paying his order for rent money I did not under ANY circumstance OWE.

5. Judge Peter Wendt was corruptly persuaded, and calculated to harm me materially with respect

to my health, safety, business, calling, career, financial condition, reputation and personal relationships including contact with my child Emilie Kraemer and ought to be held accountable.

6. That attorney Christopher J. DuVal be held accountable for his willful scheme to defraud me, NYC Housing Court and the State of New York DHCR concealing Edelstein's illegal rent filings to DHCR by offering a false instrument in the first degree violating NYS Penal Law § 175.35.

7. That attorney DuVal be held accountable for offending NYS Penal Law § 175.35 by offering false instrument [#27965](#) for filing in the first degree to Manhattan Housing Court Judge Hahn, City of New York 111 Centre Street, NY, NY.

8. That attorney DuVal be held accountable for tampering with the U.S. Mail offending U.S. Postal code 4.6.2 and using the U.S. Mail to steal property as proscribed by 18 U.S.C. § 1343. Attorney DuVal used a grossly outdated postal meter to control the delivery of court service causing my illegal eviction by Judge Wendt for "non-appearance" to a 03/17/2015 hearing initiated by attorney DuVal.

9. That Judge Peter Wendt be held accountable for not requiring a certificate of service from attorney DuVal as required under FRCP RULE 5 (1) (A) (i).

10. 2/5/2015 Judge Peter Wendt willfully violated rent stabilization law and a stipulated settlement order agreed to by attorney DuVal 12/18/2014 after he was caught in crime by Judge Arlene Hahn subverting rent stabilization law. Judge Peter Wendt became accessory to the landlord's grand larceny in the first degree NYPL § 155.42:

[\\$850,934.97](#) Treble damages for illegal rent charges by Edelstein.

[Exhibit 2](#)

[\\$44,000.00](#) Hotel expenses caused by landlord Edelstein use of fumes.

[Exhibit 5](#)

[Not including hotel expenses from 2016 to 2022]

[\\$155,819.00](#) Property illegally confiscated by Judge Wendt. [Exhibit 31](#)
\$0,000,000 Theft of original artwork. The collection requires a valuation estimate.
Their fraud also caused me to default on payments to my bank and Amex
destroying my excellent credit and robbing my creditors:
\$74,942.16 Capital One loan default caused by Judge Wendt's illegal eviction
\$65,835.57 American Express payment default caused by Judge Wendt's illegal eviction

11. I REQUEST TOTAL REIMBURSEMENT OF \$1,191,531.70.

12. I request the Court enforce payment for my hotel expenses from 11/16/2013 forward as a result of Edelstein's use of violence to force me from my apartment. [Exhibit 5](#)

13. I request the court to rule that I am illegally locked out of my apartment.

14. I request my eviction be overturned due to attorney DuVal 's manipulation of the U.S. Mail to game court service in violation of federal law.

15. My eviction be overturned due to Judge Wendt's participation in robbery and intent to harm.

16. A Marshal be ordered to enforce payment and provide access to my apartment.

3. CLAIM: I have a good claim because.

17. [11/04/2013](#) INTENSE TOXIC FUMES AND INFESTATION pervaded my Upper West Side (UWS) apartment 145 W71St Apt. 8G the same day NYPD 20th Precinct Inspector Brian McGinn was promoted. Inspector McGinn was named by the [FBI](#) for taking bribes from UWS real estate developers that represented other Republican Jewish landlords in the neighborhood. Republican foreign agents Jona Rechnitz and Jeremy Reichberg used their influence over NYPD internal affairs to secure promotions for select NYPD then leveraged them for favors.

[Exhibit 6](#), [Exhibit 7](#), [ChiefLeader](#), US v. Reichberg, Rechnitz [16 MAG 3919](#)

18. [11/06/2013](#) INTENSE TOXIC FUMES AND INFESTATION the same day Republican Judge Edward Smith was interviewed by the U.S. Senate Judiciary Committee. Easton PA Republican Judge Ed Smith was responsible for my daughter's violent child trafficking. I preserved ESI evidence of Judge Smith's uncharged federal civil and criminal offenses in my apartment. Judge Smith, the DA, police, my sister deputy Gretchen Kraemer concealed Smith's use of false diagnosis code MR317 and torture to coerce my daughter's silence. [Exhibit 6](#)

[Exhibit 7](#) [Exhibit 8](#)

11/6/2013 Senator Hirono: "The record will remain open for 1 week [11/13/2013] for submission of written questions for the witnesses or other materials, and with that, this hearing is adjourned."

