



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

JESSE R. BODINE
District Manager



May 28, 2015

Hon. Meenakshi Srinivasan, Chair
Landmarks Preservation Commission
Municipal Building, 9th floor
One Centre Street New York, NY 10007

Re: 126-128 West 18th Street - Alteration to an existing storefront of NYC Landmarks Commission - Designated Building

Dear Chair Srinivasan:

On the recommendation of its Chelsea Land Use Committee, the Executive Committee of Manhattan Community Board 4 (CB4) voted to recommend approval of the proposed alterations to the storefront at 126-128 West 18th Street with the changes detailed below. The applicant has agreed to investigate the feasibility of the changes and to include them in the project as possible. This recommendation is subject to ratification by the Board at its June 3, 2015 meeting.

The buildings at 126-128 West 18th Street were originally part of a row of thirteen brick-fronted horse stables erected in 1864-66. Over the years they were altered to adapt to changing times and needs, and today are used as storage garages. Oversized ground floor garage doors were retrofitted into the facades to accommodate motor vehicles. The present garage door in Building #126 eliminated the original adjacent brick pier. The garage door at Building #128 cuts into the original first floor brick piers by 6" to 8" on either side of the opening, detracting from the original design.

The current proposal would combine the buildings into one tax lot and change their use to a wine bar and dining restaurant. As part of this project the applicant proposes to: i) eliminate the oversized garage doors; ii) restore both ground floor brick piers to their original state; iii) replace the stable doors with a fixed glass window recessed approximately 16" from the plane of the adjacent piers, recalling the shape and size of the original door opening; iv) eliminate one door at the east side of Building #126 to create an entry vestibule; v) add one glass door adjacent to the new pier, as egress from the wine bar, taking the place of a window which was part of the original pier; and vi) eliminate one ground floor window, introducing a new glass door in its place as required egress for the dining room of Building #128.

The applicant is seeking Landmark Preservation Commission (LPC) approval of the proposed changes.

CB4 supports the conversion of these special, historic buildings to a wine bar and restaurant, but feels strongly that the applicant can do more to preserve and restore them. We believe that replacing the stable doors with a recessed, frameless glass window and restoring the ground floor brick piers to their original state are appropriate. But we believe that this will work only if the rest of the building is restored with the greatest consistency and historical accuracy.

We therefore recommend the following changes to the proposed project:

- Install new ground-floor 36"-wide doors of painted wood and glass construction in wood frames, sympathetic to the existing upstairs windows, rather than the proposed glass doors.
- Enlarge the ground floor openings to accommodate these 36"-wide doors by replacing bricks with new custom-formed shorter bricks to match the existing bricks, toothed-in, and not by saw-cutting bricks.
- Strip paint from all brick and stone on the facades of both #126 and #128.
- Identify the type of existing stone where notes describe new keystones or stone accents to "match existing."
- Replace the stone belt-course/water-table of #126 and #128 immediately above the first floor keystones to match the neighboring historic brown-colored stone material and profile in the same location on the buildings immediately west.
- Carefully and accurately match existing brick and stone in light of the special significance and picturesque quality of the illustrious row of buildings.

The Board also requests two additional items that are not strictly part of the proposed project but would enhance the buildings and contribute to the neighborhood:

- Treat the westernmost door location in kind, with the brick infill removed from the arch above, and a glazed transom introduced so that there are four matching doors with transoms.
- Eliminate the now unnecessary curb cuts.

CB4 welcomes the restoration of these significant, beautiful buildings and appreciates the applicant's willingness to incorporate our recommendations to return them closer to their original state. We request that the applicant incorporate as many of our recommended changes as possible and that LPC encourage their inclusion.

Sincerely,



Christine Berthet
Chair



J. Lee Compton
Co-Chair
Chelsea Land Use Committee



Betty Mackintosh
Co-Chair
Chelsea Land Use Committee

cc: Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council

1 **Clinton and Hell’s Kitchen Land Use Committee**

Item #: 14

2
3 June XX, 2015

4
5 Vicki Been
6 Commissioner
7 NYC Dept. of Housing Preservation and Development
8 100 Gold Street
9 New York, NY 10038

10
11 Martin Rebholz
12 Manhattan Borough Commissioner
13 NYC Dept. of Buildings
14 280 Broadway
15 New York, NY 10007

16
17 **Re: 485-497 Ninth Avenue Stop Work Order and Orders to Correct**

18
19 Dear Commissioners Been and Borough Commissioner Rebholz:

20
21 At the Chelsea-Hell’s Kitchen Land Use Committee meeting on April 8, 2015 a
22 discussion took place regarding the continued decay 485-497 Ninth Avenue. It was
23 brought to the attention of the Committee that since the Committee’s request for
24 assistance for preservation of the remaining buildings and avoidance of any further
25 demolition no action has been taken by the Department of Housing Preservation and
26 Development (HPD) or the Department of Buildings (DOB).

27
28 **Background**

29
30 485-497 Ninth Avenue is a block-front of 6 tenements on the west side of 9th Avenue,
31 between West 37th and West 38th Streets, in Subarea D5 of the Special Hudson Yards
32 District (SHYD). These buildings, under the prior ownership of Martin Fine and the
33 current ownership of David Israeli, have been the subject of long-term tenant harassment,
34 lack of services, HPD enforcement actions, and over 300 legal actions since the early
35 1980s. For years, the long-term owner, Martin Fine, who was regularly named by the
36 Village Voice as one of the City’s top 10 worst landlords, tried to vacate all of the
37 buildings, but was unable to do so.

38
39 485-497 Ninth Avenue is located within the SHYD, and as such the tenements are subject
40 to both anti-Harassment and Demolition Restriction zoning provisions. ZR § 93-90 states
41 that before there can be any material alteration to the building, the owner must obtain a
42 Certificate of No Harassment (CONH) or, if they are not able to obtain one, must comply
43 with the Cure Requirements. No application for a CONH has been submitted for these
44 buildings. Additionally, according to ZR § 93-91, no multiple dwellings in Subarea D5
45 the Special Hudson Yards District can be either partially or fully demolished.

46

1 In 1995, demolition work was being done at 404 West 38th Street. During the demolition
2 preparation, the building partially collapsed and a construction worker fell off of the
3 scaffolding and onto adjacent roadway. As a result, the City found that the building as
4 well as the two adjacent buildings at 501-505 Ninth Avenue were structurally unsound,
5 issued an emergency vacate order, and demolished the buildings. What the owner had
6 attempted to do, remove the long term tenants of these buildings (some with 50 year
7 tenancies), DOB accomplished with the vacate order. The owner's very actions led to the
8 City's demolition order. Today the site of those buildings remains a vacant lot.

