

MINUTES OF PUBLIC MEETING
New York City Loft Board Public Meeting Held at
22 Reade Street, 1st Floor
Spector Hall

February 18, 2010

The meeting began at 2:10 p.m. The attendees were Chairperson Robert LiMandri; Elliott Barowitz, Public Member; Gina Bolden-Rivera, Public Member; LeAnn Shelton, Public Member; Chief Ronald Spadafora, Fire Department's Representative; Matthew Mayer, Owners' Representative and Chuck DeLaney, Tenants' Representative.

CHAIRPERSON'S INTRODUCTION

Chairperson LiMandri introduced himself and welcomed those present to the February 18, 2010 public meeting of the New York City Loft Board.

VOTE ON JANUARY 21, 2010 MINUTES

Mr. DeLaney suggested revising a sentence on the first page of the minutes in order to accurately reflect his thought that since there are 2 seats on the Board declared as ex officio, when someone sits in for the representative, we should elaborate on their identity.

Mr. Barowitz questioned whether the minutes need to contain all the complete orders and suggested that the judges' and Board's findings need only be mentioned to avoid becoming repetitive.

Ms. Alexander responded that she will look into it.

Motion: Ms. Shelton moved to accept the January 21, 2010 minutes with the corrections as previously noted. Mr. Barowitz seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson LiMandri, Shelton, Chief Spadafora (6)

Member abstaining: Mayer (1)

Adopted by the Loft Board on February 18, 2010

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Alexander reported on the Legalization Status spreadsheet distributed to the Board and provided an explanation on the changes.

In response to a question raised by Mr. DeLaney, the Tenants' Representative, in an email regarding inconsistencies between the Executive Order 129 and our rules, **Ms. Alexander** reported that the Law Department opinioned that section 282 of the Multiple Dwelling Law gives the Mayor broad authority to establish and structure the Loft Board and any mayoral decision supersedes rules promulgated by the Board. Nevertheless, an aggrieved application will not be successful in challenging an action of the Board by alleging inconsistencies between the rules and the Board's present structure. While it is not necessary to amend the Board's rules to confirm with Executive Order 129, we will confirm our rules to the Executive Order.

REPORT OF THE DEPUTY GENERAL COUNSEL

Ms. Cruz reported that there are 47 cases in the Hearings Unit including the cases on the February agenda. Of those, 18 are removal cases and 29 are non-removal cases. The breakdown of the non-removal cases is as follows: 6 are presently pending at OATH; 11 are post hearing or settlement; 2 are rent adjustment applications; 1 is a reconsideration application; 2 are currently on hold; 1 is in the answer period; 1 is waiting for a revised stipulation of settlement; 1 case is pending the remand to OATH and the remaining 4 applications are on today's agenda.

Ms. Cruz further reported that the status of the removal cases is as follows: 12 cases require additional information from the owners; 3 cases have other cases pending; 2 are pending corrections to the Certificate of Occupancy; 1 building is under review.

Ms. Cruz concluded that there are still 7 "A" buildings that have their Certificate of Occupancy but do not have removal application pending. Staff scheduled five conferences in March with "A" building owners to assist them through the removal process.

DISCUSSION ON PROPOSED RULE 29 RCNY § 2-01.1

Motion: Ms. Shelton moved to accept the proposed rule changes with the corrections made by Ms. Alexander and the proposed revisions by the Board. Mr. Mayer seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson LiMandri, Mayer, Shelton, Chief Spadafora (7)

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DISCUSSION AND VOTE ON CASES

SUMMARY CALENDAR

Case #1.	Bahia Mehmet Bin Chambi	26 Bond Street	LS-O199	MC/MC
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Motion: Mr. DeLaney moved to accept the proposed order. Ms. Bolden-Rivera seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson LiMandri, Mayer, Shelton, Chief Spadafora (7)

MASTER CALENDAR

The following cases were voted on as a group.

Case #2.	47 East Broadway Realty Corp.	47 East Broadway	FO-0633	LA/LA
Case #3.	145 Reade LLC	145 Reade Street	FO-0634	LA/LA
Case #4.	W25 LLC	119-125 West 25th Street	FO-0635	LA/LA
Case #5.	Bridge Associates of Soho, Inc.	533 Greenwich Street	FO-0638	LA/LA
Case #6.	46 Laight LLC	46 Laight Street	FO-0639	LA/LA
Case #7.	Moore Street Building Corp.	42 North Moore Street	FO-0641	LA/LA

Motion: Mr. DeLaney moved to accept the proposed orders. Mr. Mayer seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson LiMandri, Mayer, Shelton, Chief Spadafora (7)

Case #8.	Legend Corp.	42 West 28 th Street	LB-0173	MC/MC
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The case was tabled.

Case #9.	Jaouad Amrani	647 Broadway	TR-0783 TA-0182	MC/MC
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Motion: Mr. Barowitz moved to accept the proposed order. Ms. Shelton seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson LiMandri, Mayer, Shelton, Chief Spadafora (7)

Chairperson LiMandri concluded the February 18, 2010 Loft Board public meeting and thanked everyone for attending. He announced that the next public meeting will be held at Spector Hall, 22 Reade Street, on Thursday, March 18, 2010 at 2:00 p.m.

The meeting ended at 3:50 p.m.