



**BROOKLYN  
LEGAL  
SERVICES  
CORPORATION A**

**Community  
and  
Economic  
Development  
Docket**

**Building  
Communities**



**2009**

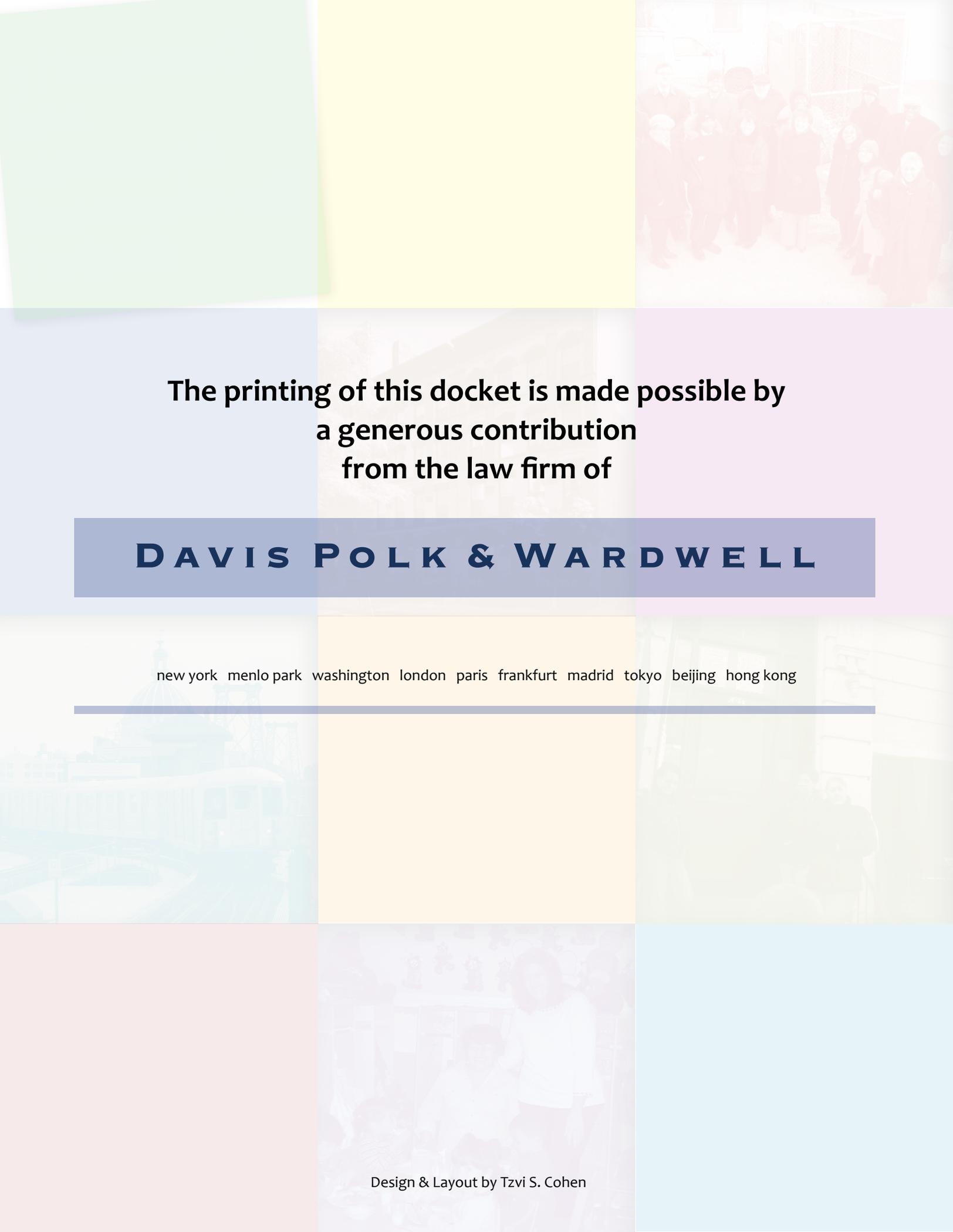


**Ensuring  
Opportunity**



**Achieving  
Justice**





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## LETTER FROM THE PROJECT DIRECTORS AND BOARD CHAIR

In the past year, Brooklyn Legal Services Corporation A (BROOKLYN A) celebrated 40 years serving the North and East Brooklyn communities. 40 years of work in furtherance of our mission and decades of commitment to Building Communities, Ensuring Opportunity & Achieving Justice. With supporters like you, we represented community groups that organized tenants, built affordable housing, expanded access to health care, and established community-run senior centers, schools and daycare facilities.