19. [11/16/2013](#) INTENSE TOXIC FUMES AND INFESTATION continued until I was violently forced out of my apartment or risk serious injury and began living in hotels 11/16 [Exhibit 9](#)

I was unlawfully locked out of my apartment without a court order.

20. **11/19/2013** On or about I met with NYPD 20th Precinct Sergeant and a Lieutenant that said my description of Edelstein's use of toxic fumes fit attempted murder, took no notes, made no report and refused to investigate: **(i)** "Come back and see us again if he does it again." **(ii)** The 20th Precinct then erased my detectives report on the matter.

21. [[4/2018](#) 20th Precinct Inspector Brian McGinn was cited by FBI for taking bribes from Republican foreign agents Jona Rechnitz and Jeremy Reichberg. His people are refusing to help me with attempted murder, erased my detectives report on the subject during the time Republican federal judge applicant judge Ed Smith record was let open by the U.S. Senate Judiciary Committee for witnesses.

Jona Rechnitz and Jeremy Reichberg's influence over NYPD internal affairs came from their relationships at highest levels of Republican Israeli and U.S. Government. Including regular contact with Republican Israeli Prime Minister Netanyahu and U.S. Senator Lindsey Graham. They represented Israel's Iron Dome Missile Defense System before the U.S. Senate paid for with U.S. D.O.D. budget.] www.nydailynews.com

22. My landlord's Florance and Michael Edelstein were both UWS active Jewish Republicans. That is, after 17 years of charging an illegal rent the Edelstein's choose those particular dates and timeframe to use potentially lethal fumes to force me from the apartment with no consequences from the NYPD.

I opened HPD Court actions to deal with the unlawful forced lockout.

23. **01/17/2014** Housing Court HPD Action [6294/13](#) Adjourned to 1/30/2014 [Exhibit 10](#)

24. Judge Sabrina Kraus approved to have my rent reduced to ONE DOLLAR per month for lack

of services. DHCR Confirmation Number: [B2133C36](#). Docket #: CM410048S [Exhibit 11](#)

25. **01/30/2014** Housing Court HPD Action [6294/13](#) [Exhibit 10.1](#)

Judge Sabrina Kraus ordered to have repairs completed by 2/3/2014. Adjourned to 2/13/2014

23. **02/08/2014** HPD # [6294/13](#) repairs were completed. [Exhibit 12](#)

Each time I tried to move back in Edelstein vented [TOXIC FUMES](#) into the apartment.

24. **02/13/2014** Housing Court HPD Action [6294/13](#) Judge Sabrina Kraus.

I complained Edelstein was venting toxic fumes. Edelstein claimed the varnish was still drying from 02/04/2014 repairs.

The varnish still drying was **total bs**. Edelstein constructed a [delivery system](#) to disperse biological and chemical [fumes] weapons. I found it after he attempted to hide it during an [11/18/2014](#) HPD inspection.

25. **02/17/2014** Try to move in. Edelstein vented TOXIC FUMES. NYPD said to call the fire department. Toxic fumes were being blown in through the floorboard cracks from an area I caught his superintendents not putting down a plastic barrier during HPD [6294/13](#) when I stepped out for coffee. [Exhibit 12](#)

26. **02/19/2014** Security cameras caught Edelstein venting toxic fumes through floorboards. Photos clearly depict tar residue from fumes vented through the floorboards. [Exhibit 12](#)

27. **02/19/2014** I called the fire department. 1:42 PM EMTs refused to enter apartment 8G due to TOXIC FUMES. The fumes I was sleeping in were so intense EMTs made me shut the door as to not infect the hallway. [Exhibit 12](#)

28. 02/20/2014 Housing Court HPD Action [6294/13](#) Judge Sabrina Kraus.

I complained about TOXIC FUMES.

29. 02/25/2014 I tried to move in again. TOXIC FUMES were vented through the floorboards.

I was treated by an MD for fumes and large bug bites. [Exhibit 15](#)

03/04/2014 Edlestein defeated my HPD Court actions by a corruptly persuaded DHCR inspector Barbara Robinson.

