

MINUTES OF PUBLIC MEETING  
New York City Loft Board Public Meeting

November 16, 2023

The meeting began at 2:09 PM

**Attendees:** Elliott Barowitz, Public Member; Charles DeLaney, Tenants' Representative; Heather Roslund, Public Member; Nicole Oddo, Public Member; Samira Rajan, Public Member; Guillermo Patino, Chairperson Designee.

**INTRODUCTION:**

**Chairperson Patino** welcomed those present to the November 16, 2023 public meeting of the New York City Loft Board. He then briefly summarized Section 282 of the New York State Multiple Dwelling Law, which established the New York City Loft Board and described the general operation of the Board as consistent with Article 7-C of the New York State Multiple Dwelling Law.

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**VOTE ON MEETING MINUTES:**

**October 19, 2023 Meeting Minutes**

**Chairperson Patino** asked if there were any comments on or corrections to the October 19, 2023, minutes. Hearing none, Chairperson Patino then asked for a motion to accept the October 19, 2023 meeting minutes and for a second.

**Ms. Roslund** moved to accept the October 19, 2023, meeting minutes, and **Ms. Oddo** seconded.

**The vote**

|                            |   |
|----------------------------|---|
| <b>Members concurring:</b> | Mr. DeLaney, Mr. Barowitz, Ms. Roslund, Ms. Oddo, Ms. Rajan, Chairperson Patino |
| <b>Members dissenting:</b> | 0   |
| <b>Members abstaining:</b> | 0   |
| <b>Members absent:</b>     | Mr. Roche, Mr. Hylton   |
| <b>Members recused:</b>    | 0   |

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**EXECUTIVE DIRECTOR'S REPORT -- Martha Cruz**

PERSONNEL:

We have selected a candidate for the second paralegal position. We are waiting for HR to set a start date.

FACT SHEETS:

As suggested, we separated the sale of improvements and sale of rights fact sheets into two different fact sheets. We're still working on them and hopeful that we'll provide them to you at the January Board Meeting. As part of your materials, we sent over the revised fact sheets for the narrative statement. It is our intention to send this fact sheet to each IMD unit when we receive a new registration and a new narrative statement filing. Are there any comments about the narrative statement fact sheet?

**Mr. DeLaney:** I see that the order has been changed. So, the rainbow is now page three instead of page one.

**Ms. Cruz:** Yes, we should have the chart first.

**Mr. DeLaney:** When it got sent over but now it's page three.

**Ms. Cruz:** Yes.

**Mr. DeLaney:** Okay. Are there other changes in the text?

**Ms. Cruz:** No.

**Mr. DeLaney:** Okay. All right. I'm still working on it. Is this a spare copy?

**Ms. Rajan:** Yes

**Ms. Cruz:** Yes.

**Ms. Cruz:** Does this chart work better than the chart we presented previously?

**Ms. Rajan:** I like it.

**Ms. Cruz:** If you have any recommendations between now and the January board meeting, you can send them to me. I will incorporate them, and I'll present a new revised fact sheet in January with the other two.

**Mr. DeLaney:** It shows how complicated the narrative statement process is.

**Ms. Cruz:** Yes. Ms. Vargas and I went back and forth about how to organize it and what we should include and not include. The goal is to present as much information as we can, but in a way that will not overwhelm people. We want to provide the most information so that people understand the process from A to Z. If you have any

other questions, then you should contact someone to answer the questions now. But I just want to send a very special thank you to Ms. Vargas for all her hard work in this, because she worked hard. We have gone back and forth about it for now, a couple of weeks.

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**Ms. Storey** presented the Enforcement Report and the Legalization Report.

**ENFORCEMENT REPORT**

1. Legalization Reports  
20 Administrative Determinations have been issued imposing a penalty for failure to file April 1 and July 1 quarterly report.
2. Sales of Rights  
5 violations have been paid and the case dockets have been closed.
3. Housing Maintenance  
We have one pending action at OATH. The case involves 117-119 West 26<sup>th</sup> Street. The staff issued a violation for improper roof drainage. The next conference date is November 16, 2023 and the trial is scheduled for December 14 and 18.

**LEGALIZATION REPORT**

1. 3 Narrative Statement Conferences have been scheduled
2. 8 Certification have been issued.

**Mr. DeLaney** asked if the administrative determinations regarding failure to file the Quarterly Reports in April and July Reports imposed a fine.

