

Elena Ruth Sassower

10 Stewart Place, Apt. 2-DE
White Plains, New York 10603

E-Mail: elenaruth@aol.com

914-455-4373

Cell: 646-220-7987

BY E-MAIL & CERTIFIED MAIL/RRR

May 1, 2013

Anna Capellen
285 Lafayette Street, Apt. 2B
New York, New York 10012

Dear Anna,

Corcoran management has reviewed your unpaid utilities charges, advising that this letter should be sent by certified mail, with a copy of our signed rental agreement.

Under the rental agreement you are responsible for utilities. Pursuant to ¶¶15 and 16, the total utilities deposit was to be \$6,500, divided into two installments. The first was due on April 11, 2012. The second was due on September 1, 2012. Additionally, you were responsible for filling the oil tank at the end of the rental on Tuesday, April 2, 2013.

Because of Felicitas' error at ¶15 of the rental agreement, your first utilities deposit, which you paid by check dated April 26, 2012, was only \$2,600 – in other words, \$650 less than the \$3,250 it should have been, as correctly identified at ¶16.

You never paid me the second utilities deposit of \$3,250. The entirety of what I received from you for your utilities, estimated in the rental agreement as \$6,500, excluding the final oil fill-up, was \$2,600.

On February 26, 2013, I e-mailed you a letter requesting that you furnish me with your second utilities deposit by March 4, 2013, simultaneously furnishing you an itemization showing that your \$2,600 utilities deposit had long been depleted and that I had advanced you \$1,810.05 in utilities outlays to cover total charges of \$4,410.05.

You did not respond to that e-mail until a week later – on March 5th – when, without disputing any of the itemized charges, you requested that I send you the bills. This, I promptly did, by e-mail, on March 8th, together with additional particulars of the charges. You ignored and put off my repeated e-mails requesting that you furnish me with the long-overdue monies, allowing the weeks to pass until the end of the rental, at which point, and disputing none of the charges, you took the position that I should take the money you owed for utilities from the security deposit.

Your utilities charges from February 26th to April 6th – the date on which your many personal possessions were either picked up by your housekeeper Caroline, or, as she instructed, dumped by me; and when most of my furniture was finally moved back to where it had been when you took possession of the house and, to the extent possible, cleansed – are \$1,154.08. This does not

EX 2-1

include the oil fill-up which was your responsibility under the rental agreement – and which you not only disregarded, but refused to take care of when I e-mailed you upon my return to the house on Thursday, April 4th, informing you of the unacceptable condition in which I had found the house and grounds and that the oil tank was so empty that I had no heat whatever. I, therefore, had no choice but to myself arrange for the oil delivery – which came the next day, Friday, April 5th, and cost \$899.86, charged to my credit card.

The itemization of these \$1,154.08 utility charges is as follows:

<u>Electric</u>	\$124.38
2/1/13.....	\$11.53
3/1/13.....	\$51.40
3/28/13.....	\$61.45
<u>Water</u>	\$25
<u>Cable, internet, wifi</u>	\$124.70
(\$124.70 monthly x 1)	
<u>Refill of Propane Tank for Barbecue</u> (¶16)	\$50
<u>Final House Cleaning</u> (¶16)	\$160
Plus, two additional days for clean-up of your unauthorized extended rental with personal possessions everywhere, & furniture left dirty & molded (illustrative photos, by e-mail)	
	\$160 x 2.....\$320
<u>Emptying Cesspool</u>	\$350

Your total utility charges for the 11-month rental are thus \$5,564.13, representing the \$1,154.08 here itemized, plus the \$4,410.05 itemized by my February 26th letter.

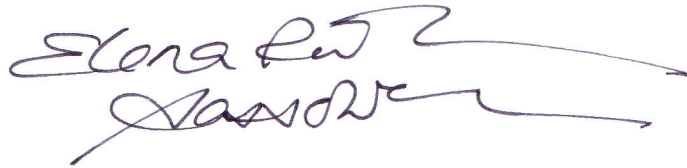
As reflected by ¶¶1 and 4 of the rental agreement, utility charges are separate from the security deposit. Indeed, quite apart from the agreed-to \$6,500 utility deposit which you failed to furnish, ¶¶15 and 16 require you to pay further utility charges in the event of a “shortfall”, just as you are entitled to a refund, in the event of “overage”.

Therefore, please promptly pay me \$2,964.13 (representing the \$1,810.05 itemized as owing by my February 26th letter, plus the above-itemized \$1,154.08 subsequent utility charges). Likewise, promptly reimburse me the \$899.86 for the oil fill-up (246.7 gallons @ \$3.529; plus treatment (\$7.50)), which was also your obligation. The total amount due – which you may combine on a single check or direct deposit to my Citibank account (# 021000089-75345898) – is \$3,863.99.

To avoid incurring late charges, I ask that you e-mail me confirmation of your payment by Wednesday, May 8th.

