

**STATE OF RHODE ISLAND
PROVIDENCE**

SUPERIOR COURT

Krystie Wood
Plaintiff

v.

Jeffrey Butler; Elmwood Realty, LLC
Defendants

Case No. PD-2025-5550

AMENDED COMPLAINT

NOW COMES PLAINTIFF, Krystie Wood, who by and through counsel, brings this amended complaint for retaliatory conduct against Defendants Jeffrey Butler and Elmwood Realty pursuant to R.I.G.L. § 34-18-46. This claim is presented by *de novo* appeal of a District Court action that arises out of statements made and actions taken by Defendants threatening to evict their tenants, including but not limited to Ms. Wood, because they associated with a tenant organization and/or engaged in organizing efforts with a tenant organization and tenant organizers associated with Reclaim RI, a Domestic Non-Profit Corporation that organizes tenants for the purposes of providing mutual aid and protection.

PARTIES

1. Plaintiff Krystie Wood is a resident of Rhode Island and at all times relevant to this action was a tenant residing at 73 Roberts Street Unit 4 West Warwick, RI 02893.
2. Defendant Jeffrey Butler, upon information and belief, is a resident of Rhode Island and managing member and agent of Elmwood Realty, LLC.
3. Defendant Elmwood Realty LLC is a Domestic Limited Liability Company with a principal place of business at 2077 Elmwood Avenue Warwick, RI 02886. Elmwood

Realty, LLC also operates under the registered fictitious name Elmwood Property Management. Defendant is hereinafter referred to as “Elmwood Realty.”

JURISDICTION

4. Jurisdiction in the Superior Court on appeal of the District Court action is proper pursuant to R.I.G.L. § 9-12-10.1.

STATEMENT OF FACTS

5. At all times relevant to this action, Plaintiff was a tenant residing in the above-identified dwelling in residential properties of which Elmwood Realty was the landlord and Butler is the principal manager and agent. Plaintiff’s apartment is hereinafter referred to as her “dwelling.”
6. Commencing in September 2023, Plaintiff associated with, and/or engaged in organizing efforts with, a tenant organization called Reclaim RI, a domestic non-profit corporation that exists in part to bring tenants together in campaigns to vindicate their rights under Rhode Island law and provide mutual aid and protection.
7. Upon information and belief, on or before October 13, 2023, Defendants were aware that tenant organizers associated with Reclaim RI were canvassing Elmwood Realty properties and speaking with tenants of Elmwood Realty in an effort to identify and organize tenants to form a tenants’ union or similar organization to address common concerns about their rented dwellings.
8. On October 13, 2023, Mr. Butler on behalf of Elmwood Realty sent an email to all of its tenants, including but not limited to Plaintiff, stating Defendants’ opposition to the tenant organizing efforts of Reclaim RI and threatening termination of tenancy to any tenant who associates with the tenant organization. A full text of the email is attached hereto as

Exhibit A and incorporated herein. The email includes the statement: “if you make a choice to engage with this Reclaim RI group, I will consider that you have now dissolved our relationship and when your tenancy is over, we will ask you to vacate.”

9. Plaintiff received the email and first read it at a meeting of Elmwood Realty tenants, and understood its message as a threat to terminate her tenancy if she continued to engage with a tenant organizing or advocacy.
10. On October 19, 2023, Mr. Butler left a voicemail on the phone of Reclaim RI organizer Cherie Cruz to warn her and Reclaim RI that tenants who associated with or were receptive to their organizing efforts were going to be evicted.
 - a. A transcript of the complete voicemail is attached hereto as Exhibit B and incorporated herein.
 - b. Among other things, Butler stated: “This is Jeff Butler from Elmwood Realty and I just want to let you know if any time you talk to any of my tenants, the tenants are gonna get a 30 day notice to vacate the premises. They have all been notified not to talk to you Reclaim RI pot smoking hippies, OK, I’ve already told them all....You are creating problems with these poor tenants, who didn’t do anything to deserve this and I’m gonna make sure everybody knows it. And I’m putting you on notice that you talk to my tenants, they give me your name and they will be evicted.”
 - c. Among other things, Butler stated: “...you are only hurting tenants. You got two evicted last week, you got one evicted today. And all you do is emptying [sic] out my apartments and I clean them up and I re-rent them to somebody else. And now we’re adding to the lease now not to talk to you folks.”

