



State of New York
 Division of Housing and Community Renewal
 Office of Rent Administration
 Web Site: www.nyshcr.org

Gertz Plaza
 92-31 Union Hall Street
 Jamaica, N.Y. 11433
 (718) 739-6400

Docket Number:
BR410006UC

ORDER AND DETERMINATION

Mailing Address of Tenant

Various Tenants
 203 Chrystie Street, Apt.#
 New York, NY. 10002.

Mailing Address of Owner:

203 Chrystie Street Realty, Inc.
 c/o Mitofsky Shapiro Neville etal.
 152 Madison Ave. 3rd flr.
 New York, NY. 10016.

Subject Building:

203 Chrystie Street

Various

New York, NY 10002

Number and Street

Apt No.

City, State, Zip Code

The Division instituted proceedings either upon application by the owner or the tenant(s). The parties affected were so notified. After consideration of all the evidence in the record and pursuant to the relevant Regulations and Act, the Division hereby issues this Order and Determination.

(Only items marked "X" are applicable)

Upon the grounds stated in Section(s) 2520.11(e) of the RSC, and/or Section(s) 2500.9(e) of the TPR, and based upon the facts and for the reasons stated below, the District Rent Administrator:

- Grants the application
- Denies the application
- Closes without action
- Finds that:

The owner claimed in the application filed on June 28, 2013 that the subject building is exempt from regulation due to a substantial rehabilitation completed after January 1, 1974. The issue was raised in the underlying proceeding currently pending under Docket #BO410004AD/BU410026RO.

The petitioner stated that the renovation took place after the building was damaged by fire in May of 1992, and that 18 new apartments were constructed in place of the original 10 units, with a new Certificate of Occupancy issued by the Department of Buildings on May 4, 1993.

Evidence submitted by the owner includes: 1) Copy of Deed. 2) Copy of Fire Department Report. 3) Copy of DOB approved Blue Prints. 4) Copy of DOB Work Permit Application dated 12/3/92. 5) Copy of DOB Objection letter dated 12/21/92. 6) Copy of Technical Report/Statement of Responsibility & Inspection Report. 7) Copy of DOB Cost Affidavits dated 8/25/92, 11/22/92 and 4/23/93. 8) Copy of DOB Plumbing Schedule B. 9) Copy of Inspection Records dated 3/7/93 and 3/23/93. 10) Affidavit of Registered Architect dated 9/3/92. 11) Affidavit of George Knafo AIA (licensed architect) sworn to on July 8, 2015. 12) Affidavit of Christopher T. Menziuso (Registered Architect) dated July 2, 2015. 13) Certificate of Occupancy issued 5/4/93.

The Notice of this proceeding was served on the current tenants on May 10, 2016. The Notice advised all affected tenants that the entire record is available at the DHCR for review.

The tenant of apartment #5D submitted objection to the owner's petition on 5/26/16, 6/28/16, 9/20/16, and 9/28/16. The tenant argued that the work done was to subdivide apartments with new interior partitions, floors and furnishings, and that the center stairwell, hallway, exterior loadbearing walls, fire escape and roof appear not to have been replaced. The tenant also contends that the documents submitted did not show the replacement of all windows, doors and frames, and that the Certificate of Occupancy is not valid.

The Rent Administrator has considered all the information and evidence, and finds that DOB records under ECB Violation #34075914Y issued on 7/24/92 indicates the subject building was undergoing a 'Complete Interior Demolition- partly due to fire'. The Agency records also show that the owner's Alteration Type 1 plans to 'Renovate Entire Building and change from Ten to Eighteen apartments, were completed on 5/4/93, and a new Certificate of Occupancy was issued. Any discrepancy between the Certificate of Occupancy and the actual number of apartments in the building may be referred to the Department of Buildings.

After careful consideration of all the information in the file, it is determined that the subject building has been substantially rehabilitated. The scope of work described by the licensed architects indicate that at least 75% of the building-wide and individual apartment systems, including common areas, were replaced.

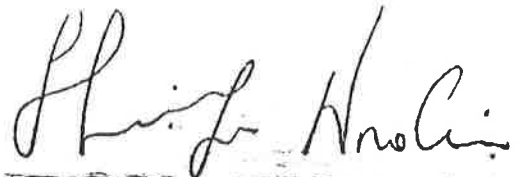
There is no evidence to suggest that the owner received any government financing or tax abatement for the project.

The subject building is therefore exempt from regulation pursuant to Section 2520.11(e) of the Rent Stabilization Code.

| <u>Tenants List</u> | <u>Apartment #</u> | <u>Tenants List</u> | <u>Apartment #</u> |
|---------------------|--------------------|---------------------|--------------------|
| Melissa Sarginger | 1A | Jennifer Lopez | 1B |
| Andrea Cronberg | 1C | Lauren Rocha | 1D |
| Michaela McCrink | 2A | Nicole Albrecht | 2B |
| John Debary | 2C | Andrew Marshall | 2D |
| Joshua Woodsford | 3A | Katherine Moslak | 3B |
| Yuan He | 3C | Danika Azzarelli | 3D |
| Glen Fowler | 4A | Michael Gerali | 4B |
| Daniel Raymond | 4C | Mark Miller | 4D |
| Benjamin Goodwin | 5A | Teal Pujara | 5B |
| Liliya Dagle | 5C | Maria Perez | 5D |

NOV 23 2016

Date of Mailing



George N. Nnochiri
Rent Administrator