



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**JOHN WEIS**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manage

July 21, 2010

Hon. David A. Paterson  
Governor  
State Capitol  
Albany, NY 12224

Dear Governor Paterson:

Manhattan Community Board #4 (CB4) is writing to urge you to sign bill A. 10008 (Gottfried)/S. 6873(Krueger) which was recently passed by both houses of the legislature and submitted for your signature. A. 10008 (Gottfried)/S. 6873 (Krueger) clarifies that Class A units may only be used for residential, not transient, use and effectively ends the illegal rental of residential units for transient use.

Illegal hotels are housing units that are designated under the New York State Multiple Dwelling Law (MDL) as permanent residential units but are improperly used as transient hotel rooms. Property owners or operators rent vacant apartments and Single Room Occupancy units for transient tourist use, thus installing groups of short terms users side-by-side with permanent residential tenants. Such use not only deprives our community of permanent rental units that would otherwise be affordable, but disrupts the lives of the residents who still live in the building. Additionally, many illegal hotels often do not meet the regulations for hotels under the MDL and the New York City Building Code, such as fire safety systems and secondary egress.

The proliferation of illegal hotel use is of enormous concern to our community. CB4 is bounded by 59<sup>th</sup> to the north and 14<sup>th</sup> to the south on the west side of Manhattan. Our central Manhattan location makes it desirable for tourists and has resulted in a growing problem of residential units being rented for transient uses by tourists.

However, unless A. 10008 is signed into law, such incompatible uses will continue to proliferate. A. 10008 /S. 6873 was submitted with the support of the New York City Administration to clarify permitted uses and nullify a 2009 court decision (City of New York v. 330 Continental LLC) that severely limits enforcement. While the bill clarifies that Class A units may only be used for residential, not transient, use, it contains appropriate exceptions for roommates, boarders, etc. who live in the unit with the permanent occupants or while the permanent occupants are temporarily absent. The bill would also give a small number of Class A buildings (that have historically operated as

hotels prior to the enactment of the New York City Zoning Resolution) time to comply with relevant building codes for transient use. This bill is imperative to enable New York City agencies to enforce the local Building, Fire, and Housing Maintenance Codes by clarifying the law to more effectively protect residents.

We therefore urge you to expeditiously sign bill A. 10008 / S. 6873

Sincerely,



John Weis, Chair  
Manhattan Community Board 4



Elisa Gerontianos, Co-Chair  
Clinton/Hell's Kitchen Land Use Committee



Sarah Desmond, Co-Chair  
Clinton/Hell's Kitchen Land Use Committee

cc: NYC Council Speaker Christine Quinn  
NYS Senator Thomas K. Duane  
NYS Assemblyman Richard Gottfried  
Congressman Jerrold Nadler  
NYC Council Member Gale Brewer  
Manhattan Borough President Scott Stringer