

MINUTES OF PUBLIC MEETING
New York City Loft Board Public Meeting Held at
22 Reade Street, Main Floor
Spector Hall

April 24, 2014

The meeting began at 2:05 p.m. The attendees were Elliott Barowitz, Public Member; Gina Bolden-Rivera, Public Member; Charles Delaney, Tenants' Representative; Mark Foggin, Manufacturing Representative; Matt Mayer, Owners' Representative; Daniel Schachter, Public Member; LeAnn Shelton, Public Member; Chief Ronald Spadafora, Fire Department Representative; and Chairperson Designee Donald Ranshte.

INTRODUCTION

Chairperson Ranshte introduced himself and welcomed those present to the April 24, 2014 public meeting of the New York City Loft Board.

VOTE ON MARCH 20, 2014 AMENDED MINUTES

Motion: Mark Foggin moved to accept the March 24, 2014 amended minutes. Mr. Bolden-Rivera seconded the motion.

Members Concurring: Barowitz, Bolden-Rivera, Delaney, Foggin, Spadafora, Ranshte, Schachter, (7)

Members Abstaining: Meyer, Shelton (2)

REPORT OF EXECUTIVE DIRECTOR

Ms. Alexander reported that there are 332 buildings currently in the Loft Board's jurisdiction. She informed the Members that she will present a more in-depth statistical report at the May board meeting, and will provide the Board members with a copy of the report prior to the meeting.

Ms. Alexander confirmed that the planned move of the staff from the Borough Manager's offices to the 4th floor of 280 Broadway will occur in June. The preparations for the move, which include archiving many of the Loft Board files, have taken up a lot of the staff's time, which has resulted in a reduction of cases.

Mr. Delaney asked if the Loft Board files could be scanned. **Ms. Alexander** responded that scanning the files had been discussed but that the Loft Board had not been able to obtain funding for the project.

Ms. Alexander reported that the staff has accepted amendments to coverage applications to clarify information regarding units already mentioned in a pending application. The staff has also docketed amended applications that are attempting to add additional units not previously mentioned in the application. These cases will be transferred to OATH and will eventually be decided by the Board. The staff will reject any new application for coverage.

Ms. Alexander reported that the Law Department agrees with the Loft Board staff's position on the statute of limitations effect on the above amended applications. Other scenarios regarding coverage applications will await policy determinations by DOB's newly appointed Commissioner.

DISCUSSION AND VOTE ON APPEAL CALENDAR CASE

1.	26 Bond Street Management, LLC	26 Bond Street	AD-0069	MC/MC
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Motion: Mr. Mayer moved to accept the proposed order. Mr. Barowitz seconded the motion.

Members Concurring: Barowitz, Bolden-Rivera, Delaney, Foggin, Mayer, Spadafora, Ranshte, Schachter, Shelton (9)

DISCUSSION AND VOTE ON RECONSIDERATION CALENDAR CASE

2.	Jean Luc Fievet, Tessa Grundon, Mark Veeder	59 Crosby Street	R-0336	MC/MC
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Motion: Mr. Mayer moved to accept the proposed order. Mr. Foggin seconded the motion.

Members Concurring: Bolden-Rivera, Foggin, Mayer, Ranshte, Spadafora, Schachter, Shelton (7)

Members Abstaining: Barowitz (1)

Members Dissenting: Delaney (1)

DISCUSSION AND VOTE ON SUMMARY CALENDAR CASES

Regarding TR-0829, **Mr. Delaney** pointed out that the Stipulation of Settlement provides the tenants with Loft Law-type rights, without agreeing to register the building with the Loft Board. This led to a discussion of how the Board should treat settlement stipulations where the applicants withdraw the application by stipulation containing provisions for legalization of the illegal occupancy while at the same time, opting out of the Loft Board's jurisdiction.

In light of the discussion, **Chairperson Ranshte** separated TR-0929 from the other summary cases and called for a vote on cases 4, 5, and 6.

4.	Catherine Clarke, W. Douglas Romines, Wylie Wirth and Petra Hanson	46 Old Fulton Street	TR-0844	MC/MC
5.	Wiena Lin and Greg Liburd	151 Kent Avenue, Brooklyn	TR-0865	MC/MC
6.	Christian Calabro, John Widger, Larissa Vargas, Miles Michael and Sarah Tomkins	178 Walworth Street, Brooklyn	TR-0898	MC/MC

Motion: Mr. Foggin moved to accept the proposed orders. Mr. Delaney seconded the motion.

Members Concurring: Barowitz, Bolden-Rivera, Delaney, Foggin, Mayer, Spadafora, Ranshte, Schachter, Shelton (9)

Chairperson Ranshte then called for a vote on case 3.

3.	55-65 South 11 th St. Tenants	55-65 South 11 th Street, Brooklyn	TR-0829	MC/MC
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Motion: Mr. Foggin moved to accept the proposed order. Mr. Shelton seconded the motion.

Members Concurring: Shelton, Spadafora, Ranshte (3)

Members Abstaining: Foggin, Mayer (2)

Members Dissenting: Barowitz, Delaney, Bolden-Rivera, Schachter (4)

DISCUSSION AND VOTE ON MASTER CALENDAR CASES

7.	Mario Bosquez	388 Broadway	TR-1058	MC/MC
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Motion: Mr. Foggin moved to accept the proposed orders. Ms. Shelton seconded the motion.

