

MINUTES OF PUBLIC MEETING
New York City Loft Board Public Meeting

May 14, 2026

The meeting began at 2:43 PM

Attendees: Charles DeLaney, Tenant Representative; Heather Roslund, Public Member; Elliott Barowitz, Public Member; Lenny Singletary, Manufacturer Representative; Chief Emanuela Rogers, FDNY; and Guillermo Patino, Chairperson Designee.

INTRODUCTION:

Chairperson Patino welcomed those present to the 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. To achieve this goal, the Board adjudicates and mediates disputes between owners and tenants, tracks the progress of legalization, and prosecutes parties who violate the Loft Law and the Loft Board's rules.

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

Mr. DeLaney followed upon his question about whether there is an enforcement mechanism in place for buildings that fail to register with HPD and DHCR.

Ms. Cruz requested that the issue be discussed during the staff reports.

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

Mr. Singletary moved to accept, and **Mr. Barowitz** seconded.

The vote:

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

REPORT OF THE EXECUTIVE DIRECTOR

- 1. Litigation:** Three new Article 78 petitions were filed. Two petitions were sent with the meeting materials, and the third case was sent this morning.
 - One is a mandamus case about a coverage case related to 240 Grand Street in Manhattan.
 - The second petition is a challenge to Order No. 5390 which denied the appeal challenging the denial of an extension of the code compliance deadlines for 135 Plymouth Street in Brooklyn.
 - The third case is a mandamus about the reconsideration on today's calendar.

- 2. Buildings with C of O:** At the March meeting, the Board asked the staff to report on the buildings in the Loft Board's jurisdiction with certificates of occupancy. Here is what we found:

We have 27 IMD buildings that have certificates of occupancy.

- a. 12 Buildings have open applications, so removal is not possible until all applications are closed.
- b. 2 buildings have a certificate of occupancy, but not all of the IMD units are listed as residential units.
- c. 1 building is in litigation.
- d. 2 buildings have delinquent registrations.
- e. 6 buildings have removal applications pending and the staff will review the applications for further processing.
- f. 4 buildings have no removal pending and no other applications pending. The reason why there is no movement is unclear. Outreach will begin for those four buildings.

3. Former IMD buildings with Loft Law flags:

At the March meeting, the Board asked the staff to review the status of former IMD buildings on HPD's online system. The staff compiled a list of buildings removed from Loft Board's jurisdiction beginning in January 2006 through the present. There are 102 buildings on the list. I looked up these buildings in HPD online and I found that 40 buildings still had the Loft Law flag on the building. I emailed the list to HPD. I will check back in a week to confirm the records were updated.

4. Proposed New Language to the Removal Orders:

In the course of our research about the Multiple Dwelling Registrations, we discovered that there is a deadline to register new rent stabilized units with DHCR. Section 26-517 of the NYC Administrative Code requires that the initial registration with DHCR happens within 90 days from the date the dwelling becomes subject to the Rent Stabilization Law. A copy of DHCR Operational Bulletin was provided to the Board members. The staff recommended that removal orders with rent regulated units include this language.

- 5.** Lastly, the staff has held 26 narrative statements and/or legalization conferences since the March meeting.

REPORT OF THE DEPUTY DIRECTOR

The Department of Housing Preservation and Development is responsible for assigning building registration numbers and for ensuring the dwellings within the City of New York remain properly registered. Article 2 of Title 27 of the Administrative Code of the City of New York states that the owner of a dwelling is required to register their property with DHPD.

Registration statements are required for all multiple dwellings with three or more units or in all one or two-family dwellings where neither the owner nor a family member occupies the dwelling. The Code further details the registration process, including when the owner must file, what information must be included in the registration statement, and what penalties owners are subject to for failing to register or renew the registration. The penalties for failing to register range from the issuance of civil penalties obtained by DHPD through court action all the way to not allowing an owner to commence a landlord tenant court case to recover possession for non-payment of rent. For your review, we've provided you with a copy of the statute detailing the

owner's obligations to register their property, and the possible penalties if they fail to register, as well as a copy of DHPD's website that walks owners through the online registration process.

Chairperson Patino turned to the case calendar.