9
10 As part of the HPD enforcement actions, an Article 7A Proceeding was brought to
11 appoint a 7A Administrator. Martin Fine stymied that proceeding for years by putting the
12 buildings into bankruptcy. In 1996, he sold the buildings to David Israeli, the son of well-
13 known diamond merchants. Martin Fine then sold the adjacent parking lot and all of the
14 development rights from the buildings to Dermot Companies. After multiple legal actions
15 against the long term tenants, David Israeli offered to settle the 7A Proceeding. As part of
16 that settlement, 493-495 Ninth Avenue was gut renovated and all nine of the remaining
17 tenants were consolidated into those buildings. David Israeli has repeatedly committed to
18 renovate the existing vacant buildings and has never done so.

21 **January – February 2013**

22
23 On January 17, 2013, DOB issued an immediate emergency violation for failure to
24 maintain the building in a code compliant manner, namely the presence of partial collapse
25 and water damage throughout the structure.

26
27 On February 19, 2013, Manhattan Community Board 4 sent a letter to Commissioner of
28 HPD and the Manhattan Borough Commissioner of DOB. This letter made several
29 requests for action to preserve the buildings and avoid demolition required for an unsafe
30 structure. These requests outlined a plan-of-action to preserve the structures. Despite
31 their explicit nature, no requests were satisfied, save for first which has not been
32 applicable. These requests were:

- 33 • *No action be taken by DOB that encourages or permits any interior or*
34 *exterior demolition at these buildings. These buildings have both a long*
35 *history of tenant harassment and are subject to the zoning required*
36 *Demolition Restriction.*
- 37 • *Since these buildings were intentionally neglected, the owner should be issued*
38 *Orders to Correct the structural and façade issues.*
- 39 • *If issues are found with the structural stability of any or all of the buildings*
40 *and the owner does not correct these issues, HPD should move to safely*
41 *correct the issues and seal the buildings.*
- 42 • *Liens should then be placed on the property for the City to recoup full cost of*
43 *the repairs.*

1 Though the first request has been untested since the date of this letter, 2 commercial
2 spaces have been renovated and occupied despite a lack of filings and permits from the
3 Department of Buildings.

4
5 On February 27, 2013, the Environmental Control Board accepted a Certificate of Cure
6 for the January 17 violation despite minimal action being taken to restore the decaying
7 buildings. At this time the rear of the structured was covered with a tarp, providing the
8 building interior some protection from the elements.

9
10 **April 2015**

11
12 In early April 2015 the coverings of the rear building façade became unsecured exposing
13 the true condition of the structure. At this time it became blatantly apparent that the
14 building has undergone unpermitted demolition work leading to partial collapse and
15 exposed wooden structural members as seen in the enclosed photos. This situation
16 analogous to the partial collapse that occurred in 1995, which ultimately lead to the death
17 of a construction worker as well as the demolition of what would now be a 100+ year old
18 structure.

19
20 At the request of CB4, DOB inspected the property on April 14, 2015 and issued a Stop
21 Work Order under DOB Violation #041415BS04JM01.

22
23 On April 22, 2015, Jesse Bodine, District Manager of Manhattan Community Board 4
24 sent an email to John Waldman, Government and Community Affairs Liaison at DOB,
25 and Vito Mustaciolo, Deputy Commissioner for the Office of Enforcement and
26 Neighborhood Services at HPD requesting Orders to Correct the structural issues, or in
27 absence of action by the property owner, HPD to make the corrections.

28
29 **Concerns**

30
31 CB4 is concerned that the building at 485-497 9th Avenue will quickly decay to the point
32 of required demolition. CB4 reiterates it's 2013 requests to preserve the structure from
33 imminent deterioration and prevent the building from becoming structurally unsound. It
34 is the prerogative of CB4 to:

- 35 1. Maintain buildings that fit the historic context of the neighborhood
- 36 2. Ensure that the intentions of the Demolition regulations set forth with the creation
37 of SHYD are upheld
- 38 3. Ensure the safety of the public

39
40 Given the above, CB4 requests a meeting with you at your earliest convenience.

41
42 Sincerely,

43
44 Christine
45 JD



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103

Proposed Rendering of 310 West 40th Street

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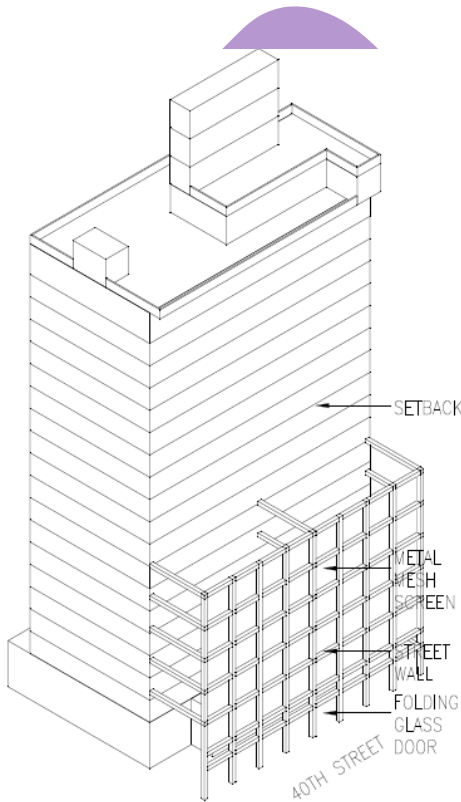
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Proposed Rendering of 310 West 40th Street

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Axonometric Diagram 450 West 40th Street

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115 **Proposed Rendering of 338 West 39th**
116 **Street**

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DRAFT

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3 Martin Rebholz

4 Manhattan Borough Commissioner

5 NYC Dept. of Buildings

6 280 Broadway

7

8 Re: Hotel developments in violation of street wall regulation

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10 Dear Borough Commissioner Rebholz,

11

12 At the Chelsea-Hell’s Kitchen Land Use Committee meeting on April 9, 2015 a discussion took
13 place regarding the trend of hotels deliberately using a perforated metal wall to meet street wall
14 height requirements in certain areas subject Zoning Text amendments adopted in 2010. The
15 deliberate skirting of requirements imposed to preserve the physical context of these areas must
16 be stopped immediately to prevent the loss of character in specific preservation areas.

17 ZR 12-10 defines a street wall as “a wall or portion of a wall of a building facing a street”. Three
18 hotels, 326 West 36th Street, 410 West 40th Street, and 450 West 40th Street use what can best be
19 described as an architectural element to meet minimum street wall heights. As the buildings’
20 plans do not have a street wall that meets the definition as stated in the zoning text, the
21 developments must be halted and filings audited prior to any further work taking place.

22 **History**

23 In late November 2007, Manhattan Community Board 4 (CB4) voted on the Lower Income
24 Housing Plan for 350 West 37th Street, also known at that time as Tower 37. Irrespective of the
25 determination of the Lower Income Housing Plan, CB4 identified non-compliance with the street
26 wall requirements of ZR 121-31, specifically the requirement for a 90 foot street wall at the
27 street line.

