

MINUTES OF PUBLIC MEETING
New York City Loft Board Public Meeting

March 19, 2026

The meeting began at 2:12 PM

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

INTRODUCTION:

Chairperson Patino welcomed those that are present to the Public Hearing on the proposed amendments to § 2-01.1, § 2-08, § 2-11.1 and § 2-12 of Title 29 of the Rules of the City of New York.

Chairperson Patino stated the proposed amendment to § 2-01.1(b)(6) of 29 RCNY would provide an enforcement mechanism against an owner of an IMD building that filed a sworn certification of Article 7-B Compliance but has not obtained a residential certificate of occupancy. Any such owner would have to obtain a temporary or final certificate of occupancy within six months from the effective date of the amended rules. If the temporary or final residential certificate of occupancy is not obtained within this time frame, the Loft Board may pursue enforcement which may result in the imposition of fines.

The proposed rule amendments to § 2-08 would clarify how Loft Board will review the evidence in protected occupancy cases. Acknowledging the unique circumstances of loft living, including the historical live/work use in IMDs, and the remedial purpose of the Loft Law, the proposed amendments would make clear that representations and deductions on tax returns prior to filing for protected occupancy alone are not determinative. These representations and deductions are only one factor to be considered by the Loft Board as part of the Board's review of all relevant evidence submitted. The proposed rule would also add employment records, school records, and bank records as additional evidence the Loft Board may consider in protected occupancy cases.

The proposed amendments to § 2-11.1(b)(5):

1. Add a fine for the failure to file a narrative statement.
2. Remove the cure period for failure to file a timely quarterly report.
3. Add an annual penalty for failure to obtain a temporary or final residential certificate of occupancy within six months after the effective date of this amended rule; and
4. Make corrections to citations in the rule.

The proposed amendments to § 2-12 would remove the options of filing a sworn statement from an architect or professional engineer and submitting DOB records of alterations as evidence of compliance with the fire and safety standards of Article 7-B of the Multiple Dwelling Law.

II. Rules for Public Hearing

In accordance with the New York City Administrative Procedure Act, the text of these proposed rule changes was submitted to the New York City Law Department for review and circulated to other city agencies that may be affected by these proposed changes.

The text of the proposed amendments and notice of this public hearing were published in the City Record on February 4, 2026. A link to the text of the proposed changes was also posted on the Loft Board's website and the NYC RULES website.

Anyone intending to present oral comments today must do so in accordance with the following rules:

1. Each speaker must sign in with the Secretary of the Board. A number will be provided when you sign in.
2. Each speaker will be called to the podium in the order of the sign-in sheet. Please pay attention to the number you have been provided. The numbers will be called two at a time. If there is no response, the Secretary will go on to the next number.
3. To ensure that everyone who wishes to speak is provided with an opportunity to do so, each speaker will be limited to a maximum of three minutes to testify.
4. Written comments regarding these proposed rule changes may be submitted to the Secretary of the Board today, emailed to NYCLoftBoard@buildings.nyc.gov or mailed to the New York City Loft Board at 280 Broadway, 5th Floor, New York, New York 10007.

All written comments submitted on or before March 23, 2026, together with a memo summarizing the oral public comments received will be on file at the Loft Board's office and available for public review.

Speaker No. 1:

Catherine Majony, a tenant from 83 Meserole Street in Brooklyn spoke in support of the proposed rule changes and wanted to thank the Loft Board for putting these important measures forward. She also expressed support for changes to the Loft Law itself. She noted that many loft tenants are artists, and as such are typically self-employed. It's only fair that those living in lofts can claim the tax deductions available to self-employed individuals without risking their protected tenancy.

She also expressed support for more enforcement against landlords who fail to comply. She observed that her building has been significantly impacted by her landlord's lack of compliance. Each winter, for instance, pipes freeze in unheated vacant units, causing flooding, leaks, and building-wide water shutdowns. Meanwhile, as the landlord continues to delay the legalization process, conditions in her building continue to worsen, making it less safe for residents. Adequate resources must be dedicated to ensuring those rules are properly enforced.