Unfortunately, these past few years have been especially problematic for programs such as ours who provide legal representation to low income people, the communities in which they live, and the local groups who serve them. Lack of support for “legal services for the poor” by the Bush and Pataki Administrations and by both the U.S. and NY State Senates has meant reduced funding for BROOKLYN A and programs like ours dramatically below the levels going back over 15 years ago. We should have every hope that a couple of billion dollars of the “bail out” funds would go toward the fulfillment of the dream and desperate need for legal representation for low-income people. Basic needs such as maintaining their homes from eviction and/or foreclosure, obtaining critically needed government benefits (i.e. Temporary Assistance for Needy Families, SSI, Food Stamps, Medicaid, HASA and other AIDS/HIV related, and Unemployment Insurance), keeping their families together, defending victims of domestic violence and enabling themselves to become independent of their batterers could be met by the new administration. Yet, it is extremely disappointing and shocking that restoration and dramatically increased funding for these basic needs and goals of our democratic society do not seem to be on the decision makers’ current agenda!

We ask that you please once again help support BROOKLYN A’s Partnership for Community & Economic Development this year. It is time that we all stand up and not just say, but insist, that our government and our society put its money where it is deserved and will be used to meet real human needs by dedicating adequate funding for “legal services” programs and a funded right to counsel for all people faced with critical legal issues requiring legal representation.

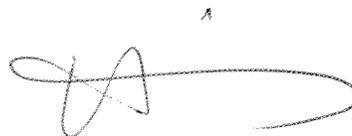
Thank you for your continued support!



**Marty S. Needelman**  
Project Director & Chief Counsel



**Paul J. Acinapura**  
General Counsel



**Valarie A. Hing**  
Board Chair



Brooklyn Legal Services Corporation A's purpose and goal is to provide high-quality legal assistance to low-income individuals and community groups in North and East Brooklyn. We view legal assistance in terms of community development, education, and mobilization, as well as traditional representation. To that end we partner with and provide legal services to effective local grassroots organizations that have a demonstrated commitment to our common goal of social and economic justice.

In essence, our work prevents homelessness, helps people in need receive the benefits they are entitled to, assures that families remain whole, and assists the communities we serve marshal and control the assets of their communities and to create institutions and infrastructure which helps the communities to thrive and grow. This work, and our success with it, makes BROOKLYN A unique and exceptional in its ability to improve the quality of life and promote empowerment within the many and diverse communities we serve. The following is a brief description of our various programs:

### Community and Economic Development

BROOKLYN A has made community and economic development (CED) a major program priority since 1976. Through its CED Unit, BROOKLYN A is one of the only not-for-profit, neighborhood-based, public interest legal services programs in the country to develop a sustained, substantial practice providing community-based organizations (CBOs) and community development corporations (CDCs) in low-income communities with transactional representation. This work results in the creation of new and rehabilitated housing, the empowerment of tenants, the expansion of healthcare, child-care services, the development of community centers and nursing homes, and the creation of minority- and community-owned businesses and jobs. A primary tenet of this work has been community ownership of the process and assets themselves once they are created.

### Anti-Predatory Lending/Foreclosure Defense

The Anti-Predatory Lending and Foreclosure Defense Unit defends homeowners facing foreclosure and files affirmative cases for homeowners and other consumers who have been the victim of predatory lending. The unit's years of litigation and transactional experience combine to provide comprehensive legal counseling and representation for local homeowners and consumers.

### Preservation of Low-income Housing

Through the Individual Housing and Group Housing Units, BROOKLYN A defends the rights of tenants, works with groups building and operating tenant-run cooperatives, and helps ensure that senior citizens have access to safe, affordable housing. BROOKLYN A represents individuals in housing court facing eviction and more than 100 local tenant-owned cooperatives, assisting the coops in sustaining themselves as affordable housing for low-income tenants. BROOKLYN A's Group Housing Unit also partners with local community orga-

nizations and coalitions in struggles for justice and fair housing for low-income North Brooklyn residents.

### Comprehensive Rights for People Affected by HIV/AIDS

The Comprehensive Rights Unit (CRU) represents clients at hearings addressing HIV/AIDS Services Administration and Supplemental Security Income benefits, challenges discrimination in housing and employment based on HIV/AIDS status, negotiates with landlords to secure the provision of basic housing needs and to stop harassment (and, if necessary, bring actions against landlords). The CRU helps protect clients against domestic violence, developing healthcare proxies and living wills, and creating guardianship and custody plans for clients' children.

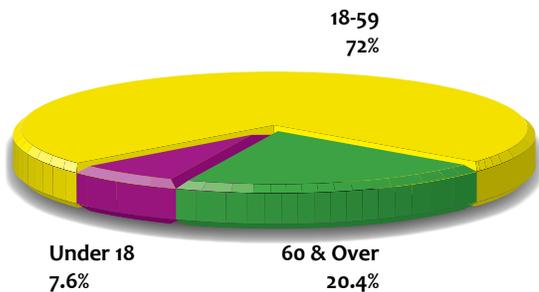
### Disability & Unemployment Advocacy Project

The Disability and Unemployment Advocacy Project assists disabled people obtain the federal Supplemental Security Income (SSI) to which they are entitled, but are often denied, through representation at Social Security Administration administrative hearings. The Unit also represents individuals with unemployment benefits, claims and problems.