28 This issue was presented twice to the Department of City Planning on June 3, 2008 and on
29 September 30, 2008. CB4 addressed this issue again on November 19, 2008 at District Service
30 Cabinet meeting and in a January 16, 2009 letter to the DOB Manhattan Borough Commissioner.
31 On February 19, 2009 a stop work order for construction at the site was issued by DOB for
32 “failure to comply with Zoning Resolution for Setbacks”.

33 CB4 felt compelled to address the non-compliance. The City Planning Commission’s report on
34 the Hudson Yards’ ULURP that enacted this requirement stated that its purpose was “to ensure
35 consistency with the Garment Center’s distinctive built form of high street wall loft buildings”.
36 Tower 37 was being constructed with a 20 foot setback at the 2nd floor, in extreme contrast to the
37 high street walls characterizing the garment district.

38 It was ultimately determined that 350 West 37th Street conformed the zoning text due to an
39 omission of a minimum street wall height requirement in Special Garment Center District
40 (SGCD) P-2. To correct this omission, the Department of City Planning began the process of a
41 Uniform Land Use Review Procedure.

42 **ULURP**

43 On January 14, 2010 the Department of City planning filed a Land Use Review Application to
44 clarify its intention and impose minimum street wall heights in SGCD Preservation Area P-2 and
45 extend the same imposition to Special Hudson Yards District (SHYD) Subdistrict E amongst
46 other zoning text amendments. On June 29, 2010, the amendment to New York City Zoning
47 Resolutions §§93-50, 93-53, 93-55, and 121-32 regarding Hudson Yards Garment Center Street
48 Wall Text was adopted. The new street wall height requirements set forth effect the area bound
49 by 40th Street to the North, 100 feet east of 9th Avenue to the West, 35th Street to the south, and
50 100 feet west of 8th Avenue to the East.

51 **2014**

52 In 2014 at 3 hotels have been approved in have been approved and permitted inside the area
53 regulated by these street wall requirements. All 3 developments are subject to the street wall
54 requirements enacted in the zoning text amendment and employ the same tactic of using a
55 neither structural nor functional perforated metal wall to meet the minimum street wall heights.

56 *326 West 37th Street*

57 326 West 37th Street is a 22-story hotel in construction located in the SGCD Preservation Area P-
58 2 and as such is subject to ZR 121-32(a) which states that the street wall must rise to a height
59 between 80 and 90 feet with exceptions made for projects adjacent to certain buildings not
60 complying with the requirements. The enclosed approved zoning diagram for the project makes
61 no claim for the exceptions. The included axonometric diagram shows a perforated metal panel
62 being used as the street wall above the first floor. Renderings of the hotel illustrate a vastly
63 different design. The enclosed rendering illustrates what could be called planter supports at best.
64 It appears that the metal will comprise less than 10% of the area being called the street wall. In
65 no stretch of the imagination could this element be considered a wall.

66 *310 West 40th Street*

67 310 West 40th Street is a 44-story hotel in construction located in SHYD Subdistrict E and as
68 such is subject to ZR 93-55(b) which states that the street wall must rise to a height between 80
69 and 90 feet with exceptions made for projects adjacent to certain buildings not complying with
70 the requirements. The hotel will employ a similar tactic to reach a street wall height of 81 feet
71 through use of a perforated metal panel. The enclosed approved zoning diagram shows a true
72 street wall up to the fourth floor at a height of 51 feet with the additional height being met by a

73 metal panel. Renderings reveal that the metal panel will begin at the second floor revealing the
74 masonry behind and opening up to a more obvious open space for the remaining 30 feet. This is
75 in defiance of the zoning’s intention and hardly meets the definition of a wall.

76 *350 West 40th Street*

77 350 West 40th Street is a 20-story hotel in construction located in SHYD Subdistrict E and as
78 such is subject to ZR 93-55(b) which states that the street wall must rise to a height between 80
79 and 90 feet with exceptions made for projects adjacent to certain buildings not complying with
80 the requirements. The hotel will employ the same technique to reach a street wall height of 80
81 feet through use of a “metal mesh screen”. The enclosed approved zoning diagram shows that
82 the metal screen will begin at the second floor and extend to the minimum required street wall
83 height. At this time no actual renderings have been released showing the design, but the building
84 is designed by the same architect as 310 West 40th Street and a similar design of a non-wall can
85 be expected.

86 **2015**

87 *338 West 39th Street*

88 On April 30, 2015 a rendering was released for 338 West 39th Street, another hotel in SGCD
89 Preservation Area P-2. Though plans have not been filed, the renderings indicate that the same
90 faux street wall will be employed in the design of this building. A dubious trend is developing.

91 **Conclusions**

92 Two hotels in SHYD and one in SGCD are presently in construction with designs that directly
93 conflict with the intentions of the zoning text as adopted in 2010. Community Board 4 requests
94 the immediate issue of a Stop Work Order from the Department of Buildings and an audit of the
95 filing. The proposed designs used to meet street wall height requirements deliberately defy of
96 Zoning Text sections 93-55(b) and 121-32(a).

97

98 Sincerely

99 Christine Jean Daniel Noland

100

101

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1 Transportation Committee

Item # 16

2
3 June 3, 2015

4
5 Mr. Norberto Acevedo
6 NYC Department of Design & Construction
7 30-30 Thompson Avenue
8 Long Island City, New York 11101

9
10 **Re: Update 30th Street & 10th Avenue Water Main Trunk Installation**

11 Dear Mr. Acevedo:

12
13
14 Manhattan Community Board 4 (CB4) appreciates the presentation by NYC Department of
15 Design and Construction (DDC) with an update of the installation of the Trunk Water Mains for
16 the NYC Water Tunnel #3 at W. 30th Street between Tenth Avenue and Route 9A, along Tenth
17 Avenue from W. 30th Street to West 31st Streets and along Eleventh Avenue between West 29th
18 and the rail yards. We understand the importance of this long-planned (begun in 1970) third
19 water tunnel for the infrastructure and safe drinking water of New York City.

20
21 We also appreciate your continued outreach to the community and partnership with CB4
22 regarding the construction schedule and impacts of this project. The overall project which began
23 in the Summer of 2012 and was scheduled to take approximately two and a half years, is
24 approaching completion, and should be fully completed in approximately 6 months.

25
26 During the final phase of this project CB4 would like to restate our original requests made in a
27 letter dated July 26, 2012:

- 28
- 29 ● Ensure there is a traffic control agent at W. 30th and Tenth Avenue during the 4:00 p.m.
30 to 7:00p.m. rush hour, as well as during their work hours;
 - 31 ● Work with DOT to devise warning signs further North on Eleventh Avenue and both
32 North and South on Route 9A of the lane reductions on W. 30th Street and further south
33 on Tenth Avenue of the lane reduction north of W. 30th Street;
 - 34 ● Work with DOT to reroute the bicycle lane currently on W. 30th Street between Tenth
35 Avenue and Route 9A to W. 26th Street during at least first phase and, depending on the
36 impact on West 30th Street, for future phases. DOT should provide adequate signage on
37 the bicycle path along the Hudson River Park of this change, as well as signs at W. 30th
38 Street and should provide notification through various bicyclist websites.
 - 39 ● It would be preferable to make two of the three traveling lanes between W. 30th and W.
40 31st toward the West side of Tenth Avenue (DDC has indicated the work hour will be in
41 the middle of the block, with a flashing sign directing traffic to either side) to enable
42 traffic seeking to pass the Tunnel entrance at W. 30th Street to flow more easily; and
 - 43 ● The south side sidewalk of W. 30th Street should have adequate protection and lighting;
44 All walkways that may be required along Tenth and Eleventh Avenue have decorative
45 side walls and adequate lighting;
 - 46 ● Provide advance notice of several days be provided before any water shut off that may be
47 required in the area.

