



The New York City Landmarks Preservation Commission

1 Centre Street, 9th Floor North New York NY 10007 TEL: 212-669-7921 FAX: 212-669-7797

www.nyc.gov/landmarks



John Weiss
Deputy Counsel
jweiss@lpc.nyc.gov

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Simeon Bankoff
Executive Director
Historic Districts Council
232 East 11th Street
New York, NY 10003

Re: Demolition by Neglect Properties

Dear Simeon:

I am writing in response to your inquiry regarding five landmarks that are in disrepair. As we have discussed, the Commission takes very seriously buildings that are not in good repair – the legal standard under the Landmarks Law. Commission staff are in contact with owners for a number of landmarks in all five boroughs that are in disrepair. Some of the buildings have received Failure to Maintain Warning Letters or Notices of Violation, others are moving towards demolition by neglect lawsuits, still others are being monitored, and there are two active demolition by neglect cases pending (the Windermere and 217 MacDonough Street). The following briefly describes what steps have been taken regarding the five specific properties you cite in your letter.

Richmond Hill Republican Club: LPC staff have made several site visits with staff from other City agencies (the Fire Dept., DOB and HPD) due to concern over the building's condition. Commission legal staff also attended numerous court conferences in Queens County Supreme Court during very lengthy litigation over ownership and control of the property. Eventually the property was sold at auction (Commission staff attended the auction to insure bidders were aware of its landmark status). The new owner has recently received two permits from the Commission for extensive renovation work. Preservation Department staff and I are in frequent contact with the owner and steel columns have been installed and steel beams are in the process of being installed which will support a new roof. The applicant will be applying to the LPC in the near future for more work on the building as part of his effort to rehabilitate it and convert it to a catering establishment.

Corn Exchange: The LPC filed a demolition by neglect lawsuit against the owner in 2007 after more than two years of trying, with limited success, to have the owner voluntarily make repairs. The New York City Economic Development Corporation (EDC) sold the property to the current

owner) also filed a lawsuit seeking to have the property revert to the EDC based on the owner's failure to meet an obligation in the deed requiring repairs to the building. The court just issued its decision this past Friday. The judge denied the LPC's motion for an order directing the owner to make immediate repairs on the grounds that the court was granting EDC's request to take title to the property. The logic of the court's decision is that since the owner we sued no longer owned the building as of the date of the decision, the judge could not order the former owner to immediately make repairs. This case is not over, however, due to a third party action, the possibility of an appeal, and the owner filing for bankruptcy one day before the decisions were issued in the LPC and EDC lawsuits. As you may know, filing for bankruptcy stays most legal proceedings. Our next court conference is on February 26, 2009 and we will most likely be appearing in the bankruptcy matter as well. We will also be discussing with EDC staff to discuss future plans for the Corn Exchange.

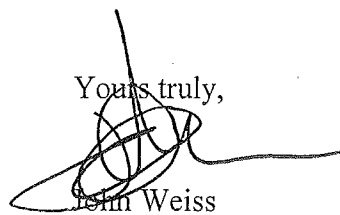
Bedell House: After issuing permits for the restoration of the Bedell House in connection with a special permit application, and after several years of trying to have the owner complete the special permit application with the Department of City Planning and voluntarily make repairs to the building, we prepared demolition by neglect legal papers and were about to initiate a lawsuit when the financial institution holding the mortgage foreclosed on the property. A foreclosure auction was held this past Friday (a busy day) but it was not sold. It is our understanding that at this time the title to the Bedell House has reverted back to Wells Fargo. Unfortunately the mortgage situation is complex with multiple out of state entities involved. I have been in contact with the various financial institutions, both prior to and after the auction, so it is well known it is a landmark that needs immediate repairs. We are continuing to explore other options for having the Bedell House returned to a condition of good repair.

Bronx Borough Courthouse: I have been in contact with the owner and will be making a site visit in the near future to see for myself the condition of this wonderful building.

1000 Ocean Avenue: Over the past several years efforts to have the owner voluntarily make repairs have been unsuccessful. Consequently, a Warning Letter and then a Notice of Violation were issued to the owner for the failure to maintain this property. The owner did not appear at the hearing and a default fine of \$5,000 was imposed. Additional NOV's for failure to maintain the building are being issued and, if no response is received, demolition by neglect litigation may be initiated.

Don't hesitate to contact me or Mark to discuss this issue or get updates on these landmarks.

Yours truly,

A handwritten signature in black ink, appearing to read "John Weiss", written over a circular scribble.

John Weiss
Deputy Counsel