

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

July 12, 2012

The meeting began at 2:15 p.m. The attendees were Elliott Barowitz, Public Member; Gina Bolden-Rivera, Public Member; Chief Ronald Spadafora, Fire Department's Representative; Chuck DeLaney, Tenants' Representative; Daniel Schachter; Public Member; Le Ann Shelton, Public Member; Matthew Mayer, Owners' Representative; Mark Foggin, Manufacturing Representative and Chairperson Designee Susan Pogoda.

INTRODUCTION

Chairperson Pogoda introduced herself and welcomed those present to the July 12, 2012 public meeting of the New York City Loft Board.

VOTE ON JUNE 21, 2012 MINUTES

Motion: Mr. Mayer moved to accept the June 21, 2012 minutes with the addition of a sentence acknowledging the discussion of enforcement. Mr. Foggin seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson Pogoda, Schachter, Shelton, Mayer, Spadafora, Foggin (9)

Adopted by the Loft Board on July 12, 2012.

REPORT OF EXECUTIVE DIRECTOR

Ms. Alexander reported that the building numbers had not changed significantly since the last meeting. **Ms. Alexander** will give a report of the building numbers at the August 2, 2012 meeting. There are currently 331 buildings under the Loft Board jurisdiction.

With regard to case statistics, **Ms. Alexander** stated that there are 300 cases pending of which 204 are coverage applications and 96 are non-coverage applications. She further listed the cases broken down by type.

Ms. Alexander then broke the cases down into "buckets". The first bucket consists of 167 pending cases that are either OATH ready or are at OATH and that had not come back to the Loft Board. Of these, 124 cases are already at OATH. Thirty-one cases were sent to OATH this reporting period, and 43 post answer period cases have been docketed, answers have been filed and the staff are preparing to send them to OATH.

Ms. Alexander reported that the cases that have been returned from OATH, referred to as the post settlement, post-hearing cases were broken down into two categories: master cases and summary calendar. There are 14 master cases consisting of five abandonment cases, one non-compliance case with legalization deadline, 1 alternate plan case, five coverage cases, one termination of harassment findings, and one challenge to a proposed sale of improvements. There are 32 summary cases consisting of 29 coverage cases, one landlord initiated rent dispute, one tenant initiated rent dispute, and one abandonment case.

Ms. Alexander reported that there are 67 non-OATH cases that the staff is responsible for completing. Of these, three are rent adjustments with a target date of September 30, 2012 for

completion by the auditor, thirty-six are removal cases, 17 extension applications that were recently filed, and three are extension applications that were reviewed and are now ready to be put in final.

Ms. Alexander presented a brief overview to the Board on the ages of the outstanding cases with the Loft Board. There are two cases from 2000, one from 2003, four from 2005, one from 2006, one from 2007, two from 2008, three from 2009, 59 from 2010, 168 from 2011, and 59 from 2012. All of the cases are removal cases except for one from 2005, which is an abandonment case.

Ms. Alexander broke down the ages of the cases that are part of the master calendar. One abandonment case is from 2005 and one Alternate Plan case is from 2009. There are six coverage cases, one abandonment case, and one non-compliance case for a total of eight cases from 2010 and two abandonment cases, one termination of harassment case, and one challenge to sale of rights case for a total of four cases from 2011.

Ms. Alexander gave the Board a brief review of upcoming public hearings: 2-09 (Subletting) and 2-11.1 (Fines), public hearing held on 7/12/2012; 2-07 (Sale of Improvements), 2-10 (Sale of Rights) and 2-02 (Harassment), public hearing to be held on 7/19/2012; 2-12 (Rent Adjustments) and 2-06.2 (Interim Rent Guidelines), public hearing to be held on 7/27/2012; and 1-07 (Reconsideration of LB Determination), 1-07.1 (Appeal of A Determination) and 2-11 (Fees), public hearing to be held on August 2, 2012.

Mr. Delaney suggested that the Board discuss the comments raised at the three public hearings at the August 2, 2012 meeting. **Mr. Delaney** suggested, and the Board Members agreed, that the discussion of the public comments from the three public hearings should be scheduled for the August 2, 2012 Board Meeting instead of waiting until the September 6, 2012 meeting.

