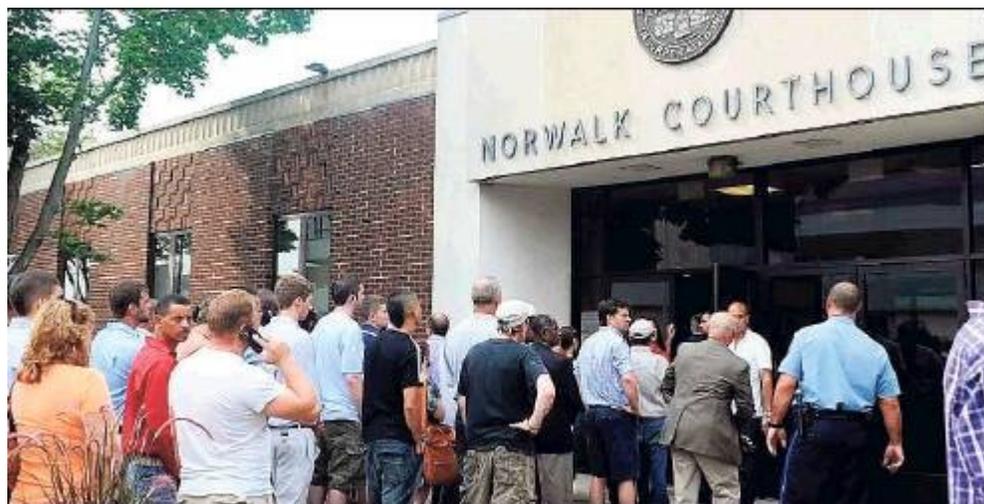


Tenant-landlord dispute erupts

Family from NYC sues ex-Disney CFO over backcountry rental home

By Robert Marchant



Hearst Connecticut Media file photo

The Norwalk Courthouse

GREENWICH — In June, a former Disney executive rented out his backcountry Greenwich home to a family looking to get out of New York City during the coronavirus epidemic.

But the housing arrangement quickly soured, and now a high-profile landlord-tenant dispute is in Norwalk Housing Court, according to court papers.

Lawrence Rutkowski, a former CFO of Disney, and

his tenants, Mark and DeNora Getachew, are engaged in contentious litigation over the use of the home and repairs undertaken at the 7,540-square-foot residence on Stallion Trail, near the Merritt Parkway. The home's value is estimated at \$2.2 million, according to Rutkowski's affidavit.

In court papers, Rutkowski says the Getachews have not paid rent, and he is seeking their removal. The Getachews, who filed the lawsuit, said the home and grounds were in poor condition and they had to spend their own money to make costly repairs that they were not told about in advance. They contend that the costs of the repairs, worth over \$40,000, were to have been deducted from their rental payments, court papers said.

According to the court papers, "In the wake of the recent COVID-19 pandemic, in the spring of 2020, Getachews sought to leave New York City for the safety and well-being of themselves and their children."

The Getachew family began leasing the Greenwich home in June, at an agreed upon rate of \$11,000 per month from June 2020 through May 2021, with an option to buy at a future date.

The Getachews said they had problems with the house and pool when they moved into the home in June — "they were surprised to learn of the condition of the pool, hot tub and waterfall, and that they were nonfunctional," the Getachew lawsuit contends.

"Mark Getachew spent countless hours ... over the next several weeks to address the problems with the pool," his legal complaint states. The family was attracted to the home because they have small children, and a pool was a major feature for them, according to the court papers. They say that representations that the pool was in good working order when they agreed to rent the property were "false."

In court papers, Rutkowski maintains the problems with the pool could have been easily fixed by his pool-repair man at a cost of \$2,000 to \$3,000, he states in his affidavit. The Getachews went with another pool contractor and spent some \$30,000 on repairs — “without my authority and consent,” he stated in his affidavit.

The Getachew suit contends that Rutkowski was aware that extensive repair work was needed, noting in court papers, “Landlord agreed that the repairs needed to be completed.”

The Getachew lawsuit maintains, “Mr. Getachew kept landlord ... fully informed throughout all of the repairs to the pool, hot tub and waterfall, and provided Landlord with before and after pictures and video of the repairs, and receipts for the repairs. In none of their communications did Rutkowski ever say or suggest that landlord would not pay for the repairs.”

In their lawsuit, the Getachews contend there were a number of other problems with the home, including a serious issue with the propane heating system, that they were unaware of when they agreed to rent it.

Overall, their Getachew lawsuit states, they “incurred more than \$44,500 to repair and replace broken items in and on the premises ... that are landlord’s responsibility to address.”

In their lawsuit, they Getachews maintain that “Rutkowksi represented that it would reimburse tenants for the costs associated with the repairs, but has failed to do so, to tenants’ detriment.”

Their complaint continues, “Initially, Rutkowski instructed Getachews to deduct the repair costs from rent. However, as the costs of the repairs mounted, and ultimately eclipsed the amount of rent due, landlord changed its position.”

In his affidavit filed earlier this month in Norwalk Housing Court, Rutkowski said that the only month of rent that had been paid was in June. He claims in his affidavit, “While they appear to be professional, they are similar to the type of rich entitled people who have taken over houses in the Hamptons, supposedly to escape the COVID epidemic, and have taken advantage of the no-eviction moratorium in New York enacted by Governor [Andrew] Cuomo and now here, the moratorium in Connecticut enacted by Governor [Ned] Lamont.”

Striking a personal note, Rutkowski wrote, “The Getachews are the worst type of tenants one can imagine.” He said they have “caused significant damage to my house and have run up huge bills in my name (all in violation of my lease).” He maintains the the Getachews improperly “fired” his pool contractor and made extensive repairs “without my approval or consent.”

Rutkowski has a condo in Greenwich, according to the court papers, as well as maintaining a home in California. He has been involved in a high-end wine and spirits business in Greenwich, as well. He has also been an executive at Petco, Primedia and NBC/General Electric, he states in his affidavit.

Rutkowski said he was “powerless to evict” the tenants due to coronavirus regulations.

The financial executive had lived in the home from 2006 until about five years ago. The actual ownership of the property is held by an LLC, or a limited liability corporation.

Mark Getachew has been a lawyer in New York City with Willkie Farr and Gallagher, and he is a benefactor to educational groups. DeNora Getachew is an executive director of a nonprofit involving young people and democracy.

Rutkowski’s lawyer Eric Grayson said this week, “We plan on filing a counterclaim and motion for an

eviction when the moratorium is lifted.” He said that a “prejudgment remedy,” seeking to gain missed rental payments, would also be pursued.

A lawyer for the Getachew family, Alison Baker, said the legal complaint was “self-explanatory, and otherwise have no further comment on the pending litigation.”

There is no set timetable for a resolution of the case on the Norwalk Housing Court calendar.