

MINUTES OF PUBLIC MEETING
New York City Loft Board Public Meeting

July 17, 2025

The meeting began at 2:02 PM.

Attendees: Charles DeLaney, Tenants' Representative; Heather Roslund, Public Member; Lenny Singletary, Manufacturer Representative; Linda Rzesniowiecki, Owner's Representative; Erin Piscopink, Public Member; Chief Emanuela Rogers, FDNY, and Guillermo Patino, Chairperson Designee.

INTRODUCTION:

Chairperson Patino welcomed those present to the July 17, 2025, public meeting of the New York City Loft Board. He 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.

VOTE ON MEETING MINUTES - June 26, 2025 Public Meeting

Chairperson Patino asked if there were any corrections or comments to the June 26, 2025 minutes.

Hearing none, **Chairperson Patino** then asked for a motion to accept the June 26, 2025 minutes.

Ms. Rzesniowiecki moved to accept, and **Ms. Piscopink** seconded.

The vote:

Members concurring:	Ms. Rzesniowiecki, Chief Rogers, Ms. Piscopink, Mr. DeLaney, Mr. Singletary, Ms. Roslund, Chairperson Patino (7)
Members dissenting:	0
Members abstaining:	0
Members absent:	Mr. Barowitz, Ms. Rajan (2)
Members recused:	0

REPORT OF THE EXECUTIVE DIRECTOR

1. Annual Building Registration

Director Cruz presented the registration statistics as:

- 47 Buildings renewed or completed the annual registration.
- 40 Buildings have paid but have not submitted their paperwork.
- 33 Buildings have paid but the payment has not cleared yet.
- 182 Buildings had not paid.

Director Cruz announced that the staff's outreach to owners about registration will begin earlier this year.

Director Cruz reminded owners that the registration renewal process was slightly different this year. The payment of the registration fees must be processed in the DOB NOW system and paperwork must be sent via email to the Loft Board at lbannualregistration@buildings.nyc.gov.

Director Cruz also noted that registration late fees begin to accrue on August 1, 2025. She advised that building owners must submit payment of the registration fees and the paperwork prior to July 30th, 2025 to avoid the late fees.

Director Cruz requested that owners include the building's IMD number and the street address with the borough on the subject line when submitting the paperwork to the Loft Board.

Director Cruz clarified some questions about the fire egress certification. She stated all fire escapes, corridors and the stairways must be inspected. The corridors and the stairways must be free of trip hazards. The stair railings must be secure. The corridors and stairways must be free of any personal belongings and construction materials including ladders. Planters or plants should not be on the fire escapes. **Director Cruz** stated that, in a recent site visit, she saw construction materials in the common areas near apartment doors and near the entrance to a fire escape from a common hallway.

2. Legalization/Narrative Statement

The staff conducted ten (10) legalization/narrative statement conferences since the June meeting.

3. Rulemaking for the Fall

Director Cruz explained that the Loft Board's rule in § 2-12 (a) provides that Article 7-B compliance can be proven by:

- (1) Issuance of a temporary residential certificate of occupancy.
- (2) Issuance of a final residential certificate of occupancy; or
- (3) A sworn statement by a registered architect or professional engineer stating that the IMD has achieved Art. 7-B compliance and the date of such compliance.

The staff looked at the group of buildings identified as Article 7-B compliant and found that there are sixty-seven (67) buildings in this group. Since the last review of the buildings' list in May, four (4) buildings obtained their final certificates of occupancy. Of the remaining sixty-three (63) buildings, thirty-three (33) building owners filed the sworn statement from an architect confirming compliance with fire and safety standards of Article 7-B, and thirty (30) buildings were issued temporary certificates of occupancy.

The staff is particularly concerned about the group of 33 buildings that have the sworn statements. The breakdown of the filing dates for these certificates is as follows: 1995 – 1, 1996 – 1, 2005 – 1, 2007 – 6, 2008 – 16, 2009 – 4, 2010 – 1, 2012 – 1, 2013 – 2 and 2014 – 1.

Director Cruz noted that approximately half of the buildings in this group reached Article 7-B compliance years ago, but they still have not reached code compliance. She requested that the Board reconsider its rule regarding how an owner can demonstrate Article 7-B compliance. The staff

proposed to eliminate the option for the sworn statement by the architect given DOB's improved response time for inspections. The proposal provides the Loft Board with additional enforcement power if the temporary certificate of occupancy expires without renewal. The Article 7-B certificates do not expire which makes enforcement complicated.

Ms. Roslund asked if the staff had a list of the buildings that had reached Article 7-B compliance.

