

April 26, 2016

**SLOPPY SLUMLORDS OF FREDONIA: EXPOSING THE CORRUPTION IN**

**COLLEGE TOWN HOUSING**

**Conflicts of Interest, Ulterior Motives & Hidden Agendas**

**By Valerie Musson and Kristen Swann**

When it comes to college housing, there are many factors for students to consider in deciding what kind of housing works best for them. However, many students overlook the fact that finding a reliable landlord is just as necessary, albeit difficult, as finding a reliable place to live.

In these modern days of rising education expenses of all kinds, it is absolutely crucial for students to do their homework when looking for a respectable and reliable landlord to rent from. Taking shortcuts in this process could lead to a disastrous outcome. From lack of basic maintenance to invasions of privacy and even harassment, Fredonia students have truly seen it all. Renters, beware.

This was exactly the case for senior Psychology major Sara Butler, who currently resides at a home on Water Street in downtown Fredonia.

“It’s getting apparent really quickly that we were paying more money than our house was worth,” says Butler. “The shower has terrible water pressure, the toilet and tub clog up constantly, the heat is really hard to regulate, there’s poor insulation, and the stairs are never de-iced. I’m going to break my neck on them one of these days.”

As if basic maintenance issues aren't enough of an inconvenience, Butler continues to express concern for her own privacy.

"He's always lurking around. If you don't answer him and don't realize he called to show the apartment, he just comes to your house anyway expecting to show it," the student says of landlord Marc Ruckman.

"I just don't like that he calls me and expects me to answer immediately, and if I don't, just shows my house without obtaining my consent. It's really disruptive to my life and causes me a lot of anxiety."

Butler says it doesn't end there. A more recent incident involves harassment from Ruckman in an attempt to obtain rent money from a roommate who made a last-minute decision to study abroad.

"He was harassing me about her rent," says Butler. "I've told him multiple times, 'this is beyond my control. It's not my fault.' So he threatened me on the phone. But then when my mother called him, he was super nice to her and said, 'oh, she doesn't have to worry about it.' So it's really clear that he uses intimidation as a fear tactic."

In the most recent development, Ruckman once again uses harassment and threats to send a message.

"So, [my roommate] is coming back from Cuba in April, I believe, so that's pretty soon. She's going to be in Cuba for less than another month. And I don't know the law, but I'm pretty sure Marc has her father's address, he knows where to find her, but he's threatening to sue me for her rent, even though *o f*'rent is paid in full. He's threatening to take me to court instead of taking either both of us or just her," the tenant says. "He says it's a joint lease or something...I

know legally he might be able to do it, but I just feel like on a personal level that's really mean when he could just put in that much more effort to get the person who's actually responsible for the rent. And I had to hear this from people who randomly came to my door...it was a prospective new tenant and his girlfriend...I think the reason he's going after me is because I'm tied down by this apartment and by school. I can't leave, and he knows exactly where to find me."

This resident isn't the only one who's had issues with the way Ruckman does business - in fact, a quick Google search of 'Marc Ruckman Fredonia' yields some shocking results. Words like 'complete idiot' and 'slumlord' litter the first page, linking to angry and hate-filled forums on sites such as [topix.com](http://topix.com):

# marc ruckman slumlord

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COMMENTS 1 - 16 of 16 Comments | Last updated Sep 13, 2012

<p><b>fooled</b> <i>Albany, NY</i></p>	<p>#1   Aug 21, 2011                  Moved in his crap hole this weekend. What a freaking jackass and slumlord. Anybody else have problems with him?                  Judged:  2  <a href="#">Judge It!</a> <a href="#">Report Abuse</a> <a href="#">Reply »</a></p>
<p><b>Joe White</b> <i>Depew, NY</i></p>	<p>#2   Aug 22, 2011                  Now, which village worker is this? Be honest.  <a href="#">Judge It!</a> <a href="#">Report Abuse</a> <a href="#">Reply »</a></p>
<p><b>notavillageworke r</b> <i>Fredonia, NY</i></p>	<p>#3   Aug 22, 2011                  Joe,                  I don't think it is a village worker. Go to "new building on canadaway". "local &amp; fooled" is the same person. Possibly, Ryan M. or his snorting brother in law.                  Judged:  1  <a href="#">Judge It!</a> <a href="#">Report Abuse</a> <a href="#">Reply »</a></p>
<p><b>MARC</b> <i>Corning, NY</i></p>	<p>#4   Aug 23, 2011                  Listen my people. I am not a slumlord. I choose to make wealth off of this brats that come here. Thank god my father gave those properties to me. Besides,they don't deserve a nice place so they are not getting one from me. I will continue to do the bare minimum required and only what the Building Inspector makes me. Remember, the Building Inspector works for the Board and I am on it. :)  <a href="#">Judge It!</a> <a href="#">Report Abuse</a> <a href="#">Reply »</a></p>