- 48 ● The south side sidewalk of W. 30th Street should have adequate protection and lighting;
49 ● The Community Liaison and Construction site manager's phone number should be
50 widely disseminated, including posting on the Community Board website and in the
51 lobby of the Ohm building.
52 ● The Community Liaison should make a concerted effort to work with the residents,
53 students and staff members at the Fashion Institute of Technology to ensure all parties
54 receive notification concerning noise issues.
55

56 In addition to the original requests we would also like to request the following:

- 57 ● Work with the DOT on making 11th Avenue two ways during the remainder of this
58 project to provide a reasonable alternative to 10th Avenue for vehicles traveling north
59 and those approaching the Lincoln Tunnel. This would greatly alleviate the congestion
60 that the project currently causes on 10th Avenue.
61 ● Work with DOT to place additional signage on 23rd Street and 25th Street warning
62 drivers about the construction as they approach 10th Avenue and direct them to
63 alternative routes.
64 ● Extend the hours of the traffic agents to be present during all hours of construction.
65 ● Provide CB4 with information on handicap pedestrian access during the project.
66

67 Again, we greatly appreciate the communication on this important project and look forward to its
68 successful completion with as minimal community and traffic disruption as possible.
69

70 cc

71 Margaret Forgione, Department of Transportation
72 Councilmember Corey Johnson

1 Transportation Committee

2
3 June 3, 2015

4
5 Ms. Margaret Forgione
6 Manhattan Borough Commissioner
7 NYC Department of Transportation
8 59 Maiden Lane, 35th Floor
9 New York, NY 10038

10
11 **Re: Request to Study Bike Lane on 8th Avenue Between 33rd and 30th Streets**

12
13 Dear Commissioner Forgione:

14
15 Manhattan Community Board 4 (CB4) requests that the Department of Transportation (DOT)
16 study the use of the bike lane on 8th Avenue between 33rd and 30th streets for a solution to the
17 problem of cyclists riding in the wrong direction in the bike lane on this segment. CB4 has
18 observed that cyclists particularly those initiating their trip from the CitiBike Station located on
19 8th Avenue between 33rd and 31st Streets ride in the wrong direction to reach the east-west bike
20 lane on 30th Street. According to the CitiBike ridership data for September 2014 1,8460 rides
21 initiated from this stations for the month which is approximately 615 trips a day initiated at this
22 station, making it one of the most used CitiBike stations in the City. Furthermore, This area is
23 very congested with bike, automobile, and pedestrian traffic and the use of the bike lane in the
24 wrong direction is a serious safety concern for all involved.

25
26 CB4 believes cyclists are riding in the wrong direction because there is no east side access from
27 this bike station when traveling north until 36th Street where there is no bike lane, or 40th Street
28 where the next eastbound bike lane is located. On account of the limited options cyclists choose
29 to travel the one and half blocks in the wrong direction to access the eastbound bike lane on 30th
30 Street. Furthermore, it has been observed that the CitiBike employees who constantly bring a
31 new supply of bikes to this busy station also use the bike lane in the wrong direction because it is
32 the easiest way for them to access the CitiBike storage located on 31st Street near 9th Avenue.

33
34 CB4 discussed the following suggestion and would like the DOT to study the situation and report
35 back to the CB4 Transportation Committee with their findings.

- 36
37
- 38 ● Make this segment of the bike lane two ways. This possibility would make all involved
39 aware of two way bike traffic. With this solution it should be made clear to cyclist,
40 pedestrians, and cars that the bike lane segment is two ways. Additionally, clear signage
41 should be installed at the start of the bike lane on 30th street indicating “Wrong Way”
42 and directing cyclists to travel east on the bike lane.
 - 43 ● Move the Citibike station one block south between 31st and 30th street. This would
44 shorten the distance cyclists would travel to access the eastbound bike lane on 30th street.
 - 45 ● Install an eastbound bike lane on 36th street. An eastbound bike lane on 36th Street
46 would allow cyclists to travel north on 8th Avenue in the right direction and more easily
47 access the eastside.

48 CB4 appreciates the assistance of the DOT on correcting this problem and we look forward to
49 hearing the DOT findings on this problem and their response to our recommended solutions.
50
51

DRAFT

1 Transportation Committee

2

3 June 3, 2015

4

5 Ms. Margaret Forgione

6 Manhattan Borough Commissioner

7 NYC Department of Transportation

8 59 Maiden Lane, 35th Floor

9 New York, NY 10038

10

11 **Re: "No Commercial Traffic" Sign Request on 25th Street and 7th Avenue**

12

13 Dear Commissioner Forgione:

14

15 Manhattan Community Board 4 (CB4) requests the installation on of a "No Commercial Traffic" sign at
16 the corner of 25th Street and 7th Avenue. CB4 makes this request after residents of 25th street
17 complained about an increase in the use of this residential block, which includes The High School of
18 Fashion Industries, by commercial truck and intercity bus traffic. The use of this block by commercial
19 vehicles causes a significant increase in traffic which is disruptive to the residents quality of life and
20 creates a dangerous situation for residents and students from the The High School of Fashion Industries.

21

22 CB4 would also like the DOT report back to the Transportation Committee regarding a request made by
23 CB4 on February 11, 2013 for a speed and speed bump study to be conducted on this street, please see
24 original letter attached.

25

26

27 CB4 appreciates your partnership on correcting this issue as soon as possible and we look forward to
28 hearing the results of the speed/speed bump study requested on February 11, 2014.

29

30 cc

31 Councilmember Corey Johnson

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1 Transportation Committee

Item # 19

2

3 June 3, 2015

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5 to DOB

6 DOITT 311 (*enter appropriate office contact*)

7 *Gale brewere*

8

9

10 **Re: Storm Enclosure Complaint Option on 311**

11

12 Dear . . . ,

13

14 Manhattan Community Board 4 (CB4) requests the option to report storm enclosures which violate New
15 York City building code be added to the 311 system. New York City Building Code Title 27 Subchapter 4
16 Article 9 “Permissible Projections Beyond Street Lines” section C states **“Storm enclosures. -Storm
17 enclosures projecting not more than eighteen inches beyond the street line may be
18 permitted during the period between November fifteenth and the following April fifteenth.
19 Such enclosures shall be removed at the end of this period.** CB4 requests that the option to
20 make a complaint against these structures be added to the 311 system and the 311 smartphone
21 app, and we recommend that the complaints be directed to the New York City Department of
22 Buildings. Furthermore we request that the term storm enclosure have a description indicating
23 that they are the temporary vestibules erected outside of restaurants typically during winter
24 months.

