

PROPOSED ORDER

NEW YORK CITY LOFT BOARD

In the Matter of the New York City Loft Board v.

[REDACTED]

Loft Board Order No.: _____

Docket No.: FO-1128

**RE: 70 Commercial Street
Brooklyn, New York**

IMD No. 30084

ORDER

Pursuant to Multiple Dwelling Law ("MDL") § 282 and Title 29 of the Rules of the City of New York ("29 RCNY"), the New York City Loft Board ("Loft Board") finds [REDACTED] ("Owner"), the owner of the interim multiple dwelling ("IMD") at 70 Commercial Street, Brooklyn New York ("Building") in violation of MDL § 284(2) and 29 RCNY § 2-11(b)(1)(i)(A) for failing to renew the annual registration for the Building and to pay the applicable registration fees for Fiscal Year 2025.

A fine of \$7,500.00 is hereby imposed against Owner pursuant to 29 RCNY § 2-11.1(b)(3). Owner is directed to pay this fine and to renew the IMD registration for the Building with the Loft Board within thirty-five (35) calendar days of the mailing date of the Order.

BACKGROUND

Owner last registered the Building for the Fiscal Year 2024 registration period which ended on June 30, 2024. Consequently, on March 11, 2025, pursuant to MDL § 282, the Loft Board commenced this proceeding against Owner for its failure to file the annual registration and to pay the applicable registration fees for Fiscal Year 2025 in violation of MDL § 284(2) and 29 RCNY § 2-11(b)(1)(i)(A). The Loft Board sent Owner a Notice of Failure to Register ("Notice") by first class mail to the address on file with the Loft Board among other addresses.

The Notice advised Owner that if it wished to file an answer, the answer was due on March 26, 2025, or if Owner wished to pay the outstanding fees and fines and complete the registration process, it must do so on or before March 26, 2025.

ANALYSIS

Owners of IMDs must register their buildings annually with the Loft Board pursuant to MDL § 284(2) and 29 RCNY § 2-11(b)(1)(i)(A). The latter states:

Registration of a building or portion of the building as an interim multiple dwelling ("IMD") by the owner, lessee of a whole building, and the agent is required annually. The annual registration period begins on July 1st of each year and ends on June 30th of the following year. ...

In addition, 29 RCNY § 2-05(f)(2) states the following:

Renewal of registration pursuant to 29 RCNY § 2-11(b)(1)(i)(A) shall be required annually on or before July 1st. Prior to the processing of the registration renewal application, the landlord or the agent is required to pay all unpaid fines, late fees and registration and code compliance monitoring fees for prior registration periods at the rate set forth in 29 RCNY § 2-11(b)(9)(i), as may be amended from time to time. Failure to timely pay such registration and code compliance monitoring fees may

result in the imposition of late fees, and other civil penalties, in accordance with the terms and provisions of these rules, including, without limitation, 29 RCNY § 2-11(b)(1)(i)(D) and 29 RCNY § 2-11.1.

The Loft Board's records show that the IMD registration for the Building expired on June 30, 2024. Owner failed to:

- File the registration package and pay the registration fees for Fiscal Year 2025 on or before March 26, 2025; and
- Pay the other fees and fines listed on the Notice.

CONCLUSION

For the foregoing reasons, the Loft Board finds Owner in violation of MDL § 284(2) and 29 RCNY § 2-11(b)(1)(i)(A) for failing to properly renew the IMD registration for the Building. Pursuant to 29 RCNY § 2-11.1(b)(3), a fine of \$7,5000.00 is hereby imposed against Owner for its failure to timely complete its annual registration for one year.

Owner is directed to pay all fees and fines and to renew the IMD registration for the Building within thirty-five (35) calendar days of the mailing date of the Order. Failure to do so may result in additional proceedings, fees, and fines. To comply with the registration requirements, Owner must complete the required registration forms and pay all outstanding fees and fines, including the fines imposed by the Order. See 29 RCNY § 2-11(b)(1)(i)(C).

DATED: April 17, 2025

Guillermo Patino
Chairperson

Board Members Concurring:

Board Members Dissenting:

DATE LOFT BOARD ORDER MAILED: