

## **Bianca Jagger faces eviction in US visa row**

By Catherine Elsworth in Los Angeles

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Bianca Jagger faces eviction from her Park Avenue apartment in Manhattan because she only has a tourist visa.

As a Nicaraguan-born British citizen who lived in the rent-controlled apartment for 20 years, she argued it was her primary residence and her landlord should be barred from evicting her.

But a New York court ruled that the ex-wife of Rolling Stone Mick Jagger could not have a New York address as her main residence because she only has a B-2 tourist visa that states she "intends to leave the United States at the end of [a temporary] stay."

The court case arose after Jagger stopped paying the \$4,600 (£2,300) -a-month rent in 2003 and sued her landlord, complaining that toxic mould in the 18th floor apartment had made it uninhabitable and damaged her health.

In response, the apartment's owners, the Katz Park Avenue Corporation, went to court to evict her, claiming she was not eligible to claim the address as her "primary residence".

An appeals court granted the landlord's bid, agreeing that Jagger's tourist status did not comply with the immigration statute's residence rules.

Ryan Goldstein, Jagger's lawyer, said she was "disappointed" and considering an appeal.

He claimed the eviction was "retaliation" for her \$20 million personal injury lawsuit over the mould, which is still pending.

In its ruling, the appeals court ignored other issues such as Jagger's failure to file state income tax returns in 2003 and 2004 and claims she rarely stayed at the apartment, stating the only relevant circumstance was her visa status.

It also noted that the human rights activist, who has one daughter, Jade Jagger, from her nine-year marriage to the Rolling Stones front-man, also has at least one luxury home in Belgravia.

Todd Soloway, a lawyer for Katz, told the New York Post: "While we appreciate the fact that 530 Park Avenue is a highly desirable address, that does not change the fact" that Jagger "offered the court no evidence whatsoever" that she used the apartment as her primary residence.

Laws protect tenants in rent-controlled apartments from sharp increases in rent but a landlord can charge the market rate once a tenant leaves.