Director Cruz responded that the proposal was to target the buildings with the sworn statement of compliance.

Mr. DeLaney stated that for the new members, there's a little gap.

Mr. Singletary asked for clarification on why the sworn statement does not expire.

Director Cruz answered that the rule does not include an expiration date for these sworn statements.

Mr. DeLaney explained that an owner could obtain a TCO or have the architect sign the Loft Board's Article 7-B Certification form.

Ms. Roslund asked if an IMD owner must obtain the residential certificate of occupancy to achieve code compliance.

Director Cruz answered yes.

Ms. Roslund asked if the building could be removed from the Loft Board's jurisdiction with the sworn statement only.

Director Cruz answered no.

Ms. Roslund asked if the Article 7-B compliance status was a problem.

Mr. DeLaney responded that the sworn statement by the owner's professional presented enforcement challenges.

Ms. Roslund noted that owners who do not obtain a temporary certificate of occupancy cannot be penalized for having an expired TCO.

Director Cruz responded that there is a concern because we don't know if the building is still Article 7-B compliant.

Ms. Roslund asked if the Loft Board's staff can do an inspection.

Director Cruz answered that the code compliance determinations are done by DOB.

Mr. DeLaney asked if an owner can get a final certificate of occupancy without getting a temporary certificate of occupancy first.

Director Cruz answered yes. A temporary certificate of occupancy is not a requirement.

Mr. DeLaney noted that the buildings with the architect's certificate are "just sitting".

Ms. Piscopink stated that this group of buildings are not making progress to obtain a certificate of occupancy.

Ms. Piscopink asked if the staff wanted to draft a rule that would require information from the owners of these buildings.

Director Cruz suggested that the Board remove this option. The Department of Buildings should be the agency to decide whether a building has achieved compliance with the fire and safety protections of Article 7-B.

Director Cruz also noted that the quarterly reports have a similar problem. The current rule provides a thirty (30) day cure period after the receipt of a violation. The staff proposes to remove the cure period. It is not a good use of our limited resources to issue violations, then the owner can simply file an untimely report to cure the violation. There is approximately 50% compliance for the reports due in July.

Director Cruz also proposed changes to the protected occupancy rule. The amendment will make clear the Loft Board's position that, given the unique circumstances of loft living, no one factor is determinative. The adjudicator or the administrative law judge must look at all the evidence presented.

Director Cruz stated that the staff is also proposing changes to the registration fee and late fee and proposed a fee for the Letter of No Objection requests. **Director Cruz** explained that Letters of No Objection requests involve proposed work in non-IMD spaces. Owner must obtain a Letter of No Objection to get a permit from the DOB.

Mr. DeLaney further explained that, about 15 years ago, the Loft Board promulgated a rule that required the issuance of a Letter of No Objection prior to issuance of a DOB permit to do non-legalization work.

Director Cruz noted that owners are motivated to obtain these letters because commercial tenants will help finance the legalization work, but it is important that the legalization work is not sacrificed for the commercial work.

Mr. DeLaney inquired about the 182 buildings that had taken no action to comply with the registration requirements.

Mr. DeLaney asked about the site visit referenced in the Executive Director's report.

Director Cruz said that before the end of the site visit, the construction materials were removed from the common areas and further noted that a follow-up inspection was scheduled for the next day to inspect an issue with the fire escape.

Mr. DeLaney asked if the Article 7-B certificate stopped at 2014.

Director Cruz responded yes.

Mr. DeLaney asked if there could others.

Director Cruz said yes.

THE CASES:

Reconsideration Calendar

Chairperson Patino announced the case on the reconsideration/appeal calendar as:

	Applicant(s)	Address	Docket No.
1.	Thomas Brigham	72 Warren Street, New York	R-0393
<i>The Loft Board denied the reconsideration application as untimely.</i>			

Ms. Kandpal will present this case.

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

Mr. Singletary moved to accept this case, and **Ms. Rzesniowiecki** seconded.