As for your \$3,500 security deposit for damages, I will furnish you an itemization and further photos, as soon as possible – and, certainly, within the 45 days of the April 2, 2013 date of the expiration of your lease, as provided for in ¶1 of the rental agreement.

Thank you.

A handwritten signature in blue ink, appearing to read "Elena P. Sandor". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Enclosures:

- (1) Rental agreement
- (2) Electric, oil, & internet/cable bills
- (3) Illustrative photos (by e-mail)

cc: Corcoran-Southampton/Bridgehampton
Felicitas Kohl/Corcoran
Carey Adina Karmel/Corcoan

Account Summary

Elena Sassower
elenaruth@aol.com

Customer ID: 0451300329

Account Status: Active

Amount Due: \$61.45

Payment Due Date: Automatic withdrawal on 04/17/2013

Last Bill Amount: \$61.45

Last Bill Date: 03/28/2013

Last Payment Amount: \$51.40

Last Payment Date: 03/20/2013

Electric Service Info

Next Meter Read: 05/30/2013

Account Number: 9801615705

Street: 64 Towd Point Rd

City: Southampton

State: NY

Zip Code: 11968



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For a true paperless experience, sign up for [Paperless Billing](#) today!



Did you know that you are eligible to enroll in our Balanced Billing program? Balanced Billing spreads your projected annual electric cost into 12 convenient monthly payments. To enroll or for more information, please click [here](#).

Here is a brief summary of your recent bills. Click on the to see the actual bill.

Due to the devastating effects of Hurricane Sandy, LIPA did not send electric bills by mail to the severely flooded areas on the south shore of Long Island and the Rockaway Peninsula. However, online versions of bills that were not mailed are available in "MyAccount". Please be aware that in areas where a majority of customers have been able to have power restored, we will begin mailing bills to those customers who normally receive paper bills. [Learn more.](#)

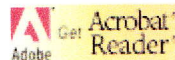
Summary of Recent Bills

Energy Analysis

1 - 13 of 13 | [Back](#)

Bill Image	Bill From Date	Bill To Date	Days In Bill	Date Bill Rendered	Total Charges
	03/01/2013	03/28/2013	27	03/28/2013	\$61.45
	02/01/2013	03/01/2013	28	03/01/2013	\$51.40
	01/02/2013	02/01/2013	30	02/01/2013	\$11.53
	11/30/2012	01/02/2013	33	01/02/2013	\$8.47
	11/01/2012	11/30/2012	29	11/30/2012	-\$49.91
	09/28/2012	11/01/2012	34	11/01/2012	\$108.74
	09/04/2012	09/28/2012	24	09/28/2012	-\$22.55
	07/31/2012	09/04/2012	35	09/04/2012	\$142.72
	07/02/2012	07/31/2012	29	07/31/2012	\$27.87
	06/01/2012	07/02/2012	31	07/02/2012	\$109.23
	05/01/2012	06/01/2012	31	06/01/2012	\$39.63
	03/30/2012	05/01/2012	32	05/01/2012	\$97.08
	03/01/2012	03/30/2012	29	03/30/2012	\$14.81

The bill images require the free Adobe Acrobat reader.





A service of Cablevision

1111 STEWART AVENUE
BETHPAGE NY 11714-3581

CHANGE SERVICE REQUESTED

#BWNHGYM
#PGHCICDHICPPD5#

CENTERJU DICIAL AC
283 SOUNDVIEW AVENUE
WHITE PLAINS NY 10606-3821

Bill Payment

Service for
CENTERJU DICIAL AC
64 TOWD POINT RD
SOUTHAMPTON TWN NY 11968-1504
Account Number
07839-348930-04-8

Due Date Amount Due

03/30/13 \$124.70

TURN OVER FOR PAYMENT

Optimum Business Benefits

A VIP pass for small business owners.
Find out more at OptimumBusinessBenefits.com.

Account Summary

Account Number	Service for
07839-348930-04-8	CENTERJU DICIAL AC 64 TOWD POINT RD SOUTHAMPTON TWN NY 11968-1504
Billing Period	03/16/13-04/15/13
Includes Payments Received By	03/11/13
Last Bill Balance	\$124.70
Payments - Thank You!	\$124.70 cr
Remaining Balance	\$0.00
Current Charges - Due By 03/30/13	\$124.70
Total Amount Due	\$124.70

Account Detail

Payments		
03/01	Credit Card Pymt	\$124.70 cr
	Total Payments	\$124.70 cr
TV		
03/16 -04/15	Optimum Advantage	\$58.95
03/16 -04/15	1 Cable Box(es) (At \$6.71 each and remote(s) at \$0.24 each)	\$6.95
	Total TV	\$65.90
Internet		
03/16 -04/15	Optimum Online	\$54.95
	Total Internet	\$54.95
Taxes & Fees		
03/16 -04/15	TV Taxes and Fees	\$3.85
	Total Taxes & Fees	\$3.85
	Subtotal of Current Charges	\$124.70
	Remaining Balance	\$0.00
	Current Charges	\$124.70
	Total Amount Due	\$124.70

Customer Service

Important Phone Numbers
For Technical Support, Sales and Customer Service
Please call: 1-866-575-8000

Online Bill Payment and Product Information
www.optimum.net/MyAccount

Written Correspondence
Cablevision
Attn: Commercial Sales
6 Corporate Center Drive
Melville, NY 11747
Please do not write on this bill or send payments to this address.