11. On or about October 19, 2023, Mr. Butler left a voicemail on the phone of Reclaim RI organizer Shana Crandall to warn her and Reclaim RI that tenants who associated with or were receptive to their organizing efforts were going to be evicted.
 - a. A transcript of the complete voicemail is attached hereto as Exhibit C and incorporated herein.
 - b. Among other things, Butler stated: “I’ve notified my tenants that if you folks bother them and they let me know or you try to help them in any way which you’re not, you’re hurting them, that they will be asked to move out when their lease is up. Some are on month to month. So you’re not helping the tenants at all, you’re not advocating for them.”
 - c. Among other things, Butler stated: “You already caused two tenants to get evicted last week, another one this morning ...you are only hurting people. You are creating homelessness.”
12. Plaintiff first met with Reclaim RI in September, 2023, when organizers Shana Crandell and Cherie Cruz came to her door as part of their outreach efforts.
13. Ms. Wood described the problems she was having with her apartment and her landlord, including but not limited to ongoing and unaddressed defects in her dwelling and unannounced demands for access to her dwelling without providing 48 hours’ notice as required by law.
14. Ms. Cruz and Ms. Crandell invited Ms. Wood to join a Reclaim RI group chat, which served as a space for tenants and Reclaim organizers to discuss their ongoing problems with Elmwood Realty, suggest solutions, and offer support to each other.

15. Because of her association with Reclaim RI, Ms. Wood learned of her right to call West Warwick Code Enforcement, which she did.
16. Ms. Wood spoke to her neighbors about Reclaim RI and the possibility of coming together for mutual aid and support and to bargain collectively with their landlord during September and October of 2023.
17. Because of her willingness to engage her neighbors, Reclaim RI organizers advised Ms. Wood that they considered her a possible tenant leader.
18. On the morning of November 7, 2023, a man that Ms. Wood did not know approached her door and asked to come in. Ms. Wood could see from her window that the stranger was accompanied by 4 or 5 other men who waited outside on the street.
19. Although the man claimed to be from the fire department, he was not in uniform and provided no credentials upon Ms. Wood's request. Ms. Wood denied him entry to her dwelling after which the man and his companions left the vicinity.
20. After Ms. Wood declined entry, she reached out to Reclaim RI representatives Cruz and Crandall, who came to visit her, parking nearby.
21. Shortly after Ms. Cruz and Ms. Crandall arrived, the same 4 or 5 men from earlier returned to the area and parked near the Reclaim RI representatives. Mr. Butler joined them about 10 minutes later.
22. Shortly thereafter, the same stranger returned to Ms. Wood's dwelling requesting entry. This time, he advised that he worked for Mr. Butler and that Mr. Butler had instructed him to enter the apartment over Ms. Wood's objection.
23. Ms. Wood turned the man away again because she had not received adequate notice of Elmwood Realty's desire to enter her dwelling.

24. Shortly thereafter, Ms. Wood left her dwelling and met Ms. Cruz and Ms. Crandell on the street and within a clear line of sight of Mr. Butler and his workers. Ms. Cruz and Ms. Crandell comforted Ms. Wood and spoke to her about the incident.
25. Mr. Butler and his workers left the area shortly after Ms. Wood came down to meet Ms. Cruz and Ms. Crandell.
26. Later that day, in Ms. Wood's absence, Defendants posted a 48-hour notice to enter and a termination of tenancy notice taped to her door. A copy of this notice is attached hereto as Exhibit D and is incorporated herein.
27. After the events of November 7, Ms. Wood continued to attend Reclaim RI meetings in an effort to engage her neighbors to form a tenants' union.
28. However, Ms. Wood and other tenants were scared and discouraged to continue organizing because of the email they received from Mr. Butler and Elmwood Realty on October 13.
29. Mr. Butler's threats to terminate Ms. Wood's tenancy was especially frightening to her, causing her great distress and worry, particularly in light of the prevailing condition of the housing market in Rhode Island, which was then and continues to be marked by limited rental availability, high rents, and unaffordable rents for persons of limited

means.¹ Great demand for the limited affordable housing available has produced historically high levels of homelessness.²

30. At all times relevant to this action, Ms. Wood’s monthly rent was \$1,700.

31. At all times relevant to this action, Ms. Wood was current in her monthly rent.

32. On or about January 2, 2024, Ms. Wood and others filed suit in the District Court against the Defendants, seeking, among other things, injunctive relief prohibiting Defendants from proceeding with the threat to evict her.