THE CASES:

Appeal and Reconsideration Cases

Chairperson Patino announced that there is one case on the Appeal and Reconsideration Calendar.

Ms. Oyegue presented the case.

	Applicant(s)	Address	Docket No.
1.	Maria Nazor and Peter Mickle	544-548 West 27th Street, New York	R-0396
The Loft Board denied the application challenging Loft Board Order No. 5384.			

Chairperson Patino asked if there are any comments on this case.

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

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

The vote:

Members concurring:	Mr. Barowitz, Chief Rogers, Mr. Singletary, Ms. Roslund, Chairperson Patino (5)
Members dissenting:	Mr. DeLaney (1)
Members abstaining:	0
Members absent:	Ms. Rzesniowiecki, Ms. Piscopink (2)
Members recused:	0

Summary Cases

Chairperson Patino turned to the summary calendar. There are nine (9) cases on the summary calendar. Six (6) cases were combined into three (3) orders.

	Applicant(s)	Address	Docket No.
2.	404 Holdings LLC	83 - 101 North 3rd Street, Brooklyn	LF-0135
The Loft Board deemed application challenging a proposed sale of residential improvements withdrawn without prejudice.			
3.	Max Chodorow	22 Catherine Street, New York	PO-0232
The Loft Board deemed the application seeking protected occupancy status withdrawn without prejudice after Owner recognized applicant as a protected occupant of the unit.			
4.	Sophie Colle	1083-1095 Flushing Avenue, Brooklyn	PO-0245 TA-0319
The Loft Board deemed the applications seeking protected occupancy status and a rent dispute determination withdrawn with prejudice after Owner recognized applicant as a protected occupant of the unit, and the parties settled the rent dispute claims.			
5.	Arpino Peter Malerba	255 18th Street, Brooklyn	TH-0231
The Loft Board deemed the application seeking a finding of harassment withdrawn without prejudice.			

6.	Martha Violante and Christopher Starbody	750 Grand Street, Brooklyn	TR-1447 PO-0197
The Loft Board deemed the applications seeking Article 7-C coverage and protected occupancy status withdrawn with prejudice.			
7.	Salvatore Pluchino	93-99 Commercial Street, Brooklyn	TR-1485 PO-0281
The Loft Board deemed the applications seeking Article 7-C coverage and protected occupancy status withdrawn with prejudice.			

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

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

Mr. Singletary moved to accept, and **Mr. DeLaney** seconded.

The vote:

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

Master Calendar

Chairperson Patino turned to the master calendar.

Ms. Cruz presented the case.

	Applicant(s)	Address	Docket No.
8.	Hudson Realty Corp	287 Hudson Street, New York	LB-0202
The Loft Board deemed the unit abandoned pursuant to 29 RCNY § 2-10(f).			

Chairperson Patino asked if there are any comments on this case.

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

Mr. Singletary moved to accept, and **Mr. DeLaney** seconded.

The vote:

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

Chairperson Patino turned to case number 9.

Chairperson Patino noted changes to the proposed order. Specifically, the conclusion, third paragraph, first sentence, will read:

“If owner seeks cost for **code** compliance, owner may seek a rent adjustment based on the reasonable and necessary costs related to providing the elevator service as directed”.

Mr. Dietz presented the case.

	Applicant(s)	Address	Docket No.
9.	Myrel Chernick, Donald Lewallen, Elizabeth Clark, Laurie Hawkinson, Henry-Smith Miller and Winnifred Whipple	5-7 Mercer Street, New York	TM-0101
The Loft Board directed Owner to restore elevator service within thirty days from the mailing date of this Order and to legalize passenger and freight elevator service. The Loft Board dismissed the diminution of service claim concerning the proposed relocation of the building’s fire escape as unripe and the accessibility claim for lack of evidence.			

Chairperson Patino asked if there are any comments on this case.

Mr. DeLaney commented that the initial application in this case was filed in 2019, and it's been a long time that this situation has been pending. The application came to us only one year ago. If the tenants in this building have been living without elevator service for that long, it's regrettable.

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

Mr. DeLaney moved to accept, and **Ms. Roslund** seconded.

The vote:

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

Chairperson Patino turned to case number 10.

Mr. Montminy presented the case.