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While these posts are several years old, they continue to serve as evidence that Ruckman has left many tenants unsatisfied with their rental experience. One poster even went so far as to mock Ruckman by posing as him in a comment, saying, "I choose to make wealth off of this [sic] brats that come here." Then, even more alarmingly, "I will continue to do the bare minimum required and only what the Building Inspector makes me. Remember, the Building Inspector works for the Board and I am on it."

But there's still more to Ruckman than meets the eye. A former tenant, who prefers to be referred to only as "J," tells his story.

"I used to drink beers with him in the basement of his apartment on West Main," says J. "When he fixes apartments, he doesn't actually reinforce anything. He just makes it appealing to the eye. He makes it so that it can and will break, and then he swindles you out of your security deposit."

J says Ruckman owns two to three properties and has an approximate total of 24 tenants. But what's even more shocking is Ruckman's history as a village employee. He's been on the Village Board of Trustees for several years and was recently appointed for a second term last November. According to J, however, Ruckman may have an ulterior motive.

"He's trying to win something with the apartments so that he can subsidize them and make them a higher price. Right now there's some law where only a certain amount of properties can be considered residential and only so many can be considered student owned," says J. "He's trying to make it so that they can all be student owned, so that he can make more money. He can make four grand every single semester off of every single person."

Do the math: If Ruckman's plan goes through, he'll have an income of almost \$200,000 per year on top of any additional damage fees he chooses to charge tenants. This proposal presents a clear conflict of interest for Ruckman and could easily pave the way to more corruption.

Junior Fredonia student, Abby Amering, is also no stranger to the frustration that comes from a landlord that does not abide by the rules of the lease, or the law.

Landlords are usually required to give a 24-hour notice before they come by the property in which the tenant is living, unless they come to some other agreement. The landlord of

Amering's 8-bedroom house on Forest Place, Jack Hucko, comes and goes as he pleases.

Hucko lives in Rochester, NY and when he makes the trip to Fredonia, he will stop by the house when it's convenient for him. According to Amering, he does not call or even text any of the college-aged girls living in the house before showing up. Often he will walk right into the house unannounced, leaving the girls confused and infuriated at his blatant lack of boundaries.

"One time he came by the house, without any notice of course, and decided to show the house to a group of guys. I was in a towel, just out of the shower and he was pounding on my door telling me he needed to show them my room," says Amering. "It's ridiculous to not understand that that's wrong!"

Amering describes many issues that she and her housemates have with the property that can be seen in the photos to the left.



“He says he’s coming by to fix things, so at first we were just happy that he was going to do something about all of the broken things in the house,” said Amering as she glanced at the several holes in her bedroom ceiling.

“But, still the front burner on our oven doesn’t work. There’s holes in the walls. There’s

mold on the windows that I have to clean up myself. One of my roommates’ room doesn’t have a doorknob on the door so he can’t even shut his door all the way, and there’s broken glass in the backyard that has been there since we got here and he says he can’t do anything about it.”

While most people who have rented any property can agree on what is normal and what isn’t, renters in Fredonia have raised some questions regarding their landlords.



The main question being: why do these landlords mistreat the tenants living in their buildings? Most landlords would not treat their tenants the way that some Fredonia students are being treated on a regular basis because there are laws in place to protect the tenants. What makes this situation different than any other one? Are they genuinely unaware that these laws exist, or do they choose to ignore them because they're renting to college kids who are easy to take advantage of?

Either way, this trend has been going on far too long and landlords are mistreating too many young renters in Fredonia.

"It's clear that he just doesn't respect us," says Amering. "He probably just thinks that we're not going to do anything about it, which in a way is true, I guess, because I'm not even sure what we could do about it."