33. On or about February 5, 2024, the parties entered an interim consent order under which Defendants agreed not to proceed with the threatened eviction.

34. On or about March 12, 2024, as a result of transfer or ownership of the property, Defendants ceased all landlord or property management relationship with Plaintiff and her dwelling.

35. Notwithstanding the interim consent order, Plaintiff continued to remain in fear that Defendants would undertake retaliatory action until Defendants transferred ownership and property management of Plaintiff’s dwelling to third parties.

¹ See Housing Works RI, 2023 Housing Fact Book, 2 (2023) ((RIHousing’s 2022 Rental Survey noted the statewide average for a 2-bedroom apartment as \$1,996, which would require an income of nearly \$80,000 to affordably rent; this exceeds the state’s median household income by more than \$5,000 and the median renter income by nearly \$40,000.). See also Id. At 9 (“Based on 2022 average 2-bedroom apartment rents, a household earning the state’s median renter household income of \$41,277 could afford to rent in only one Rhode Island town.”) <https://d337wih8hx5yft.cloudfront.net/documents/Housing-Fact-Books/2023HFB.pdf>. At the time the events giving rise to this suit occurred, Plaintiff earned less than the state median renter income.

² See Id. at 16. (“Data from US HUD’s Point-in-Time Count—the annual count of sheltered and unsheltered people experiencing homelessness—show record highs of individuals and of those who are chronically homeless. A comparison of these numbers from prior to the beginning of the pandemic in 2019 to 2023 show stark increases across all household types. The critical shortage of homes available to Rhode Islanders with little or no income has increased the visibility of this crisis, especially within certain municipalities.”).

COUNT I

Retaliation: R.I.G.L. § 34-18-46

36. Paragraphs 1-35 are hereby incorporated by reference as if fully stated and alleged herein.

37. R.I.G.L. § 34-18-46 provides that “a landlord may not retaliate by...threatening to bring an action for possession because...[a] tenant has organized or become a member of a tenant’s union or similar organization...or...has availed himself or herself of any other lawful rights and remedies.” R.I.G.L. § 34-18-46(a)(3) and (4).

38. Reclaim RI and Elmwood Realty tenants were organizing a tenants’ union and were treated by Defendants as a tenants’ union or an organization similar to a tenant’s union.

39. Defendants’ statements and actions were clearly designed to harass and intimidate Ms. Wood and all other Elmwood tenants not to associate with or join a tenant union and threaten eviction if they continued.

40. Ms. Wood was entitled to the protection of R.I.G.L. § 34-18-46 both for her association with a tenants’ organization and her availing herself of her lawful rights and remedies.

41. Mr. Butler and Elmwood Realty threatened to bring an action for possession against Ms. Wood because she was organizing or becoming a member of a tenant’s union or similar organization or in the alternative for exercising her lawful rights and remedies.

42. R.I.G.L. §34-18-46 guarantees Plaintiffs the right to be free from retaliation and harassment for tenant organizing or being involved with a tenant union or similar organization and for exercising their lawful rights and remedies and entitles them to the remedies provided in R.I.G.L. § 34-18-34 for Defendants’ actions, including continued possession of the premises, damages in the amount of three (3) months periodic rent or threefold their actual damages, and reasonable attorney’s fees. R.I.G.L. § 34-18-46(b).

WHEREFORE, Ms. Wood prays that the Court:

1. Award her three times her actual damages or damages in the amount of three months' periodic rent, whichever is greater, and statutory interest thereon;
2. Award her costs and attorney's fees; and
3. Grant such further relief as the Court deems just and proper.

Plaintiff demands a trial by jury, as set forth in the Jury Demand filed herewith.