25

26 Manhattan Community District 4 has many commercial establishments along 8th and 9th
27 Avenues that construct storm enclosures which violate the building code. These storm enclosures
28 are particularly troublesome to our community district because of narrow sidewalks and high
29 pedestrian traffic, yet there is no formal complaint structure to report these sidewalk
30 obstructions. CB4 appreciates your partnership on this matter and we hope you will make this
31 complaint option available on 311 as soon as possible.

32

33

34 cc

35 Department of Sanitation

36 Mayor's office of Community Affairs

37 Councilmember Corey Johnson

38 Manhattan Borough President Gale Brewer

39 Department of Consumer Affairs Commissioner Julie Menin

1 Transportation Committee

2
3 June 3, 2015

4
5 Mr. Norberto Acevedo
6 NYC Department of Design & Construction
7 30-30 Thompson Avenue
8 Long Island City, New York 11101

9
10 **Re: Closure of 33rd Street Between 10th and 11th Avenues For Construction**

11
12 Dear Mr. Acevedo:

13
14 Manhattan Community Board 4 appreciates the presentation by NYC Department of Design and
15 Construction (DDC) regarding the construction for the street redesign of 33rd Street between
16 10th and 11th Avenues. We understand the importance of this project as it relates to the Hudson
17 Yards developments and the connection of the Hudson Blvd Park.

18
19 The project which includes the leveling of 33rd street with Hudson Blvd and the Avenues will be
20 a great improvement to our neighborhood and we support the closing of the street during the 24
21 months of construction. However, we agree to this on the condition that the street design fully
22 mitigates the conditions identified in the 2005 Hudson Yards FGEIS. The analysis of the
23 sidewalk condition on 33rd street concluded that Level of Service (LOS) for pedestrians was an
24 "E" or severely restricted and could not be mitigated except by changing the geometry of the
25 street ([http://www.nyc.gov/html/dcp/pdf/hyards/hy_chap20 t fgeis final.pdf](http://www.nyc.gov/html/dcp/pdf/hyards/hy_chap20_t_fgeis_final.pdf)^[nyc.gov] Pages
26 20-166, 170, 171, 172).

27
28 Since this street will undergo redesign construction, CB4 believes that the LOS should be
29 corrected. This entails wider sidewalks, tree pits , bulb outs and raised pedestrian crossing at the
30 corners and a wide speed table in the middle to allow pedestrians to cross safely between the
31 plaza and the park/subway entrance.

32
33 Again, we greatly appreciate your cooperation on this matter and we hope you will take our
34 concerns into consideration and improve the level of service for pedestrians on this street during
35 this project.

36
37 cc

38 Margaret Forgione, Department of Transportation
39 Councilmember Corey Johnson
40 Manhattan Borough President Gale Brewer
41 Andrew Cantor, Related Companies
42 Robert Benfatto, HYHK Development Bid

43

2
3 Hon. Gale Brewer
4 Manhattan Borough President

5
6 Hon. Corey Johnson
7 City Council

8
9 ***Re: Harassment & Eviction by Lack of Tenant Protection Plans***
10 ***during Building Renovations***

11
12 Dear Borough President Brewer and Council Member Johnson,

13
14 Manhattan Community Board 4 (CB4) requests your urgent intervention to prevent the further
15 loss of dozens of affordable apartments in our district due to the lack of Department of Building
16 (DOB)'s enforcement of existing safeguards related to acknowledgement of occupancy, rent
17 regulation status, and Tenant protection Plan. These actions seem to be most prevalent amongst a
18 limited number of developer and brokers¹ who pride themselves in the devastating results of these
19 illegal tactics. We request an immediate audit of the DOB permits for the projects we have
20 identified, as well as procedural, legal and technology changes that will prevent such abuses to
21 continue. We also advocate for strong enforcement against developers involved in false DOB
22 permits and construction harassment.

23
24 In the past 5 years, CB4 has seen a dramatic increase in complaints related to construction in
25 occupied buildings. Owners file renovation plans with the Department of Buildings for extensive
26 building reconstruction. These are rent regulated buildings with many long-term existing tenants.
27 Renovation work then begins with little or no regard for tenant safety. Tenants have been subject
28 to unprotected demolition, removal of mechanical services (water, electricity, heating and
29 elevators) with little or no notice, asbestos removal and severe interior damage to their
30 apartments. Such actions result in hazardous conditions and a lack of livability and constitute
31 Tenant Harassment.

32
33 Owners then seek to relocate or buy out tenants due to self-created hazardous conditions. Save
34 Chelsea and the Council of Chelsea Block Associations have documented that the majority of
35 owners filing any permit application including major renovation plans in occupied buildings,
36 illegally certify² the property as "Vacant" and/or "having no rent regulated units" on the DOB
37 filing. The Vacant designation removes the requirement for the filing and adherence to a DOB
38 Tenant Protection Plan to maintain safety for the building tenants.³ These false claims facilitate
39 approval of After Hours Variances to work in buildings late hours and even seven days a week.
40

¹ Madison Capitol, Icon, Massey Knakal

² DOB Construction Permit application PW1 Section 26 required Owners Certifications must acknowledge:
If the site of the building will contain:- any residential units that will remain occupied during construction; - if any of
the units are rent regulated. ; - if yes to either of the above, a tenant protection plan must be submitted prior to
approval of the PW1.;- if yes, units must be identified on the construction documents; - if any units are rent
regulated DHCR prior approval for "Alteration or Demolition of Occupied Housing Accommodations" is required
prior to permit submission depending upon "the nature and scope of the work proposed" Chapters 3 & 4 of title 26
of the NYC Administrative Code.

³ New York City Administrative Code (new) - Article 104 - § 28-104.8.4 Tenant Protection Plan

1 A sampling of 27 buildings undergoing renovation in CD4, shows 342 permits issued with false
2 certification where buildings checked as “Vacant” were actually occupied.
3

4 We are further concerned by the fact that such illegal activities are now fueling brokers’
5 marketing campaigns aimed at foreign buyers and attracting foreign funds. The broker Massey
6 Knakal’s literature and website boasts of “Achieving multiple of 20 times rent ...is new for
7 Chelsea.” We’ll see a few more sales at or above this ...by year’s end” “This represents the
8 highest price per square foot paid for a rent regulated building in Chelsea this year.” “Achieving a
9 sale price well above the asking is a testament to the market and the lack of walk-up apartment
10 buildings currently available in Chelsea,” “Engaging the brokerage community to bring
11 additional foreign buyers into the bidding process certainly helped maximize value,” with a mix
12 of rent stabilized and free market units”.