Members Concurring: Barowitz, Bolden-Rivera, Delaney, Foggin, Mayer, Spadafora, Ranshte, Schachter, Shelton (9)

Chairperson Ranshte concluded the April 24, 2014 Loft Board public meeting at 3:15 pm and thanked everyone for attending. The next public meeting will be held at Spector Hall, 22 Reade Street, on May 15, 2014 at 2pm.

APPLICATIONS STATISTICS FOR JULY 17, 2014 LOFT BOARD MEETING

I. BREAKDOWN OF PENDING CASES BY APPLICATION TYPE: 349 Cases

Coverage Applications: 265 and 84 non-coverage cases

Non-Coverage Applications: 84

- 19 Extension
- 1 Landlord-initiated Rent Dispute
- 9 Abandonment
- 3 Landlord-initiated Contest of Coverage
- 21 Removal
- 3 Challenge to Proposed Sale of Improvements
- 1 Unreasonable Interference
- 2 Access
- 1 Protected Occupant Status
- 4 Code Compliance Rent Adjustment
- 8 Tenant-initiated Rent Dispute
- 1 Prime Lessee Compensation for Improvements
- 5 Harassment
- 4 Diminution of Service
- 2 Non-Compliance with Code Compliance Deadline

II. BREAKDOWN OF CASES BY STATUS: 349 Cases

41 Non-OATH Cases

- Rent Adjustment Applications: 4
- Removal cases: 18
- Extension Applications: 19

286 Cases in the Administrative Process

- a. Pre-OATH Status: 16 Cases
 - 14 Cases are incomplete/defective
 - 2 Cases are in the answer period
- b. OATH Cases: 203 Cases
 - 14 non-coverage cases
 - 189 coverage cases
- c. Cases Returned From OATH (Post-Hearing/Settled): 67 Cases
 - i. Master Cases: 22
 - 4 Abandonment Cases
 - 16 Coverage Cases
 - 2 Landlord-initiated Contests of Coverage
 - ii. Summary Cases: 45
 - 36 Coverage Cases
 - 2 Access Cases
 - 1 Landlord-initiated Rent Dispute Case
 - 1 Tenant-initiated Rent Dispute Case
 - 1 Prime Lessee Compensation for Improvements
 - 1 Harassment
 - 2 Diminution of Service Cases
 - 1 Landlord-initiated Contests of Coverage

1 Harassment Case being held pending the outcome of the coverage application for for the building

6 Cases requiring staff intervention

2 Cases involved in court litigation

13 Cases on the July 17, 2014 Agenda

JULY STATISTICS

Building Count

As of April, the Loft Board had 331 buildings in its jurisdiction.

Milestone Movement

Six buildings moved from C/O to Removal Pending. One moved from TCO to Removal Pending.

Four buildings moved to the final C/O category. Two of the buildings moved from TCO; one of the buildings moved from 7B; and one of the buildings moved from permit.

Three of the buildings that had completed the Narrative Statement process now have obtained permits.

Three of the buildings have moved from open Narrative Statement to closed Narrative Statement - No Permit.

Four of the buildings moved from Alteration Application filed to Open Narrative Statement.

Seven buildings moved from No Alteration Application filed to Alteration Application filed.

281(5) Buildings

There are 84 buildings registered under 281(5).

Milestones:

One building moved from C/O to Removal Pending

One building has a final C/O

Four buildings have a TCO

Six buildings have Permits

26 buildings are in the Open Narrative Statement Category

18 buildings have filed their Alteration Applications and

28 buildings have not done anything since registration.

**NEW YORK CITY
LOFT BOARD**

JULY MILESTONE STATISTICS: ALL BUILDINGS

MILESTONE CATEGORIES	FEBRUARY 2014	JULY 2014
TOTAL BUILDINGS WITH C/O	36	36
Pending Removal Applications	18	21
No Pending Removal Applications	18	15
TOTAL BUILDINGS WITH TCO/7-B		
TOTAL BUILDINGS WITH TCO/7-B	100	97
TCO	39	36
7-B Compliance	61	61
TOTAL BUILDINGS WITH PERMITS		
TOTAL BUILDINGS WITH PERMITS	98	99
TOTAL BUILDINGS IN NS PROCESS		
TOTAL BUILDINGS IN NS PROCESS	49	51
Closed NS	15	15
Open NS	34	36
BUILDINGS WITH ALT 1 FILING		
BUILDINGS WITH ALT 1 FILING	16	18
BUILDINGS WITH NO ALT 1 FILING		
BUILDINGS WITH NO ALT 1 FILING	27	30
TOTAL BUILDINGS IN LOFT BOARD JURISDICTION		
TOTAL BUILDINGS IN LOFT BOARD JURISDICTION	326	331

NEW YORK CITY LOFT BOARD

JULY MILESTONE STATISTICS: ALL BUILDINGS

MILESTONE CATEGORIES	TOTAL	281(1)(4)	281(5)
TOTAL BUILDINGS WITH C/O	36	34	2
Pending Removal Applications	14	14	1
No Pending Removal Applications	22	20	1
TOTAL BUILDINGS WITH TCO/7-B	98	94	4
TCO	37	33	4
7-B Compliance	61	61	
TOTAL BUILDINGS WITH PERMITS	99	93	6
TOTAL BUILDINGS IN NS PROCESS	51	25	26
Closed NS	15	15	0
Open NS	36	10	26
BUILDINGS WITH ALT 1 FILING	18	0	18
BUILDINGS WITH NO ALT 1 FILING	30	2	28
TOTAL BUILDINGS IN LOFT BOARD JURISDICTION	332	248	84