SCHEDULING CONFLICT DHCR INSPECTION [CM410048S](#)

30. [03/04/2014](#) 10:00 AM Housing Court HPD Action # [6294/13](#) Judge Kraus. [Exhibit 16](#)

31. **10:15 AM** HPD court attorney called DHCR Inspector Barbara Robison #CM410048S to resolve scheduling conflict for her 11:00 AM inspection. Robison did not answer her cell phone.

32. **10:30 AM** I was advised to make the DHCR appointment and drop my HPD hearing.

33. **11:00 AM** DHCR Inspector Barbara Robison did not show for her inspection.

34. **11:14 AM** Inspector Robison finally picked up her phone and she explained she was excused from inspection by her boss Luke O'Brian. [Exhibit 17](#)

35. Inspector Barbara Robison wrote a bogus report that day. NO mention of TOXIC FUMES. She added scabies [a human disease impossible to live in apartment] as one of the reasons for her to be excused from inspection. [Exhibit 18](#)

36. **11:52 AM** DHCR Rent Administrator Luke O'Brian was supposed to be reducing my rent to ONE DOLLAR for lack of service. Instead in his email he was falsely discounting infestation

and made NO MENTION OF TOXIC FUMES — the basis for reduced rent. [Exhibit 18](#)

37. Pidgin mites were confirmed by [PestPro](#) who lost their report until after DHCR canceled my case then sought double payment for treatment. [Exhibit 19](#)

[Exhibit 20](#)

38. **03/04/2014** I stopped paying rent on this date. I was paying for hotels and rent since 11/16/2013 as my apartment was unusable.

39. **05/29/2014** Luke O'Brian canceled my DHCR rent reduction case for not getting back to him when I did [03/10/2014](#). Proved by their own timestamp on my letter. [Exhibit 21](#)

[09/25/2017 After my illegal eviction 8/19/2015 I went to find Inspector Robinson's notes at DHCR 25 Beaver street. I was given the [finger to the back of my head](#) by Robinson's co-worker friend when I found her notes were removed from the FOIL. [Exhibit 22](#)

09/25/2017 forward every DHCR hotline employee I spoke to lied about the existence of Robinson's report.

10/03/2017 [DHCR hotline](#) attendant said Robinson's file did not exist until I told her my daughter was human trafficked by POLICE and got an STD (SCABIES) from human trafficking in **parking-lots**. SUDDENLY it became available and she read it to me over the phone:

“**INSPECTION CANCELED DUE TO TENANT STATING HEAVY INFESTATION OF SCABIES AND PARASITES IN THE APARTMENT NECESSITATING WEARING PROTECTIVE CLOTHING WHEN ENTERING THE APARTMENT.** BARBARA ROBINSON, Tuesday, March 4th, 2014.”

[10/11/2017](#) I went to the DHCR Harlem office and got into yelling match with 3 employees who said there was no such file. DHCR Deputy Commissioner Woody Pascal intervened and then emailed me a copy of Inspector Robinsons notes. [Exhibit 23](#)

During our meeting **Pascal confirmed Edelstein's 17 years of illegal rent overcharges.**
Mr. Pascal Stated DHCR's estimate was WRONG and rent had to be calculated from the base rent date of 1996. He said I missed my PAR appeal date with DHCR.

Evidence of Landlord Edlestein and Easton PA Guardian Lisa Spitale working toward common illegal goals.

40. **08/28/2014** PA guardian Lisa Spitale [appointed by Judge Ed Smith] cut phone communication with my daughter.

41. **08/29/2014** Attorney DuVal offered false instrument Non-Pay Dwelling demand [#27965](#) to Housing Court seeking \$14,737.40. 5 months back-rent from 03/04/2014 forward. [Exhibit 24](#)

42. 10/10/2014 14-2221 Kraemer v. Edelstein Second Circuit MTR DENIED

43. 10/11/2014 Edelstein pulled the radiator pipe in 8G filling it with steam setting off the alarm.

THE STORY. The Superintendent said the steam pipe from my bedroom radiator “disconnected itself” and began blowing raw steam into the apartment setting off my fire alarm. That resulted in next door neighbor **8F Dov Fobar** [a nursing home director] calling NYC fire department. The fire department ripped the locks off of my apartment, 8G's front door and turned off the raw steam jetting from the tampered radiator.