Moving? Let us make it easy, visit us online at www.optimum.com/moving or call us for special offers for movers.

Optimum News & Information

Beginning with your next billing statement, there will be a monthly sports programming surcharge of \$2.98 in the TV section and the price for Optimum Business will change from \$58.95 to \$62.95. This change is a direct result of continually rising programming costs, and represents only a small portion of the cost for Optimum to provide this programming.

Depending upon where you live, some or all of your service and equipment rates, plus certain additional charges, may be subject to state and local fees of 0-5.3% and an FCC user fee of \$.08 which will be added to your monthly bill. Other federal, state and local taxes may apply.

Under New York State law, if you downgrade or disconnect your cable service within 30 days of this notice as a result of changes described in this notice, no charge associated with the downgrade or disconnection will be applied to your account. You will also be entitled to a refund of any pre-paid service charges, or connection, upgrade or other one-time charges you may have incurred in connection with your service during the six months prior to this change. The name and address of your local franchising authority is listed on your bill.

A new Optimum Premier South Asian package with exciting new channels is now available. Life OK (Ch. 1170), Star India Plus (Ch. 1174), Star India Gold (Ch. 1175) are now available for \$9.95/mo each or as part of the new Optimum Premier South Asian package for \$39.95/mo. Programming includes Bollywood movies, game shows, children's programming and much more. Call 1-888-947-1870 to order now.

We know your business can take you on the go, so it's now easier than ever to pay your bill on your mobile device at www.optimum.net. You can schedule automatic payments and see them reflected immediately, store your preferred payment methods, and even view PDF statements.

ELENA SASSOWER
 64 TOWN POINT ROAD
 NOYAC ROAD
 SOUTHAMPTON, NY 11968

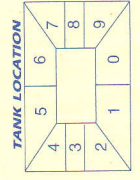
Acct No. 50337-1

Phone (646) 220-7912
 Phone2 (914) 455-4343

DART FUEL OIL INC.

QUALITY FUEL OIL AT DISCOUNT PRICES
 1734 MIDDLE COUNTRY RD. • CENTERREACH, NY 11720
(631) 467-0422 "FULL BURNER & A/C SERVICE"

Dyed Unmarked Heating Oil: Not for use in highway, nonroad, locomotive or marine engines.



GD PRICE 3.529
 TAX 0
 EXTENSION 0
 TOTAL 3.529

F111/Ref: 4 AGS ONLY
 TODAY IS 04/04/13
 DELIVER 04/04/13

COTTAGE YELLOW TRIM

Map: 730.95
 F/U 200+ FRI
 CCAP 177767
 +1 treatment

DATE	TIME	DRIVER	TRUCK #	TANK AFTER DEL.
CERTIFIED METER DELIVERY				
FINISH	APR-05-2013 11:41:50	TICKET NUMBER	10532	
VOLUME GAL START	0.0	METER ID	5	
GROSS VOLUME FINISH	246.7			
PRICE/GALLON	3.5290			
SUBTOTAL	870.6043			
TAX THIS DELIVERY	21.76			
AMOUNT	892.36			

RECEIVED ABOVE GALLONS	892.36		
RECEIVED PAYMENTS \$	892.36		
RECEIVED C.O.D.	<input type="checkbox"/>		
RECEIVED CHARGE	<input type="checkbox"/>		
TAX			
TOTAL	892.36		

PRODUCT	GALLONS	PRICE	AMOUNT
CERTIFIED METER DELIVERY			
TOTAL			168.51
TAX			

DART FUEL OIL INC.
 QUALITY FUEL OIL AT DISCOUNT PRICES
 1734 MIDDLE COUNTRY RD.
 CENTERREACH, NY 11720
 (631) 467-0422
 FULL BURNER & A/C SERVICE
 Dyed Unmarked Heating Oil: Not for use in highway, nonroad, locomotive or marine engines.

SOLD TO: 50337
 64 TOWN PT RD
 S/S/MP

DATE	TIME	A.M.	DRIVER	TRUCK NO.	TANK AFTER DEL.
4/5/13				5	
CERTIFIED METER DELIVERY					
RECEIVED PAYMENTS \$					
RECEIVED C.O.D.	<input type="checkbox"/>				
RECEIVED CHARGE	<input type="checkbox"/>				
RECEIVED ABOVE GALLONS					

PRODUCT	GALLONS	PRICE	AMOUNT
CERTIFIED METER DELIVERY			
TOTAL			168.51
TAX			

Company is responsible for the delivery of product to the receiving pipe or outlet and agrees that neither the company, nor its employees or agents, are or shall be liable under any circumstances for damages resulting from leaks or for the failure of the receiving tank or associated piping, or any other matter.