Respectfully Submitted,

Plaintiff Krystie Wood
By Her Attorneys,

/s/ Samuel E. Cramer
Samuel E. Cramer, Esq. #10290
/s/ Jennifer L. Wood
Jennifer L. Wood, Esq. #3582
The R.I. Center for Justice
1 Empire St. Suite 410
Providence, RI 02903
401-216-7298
scramer@centerforjustice.org
jwood@centerforjustice.org

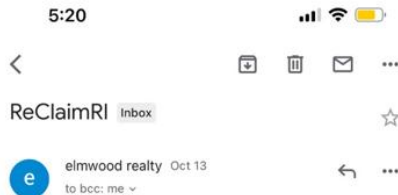
/s/ Lynette Labinger
Lynette Labinger, Esq. #1645
128 Dorrance Street, Box 710
Providence, RI 02903
401-465-9565
LL@labingerlaw.com

Cooperating counsel
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF RHODE ISLAND

Certification of Service

I hereby certify that, on the 24th day of October, 2024, I filed and served this document on the following parties: Jeffrey Butler and Elmwood Realty, LLC. The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

EXHIBIT A



To All Tenants,

I want to bring to your attention about a group of people that have been going around to RI rental properties and knocking on doors of tenants calling themselves ReClaimRI. They are not a state agency or funded by the state. I had an opportunity to meet 2 of them today and they refused to tell me where they are funded by. they did not have business cards or any credentials.

They call themselves advocates for tenants which is the furthest from the truth. This group called our office and represented themselves as State Officials which was a lie. There are legitimate well trained professional City, Local, and State Agencies that do a great job representing tenants and landlords including the State of Rhode Island Tenant Landlord Handbook and of course the State Court System.

As a landlord, I encourage you to follow the laws of the State of Rhode Island and read our lease closely so we have complete communication.

If We both follow the Tenant Landlord Handbook and follow the lease we both mutually signed then there is no reason to speak with or interact with the group that call themselves ReclaimRI. They do not appear to have the tenants best interest in mind since they create an adversarial relationship between tenants and landlords. They serve no useful purpose except to create turmoil and they confuse the tenants.

example; I have 2 tenants that were being evicted due to non payment of rent. These tenants in retaliation contacted this group. This group knocked on the doors of the other tenants in the building not telling them the whole story. This group got the other tenants involved in a matter that was not anyone else's business.

I am suggesting that if you want to continue having a long relationship with us, please contact us if you have any issues that we need to address. If you feel you are not getting satisfaction from us then by all means, contact the appropriate agency I noted above but if you make a choice to engage with this ReclaimRI group, I will consider that you

have now dissolved our relationship and when your tenancy is over, we will ask you to vacate.

This group is creating problems with Tenants and Landlords where none exists. They are calling themselves advocates but they do not call the landlord to advocate for the tenants.

Just last week, some undocumented people representing themselves as ReClaimRI visited 2 of my properties and knocked on tenants' doors attempting to get the tenants to say negative things. The tenants did a great job by telling ReClaimRI that they are not speaking with them. The tenants then let our office know. Because they are not any state agency, I am not giving them permission to be on any of my properties. If they are there, then they are trespassing

I hope you understand my position on this and again, I always encourage you to contact us through tenant cloud or email so there is a record of it.

Thank You, Jeff Butler

--
Jeffrey Butler
jeff@eprav.com
Elmwood Property Management
[2077 Elmwood Ave.](#)
[Warwick, RI 02888](#)
[401-738-5000](#)

[↩ Reply](#) [➡ Forward](#)

EXHIBIT B

**TRANSCRIPTION OF VOICEMAIL FROM JEFF BUTLER TO CHERIE CRUZ
OCTOBER 19 2023**

Hi, Cherie, very, very unprofessional voice mail message that you have on there, it doesn't say who you are, who I'm calling, but I know who you are and who I'm calling. This is Jeff Butler from Elmwood Realty and I just want to let you know if any time you talk to any of my tenants, the tenants are gonna get a 30 day notice to vacate the premises. They have all been notified not to talk to you Reclaim RI pot smoking hippies, OK, I've already told them all. I told them to go through the Rhode Island tenant handbook, learn the handbook, go by the law. You folks are not following the law, you're telling my tenants to not follow the law, which is also violating the terms of their lease.

So you are creating problems with these poor tenants, who didn't do anything to deserve this and I'm gonna make sure everybody knows it. And I'm putting you on notice that you talk to my tenants, they give me your name and they will be evicted. I have it in writing to my tenants, I'm putting no solicitation and no trespass notices on every one of my buildings as of today, so you now have that notice. You trespass, they will call the police and let them know that you're trespassing on my property.