13
14 Existing laws created to protect residents and the public from the results of this criminal⁴ activity
15 are not being enforced by the City and State agencies responsible for the enforcement of these
16 laws. Here are some observations:

- 17 • Owners often are simultaneously filing the required annual HCR registration of the
18 regulated units stating the building is occupied and contains rent-regulated units.
- 19 • Massive gut renovations and alterations are being performed, even including additional
20 floors added on top of occupied buildings. NY State HCR required prior review and
21 approval of “Alteration or Demolition” in buildings with rent regulated residents is not
22 imposed.
- 23 • Residents’ numerous complaints of dangerous conditions to DOB, meeting with inspectors
24 inside their apartments do not result in reexamining occupancy certifications by DOB or
25 HPD inspectors even if alerted to false certifications. Inspectors find “No work contrary to
26 permit”, “No violations warranted”.
- 27 • Multitudes of these permits are approved, even after permit auditing, with answers directly
28 contrary to the DOB internal occupied status listings where property profiles clearly
29 indicate if a building is or is not vacant.
- 30 • DOB fails to reject these certifications, fails to void the permits⁵ when specifically
31 notified of false certifications, fails to impose violations, penalties, or prosecute the
32 repeated submissions and deny future filing privileges⁶ as required by existing laws.

⁴ False certification is a criminal misdemeanor under sections 28-203.1.1 and 28-211.1 of the NYC Administrative Code, punishable by up to 1-year imprisonment and/or a fine of up to \$25,000. It is also punishable with a civil penalty of up to \$25,000. <http://www.nyc.gov/html/dob/downloads/pdf/aeu2.pdf>
§28 -211.1. False statements in certificates, forms, written statements, applications, reports, or certificates of correction: It shall be unlawful for any person to knowingly or negligently make or allow to be made a material false statement in any certificate, professional certification, form, signed statement, application, report or certification of the correction of a violation that is either submitted directly to the department or that is generated with the intent that the department rely on its assertions.

⁵ §28-104.2.10 The commissioner may...revoke the approval of construction documents for failure to comply with the laws...rules or...any false statement ... upon which such approval was issued.

⁶ I HEREBY STATE THAT I HAVE EXERCISED A PROFESSIONAL STANDARD OF CARE IN CERTIFYING THAT THE FILED APPLICATION IS COMPLETE AND IN ACCORDANCE WITH APPLICABLE LAWS, INCLUDING THE RULES OF THE DEPARTMENT OF BUILDINGS, AS OF THIS DATE. I AM AWARE THE COMMISSIONER WILL RELY UPON **THE TRUTH AND ACCURACY OF THIS STATEMENT**. I HAVE NOTIFIED THE OWNER THAT THIS APPLICATION HAS BEEN **PROFESSIONALLY CERTIFIED**. IF AN AUDIT OR OTHER EXAMDISCLOSES NON-COMPLIANCE, I AGREE TO NOTIFY THE OWNER OF THE REMEDIAL MEASURES THAT MUST BE TAKEN TO MEET LEGAL REQUIREMENTS. I FURTHER REALIZE THAT ANY **MISREPRESENTATION OR FALSIFICATION OF FACTS MADE KNOWINGLY OR NEGLIGENTLY BY ME**, MY AGENTS OR EMPLOYEES, OR BY OTHERS WITH MY KNOWLEDGE, WILL RENDER ME **LIABLE FOR LEGAL AND DISCIPLINARY ACTION** BY THE DEPARTMENT OF BUILDINGS AND OTHER APPROPRIATE AUTHORITIES, INCLUDING **TERMINATION OF PARTICIPATION** IN THE PROFESSIONAL CERTIFICATION PROCEDURES AT THE DEPARTMENT OF BUILDINGS.

- 1 • Not one single DOB violation, fine, or loss of further filing privilege has been found for
2 any building out of hundreds of files reviewed that had false statements about occupancy,
3 and or/rent regulation status.
4

5 Sincerely,

6
7 Christine
8 Jean Daniel Noland

9
10 Enclosure

11
12 cc Council of Chelsea Block Associations
13 DOB
14 Electeds
15

DRAFT

1 The existing legal requirements to acknowledge occupancy and rent regulation status and to
2 submit Tenant Protection Plans to ensure the safety of existing tenants must be enforced by DOB
3 for renovations in occupied buildings Increasing effective enforcement will not only protect the
4 health and safety of existing tenants but reduce the loss of affordable rent regulated apartments.
5 CB4 proposes the following mechanisms:
6

- 7 ❖ Increased enforcement against owners performing construction in occupied residential
8 buildings, while indicating such buildings are vacant.
 - 9 ○ Imposition of immediate Stop Work Orders by DOB if a building noted as “Vacant”
10 on DOB Alteration 1 or Alteration 2 Applications are documented as occupied. Such
11 Stop Work Orders may not be lifted until a Tenant Protection Plan is filed and
12 approved by DOB
 - 13 ○ Imposition of significant fines and loss of privilege by DOB for falsely certifying
14 Occupied Buildings as Vacant
 - 15 ○ Imposition of significant fines and loss of privilege by DOB for not filing a Tenant
16 Protection Plan in an Occupied Building
 - 17 ○ An audit of the listed buildings should be immediately undertaken and stop work
18 orders issued as warranted.
- 19
- 20 ❖ Changes of procedures at the DOB and HCR
 - 21 ○ All complaints related to fraudulent “vacant” status should be escalated to a supervisor
22 and investigated within 48 hours
 - 23 ○ All building permits posted on a building should bear the mention “Building Vacant”
24 or “Building Occupied” in large type to alert residents of the building
 - 25 ○ Owner must post Tenant Protection Plans in building with permits that state occupied
26 status.
 - 27 ○ Prior to approval DOB should systematically refer plans to HRC for extensive
28 alterations such as adding ‘vertical extensions’ (entire new stories to a building),
29 horizontal extensions or gut renovations to the building’s apartments and
30 reconfigurations to combine apartments in occupied buildings.
 - 31 ○ Technology use is required to facilitate that process:
 - 32 ○ Occupancy and Rent Regulation status must be electronically verified for all permits.
 - 33 ○ The PW1 Occupancy Section 26 answer must be verified by comparing it to
34 DOB’s own currently existing internal Property Profile data base status that
35 lists building vacancy status.
 - 36 ○ DOB must request rent regulation status from HCR using email for each
37 application, copy of the database or – in the future- direct electronic link to the
38 database
 - 39 ○ DOB must scan Tenants Protection Plans and include them in Bin file for buildings
40 online so they can be accessed on line.
- 41
- 42 ❖ Tenants Education:
 - 43 ○ HRC should send to all tenants in their buildings a notice that their apartment is rent
44 stabilized and what are their rights
 - 45 ○ All Government and elected Officials website should have a section “There is
46 construction being done in my building. What are my rights?”
 - 47 ○ All Government and elected official website should have a section “How can I find out
48 if my apt is rent stabilized?”
- 49

