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Family stays - for now

The Bayonne Housing Authority has apparently backed down for now in its efforts to evict a family from the Kill Van Kull Gardens housing complex because the husband, who failed to disclose information about two disorderly person offenses in the 1970s, is not on the lease.

The BHA has agreed to allow Thomas and Vanessa Asmar and their four school-age children to remain in their West Second Street home until a lawsuit the family filed is resolved, the family's lawyer, [Vincent J. Sanzone](#) of Elizabeth, said yesterday.

Earlier this month, the BHA presented the Asmars and their children - Damien, 16; Brittany, 10; Dillon, 8, and Hope, 6 - with papers indicating they wanted them out of the apartment.

In their suit, filed earlier this month in U.S. District Court in Newark, the Asmars contend that the BHA violated the Fair Housing Act of 1968 and is discriminating against them in its attempt to evict them because Thomas Asmar failed to disclose information regarding two disorderly person offenses from 1973 and 1975.

Thomas Asmar, 45, is not on the lease, which is under Vanessa Asmar's name, and he says BHA officials won't let him on the lease so he can live with his family.

BHA officials say Vanessa Asmar, 38, is in violation of her agreement because she let her husband move in with her, and the Housing Authority has a rule against tenants allowing "accommodations for boarders and lodgers." Vanessa Asmar has been living in a BHA apartment since August 1991.

Thomas Asmar said the action by the BHA - represented by attorney Jeanette Samra-Arteaga of the Secaucus law firm of Fitzpatrick & Waterman - is another in a pattern of harassment he claims is being perpetrated against his family.

"We're being broken up because of someone's malicious activity," he said.

John Mahon, executive director of the BHA, has declined to comment because of the pending litigation.