Amering was even told by Hucko that this is something he has been doing for a long time.

"He said that 'the girls last year had a problem with me coming in unannounced, and their fathers got all mad, but there's nothing they could do about it, I'm allowed to' ... it doesn't feel good to have the feeling that my privacy could be breached at any time," said Amering.

According to the New York State Attorney General's *Vgpcpvu'Tki j u'T wlf g'*section VIII *Vgpcpvu'Rgt uqpcn'Rt qvgevkpu.* tenants have the right to privacy within their apartments. It states that "a landlord may enter a tenant's apartment with reasonable prior notice, and at a reasonable time, with the tenant's consent, either to provide routine or agreed upon repairs or services, or in accordance with the lease." Hucko neither gives notice or receives the tenant's consent before coming to their house, according to the current tenants.

It also states that if the landlord does not receive consent from the tenant, he must seek a court order to permit entry into the property. It does not say anywhere that the landlord can enter without consent. A landlord notifying a tenant that he plans to stop by and actually receiving consent are very different things, and many Fredonia landlords do not understand this.

Amering's current housemate, Brittany Antonelli, lived in a Fredonia house last year with other female students. According to Antonelli, the landlord of this property at 101 and 102 Temple Street, Mike Pucci, was similar to Hucko in his lack of professionalism toward his tenants. She says he did not act appropriately toward the tenants living in his property.

"He was fairly nice and laid back but didn't seem to show much interest in checking up on us or the houses themselves," says Antonelli.

Also, he was quite the opposite of Hucko in that he was very absent during the time of their lease. He rarely came by the apartment, and according to Antonelli, he was hard to contact most of the time.

According to Antonelli, he also didn't seem to show much interest at all in checking up on the tenants or informing them when he would bring other students by to see the house. This is apparently a common theme among Fredonia landlords who are seemingly more worried about keeping the money flowing from their properties than making sure the current tenants are having a good rental experience.

"You had to really bug him if you wanted something fixed or to ask a question," she says.

Due to his frequent absence, Pucci hired a handyman to handle the majority of the maintenance.

This seemed like a pretty good solution to the problem until Antonelli learned something very disturbing about the maintenance man- he was recently arrested and is a registered sex offender, charged with sexual assault of female minors.

According to Antonelli, her roommate discovered the report on a news website and Pucci had never told the girls about this. Although it may not be against any law to not inform them, it is clearly a lack of respect.

“I was appalled when I saw his mugshot so I instantly called [Pucci],” says Antonelli. “A registered sex offender had keys to my apartment, which is *pqvokay*.”

Antonelli confronted Pucci and described his response as “nonchalant and not comforting.”

“His response was something to the extent of, ‘he’s really a good guy, he’s just having a tough week,’” says Antonelli. “We all felt very unsafe because this man had keys to our house and everyone’s cell phone number, so we asked that he turn his keys back to Mike [Pucci]. We were assured that he did but never actually had a follow-up of any sort afterward.”

This was relieving to Antonelli, however it still left her and her roommates uneasy about the choices their landlord could make to threaten their well-being.

“Overall, I didn’t have a terrible experience with him, but I would not recommend him as a top priority for people looking for landlords,” says Antonelli.

It is shocking to learn about the ways that some landlords in Fredonia handle their business. Many of these landlords are repeat offenders who are not new to the laws they are breaking. It is definitely worth seeking advice from people who have rented from a particular

landlord in the past. Had Amering or Antonelli spoken with the prior tenants, they could have saved themselves and their housemates some trouble.

All of these disturbing allegations leave one questioning whether these are only common occurrences among landlords who don't own many properties, or if there's a bigger issue that needs to be addressed.