So, I hope whatever you are trying to accomplish works for you, but right now you are only hurting tenants. You got two evicted last week, you got one evicted today. And all you do is emptying [sic] out my apartments and I clean them up and I re-rent them to somebody else. And now we're adding to the lease now not to talk to you folks. There's enough agencies that are sanctioned by the state that do the right thing. You folks are not doing the right thing. So why don't you just keep fighting your free pot and your free weed smoking and forget bothering and bullying landlords. I notice you're not going after the big corporations, you're going after the small landlords. Right? That's what bullies do, right? Bullies pick on the smaller people, so you guys are just bullies. You're not licensed, you're not educated, you're not certified. You guys are just a bunch of bums, running around haphazardly, causing problems.

EXHIBIT C

**TRANSCRIPTION OF VOICEMAIL FROM JEFF BUTLER TO SHANA CRANDELL
OCTOBER 19 2023**

Hi Shana Crandall this is Jeff Butler calling from Elmwood Realty. How ya doin? I understand that you are knocking on my tenants' doors and representing yourself as tenant agents, um and which you're not, okay. You have no credentials. You have no education. You have no certification. You don't work for the State of Rhode Island. So you're misleading my tenants. Um, I've notified my tenants that if you folks bother them and they let me know or you try to help them in any way which you're not, you're hurting them, that they will be asked to move out when their lease is up. Some are on month to month. So you're not helping the tenants at all, you're not advocating for them. You're causing problems because you're making them circumvent the legal system and the systems that are in place by the cities and the State from the inspections.

Okay, you guys might want to get familiar with the Rhode Island tenant landlord handbook. They have twenty days to notify me. If you were truly advocates you would be notifying me that there is a problem instead of taking pictures and sending them to the building inspectors.

So, you're causing problems where problems don't exist. You already caused two tenants to get evicted last week, another one this morning, and as my tenants call me up and I find out that you have spoken with them they all just got slapped [inaudible]. Okay so you are not doing anybody any favors—you are hurting people. You are actually creating homelessness.

So, that being said, you want to keep it up that's fine. I will just get new tenants in those places and my tenants know that if you show up to the properties, you're gonna, there's a no-solicitation order on the building and a no-trespass order for your Reclaim Rhode Island group of hippies, so I suggest you go away. Continue your pot smoking campaign—that seems to be getting you some mileage. So, I think I would work on that rather than making these poor tenants homeless.

EXHIBIT D



PROVIDENCE PLAN

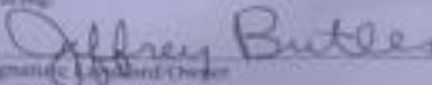
DISTRICT COURT
NOTICE OF TERMINATION OF TENANCY
(G.L. 1956 § 34-18-37)

Name: KRYSTIE WOOD		Date of Mailing: 11-7-23	
Address: 71 ROBERTS STREET APT 4			
City: WEST WARWICK	State: RHODE ISLAND	Zip Code: 02893	

You are hereby directed to vacate and remove your property and personal possessions from the premises located at 71 ROBERTS STREET APT 4 WEST WARWICK, RI 02893 and deliver control of the premises to the Landlord/Owner on the first day after the end of your current rental period, namely JANUARY 1, 2024.

This notice is given for the purpose of terminating your tenancy. You must continue to pay rent as it becomes due until the date indicated above. If you fail to pay that rent, a non-payment eviction action may be instituted against you.

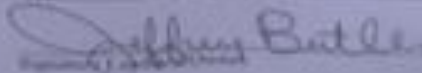
If you fail to vacate the premises by the date specified, an eviction may be instituted against you without further notice. If you believe you have a defense to this termination, you will be able to raise that defense at the court hearing.


Signature of Landlord/Owner

JEFFREY BUTLER
Print Name Landlord/Owner

2077 ELMWOOD AVENUE, WARWICK, RI 02886
Address Landlord/Owner

I hereby certify that I placed in regular U.S. Mail, First Class postage prepaid, a copy of this notice addressed to the tenant on the 7th day of NOVEMBER 2023.


Signature of Landlord/Owner

DC-62 (revised November 2014)

www.districtcourt.org