Ms. Alexander announced that a new attorney, Althea Bender, will be joining the Loft Board staff on August 13, 2012. Ms. Bender is currently working in the Administrative Enforcement Unit at the Department of Buildings. Ms. Bender will bring her solid background in Buildings Enforcement to the Loft Board.

Ms. Alexander stated that the recently proposed amendments to the Loft Law did not get signed by the Governor and that the staff would notify the Board of any changes that may occur in the future.

Ms. Alexander provided a chart that outlined enforcement procedures to address the concerns of the Board regarding follow-up and enforcement. Mr. DeLaney questioned whether the owners were submitting the monthly reports and if not, what the staff was doing about it. He suggested that the staff send out post cards to remind the owners that they had failed to provide the report.

DISCUSSION AND VOTE ON SUMMARY CALENDAR CASES

1.	Reiner Leist and Carole Braden	545-551 Eighth Avenue	LI-0040	MC/MC
2.	545 Eighth Avenue Associates, LP	545-551 Eighth Avenue	LI-0042	MC/MC
3.	4 Great Jones Holding LLC	4 Great Jones Street	LS-0210	MC/MC
4.	Lauren Spohrer	950 Hart Street Brooklyn	TA-0194	MC/MC
5.	David Hopkins and Kathy Hopkins	122 Second Avenue	TH-0184	MC/MC
6.	Reiner Leist and Carole Braden	545-551 Eighth Avenue	TH-0187	MC/MC
7.	Arnold Brooks	94 Fulton Street	TH-0188	MC/MC
8.	15 Warren Street Tenants	15 Warren Street	TR-0795	MC/MC
9.	Marcy Castelgrande	517-525 West 45 th Street	TR-0854	MC/MC
10.	Liz and Jason Meeks, Andy LaPlant and Jessica Larrabee	950 Hart Street Brooklyn	TR-0862	MC/MC

12.	Lawrence J. Helfand	167 North 9 th Street Brooklyn	TR-0879	MC/MC
13.	Megan Jolly	1087-1095 Flushing Avenue, Brooklyn	TR-0891	MC/MC
14.	Emily Abate	143 Roebling Street Brooklyn	TR-0892	MC/MC
15.	Yuki Mori	385-387 Troutman Street Brooklyn	TR-0896	MC/MC
17.	Ramzy Telley	1236 Atlantic Avenue Brooklyn	TR-0945	MC/MC
18.	Julia Wilkins and Clif Tavers	1236 Atlantic Avenue Brooklyn	TR-0947	MC/MC
19.	Thomas Goryeb	1087-1095 Flushing Avenue, Brooklyn	TR-0952	MC/MC
20.	Peter Grzybowski	80 Varick Street	TR-0958	MC/MC

Motion: Mr. Mayer moved to accept the recommendations. Ms. Shelton seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson Pogoda, Schachter, Chief Spadafora, Shelton, Mayer, Foggin (9)

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DISCUSSION AND VOTE ON SUMMARY CALENDAR CASE

11.	Tenants of 88 West Broadway	88 West Broadway aka 72 Warren Street	TR-0867	MC/MC
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Motion: Ms. Shelton moved to accept the recommendation. Mr. Barowitz seconded the motion.

Members concurring: Barowitz, DeLaney, Chairperson Pogoda, Schachter, Chief Spadafora, Shelton, Mayer, Foggin (8)

Members Recused: Bolden-Rivera (1)

Adopted by the Loft Board on July 12, 2012.

DISCUSSION AND VOTE ON SUMMARY CALENDAR CASE

16.	Patrick Kennedy	135-139 Plymouth Street Brooklyn	TR-0933	MC/MC
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Motion: Ms. Shelton moved to accept the recommendation. Mr. Barowitz seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson Pogoda, Schachter, Chief Spadafora, Shelton, Mayer, Foggin (8)

Members Against: DeLaney (1)

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Chairperson Pogoda concluded the July 12, 2012 Loft Board public meeting at 2:55 pm and thanked everyone for attending. The next public meeting will be held at Spector Hall, 22 Reade Street, on Thursday, August 2, 2012 at 2:00 p.m. **A public hearing was held immediately after**

the Board Meeting at Spector Hall, 22 Reade Street on Rules 2-09 (Subletting) and 2-11.1 (Fines).