There are several larger student housing complexes off campus, and each has its own management. One would think that a larger housing complex would have a more professional maintenance and management protocol than your standard, run-of-the-mill rental house, but that is not always the case. Birchwood Gardens housing complex, located at 2 Birchwood Drive in Fredonia, has had many complaints from tenants of its terrible management and upkeep. Once again, a quick Google search of the property brings up some concerning reviews from former tenants:



# Birchwood Drive Apartments

Birchwood Dr, Fredonia, NY 14063

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06/20/14

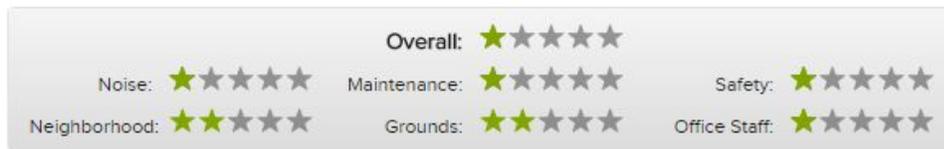


Anonymous - Resident

Lived Here: 2013 - 2014

0 User Responses

I do not recommend this property



The co-ownership of the Birchwood apt buildings run their business terribly. Not only were numerous apartments uncleanly when moving in, many have an infestation of silver fish, basement flooding issues, plumbing issues and much more. While living there, little maintenance was done to maintain the property. Not only are the gutters overflowing with leaves, but this has also caused the shortages in power due to hanging wires beneath the rotted out gutters. Although displayed as a pleasant apt to live in, upon moving in there were no fire detectors or a thermostat. During the winter not only was there a gap under the doors in which the snow came into the house, plowing was also never done in a timely manner. Deductions were made at the end of the year from absentee landlords that did not even meet residents. This is not a good place for Fredonia residents or students to live. It is unsanitary and both landlords are not from the area. These apartments were full of issues and I will never do business with them again.

From:"

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# Birchwood Drive Apartments

Birchwood Dr, Fredonia, NY 14063

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07/24/09

 **Anonymous - Resident**   
Lived Here: 2008 - 2009

 [1 Photo](#)  
 [0 User Responses](#)

**I do not recommend this property**

Overall: ★★★★★		
Noise: ★★★★★	Maintenance: ★★★★★	Safety: ★★★★★
Construction: ★★★★★	Grounds: ★★★★★	Office Staff: ★★★★★

These apartments look so very nice when you move in and the rent is so expensive that you can only guess that they are well taken care of. Well your wrong!! I lived here for 1 year and was so very upset at the way maintenance takes forever to correctly fix things. I went without heat 5 times during the winter and 2 of those times it was BELOW 0 outside!!!! Then on top of it all when the snow started to melt I had a leak in the ceiling!! Amazing that this owner can sit at his desk in Utica and never come down to actually see these units and how badly kept they are! No wonder he has them up for sale! They are in horrid conditions. The heating system dates back to the 1800's. Shame on these people for being so neglectful! Ashford Management needs to get out of the rental business.

From:"

*j wr <hy y y @rctw gpt cvkpi u@qo lp{ llt gf qpk ldl ej y qqf /ft kxg/crctw gpua938894; 73336285 lt gxkgy /; 785351"*

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These reviewers' experiences at Birchwood have a lot in common with the firsthand experience of Junior Fredonia student and current Birchwood Gardens resident, Matthew Aria.

“The buildings themselves are disgusting, with faulty wiring and bad plumbing - our pipe in the basement was literally shooting out gallons of water - and many of the appliances are probably as old if not older than me, their 21-year-old tenant,” says Aria.

Questions have also been raised concerning the professional conduct of the management, or lack thereof.

“Max is extremely unprofessional and comes off as very aggressive and demeaning for no reason and without provocation,” says Aria. “When I first moved in over the summer, a month into our living here we started to get water damage in our ceiling because the upstairs shower was leaking through to the first floor living room. For another month, I sent several emails to Max, all of which were completely polite and professional...after a while I was fed up with the inadequacy of his responses and his doing nothing while our ceiling continued to leak,” Aria says.

Both Aria and the two former tenants who submitted reviews claim that the lack of action taken at Birchwood is due to the fact that the landlords aren't from the area, and they're absolutely right. Looking at the Birchwood Gardens website (<http://www.fredoniabirchwood.com/>), the ~~qprf~~ phone number listed on the site has a 917 area code:

**Birchwood Gardens**

CONTACT US (917) 617-9484 | CLICK TO EMAIL US

HOME | FLOOR PLANS | AMENITIES | GALLERY | NEIGHBORHOOD | RESIDENTS | CONTACT US

**ONLINE LEASING**  
This Tenancy Agreement

**FLOOR PLANS**

**RESIDENT SERVICES**

**Welcome To Birchwood Gardens**

Birchwood Gardens is a SUNY Fredonia student housing community located just a five minute walk from campus and a short walk away from retail stores such as Rite Aid and Blasdell Pizza. The community offers spacious 1500 square foot three bedroom apartments and 850 square foot two bedroom apartments. All apartments come fully furnished with double to king size beds, dining tables, dressers, and couches. The apartments also come with free wireless internet and satellite TV in each bedroom with HD service in the living room. These apartments are a must see, call now!