Speaker No. 2:

Christina Crapanzano, a tenant from 239 Banker Street in Brooklyn thanked the Loft Board for addressing protected occupancy and home occupation issues. She noted that many loft tenants are self-employed and should be able to claim legal tax deductions without risking eviction. However, she expressed concern that the rule amendments were not enough. She urged the Board to support the pending state legislation.

She also welcomed efforts to strengthen enforcement against non-compliant landlords. She stated that issues in her building include illegal construction, lack of inspections, electrical hazards, and unresolved lead concerns. She opined that these experiences show that tenants cannot rely on landlords to protect their safety.

Speaker No. 3:

McDavid Moore, a tenant from 475 Kent Avenue in Brooklyn thanked Chairperson Patino, Loft Board members, Executive Director Cruz and the Loft Board staff, for the opportunity to speak and for the Loft Board's hard work. He supported proposed rule changes. He described his loft as a stable home which allowed him to raise a family in New York and even provided refuge for relatives during difficult times. He stated that live-work tenants should be able to follow tax laws and claim home occupation deductions without risking eviction. He urged the Loft Board to support the pending bill in Albany.

Mr. Moore also supported the expansion of enforcement against non-compliant landlords but requested more enforcement.

Speaker No. 4:

Skye Ruoizzi, a tenant from 144 Spencer Street in Brooklyn thanked the Loft Board for addressing the protected occupant status issue. She identified herself as someone who is going through the process.

She supported requesting more documentation, because tax records alone do not fully prove residency, but she also urged coordination at the state level.

She also supported stronger penalties for non-compliant landlords but also urged more enforcement. She shared that the owner of 144 Spencer remained out of compliance for years while collecting substantial rent and neglecting safety—resulting in dangerous conditions and, ultimately, loss of heat and gas for over two years. Families were forced out due to these conditions. Penalties only work if they're used.

Speaker No. 5:

John Gotman, a tenant from 109 West 24th Street thanked the Board for their years of work and for advancing these rule changes. He has been a loft tenant since 1977. His concern was about the legalization process and how tenants are supposed to live safely in their homes during the construction.

Speaker No. 6:

Eric Baum, a tenant from 199 North 8th Street, Brooklyn opposed the proposed rule change regarding protected occupancy because it conflicts with New York law on tax estoppel. Under this law, individuals cannot claim one set of facts on their tax returns and later contradict those claims to gain additional benefits. He opined that our legal system depends on the reliability of sworn statements, and courts, including a unanimous 2022 Appellate Division decision, have already upheld this principle. He urged the Loft Board to uphold established legal standards and avoid creating special carveouts that weaken accountability.

Chairperson Patino concluded the public hearing portion of today's meeting and turned to the public meeting portion of the meeting.

Chairperson Patino asked if there were any corrections or comments to February 19, 2026, minutes.

Mr. DeLaney had a correction to February 19, 2026 minutes. He noted that Executive Director Cruz reported on the number of buildings that have not renewed their registration and then described doing a search for the list of approximately thirty (30) buildings that are affected by one of the rule changes we're discussing today. My question was whether the list of the buildings that are in this special class where there was self-certification of Article 7-B was foible. He asked that the comment be moved down on page two.

Mr. DeLaney asked if there was a response to the letter sent to the owners on the list.

Ms. Cruz responded yes.

Chairperson Patino asked for a motion to accept the minutes, then asked if someone seconded.

Ms. Piscopink moved to accept, and Mr. Singletary seconded.

The vote:

Members concurring:	Ms. Rzesniowiecki, Mr. Barowitz, Chief Rogers, Ms. Piscopink, Mr. DeLaney, Mr. Singletary, Ms. Roslund, Chairperson Patino (8)
Members dissenting:	0
Members abstaining:	0
Members absent:	0
Members recused:	0

REPORT OF THE EXECUTIVE DIRECTOR

Director Cruz noted that the petition included with the meeting materials involved an action against the Loft Board. It is a mandamus action for a reconsideration application.

Chairperson Patino turned to the case calendar.