**Ms. Storey:** Yes. The fine amount is \$1,000 per report.

**Mr. DeLaney:** And is it generally the same people that miss both?

**Ms. Storey:** For this time around, yes.

**Mr. Barowitz** asked if the Loft Board collected these fines.

**Ms. Cruz** answered yes and added that the LONO process helps with the collection of these fines.

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**THE CASES:**

Appeal and Reconsideration Calendar

**Chairperson Patino** introduced the first case, saying there is one case on this calendar.

| #  | Applicant(s)  | Address                    | Docket No. |
|--|---|----------------------------|------------|
| 1  | Ingo Gunther, David Kelley and Clara Kim and Thomas Brigham | 72 Warren Street, New York | AD-0122    |
| <i>The Loft Board denied the Appeal challenging the issuance of the certification for the narrative statement process.</i> |   |                            |            |

**Chairperson Patino** asked if there were any comments on this case. Hearing none, he asked for a motion to accept the case, and for a second.

**Ms. Rajan** moved to accept this case, and **Mr. Barowitz** seconded.

**The vote**

**Members concurring:** Mr. Barowitz, Mr. DeLaney, Ms. Oddo, Ms. Rajan, Chairperson Patino  
**Members dissenting:** Ms. Roslund  
**Members abstaining:** 0  
**Members absent:** Mr. Roche, Mr. Hylton  
**Members recused:** 0

Summary Calendar

| #  | Applicant(s)              | Address                      | Docket No. |
|--|---------------------------|------------------------------|------------|
| 2  | Franmar Infants Wear Inc. | 648 Broadway, New York       | LS-0298    |
| <i>The Loft Board deemed the abandonment application withdrawn without prejudice.</i>      |                           |                              |            |
| 3  | The North Flats LLC.      | 163 North 6 Street, Brooklyn | LS-0296    |
| <i>The Loft Board deemed the access application withdrawn with prejudice.</i>              |                           |                              |            |
| 4  | Yuxiao Xie                | 648 Broadway, New York       | PO-0191    |
| <i>The Loft Board deemed the protected occupancy application withdrawn with prejudice.</i> |                           |                              |            |
| 5  | Bradford Kessler          | 47 Thames Street, Brooklyn   | TR-1339    |
| <i>The Loft Board deemed the coverage application withdrawn without prejudice.</i>         |                           |                              |            |

**Chairperson Patino** asked if there were any comments on these cases. He also asked for a motion to accept these cases, and for a second.

**Ms. Oddo** moved to accept this case, and **Ms. Rajan** seconded.

**The vote**

**Members concurring:** Mr. Barowitz, Mr. DeLaney, Ms. Roslund, Ms. Oddo, Ms. Rajan, Chairperson Patino  
**Members dissenting:** 0  
**Members abstaining:** 0  
**Members absent:** Mr. Roche, Mr. Hylton,  
**Members recused:** 0

Master Calendar

| # | Applicant(s)      | Address  | Docket No. |
|---|-------------------|--|------------|
| 6 | West Paramont LLC | 117-119 West 26 <sup>th</sup> Street, New York | FO-1054    |

*The Loft Board found Owner in violation of the annual registration requirements and imposed a fine of \$7,500.00 against the Owner.*

**Chairperson Patino** asked if there were any comments on the first case. Hearing none, he asked for a motion to accept the case, and for a second.

**Mr. Barowitz** moved to accept this case, and **Ms. Roslund** seconded.

**The vote**

**Members concurring:** Mr. Barowitz, Mr. DeLaney, Ms. Roslund, Ms. Oddo, Ms. Rajan, Chairperson Patino  
**Members dissenting:**  
**Members abstaining:** 0  
**Members absent:** Mr. Roche, Mr. Hylton,  
**Members recused:** 0

**Chairperson Patino:** The second case on the master calendar is a removal case.

| #  | Applicant(s)                          | Address                        | Docket No. |
|--|---------------------------------------|--------------------------------|------------|
| 7  | 53-55 West 21 <sup>st</sup> Owner LLC | 53-55 West 21 Street, New York | LE-0705    |
| <i>The Loft Board granted the removal application.</i> |                                       |                                |            |

**Chairperson Patino** asked if there were any comments on this case. Hearing none, he asked for a motion to accept the case, and for a second.

**Ms. Rajan** moved to accept this case, and **Ms. Oddo** seconded.

**The vote**

**Members concurring:** Mr. Barowitz, Mr. DeLaney, Ms. Oddo, Ms. Rajan, Chairperson Patino  
**Members dissenting:** Ms. Roslund  
**Members abstaining:** 0  
**Members absent:** Mr. Roche, Mr. Hylton  
**Members recused:** 0

**Chairperson Patino:** This will conclude our November 16, 2023, Loft Board meeting. With respect to technical issues, we are recording this meeting. It will be posted on YouTube. We will have a link on our website to that recording. Our next public meeting is scheduled for January 18, 2024. Thank you, everyone.