1 We appreciate your assistance in addressing this urgent and critical issue.

2

3 Copy all elected officials, Scott Stringer, DOB, HRC

4

5

6

7

8

9

DRAFT

1 **Attachment A: Most Active Developers/Brokers**

2
3 **MADISON CAPITOL REALTY – Developers**

4 37th Floor, 825 3rd Ave, New York, NY 10022 646- 472-1900

5 Summary a few of many buildings owned

6 - 20 DOB Construction permits submissions with false statements for 3 buildings

7 211 Madison St, 421 West 21 St, 216 W 22 St

8 - 15 After hour variances 216 W 22 St based on permits w false occupancy statements

9 - 18 of 38 apartments are empty 4 months after sale 421 W 21 ST

10 - 30-day eviction letters - 2 of 23 residents remain 222 W 21 St

11 - 60 day eviction notices from new owner within 2 weeks of sale 125 W 16 St

12
13 **ICON REALTY MANAGEMENT – Developers (of many owned)**

14 419 Lafayette 5th Floor New York, NY 10003 212.675.7100

15 Owners: Terrence Lowenberg - Todd Cohen sign the permits

16 Summary 10 buildings (of many owned)

17 - 135 DOB Construction permits submissions with false statements.

18 - 30 After hour variances for 56 West 11 St based on permits w false occupancy statements

19 - 5 have Stop Work Orders (128 Second Ave, 56 W 11 St, 176 E 3rd St, 222 E 12, 316 W 14 St, 344 West 55 St) which wer only
20 issued after prolonged periods of serious complaints from residents

21 - 1 Partial Vacate – Illegal Occupancy

22 - 1 floor added on occupied building with false occupancy statements

23 - 1 Permit currently approved to add floor on occupied building

24
25 Attachment B: List of properties with fraudulent permits.

Developer	Building Address	# Apartments	# Fraudulent Permits	HPD open violations	DOB open violations	Notes
HFZ Capitol Group 212-300-8000 www.hfzcap.com 600 Madison Avenue, 15th floor N.Y.C., N.Y., 10022	301 W 53 St	269	29	7	6 -1 EBC	Prior to sale previous owner filed 29 permits with false statements. 260 of 269 apartments cleared 2014 -2015 Currently gut renovating all 260 apartments. Does this much construction require prior review by DHCR as Alteration? What is the connection between 'owner' during 2013 false permits and HFZ who now files true answers while applying for condo status?
205 8th Ave LLC (both buildings) Steven Gautier Winther 9 E 7th ST NYC NY 10003 SGAUTIER@WINTHERINVESTMENT.COM	207- 205 8th Ave	22	4	11	4 -10 EBC	new owner 5/1/2013 Block 744 lot 40 41 twin buildings 205 8Ave. permit #140090372, 122008727, 122263013 false answers not occ, not reg, noTPP 207 8 Ave 06/21/2013 permit# 140090363 false answers not occ, not reg, noTPP 207 8 Ave 03/19/2015 Complaint #1391491 states Gas Pipes Hooking up W/O Permit, 207 8 Ave 03/19/2015 ECB Violation # 35115194P Work W/O Permit. INSP Time 12:50pm.@ 1 observed new 3" &1" gas piping gas meter to boiler in cellar for boiler pilot & boiler new gas pipe 207 8 Ave 02/23/2015 permit # 140313916 for minor alterations with true answers 207 8 Ave 04/09/2015 Complaint#1393375 permit for minor alteration being used for full gut renovation floors 1 & cellar
DEAN GALASSO 3 ESSEX STREET LLC 732-522-8100 123 BOWERY NEW YORK NY 10002 DEANGALASSO43ESSEX@GMAIL.CO	43 Essex	11	1	not redgistered	3- 6 EBC	12/2014 New owner 12/24/2014 - 3/24/2015- 10 complaints work w/o permit major gut renovations gas pipes electrical FDNY issues Stop Work order 03/23/2015 - 4/02/2015 4 complaints work being done contrary to Stop Work 04/27/2015-122378612 DOB approves permit False answers unoccupied unregulated no TPP 05/11/2015 Complaint 1395689 FALSE PW1 FILED 05/11/2015 Complaint 1395688 FALSE PW1 FILED
TONY MAMOUNAS - NAT ASSOCIATES 718-482-1650 - 38-60 REVIEW AVENUE LONG ISLAND CITY NY 11101	339 W 29	10	17	6	13 -12 EBC	17 permits false statement re- rent regulation Never addressed by DOB highly publicised with intens elective intervention & court procedures illegal floor addition 2004 -2010- 96 complaints Hopper Gibbons
119 SEVENTH AVE REALTY LLC ROBERT GILARDIAN 516-779-1231 - 108 WEST 39TH STREET NYC NY 10018 ROBGILAR.NY@HOTMAIL.COM	119 7th Ave/ 161 W 17 St one building two entrance addresses	60 approx	9	0	1	New owner - Floor addition attempted - Proposed one-story horizontal. All of these are active under the current ownership which began 2/13/2014 - Permits state not occupied and or not occupied by rent regulated 121954439, 103732686, 104701422, 122101876, 103732686,104701422, 122336846, 122101876,122113471. the last three were signed by Gilardian
Icon Realty Management 419 Lafayette 5th Floor New York, NY 10003 212.675.7100	308/10 W 21 St	16	22	0	0	Completed- included to show Icon history Floor added to occupied buildingwith false occupancy premit answers Inspectors in building with residents 311 complaints state building is occupied - no violation/prosecution false occupancy statements http://a810-bisweb.nyc.gov/bisweb/OverviewForComplaintServlet?requestid=2&vlcompdtkkey=0001615152
Icon Realty Management 419 Lafayette 5th Floor New York, NY 10003 212.675.7100	244 East 78 St	24	18	0	2 EBC	Building is rent regulated:Manhattan Rent Stabilized Building List Source: 2013 DHCR Bldg. Registration File http://www.nycrbg.org/html/resources/zip.html Page 291 of 310 10075 244 E 78TH ST NEW YORK MULTIPLE DWELLING A 1432 34 10/28/2009- 20186155 permit Not Occ Not Reg Remodel 2 apts on 4th floor & Add NEW 5th Floor on top of existing 4th story building 3/06/2012-120998199 permit Not Occ Not Reg 4/10/2013-121584035 permit Not Occ Not Reg 4/24/2013-121603657 permit Yes Occ Not Reg 12/3/2013-140140407 permit Not Occ Not Reg
Icon Realty Management 419 Lafayette 5th Floor New York, NY 10003 212.675.7100	128 Second Ave	24	8	108	1- 2EBC	11/7/2013 8 permits false answers Not Occ Not reg No TPP 1/25/2013-4/10/2013 13 complaints re construction 3/26/2014 building collapse across street 3/30/2015 based on occupants complaints Stop work order Gas Pipes w/o permit http://thevillager.com/2015/05/14/stage-restaurant-sues-landlord-as-residents-fight-for-gas-and-repairs/ 4/9/2015 based on occupants complaints Work W/O permit. at inspection APTS #B1,B2 & gutted to studs joists electrical plumbing G work New metal stud framing for partition walls & metal furring for 4/15-4/30/2015 DOB approves construction permits which now answer truthfully filing privileges have not been revoked1 fine \$1600 1 pending - Not sited for false filings
Icon Realty Management 419 Lafayette 5th Floor New York, NY 10003 212.675.7100	56 West 11 St	36	10	198	15 - 20 EBC	Stop work order gas and elevator turned off for one year - only rent regulated remain http://evgrieve.com/2015/03/city-serves-stop-work-order-on-icon.html 30AVI After Hours Variances permits based on PW1 falsely claiming building unoccupied. Inspector - no violations
Icon Realty Management 419 Lafayette 5th Floor New York, NY 10003 212.675.7100	222 East 12 St	23	3	37	1 - 2 EBC	Highlights of residents complaints and results : 9/9/2014 - 5/20/2015 - 38 complaints - 21 reports of work contrary to multiple Stop Work Order or with out permit 07/01/2014 Complaint "Managers gave residents illegal vacate order." 09/09/2014 Complaint "Owner lied claiming the building was empty in order to obtain a permit to doconstruction illegally. There are 7 tenants still living inside the building." This date may be a DOB mistype 10/19/2014 Permit # 140269714 Yes Occupied No Rent stabilized 10/28/2014 Complaint "filed false certification/form/application on PW-1" EBC fine \$4,8000 01/29/2015 Permit # 122241760 NO Occupied No Rent stabilized NO Tenant Protection Plan 05/21/2015 Permit # 140324842 Yes Occupied Yes Rent stabilized Yes Tenant Protection Plan http://evgrieve.com/2014/09/security-guards-and-stop-work-orders.html