THE CASES:

Master Calendar:

Chairperson Patino announced that there are five cases on the master calendar, but three cases for 450 Broadway, New York; 214 Lafayette Street, New York; and 170 Tillary Street in Brooklyn are being withdrawn. The owners completed their registration. This leaves us with two enforcement cases. These cases are related to the owner's failure to renew the building's annual registration with the Loft Board. The remaining case were:

	Applicant(s)	Address	Docket No.
1.	Vestry Holding Corp.	37 Vestry Street, New York	FO-1219
	<i>Loft Board imposed a fine for the failure to comply with the annual registration requirements.</i>		
2.	Turtle Island Corp.	79-81 Leonard Street, New York	FO-1221
	<i>Loft Board imposed a fine for the failure to comply with the annual registration requirements.</i>		

Chairperson Patino asked if there are any comments on these cases.

Mr. DeLaney commented that some buildings on the agenda for fines due to a failure to renew registration have long been eligible to leave the Loft Board's jurisdiction. One building achieved Article 7-B compliance in 2014. Another building had permits that expired in 2011, and several received certificates of occupancy between 2010 and 2014—but none have applied for removal. This raised questions about how many similar buildings remain in the system despite being eligible to transition to rent stabilization, which may fuel criticism that the law is ineffective. These buildings were overdue to "graduate" out of the Loft Law. There was also a question about how efficiently DHCR and HPD are notified when removal orders are issued, and a request for further input on improving that process.

Ms. Cruz stated when C of O's are issued, the Loft Board sends correspondence to owners about next steps. When removal orders are issued, we send them to HPD and DHCR.

Mr. DeLaney asked if the final orders are sent to HPD and DHCR and asked if the staff notifies the 311 system when a building is removed from Loft Board's jurisdiction.

Ms. Cruz stated that the 311 system uses information on HPD’s website.

Mr. DeLaney noted our instruction to the owner in the removal order is not only to register with HPD and DHCR but also to issue rent stabilized leases to the tenants. He also asked if HPD does any tracking of buildings removed from Loft Board’s jurisdiction.

Ms. Cruz stated that HPD will remove the Loft Law flag.

Ms. Roslund asked if the owner had to create a MDR.

Ms. Cruz responded yes.

Ms. Roslund asked if the building owner does not register with the different agencies, whether the building will end up in limbo?

Ms. Cruz responded that they would not be in limbo because the tenants have a right to go to DHCR. Tenants can provide the final order as evidence that they’re entitled to a rent stabilized lease.

Mr. DeLaney asked for a building that now has less than three residential units, there is no explicit requirement to register with HPD, but there would still be requirements to register with DHCR?

Ms. Cruz said yes, if the building has rent regulated units.

Mr. DeLaney confirmed if they were IMD units as opposed to market rent units when the removal took place.

Ms. Cruz responded yes.

Mr. DeLaney asked if a six-unit building is issued a removal order from the Loft Board, whether there is an agency prepared to take enforcement action.

Ms. Cruz responded that she didn’t know the answer to that question. She agreed to investigate.

Chairperson Patino asked for a motion to accept the cases, then asked if someone seconded?

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

The vote:

Members concurring:	Ms. Rzesniowiecki, Mr. Barowitz, Chief Rogers, Mr. DeLaney, Mr. Singletary, Ms. Roslund, Chairperson Patino Ms. Piscopink (8)
Members dissenting:	(0)
Members abstaining:	(0)
Members absent:	(0)
Members recused:	(0)

Chairperson Patino reopened the public hearing to hear testimony from one person.

Speaker No. 7:

Marsha Brady, a tenant at 369 West 36th Street, New York supported the proposed amendments and added that Loft buildings are a unique and vital part of New York’s

creative culture. These changes help preserve the culture by allowing tenants to remain in their homes while buildings come into compliance. Live-work use is central to the purpose of the law, and tenants should not face eviction. She urged the Board to support the pending Albany bill to address this issue.

Ms. Brady supported the expansion of the Board's enforcement power. She noted stronger authority, strict timelines, and real penalties—along with adequate staffing—are essential to ensure compliance and protect tenants.

Chairperson Patino closed the record for the public hearing and concluded the March 19, 2026 public meeting. Our next public meeting will be on April 23, 2026.

Mr. DeLaney asked if the Board can have a public hearing outside of the rule-making process because it had the authority to do so.

Mr. DeLaney recommended having a public hearing once a year.

Chairperson Patino concluded the March 19, 2026 meeting at 2:56 pm and announced the next public meeting will be on **April 23, 2026**, here at 22 Reade Street at 2:00 P.M.