The vote:

Members concurring:	Ms. Rzesniowiecki, Chief Rogers, Ms. Piscopink, Mr. DeLaney, Mr. Singletary, Chairperson Patino (6)
Members dissenting:	0
Members abstaining:	0
Members absent:	Mr. Barowitz, Ms. Rajan (2)
Members recused:	Ms. Roslund (1)

Summary Calendar:

Chairperson Patino stated there are eleven (11) cases on the summary calendar and noted that the cases were combined for six (6) proposed orders. The Board voted on the following ten (10) cases and five (5) orders as a block:

	Applicant(s)	Address	Docket No.
2.	Aurora Associates LLC	78-82 Reade Street, New York	LS-0321
<i>The Loft Board deemed the access application withdrawn without prejudice.</i>			
3.	Katalin Junek, Koppel Verma, Justin Bleijer, Carolina Pinheiro, Michael Smart, Elizabeth Baldwin, and Chuck Thomas	394-400 South 2 nd Street, Brooklyn	TR-1369, PO-0100, TR-1387, PO-0107 and LC-0169
<i>The Loft Board deemed the applications withdrawn with prejudice.</i>			
4.	Nora Lardner and Jordan Christensen	394-400 South 2 nd Street, Brooklyn	TR-1406 and PO-0137
<i>The Loft Board deemed the applications withdrawn with prejudice.</i>			
5.	Natalie South, Andy Small, Jared Cohen, Carolina Pinheiro, Justin Blejer, Kirsten Russell, Mentor, Julie Noci, John Marc Peckham, Michael Smart, Elizabeth Baldwin, Adam Baer, Scott Matthew, Koppel Verma, Ayca Koseogullari, and Chuck Thomas	394-400 South 2 nd Street, Brooklyn	LI-0051
<i>The Loft Board deemed the unreasonable interference application withdrawn with prejudice.</i>			

7.	Brown and David Brown	669-685 Hudson Street, New York	TH-0225
<i>The Loft Board deemed the harassment application withdrawn without prejudice.</i>			

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

Ms. Rzesniowiecki moved to accept the cases, and **Ms. Rolund** seconded.

The vote:

Members concurring:	Ms. Rzesniowiecki, Chief Rogers, Ms. Piscopink, Mr. DeLaney, Mr. Singletary, Ms. Roslund, Chairperson Patino (7)
Members dissenting:	0
Members abstaining:	0
Members absent:	Mr. Barowitz, Ms. Rajan (2)
Members recused:	0

Chairperson Patino announced the last summary case as:

	Applicant(s)	Address	Docket No.
6.	Frauke Ebinger	85-87 North 6 th Street, Brooklyn	TA-0315
<i>The Loft Board deemed the rent dispute application withdrawn with prejudice.</i>			

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

Ms. Rzesniowiecki moved to accept the case, and **Mr. Singletary** seconded.

The vote:

Members concurring:	Ms. Rzesniowiecki, Chief Rogers, Mr. DeLaney, Mr. Singletary, Ms. Roslund, Chairperson Patino (6)
Members dissenting:	0
Members abstaining:	0
Members absent:	Mr. Barowitz, Ms. Rajan (2)
Members recused:	Ms. Piscopink (1)

Master Calendar:

Chairperson Patino announced the case on the master calendar as:

	Applicant(s)	Address	Docket No.
8.	Shimrit Associates Inc.	57 Thames Street, Brooklyn	LS-0315

Ms. Oyegue presented this case.

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

Ms. Rzesniowiecki moved to accept this case, and **Mr. Singletary** seconded.

The vote:

Members concurring:	Ms. Rzesniowiecki, Chief Rogers, Ms. Piscopink, Mr. DeLaney, Mr. Singletary, Ms. Roslund, Chairperson Patino (7)
Members dissenting:	0
Members abstaining:	0
Members absent:	Mr. Barowitz, Ms. Rajan (2)
Members recused:	0

Director Cruz noted that there was one topic that she neglected to mention during the Executive Director's report. She stated that DOB application filings in a loft building must be filed as standard examination filing.

Mr. DeLaney asked for elaboration.

Chairperson Patino stated that the Department issued a Bulletin regarding a special certification program, and as part of that Bulletin, it specified that Loft Board applications cannot be filed as pro-certification filings.

Mr. DeLaney requested a copy of the DOB Bulletin.

Chairperson Patino called for a motion for the staff to move forward with drafting the rule changes discussed during the Executive Director's report.

Mr. Delaney moved to initiate rulemaking, and **Ms. Piscopink** seconded.

The vote:

Members concurring:	Ms. Rzesniowiecki, Chief Rogers, Ms. Piscopink, Mr. DeLaney, Mr. Singletary, Ms. Roslund, Chairperson Patino (7)
Members dissenting:	0
Members abstaining:	0
Members absent:	Mr. Barowitz, Ms. Rajan (2)
Members recused:	0

Chairperson Patino asked if there were final comments before ending the meeting.

Chairperson Patino concluded the July 17, 2025, public meeting and noted that the next public meeting will be on September 18, 2025

The meeting ended at 2:36 pm.