THE REALITY landlord Edelstein broke [his contractors were breaking in through the side window from the roof] into the apartment to reset [a device](#), a [delivery system](#) he constructed in

my apartment to pervade it with biological infestation and toxins. Specifically [bird mites](#). Which is why I was not home in the first place and staying in hotels. **8F Dov Fobar was stalking me in the apartment building with three other tenants with the help of Edelstein's use of building cameras resulting in a harassment claim.**

44. **11/10/2014** NY HPD #1721 inspection was scheduled for **11/18/2014**.

45. **11/11/2014 - 11/18/2014** Edelstein destroyed apartment 8G and my property by pulling the steam pipe from the radiator preventing HPD's inspection of window. Edelstein's [delivery system](#) was constructed behind the radiator, below the window.

46. **11/18/2014** HPD's inspector took pictures of the tampered radiator venting raw steam.

47. **12/05/2014** HPD Judge Kraus Ordered repairs for damage caused by the radiator pipe pull.

12/18/2014 Housing Court Judge Arlene Hahn Ordered Settlement

48. 12/18/2014 Judge Arlene Hahn Ordered Settlement for 2/5/2015 *immediately* after catching attorney Christopher DuVal LIEING about the rent stabilized status of the apartment in his Non-Pay Dwelling demand [#27965](#) line item 7. Concealing that his client, Edelstein, owed me [\\$283,644.00](#) plus treble damages (\$850,934.97) in illegal rent overcharges while demanding the court to order me to pay [\\$14,747.40](#) and get a marshal to evict me.

ITEM #7: "The premise is not subject to the City Rent Law (Rent Control) and it is no longer subject to the Rent Stabilization Law of 1969 as amended, because when stabilized, it became vacant and consistent with rent stabilization, was rented at the legal regulated rent of at least \$2,000 per month." [Exhibit 24](#)

49. **12/18/2014** Judge Arlene Hahn's settlement stipulation order states:

1. Trial venue waived
2. Petition amended to reflect the subject premises as subject to rent stabilization.

3. Petitioner accepts respondents' amended answer today subject to a motion to strike any portions the petitioner believes are not properly held and/or properly interpreted herein.

4. Case adjourned to 2/5/2014 [Exhibit 35](#)

50. [12/18/2014](#) My amended Answer: Harassment and estimated \$100,000 damage claim

[Exhibit 39](#)

51. Attorney Christopher DuVal's e-class felony.

(i) NYS Penal Law § 175.35 Offering A False Instrument For Filing First Degree. Attorney DuVal attempted rob me by LIEING to NYC Housing Court, Judge Arlene Hahn, The Division Of Housing And Community Renewal (DHCR) And NYS Office Of Rent Administration.

52. [Completed § 175.35 form.](#) [Exhibit 24](#)

53. **01/2015** I ordered the rent history from DHCR and found landlord Edlestein owed me [ballpark] [\\$850,934.97](#) for 17 years of illegal rent overcharges.

54. [01/14/2015](#) on or about. Seasoned Manhattan Housing Court attorneys in room 104 quickly and easily spotted Edelstein's fraud in DHCR's rent history records:

DHCR # [313311](#) Rent history | 145W71 NY NY | 8G Rooms 3 [Exhibit 3](#)

DHCR # [313312](#) Rent history | 145W71 NY NY | 8G1 Rooms NA [Exhibit 4](#)

55. A room 104 attorney said: "YOU HIT THE LOTTERY"

17 years of triple rent overcharges. Edelstein owed me roughly [\\$850,934.97](#)

56. Room 104 attorneys advised to get the rent history in front of judge Peter Wendt for a calculation: "to get paid more quickly than DHCR." Which I did [01/14/2015](#) [Exhibit 36](#)

57. [1/16/2015](#) Attorney Christopher J. DuVal was served by me with DHCR's rent history records proving [\\$850,934.97](#) in illegal overcharges. [Exhibit 37](#)

58. [01/22/2015](#) DHCR's rent history records were entered to the docket for calculation for judge Peter Wendt.

59. [02/03/2015](#) Attorney DuVal motioned to STRIKE MY HARASSMENT CLAIM only.