Home | Floor Plans | Amenities | Gallery | Neighborhood | Residents | Contact Us

Office Hours:  
Birchwood Gardens • 2 Birchwood Dr, Fredonia, NY 14063 • (917) 617-9484

LEASESTAR

How can the tenants of Birchwood expect to receive proper service if their landlords don't even live in the area?

Aria says he became frustrated at the continued lack of response and decided to assert his rights as a tenant. He sent what he calls “a more forceful email while still remaining within my bounds and trying to be and sound like the adult I am.”

< Thread

7 of 10



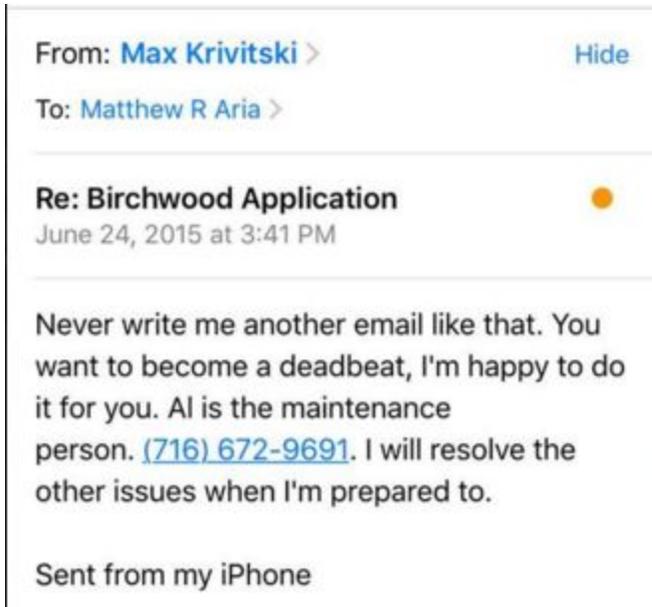
Max,

It has been a month since we moved into the apartment and not the first or even second time that we have asked this, but we need to have either you or someone who can actually find and repair the leak that has caused a gaping hole in our ceiling to come IMMEDIATELY. Not only is the hole a problem but the leak may have caused mold in the walls and ceiling which is a hazard to all of us in this house. We also need you take the coin machine off the laundry, no matter who has the keys to the machines it needs to happen before the end of July. Our internet is also extremely slow due to the fact that everyone in building three uses the same router when we know there is more than one. We would like our own so this is no longer an issue, and I'm sure our neighbors would like clarification as well as whose route is whose. We also need to know how and when we are going to be paying the

electric bill as well. You will also reimburse Serina and myself for the new locks and keys we will have to purchase as well as any of the money we have wasted on doing laundry. I expect to hear from you as soon as you are able. If these things persist and I don't hear from you then expect an appropriate response.

Thank you,  
Matt Aria

Not long after sending the email, he received this outrageous response:



This email serves as solid proof that Birchwood Gardens management has a blatant lack of respect for its tenants - most of whom are college students that have enough financial struggles as it is. Especially considering the hazardous conditions described in Aria's initial email and both the former tenant reviews, any reasonable and professional property owner or manager should find the possibility of mold to be extremely alarming. In fact, looking back at the Attorney General's Tenant's Rights Guide, Part V, titled *J cdkxdkkyl "cpf 'Tgrcku* states: "Under the warranty of habitability, tenants have the right to a livable, safe and sanitary apartment, a right that is implied in every written or oral residential lease. Any lease provision that waives this right is contrary to public policy and is therefore void."

According to this document, if a landlord breaches the warranty of habitability, the tenant may sue for rent reduction. That being said, students who are considering signing a lease at Birchwood Gardens should definitely think twice.

