



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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John Weis
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

October 7, 2009

Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210

Re: 523 9th Avenue dba HK
523 Ninth Avenue (39th / 40th Streets)

Dear Commissioner Rosen:

Manhattan Community Board 4 recommends denial of a liquor license renewal for 523 9th Avenue dba HK. This marks the second time in the two year renewal cycle that CB4 is urging denial for this establishment, based on continuing and egregious violation of its method of operation. The violations include:

- Operating as a nightclub instead of a restaurant (without a cabaret license), as called for in the license including advertising the club in local nightlife magazines;
- Using outside promoters, as specifically prohibited in the Community Board's approval and method of operation and as agreed to by applicant;
- Previous use of rooftop and patio space as specifically excluded from the license. Illegal construction of those structures and subsequent alteration; and,
- Using a velvet rope entrance.

The operators of the HK Lounge have come before the committee and the full community board on several occasions and have assured us that they

will comply with the terms of their license. They have then continued to operate exactly the same way, despite their acknowledging the illegal manner in which they are operating. Committee members have visited the club and confirmed the ongoing violations and continued advertising of the club in nightlife magazines.

We respectfully request that you not only deny renewal of this license, but also revoke the license of the HK Lounge.

Sincerely,



John Weiss
Chair
Manhattan Community
Board 4



John Owens
Co-Chair
Business License & Permits
Committee - North



Chuck Spence
Co-Chair
Business License & Permits
Committee - North

cc: Applicant
Fred Gioffre
Elected Officials