[Exhibit 38](#)

60. Landlord Edelstein was using cameras to have 4 tenants interested in my apartment [**8F Dov Fobar**] to track and harass me [a rent stabilized tenant] in the building and had a history of doing it to other tenants:

61. April 11, 2019 Attorney General James Launches Investigation into New York Landlords For Real Estate Fraud: NEW YORK – Attorney General Letitia James today announced an investigation into Michael, Florence, and Ronald Edelstein regarding their alleged fraudulent business practices... **“The Attorney General also learned that Ronald Edelstein harassed the co-op’s shareholders by intimidating those who disagree with him, monitoring residents via closed-circuit cameras, and threatening to withhold repairs from some owners.”**

<https://www.uticaphoenix.net/index.php/attorney-general-james-launches-investigation-into-new-york-landlords-for-real-estate-fraud/>

63. 02/5/2015 Stipulated Settlement hearing— Judge Peter Wendt abused his position

Housing Court judge Peter Wendt robbed me of my apartment. He acknowledged, confirmed my proper service of DHCR rent history records to attorney DuVal [grilled me on service]. Judge Wendt then refused to calculate overcharges from my DHCR rent history. Judge Peter Wendt refused to order payment for [ballpark] [\\$850,934.97](#) in illegal rent overcharges due that day.

65. Judge Wendt with NO MOTION TO STRIKE the premises as subject to rent stabilization from attorney DuVal ordered me to pay the original, illegal, non pay dwelling [\\$14,747.40](#) demand and to deposit it in an escrow account as per RPAP § 745 (2) (a) utterly offending Judge Hahn's 12/18/2014 settlement stipulation order in offense of State and Federal law:

66. [RPAP § 745 \(2\) \(a\) \(v\)](#) states: "The court shall not order deposit or payment of use and occupancy where the respondent can establish, to the satisfaction of the court that respondent has properly interposed one of the following defenses or established the following grounds:
a colorable defense of rent overcharge.

67. Judge Wendt knew he was committing robbery with no objection from attorney DuVal. Judge Wendt calculated to harm me materially with respect to my health, safety, business, calling, career, financial condition, reputation, personal relationships, and irreparably harmed my daughter subjecting her to extreme suffering. Judge Peter Wendt was viciously criminal.

68. [02/6/2015](#) Easton PA guardian Lisa Spitale abused her position as a public servant C0048PF-2014-000815 | Northampton County PA. Lisa Spitale v. Kraemer. Guardian Lisa Spitale lied then kidnapped my daughter the day after Judge Wendt robbed me. Lisa Spitale, appointed by Judge Ed Smith, protected him and the child trafficking business he was a member of. Judge Smith and Spitale tortured my daughter Emilie during his federal judge application. Ms. Spitale said I took her to a shelter during weekend visitation. Something I would never do and had hotel receipts. Spitale and Edelstein robbed my daughter of an alternative place to live in New York where Emilie was accepted as normal by corruptly persuading Judge Peter Wendt in collaboration with my landlord Edelstein. Lisa Spitale should have charged as a terrorist. She abused and tortured my daughter without a second thought in furtherance of Judge Ed Smith's federal Judge appointment.

69. 02/6/2015 Ed Keesley Director of the NYC Homeless Prevention Unit.

Ed Keesley reviewed my New York State DHCR rent history records he saw the rent was illegal. Mr. Keesley then issued request # [00035602756F](#) for the LEGAL RENT from Housing Court Judge Peter Wendt. [Exhibit 26](#)

70. 02/17/2015 Judge Peter Wendt abused his position as a public servant.

02/17/2015 Judge Peter Wendt DECLINED the NYC's request # 00035602756F for the legal rent of my apartment. (a colorable defense of rent overcharge as per RPAP § 745 (2) (a) (v)) [Exhibit 27](#)

71. Judge Peter Wendt MOCKED my illness from TOXIC FUMES proclaiming at the top of his lungs: IIIIIIIIMMMMMMMMMMMMMM SIIIIIIICCCCCCCCCKKKKKKKKK.

72. After robbing me Judge Peter Wendt lectured me on “**responsibility**” Judge Wendt was an incompetent, greedy, limited judge that abused his position without fear and got favor from the board that retained him.

73. 3/17/2015 Judge Wendt evicted me for non-appearance to a hearing attorney DuVal did not serve me for and did not require certificate of service from him.