	Applicant(s)	Address	Docket No.
10.	Eric Rodgers, Jean Chandler, John Henry, Michael Kailas, Tess Parker, Justin Marchi, Hannah Stoudemire and Brian Meola	41-49 Varick Avenue, Brooklyn	TR-1402 PO-0130
The Loft Board denied the coverage claim for Ms. Stoudemire and dismissed her protected occupancy claim. The Loft Board deemed Ms. Chandler’s coverage and protected occupancy claims withdrawn with prejudice. The Loft Board deemed the remaining claims withdrawn without prejudice.			

Chairperson Patino asked if there are any comments on this case.

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

Mr. Singletary moved to accept, and **Ms. Roslund** seconded.

The vote:

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

Chairperson Patino stated that we will turn to the last case on the agenda.

	Applicant(s)	Address	Docket No.
11.	Regency 175 LLC	360 Jefferson Street, Brooklyn	LE-0767
<i>The Loft Board granted the removal application. Effective thirty-five (35) days from the mailing date of this Order, the Building is no longer an IMD and is no longer under the jurisdiction of the Loft Board.</i>			

Chairperson Patino asked if there are any comments on this case.

Ms. Roslund reminded the board that during the last session, she had requested that at some point the Loft Board get a list of the number of buildings that revert to commercial versus the number of buildings that remain residential after they leave the Loft Board jurisdiction after removal.

Ms. Cruz responded this request is still being worked on.

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

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

The vote:

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

Chairperson Patino stated we will now turn to the discussion and vote on proposed amendments to §§ 2-12, 2-01.1(b)(6)(i), 2-01.1(b)(6)(vi) and 2-11.1.

Ms. Cruz started the discussion and gave a brief summary of the proposed amendments, §§ 2-12, 2-01.1(b)(6)(i), 2-01.1(b)(6)(vi) and 2-11.1, and noted that the Loft Board will not be considering today any proposed amendments to section 2-08.

The proposed change.

In the definition of Article 7-B compliance, in section 2-12, the proposed changes remove two options for approving Article 7-B compliance. It removes the option of filing a sworn statement from an architect or professional engineer, and the option of submitting the DOB Records as evidence of compliance with Article 7-B. The second proposed change in section 2-01.1(b)(6) adds a date. The third proposed change in 2-01(b)(6), adds a new sub-paragraph, 6, to provide an enforcement mechanism against owners that have filed a sworn statement of Article 7-B compliance, but have failed to obtain a temporary or final residential certificate of occupancy. Under these proposed changes, any owner must obtain a temporary or final certificate of occupancy within six (6) months of the effective date of these proposed rules. If the temporary or final certificate of occupancy is not obtained within this time frame, the Loft Board may pursue enforcement and impose fines.

The fourth proposed change is in section 2-01.1(b)(5), which is the fine schedule. The proposed changes add a fine to the failure to file a narrative statement after the filing of the alteration application with the Department of Buildings for the legalization work. The proposed change removes the cure period for failure to file a timely quarterly report, it adds an annual penalty for the failure to obtain a temporary or final residential certificate of occupancy, within six months of the effective date of this amended rule, and, finally, the proposed changes make corrections to the citations in the penalty schedule.

Most of the comments during and received were in support of the changes. There was only one comment that did not support the change in the penalty schedule. The reason provided was that there could be legitimate reasons why the TCO or the C of O were not obtained. However, the owner will have 30 days to answer the violation and present evidence of why it was unable to obtain a temporary or final certificate of occupancy.

Lastly, I note that the law department has given the final approval for these proposed amendments to §§ 2-12, 2-01.6 and 2-11.1.

Mr. DeLaney thanked the Loft Board staff for spotting these issues on these matters and correcting them.

Chairperson Patino asked for a motion to move proposed rule forward for finalization, then asked if someone seconded.

Mr. Singletary moved to accept, and **Ms. Roslund** seconded.

The vote:

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

Chairperson Patino noted that the Board staff will send the proposed rules to the City Record for publication and will share a final copy with the Board Members once it is available.

Chairperson Patino concluded the May 14, 2026, meeting at 3:07 pm, and announced the next public meeting will be on **June 18, 2026**, at 2:00 pm at 22 Reade Street.