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# The Villager

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Serving West and East Village, Chelsea, SoHo, NoHo, Little Italy, Chinatown and the Lower East Side

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## German beer garden owner: Eviction case had racial tones

By Gerard Flynn

A recent settlement reached between Sylvester Schneider, owner of the East Village bar and restaurant Zum Schneider, and his landlord has left Schneider with mixed feelings about the case and the plaintiffs who were trying to force him out of his space.

The case concluded in State Supreme Court on Thurs., March 15.

Under the terms of the agreement, Schneider's lease will be extended until 2021, he will not have to reduce his sidewalk cafe by half — which would have been a significant loss of business for him — and he will get free rent for the next three months.

Schneider, however, will have to pay his own legal fees, which will amount to more than \$100,000, and starting in July, pay an additional \$500 per month, raising his rent to \$5,000.

Despite the hefty attorneys' fees, the German native described his reaction as "complete delight."

"We stuck it out, we did it! We kicked their ass!" he said from the basement of the Bavarian-style beer garden, as customers above feasted on platters of bratwurst and quaffed pints of Bitburger pilsner.

"They tried to kick our ass, but we turned it around 100 percent," he said.

**Adam Leitman Bailey**, an attorney representing Schneider, called Judge Rolanda Acosta's decision a "victory for America's core values."

"May Zum Schneider party on and enjoy the rest of the years of their tenancy," Bailey said.

Schneider had been battling his landlord — the Housing Development Fund Corporation above his premises on Seventh St. and Avenue C — since he was served with a notice in October 2005 by the H.D.F.C. to correct alleged infractions.

An H.D.F.C. is a special purpose housing corporation formed under state law, in which lower-income residents share in owning and managing an apartment building. The H.D.F.C. co-op board in Schneider's building alleged that the bar and restaurant owner's basement was attracting rats, that the place was creating noise and that customers and Schneider's employees were obstructing the building's residential entrance.

Schneider countered that besides such claims being "nonsense," the co-op board, led by president Iris Rodriquez, was really driven by motives perhaps less than noble: the color of money — and the color of his face.

"It turned out that it was about money," Schneider said. "Of course, they couldn't say that, because if you go and want to throw out a tenant and say to a judge you want more money, he is not going to like that."

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Schneider came to the United States 19 years ago and opened the restaurant in 2000, when this neck of the East Village was still what he describes as “notorious.” He contends that co-op board members — many of them Puerto Ricans — were displeased by having more whites right under their noses.

“You should know that this whole thing was not just a money thing; it was also a racial thing. We are white; they are Puerto Ricans,” Schneider charged.

“They didn’t like us from the beginning,” he continued. “They claimed that the only white person living in the building was a friend of a mine when the first lease was signed, which is complete nonsense.”

Schneider conceded that no one from the co-op board had ever uttered a racial slur at him. Yet, he said, he believes old-timers are uncomfortable with the changing demographics and the prospect of more pale faces on every corner.

“In the past seven to 10 years, the neighborhood has changed significantly,” Schneider said. “When I got in here it was still a very rough neighborhood and I am not saying that all Puerto Ricans are rough and bad, but it was a rough neighborhood.”

He credits his bar as being influential in changing the neighborhood, but doubts whether the Puerto Rican members of the co-op board appreciate the change as much as him.

“We helped to turn the neighborhood around, to which the people who live in the building, I think, don’t really like the change,” he said.

“I think they would like it to be back where it was, which was a drug and weapons heaven.”

Neither the H.D.F.C. nor their attorney, Michael Schwartz, responded to Schneider’s claims. Rodriguez, the co-op board president, could only be contacted through Schwartz. Schwartz requested that the Villager send him a list of questions, which was done, but he subsequently declined to reply.

After news broke a year and a half ago that the co-op board planned to try to force Zum Schneider out, it was met by a petition drive, including an online petition effort, to save the business.

The Internet petition collected more than 2,500 signatures, with some coming from as far away as the city of Pooler, Ga. Despite the skirmish, Schneider said he is “immensely proud” to have saved his restaurant — and his employees’ jobs. He summed up his success in his native tongue:

“Danke sehr und prosit,” he said. “Thank you very much and cheers.”