74. Attorney DuVal tampered with the U.S. Mail by using a grossly outdated postal meter to be sure I would not get service. He lied about it in court, then was not required to provide certificate of service by Judge Peter Wendt. Attorney DuVal robbed me of property by tampering with the U.S. Mail proscribed by U.S. Postal code 4.6.2 and 18 U.S.C. § 1343 to give the appearance of service. [Exhibit 33](#) [Exhibit 34](#)

1. According to U.S. Postal rules if DuVal used a street mailbox with an outdated meter the “machines do not catch stale meter dates” his mail would go through.
2. If he deposited his grossly outdated metered mail in the Post Office building postal employees

were required to catch it and return DuVal 's undeliverable mail to him.

**Duval could control who got served and who did not after depositing it in the Mail—
depending on where he deposited it.**

FRCP RULE 5 *Service in General*. A paper is served under this rule by (C) mailing it to the person's last known address—in which event service is complete upon mailing.

FRCP RULE 5 (1) (A) (i) *Papers after the Complaint*. Any paper after the complaint that is required to be served—must be filed no later than a reasonable time after service. (i) if the paper is filed, a certificate of service must be filed with it or within a reasonable time after service.

DuVal, a seasoned attorney, knew to keep a severely outdated PitneyBows meter in violation of federal postal rules for the purpose of robbery via the U.S. Mail.

04/1/2015 Judge Wendt impressed upon me that because DuVal was an attorney he could not lie as the consequences for an attorney to lie were severe “**as such not required to provide proof of service.**”

(i) Yet attorney DuVal was lying. His use of a meter not compliant with federal rules was a lie.

DuVal: “I dropped it in the mail myself”

(ii) Judge Wendt upheld his own order for my not paying \$14,737.40 to escrow I did not remotely owe and evicted me.

75. **05/12/2015** My Motion to STAY eviction was rejected. [Clerk's # 570529/15](#).

76. **05/13/2015** NYC HRA Waverly Center TELLER #2 erased NYC HRA Ed Keesley's request # [00035602756F](#) for the legal rent from the NYC HRA database and replaced it with A OneShot rejection letter for a OneShot I never asked for. Nether did Ed Keesley.

77. NYC HRA Waverly Center superseded its valid record of inquiry # [00035602756F](#) for the legal rent presented to Judge Wendt with a fraudulent record presented to themselves.

78. 08/19/2015 Illegal Evection, premeditated attempted murder

79. Judge Wendt lied to the NYC Marshals office to confiscate my property for non-pay of an illegal rent that I paid for on-time and overpaid until the year 2036.

Marshal T.J. Bia Badge #9 | 718-681-8878 | Fax: 718-681-8677

Marshal Ileana Rivera Badge #4 | 718-238-7770 | Fax: 718-238-7773

[Exhibit 28](#)

80. Judge Wendt refused to let me to collect any property: ESI evidence, computers, clothing intellectual property, my ability to make a livelihood.

81. Judge Peter Wendt threw me to the street with the shirt on my back, a laptop, a bike and no recourse for making a livelihood.

82. 11/15/2015 on or about: NYC MainChance Drop-in shelter. Intake Ms. Leveen asked: did you pay your rent!?! while she waved around HRA TELLER's #2 false instrument used for human trafficking. HRA Ed Keesly's request # [00035602756F](#) for the legal rent was not in her folder. I asked.

83. NYC MainChance Drop-in shelter. NYC Grant Associates Forced Cheep Manual Labor In Exchange For Shelter. I was forced to sit all day at the City's remote labor site run by Grant Associates.

84. Guy, who ran the facility also waved around HRA TELLER #2's false instrument used for human trafficking as his license to keep me there: "YOU WERE TURNED DOWN FOR A ONE-SHOT"

85. MainChance staff deliberately infected me with potentially lethal Bilateral Cellulitis.

86. After four weeks at MainChance I was infected with Bilateral Cellulitis [both legs].

"In the absence of trauma to both legs, bilateral cellulitis is exceedingly rare. Bilateral cellulitis would require either bacterial dispersion or independent inoculum of both legs"

[Journal of Hospital Medicine 2018](#)

87. MainChance staff attempted my murder on Edelstein's behalf.

Highly likely using the contaminated tissue from the nursing home patient they *dumped* into the sleeping area with large, open, reeking untreated staph infection sores.

88. **12/14/2015** I opened Kraemer v. Edelstein 15-cv-9839 SDNY

89. **12/15/2015** I was evicted from NYC MainChance for opening the complaint against Edelstein. No money, No winter clothing, severely infected legs MainChance caused. I was human trafficked, laundered through their system to look like I was a dysfunctional victim of my own cause—primed for an unfortunate accident. It was sickeningly transparent.

90. **12/16/2015** Waverly Center CNY HRA TELLER #2 on the second floor put on an insane, dramatic, emotional display when I asked about Ed Keesly's missing **02/06/2015** legal rent request #00035602756F presented to Judge Peter Wendt.

91. **TELLER #2:** Yelled at the top of his lungs "Ed Keesly was not employed at HRA for at least two years." He refused to give his name, then instructed security not to let me into the building.

92. It was clear HRA Director TELLER #2 erased Ed Keesley's request #[00035602756F](#) for the legal rent from the database resulting in my human trafficking by NYC HRA.

93. I wanted to know how in the world MainChance was able to hold over my head a non-pay rent clause to receive shelter when I was refused the legal rent and robbed of my apartment. TELLER #2 absolutely knew he was criminal and was deflecting inquiry and using government resources to do it. Including security paid for by the tax payers.

94. **2016** City of New York homeless outreach employees fleeced me of my laptop 07/14/2016 #C02MF808FD57, iPhone and ID. I became a penniless, walking dead target waiting to end up as an unnamed cadaver at NYU's medical school. Bribed NYPD, Detectives and NYC homeless outreach worked vigorously to prevent me from mounting a detailed affirmative defense or discovery.

96. **04/21/2017** I opened Kraemer v. Edelstein 17-cv-2910 SDNY.

My laptop was stolen hours later. NYC's HomeStat system was used as an **ESI spoliation** tool on a regular basis.

97. NYC aided Edelstein's theft. Used slander to prevent my gainful employment, constant cyberstalking prevent to normal socialization. Anyplace I went to eat I was on a NYC/NYPD provided list as a homeless vagrant when in fact I was a victim of NYC and NYPD's direct criminal participation and robbery. I was treated with patronizing indignity and extreme prejudice while paying full fair. Ostracized by a manufactured PR narrative in furtherance of Edelstein's grand larceny.

98. **2018 to 2021** Deliberate physical injury and zero help came from HomeStat. Orwell is the light version description of what these miscreants do on a regular basis. 4/2018 20th Precinct NYPD inspector McGinn—responsible for allowing Edelstein’s toxic fumes—was named by the FBI for taking bribes from UWS landlords [NY Dailynews](#). [7/12/2018](#) my attempted murder via hit & run. NYPD take credit for it at the ER. 7/20/2018 NYC homeless outreach re-broke healed ribs. Nursing home professionals began **daily sedation** soon after. They were sedating / infecting me with a [otolaryngologist tool](#) for YEARS. NYPD told me not to cover my head.

99. I now strap a motorcycle helmet to my head during sleep to prevent them from turning me into a drooling daytime zombi—which has enabled me to write this reasonably lucid OSC.

100. The violent human trafficking rules NYC, NYPD, homeless outreach, nursing homes work within are to inflict as much combined harm with as little detection of it as possible. They [carved concavities](#) in my feet and [packed them with shit](#) to induce cellulitis infection. [Injections to arms, feet and fingers](#) with infectious debilitating substances. Professionals broke teeth, drilling them. Daily tasing of knee joints, causing soft tissue damage. Deliberate sleep deprivation. Rat poisoned food at diners: Hollywood and Orion Diners influenced by NYPD unions. My face turned grey and the hair fell out of my head. Regularly coordinated with retail security to inflict injury and broadcast threats of future violence over their intercom. These are dumb, viscous pigs that ought to be put down like a rabid animal.

4. REASON: I have a good reason because:

101. 2/5/2015 Judge Peter Wendt violated Rent Stabilization Law, the 12/18/2014 stipulated settlement order attorney DuVal agreed to before Judge Arlene Hahn and my constitutional right to Due Process.