Developer	Building Address	# Apartments	# Fraudulent Permits	HPD open violations	Dob open violations	Notes
Icon Realty Management 419 Lafayette 5th Floor New York, NY 10003 212.675.7100	344 East 55 St	58	26	0	2 - 7 EBC	Stop work order 2 EBC violations - Work without Permit
Icon Realty Management 419 Lafayette 5th Floor New York, NY 10003 212.675.7100	448 West 19 St	40	21	0	8 EBC	Partial Vacate Illegal Occupancy violation Class A Illegally converted Apt #2AB to 3 furnished rooms (SROS) occupied by up to 6 occupants on 3 bunkbeds 04/10/2015 Lack of sprinklers - Failure to provide natural light for habitably rooms Permanent dwelling converted for other than permanent residential purposes
MADISON CAPITOL REALTY 37th Floor, 825 3rd Ave, New York, NY 10022 646- 472-1900	211 Madison St	20	3	7	1- 1 EBC	12/2/2014 sold Massey Knakal marketing lists all 19 apts rent stabilized 4/13/2015 permit 122349048 states not rent regulated 4/23/2015 permit 122098862 states not rent regulated 4/28/2015 permit 122390741 5/7/2015 http://thevillager.com/2015/05/07/in-chinatown-trying-to-hold-up-vs-harassment/ Tenants alleging representatives from Silverstone(aka Madison), are banging on their doors and urging them to take buyouts. They say the landlord representatives are even suggesting that noncompliant tenants could face imprisonment, as they also refuse to make repairs and initiate baseless lawsuits in Housing Court. "the new landlord is not taking a downstairs tenant's rent. Since January they have been returning her rent."
MADISON CAPITOL REALTY 37th Floor, 825 3rd Ave, New York, NY 10022 646- 472-1901	421 West 21 St	36	4	55	2 - 7 EBC	Oct 2014 - Jan 2015 18 of 38 apts are cleared of residents by new owner.12/03/2014 Demolition work being completed w/o any permits posted 4/21/2015 Work w/o permit, Gut Rehab at cellar & apt 12/04/2014 permit # 122191467 application approved Permit not ISSUED yet - falsely claims Not Occ by Rent Stabilized 1/26/2015 date permit ISSUED # 122191467 falsely claims Not Occ by Rent Stabilized 1/29/2015 NO VIOLATION warranted at time of inspection 1/28/2015 At time of inspection no work in progress, PERMIT # 122191467 obtained for work in entire building 2/10/2015 122191467 Permit Exam Approved - w false answer re rent regulated 2/15/2015 Disposition No violation warranted at time of inspection No Afterhours work variance posted 2/14/2015 Dept of Health deemed building unsafe due to construction 02/18/2015 2/24/2015 122243394 Issued Professionally Certified- w false answer re rent regulated 2/16/2015 Disposition NO VIOLATION warranted for complaint at time of inspection no hazardous conditions 3/6/2015 construction work being done on Saturdays. Construction noise is very disruptive After hour variance # 00573033 based on permit # 122191467 false statements re:rent regulated 4/1/2015 All permits except one are expired Construction work is in progress.4/21/2015 Work w/o permit plumbing and electricity 4/21/2015 Work w/o permit Gut rehab at cellar and apt 1A 4/21/2015 Work w/o permit Plumbing 4/23/2015 Full Stop Work order served Illegal work at apartment 1A/ Cellar said Mr. Zegen, "The remaining 23 apartments are rent stabilized." http://www.crainsnewyork.com/article/20141022/REAL_ESTATE/141029944/outer-borough-firm-snags-manhattan-building
MADISON CAPITOL REALTY 37th Floor, 825 3rd Ave, New York, NY 10022 646- 472-1902	214-216 W 22 St	18	14		9 - 8 EBC	01/15/2014 Failure to certify immediately hazardous C1 EBC violation -15 AVI After Hours Variances permits based on PW1 falsely claiming building unoccupied. Inspector - no violations
MADISON CAPITOL REALTY 37th Floor, 825 3rd Ave, New York, NY 10022 646- 472-1903	222/4 W 21 St	23	Removed from Regulation tenants were told still regulated	17	0	30 day eviction letters 2 of 23 residents remain. Removed from Stabilization and tenants told they were still stabilized. Wall down - Can see into next apt due to construction Renovation work does not confirm to approved const doc & or approved renovations No compliance with Tenant Protection Plans, unsafe conditions observed.
MADISON CAPITOL REALTY 37th Floor, 825 3rd Ave, New York, NY 10022 646- 472-1904	125 West 16 St	39	No Permits yet- potential Problem	35	1	sold 4/2015 - 60 day eviction notices from new owner within 2 weeks of sale
MADISON CAPITOL REALTY 37th Floor, 825 3rd Ave, New York, NY 10022 646- 472-1905	14 Fifth Ave	?	No Permits yet - Potential Problem	3	1	sold 02/2015 Owners press statements:Half units are vacant, allowing ...to commence work. additional development rights—two times what stands there today—can be added on top. Because the building has rent-stabilized tenants, ...unlikely that can be ...in the near term. Our plan is to reposition ...then eventually add floors "Last year, we allocated about \$300 million of equity into real estate ...about half ...for ... Manhattan," 5/27/2015 Residents report most apartments are now vacant