The student testimonials are endless. So many young adults have been taken advantage of, many in their very first renting experiences. While it is clear that these students have been through a lot, some questions still remain. *J qy "ecp'iwf gpw'r t qvgev'lj go ugrkguA"*

It is absolutely crucial for students to know what their options are when dealing with landlords who are noncompliant in taking care of their issues. While landlords can often take advantage of students, getting the Code Enforcement Department involved is a great way to make sure that the property is a safe and livable space. Their main goal is to make sure that all properties are safe and inhabitable spaces for everyone living in them.

Larry Barter, an Inspection Officer for the Village of Fredonia, says that he deals with tenant and landlord problems on a daily basis, and that the department has a strict protocol for handling such cases.

“Most of the time, it’s the tenant saying something’s wrong with the property, and we go in and we inspect. We take a look at it, and if we do confirm it, we go after the landlord. We tell him he has to get it fixed and he has to get it fixed now,” says Barter. “If he doesn’t, then we issue an appearance ticket and he has to come explain to the judge why he doesn’t want to fix things.”

Barter’s primary job is to inspect buildings for compliance to The New York State Uniform Fire Prevention Building Code and Village Codes.

“When we do have a problem, we try to get onto it and get it resolved as quickly as possible,” says Barter.

Barter has been a Code Inspection Officer for the Village of Fredonia for 30 years, and he says that he often gets calls from students with landlord issues. He says just a simple phone call

to him or someone in the department to schedule an appointment for an inspection can make a world of difference and get the ball rolling on any action that needs to be taken.

“Depending on my schedule, I could be there later that day or within a couple of days,” says Barter. “We usually try to get it done, especially if we consider the complaint something that’s serious.”

In addition to a prompt inspection, Barter says students are guaranteed protection from any retaliation from landlords as a result of getting the town involved.

“The landlord cannot retaliate against you for talking to me; that’s one of the things they cannot do,” says Barter. “If they do, you’re going to have to get an attorney and handle it in court because that’s something above and beyond my office, but the landlord cannot take and hold the fact that you talked to the code enforcement people against you and use that as grounds for removing you, or raising your rent, or anything like that. It’s important to keep track of that.”

According to Barter, all properties undergo a mandatory inspection every three years. While this seems like a good way to keep up with the safety, a lot can happen in between those inspections in houses that are going through a lot of wear and tear. If landlords aren’t being held accountable for the condition of their properties and keeping up with them when they’re not being inspected, the Code Enforcement Department can help.

Barter has multiple suggestions for students to assure their safety and well-being. “I tell this to landlords too: the attorney general, on their website, has a pamphlet that you can download that gives you your rights as a tenant,” says Barter. “The landlords need to know what the tenant’s rights are so that they can protect themselves and make sure they’re not violating those rights, as well as the tenants need to know what their rights are under the law.”

With this valuable piece of advice, Barter adds a few words of caution.

“The only advice I give with that is that a lot of what the attorney general has applies to New York City and not the rest of the state,” he says. “You have to be careful which laws you’re trying to quote from and whether or not it’s specifically for New York City, or if it applies to the whole state. There are several incidences where there are rules that they have that are particular to New York City that the rest of the state doesn’t have to comply with.”

Another resource available to students through the University is an attorney through the Student Association. According to Barter, he is available for any students seeking legal guidance dealing with issues such as landlord or property disputes.

A quick look on the Student Association website shows all information regarding this as well as other legal services available to students. Any fee-paying student at SUNY Fredonia can call SA and make an appointment for free, and it is completely confidential.

Above all else, Barter encourages students to take action as soon as possible and admits that dealing with landlord disputes can be difficult, especially when it leads to taking legal action. He says that students also have responsibilities as tenants.

“The tenants also have certain things they’re responsible for, and that’s basically to keep the apartment they’re renting, and the property around it, in a clean and sanitary manner... most of the time, if the landlord has something wrong, the tenant is in court right away. The landlords have their attorneys and they don’t put up with a lot of stuff.” says Barter.

All students should be aware of their options as tenants because being a college student is hard enough without the added stress from a landlord who isn’t cooperative. While it is clear that

some landlords feel like they can take advantage of their student tenants, there are plenty of resources available to make sure that you have a safe and clean place to live in Fredonia.

While there have surely been some horror stories that most Fredonia students have heard, renting in Fredonia doesn't have to be so difficult. Know what to look for in a property and a landlord, ask proper questions, and know that any sort of mistreatment should not be tolerated. There are always options to make sure students get what they deserve out of their rental experience.

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