12/18/2014 Attorney DuVal conceded my apartment was rent stabilized, after he was caught lying to Judge Arlen Hahn in his Non-Pay Dwelling demand [#27965](#) line item 7. Concealing that his client, landlord Edelstein, owed me [\\$283,644.00](#) plus treble damages (\$850,934.97) in illegal rent overcharges [confirmed by DHCR]while demanding the court to order me to pay [\\$14,747.40](#) and get a marshal to evict me. **DuVal agreed to the stipulated settlement order. His request for [\\$14,747.40](#) in back rent was MOOT because his client OWED me money from illegal rent charges.**

Judge Wendt, ignored the stipulated settlement order, State and Federal law then ordered me to place [\\$14,747.40](#) in illegal rent charges [Judge Wendt knew were illegal] into escrow. Grand Larceny in the First Degree NYPL § 155.42 as the total theft of property caused by Edelstein via Judge Wendt's malfeasance exceeded \$1,000,000.

[\\$850,934.97](#) Treble damages for illegal rent charges refused by judge Wendt. [Exhibit 2](#)

[\\$44,000.00](#) Hotel expenses caused by Edelstein [Exhibit 5](#)
[not including hotel expenses I was entitled to from 2016 to 2021]

[\\$155,819.00](#) Property, confiscated by judge Wendt. [Exhibit 31](#)

\$0,000,000 Theft of original artwork collection requires a valuation estimate.

\$74,942.16 Capital One default caused by judge Wendt's illegal eviction

\$65,835.57 American Express default caused by judge Wendt's illegal eviction

102. PEN § 135.60 Coercion in the third degree (8) (9) Judge Peter Wendt was corruptly persuaded calculated to harm me materially with respect to my health, safety, business, calling, career, financial condition, reputation and personal relationships.

5. PRIOR ORDER

I had another previous order to show cause regarding this index number, 79433/14 but I am making this further application because:

103. **1/15/2022 OSC** Decision/Order dated 01/07/2022 by Hon. Phaedra F. Perry:

“Denied: Movant has Pending Appeal.”

Please find the attached Exhibit 1 produced 01/19/2022 from the Appellate Term stating their is NO PENDING APPEAL | With the signature from P.J. Garenz | 646-386-3040.

See **Exhibit 1** (attached). Proving no pending appeal exists.

104. **2/17/2015 OSC**. NYC request for the legal rent of 145 West 71 Apt 8G DECLINED by Judge Peter Wendt.

105. **04/1/2014 OSC**. I complained of not getting attorney DuVal 's service for a 03/17/2015 hearing resulting in Judge Wendt evicting me for non appearance. 04/01/2015 I had to admit to judge Wendt that I did indeed receive a letter from DuVal . Afterward I checked and it was not service for the 03/17/2015 hearing. I made a clerical error. DENIED by Judge Wendt.

108. INTERSTATE CONSIDERATIONS

The tables contain proof that go beyond a single landlord using violence [weaponizing an apartment] as means to avoid his debt from illegal rent. Interstate [NY/PA] parties strategically

aligned private and governmental resources to conduct unfettered violence in furtherance of mutually beneficial outcomes. To ensure Edward Smith's federal judge nominations by removing two witnesses—me and my daughter. Allegedly the City paid landlord Edelstein, to use my apartment in furtherance of this purpose through favorable and illegal court action.

2012 Violent Extortion Of A Federal Judge Applicant's Victim

<https://penn-nyrico.com/2012/>

2013 Attempted Murder Of A Federal Judge Applicant's Victim(s)

<https://penn-nyrico.com/2013/>

2014 Overdose Of The Federal Judge Appointees Victim

<https://penn-nyrico.com/2014/>

2015 Slander/Robbery/Attempted Murder Of Federal Judge Appointees Victim's Father In NYC

<https://penn-nyrico.com/2015/>

CLOSE

106. I ran a top design agency www.kraemerinc.com for 15 years. I was retained by the best in class: Marsh, IBM, Swatch, PwC, Korn Ferry International, Arthur Andersen, various and sundry top 50 law firms.

107. I respectfully request attorney DuVal's and Judge Peter Wendt's criminal activities be referred to Manhattan District Attorney Alvin Bragg.

Sworn to before me this day of 03/4/2022



.....
(Signature)

.....
(Signature of Court Employee and Title)

Dated New York, NY

03/4/2022

THOMAS D. KRAEMER

Pro Se Tenant

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