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Press Release

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CITY NETS RECORD SETTLEMENT FROM SIGN COMPANY AND BUILDING OWNER WHO REPEATEDLY INSTALLED ILLEGAL WALL SIGNS ON LANDMARKED BUILDING

SETTLEMENT REQUIRES OWNER OF 598 BROADWAY AND SIGN COMPANY TO REMOVE THE ILLEGAL SIGNAGE AND PAY \$225,000 IN CIVIL PENALTIES

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New York, May 4, 2012 – The owner of a landmarked building at 598 Broadway in Manhattan and a sign company have agreed to pay a record \$225,000 fine to the City and halt the installation of two oversized wall signs from a highly visible façade of the building. The fine is the highest ever paid by an owner for failing to obtain a permit from the Landmarks Preservation Commission for the installation of an illegal sign.

“For nearly seven years, the defendants ignored the law, and installed more than 20 signs on the wall of a landmarked building without getting permits from the Commission even though they were well aware of the need to obtain them,” said Landmarks Preservation Commission Chair Robert B. Tierney. “Their actions stand in stark contrast to those of the thousands of owners of landmarked buildings who seek the Commission’s approval each year before they begin work on their properties.”

Located between West Houston and Prince streets, 598 Broadway was completed in 1898 to the designs of Robert Maynicke. The through-block, 12-story building features a brick and terra cotta façade and was constructed as a mercantile building. It is part of the 466-building SoHo-Cast Iron Historic District, designated in 1973. Buildings in historic districts and individual landmarks are subject to the regulations of the Landmarks Preservation Commission.

In 1997, the owner of 598 Broadway—598 Broadway Realty Associates—submitted a permit to LPC for non-illuminated advertising signs to be placed on the side of the building facing Houston Street. After public hearings, LPC approved the installation of a small sign, with the permit expiring in 2005. The owner then made two applications to install additional signage in 1999 and 2000 but failed to submit requested follow-up information. These two subsequent requests were withdrawn by LPC.

In 2005, LPC discovered that the building owner had illegally installed large advertising signs on the Houston Street-facing wall. The agency then issued several warning letters and notices of violation against the owner. In spite of these measures, the owner and Brooklyn-based Colossal Media Group continued to install new signs, amassing thousands of dollars in penalties in the process.

“This should be a message to companies that flagrantly disregard the City’s Landmarks Law,” said Senior Counsel Melanie V. Sadok of the NYC Law Department’s Administrative Law Division. “We will pursue violators, and, as this case shows, the outcome can be quite costly for them.”

Under the agreement, Colossal also must remove or legalize its signs on other buildings in Manhattan that are subject to the Landmarks Law, including 343 Canal St., 438 Broome St., 59 Grand St., and 60 Grand St., all of which are in the SoHo-Cast Iron Historic District. It's the first lawsuit the City has filed in 15 years against the owner of a landmarked building for failing to obtain a permit for a sign.

In its June 2011 lawsuit, the City sought preliminary and permanent injunctive relief against the "persons in charge" of 598 Broadway (referring to the owners and sign company). In November 2011, the Court granted the request for a preliminary injunction. The parties then reached a settlement in the matter.

The case is *City of New York and New York Landmarks Preservation Commission vs. 598 Broadway Realty Associates, Inc., et al.* (401531/2011).

The Landmarks Preservation Commission is the mayoral agency responsible for protecting and preserving New York City's architecturally, historically and culturally significant buildings and sites. Since its creation in 1965, LPC has granted landmark status to more than 29,000 buildings and sites, including 1,305 individual landmarks, 114 interior landmarks, 10 scenic landmarks, 107 historic districts and 17 historic district extensions in all five boroughs. Under the City's landmarks law, considered among the most powerful in the nation, the Commission must be comprised of at least three architects, a historian, a realtor, a planner or landscape architect, as well as a representative of each borough.

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