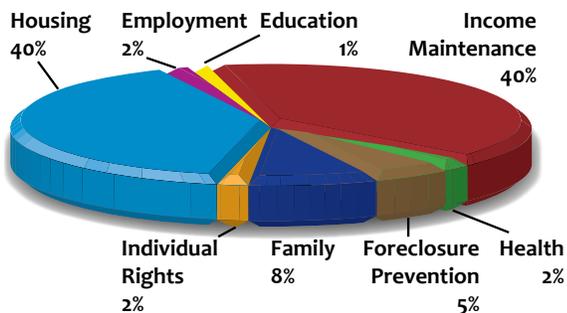
### Domestic Violence/Victims Support Program

The Victims Support Program provides legal assistance to survivors of domestic violence in ways that promote empowerment, self-sufficiency, and economic independence. It provides a variety of civil legal services to survivors of domestic violence so that they can: obtain orders of protection, spousal and/or child support; child custody, housing, and public assistance grants and funds from community groups to help pay rent; avoid foster care; negotiate payment plans with landlords; and obtain emergency government benefits to which they are eligible.

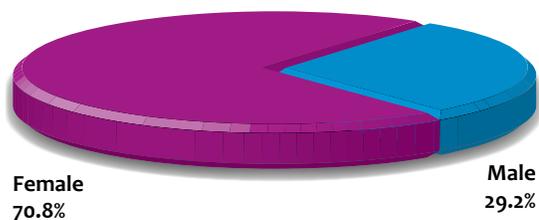
## AGE



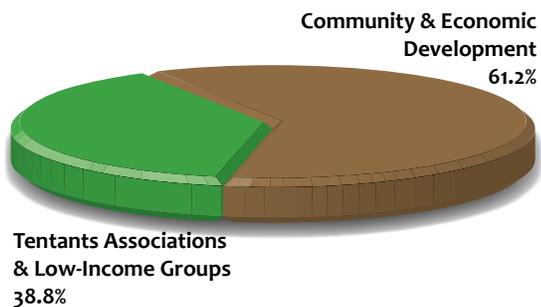
## AREA OF LAW



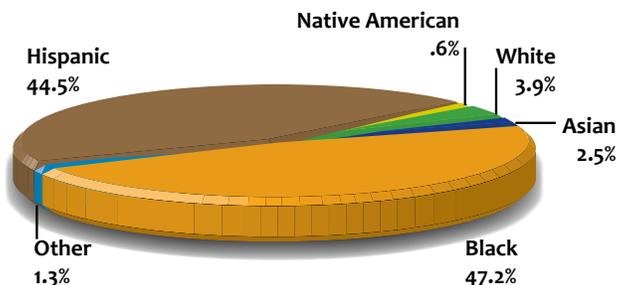
## GENDER



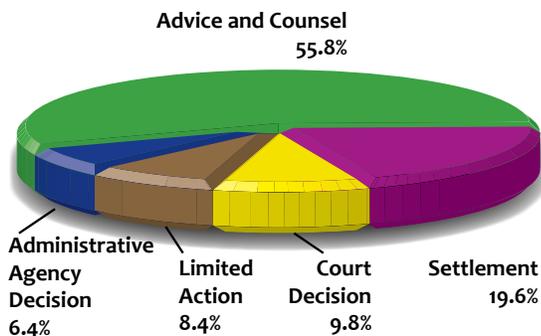
## GROUP REPRESENTATION



## ETHNICITY/RACE



## TYPE OF SERVICE RENDERED



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## **SPECIAL THANKS**

Our deepest gratitude to the following,  
whose generous support make much of our CED work possible:

**Astoria Federal Savings Bank**

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**Tiger Baron Foundation**

**Washington Mutual Bank**

BROOKLYN A is one of the only not-for-profit, neighborhood-based, public interest legal services programs in the country to develop a sustained, substantial practice representing community-based organizations (CBOs) and community development corporations (CDCs) in low-income communities. BROOKLYN A has carved out a role as the legal catalyst fueling community-initiated projects critical to improving the quality of life in its neighborhoods. This work results in the creation of new and rehabilitated housing, the empowerment of tenants, the expansion of health and dental care, child-care services, the development of community centers and nursing homes, and the creation of minority- and community-owned businesses and jobs.

BROOKLYN A's community and economic development work is done through its Community & Economic Development (CED), Group Representation, and Anti-Predatory Lending & Foreclosure Prevention Units (collectively, the CED Team) which serves both as house counsel and special project counsel to not-for-profit CBOs engaged in housing, health care, day care, education and other community development endeavors. Its transactional legal work involves, but is not limited to:

- Real estate, including pre-development coordination and title and loan closings;
- The drafting and negotiation of contracts;
- Financing (public and private);
- Regulatory representation and negotiations with governmental authorities;
- Corporate and tax advice; and
- Employee relations.

Our CED Team offers nonprofit clients ongoing, long-term representation which encompasses the full range of services that private sector corporations routinely receive from their corporate counsel; it reviews, drafts and negotiates contracts; represents clients in tax matters, real estate and financing transactions, administrative, licensing and regulatory proceedings, and, if necessary, litigation. The CED Team's litigation legal work involves, but is not limited to:

- Representing tenants and tenant associations confronted with unsafe and hazardous conditions and gentrification/displacement pressures;
- Representing individuals and families victimized by predatory lending and foreclosure rescue schemes; and
- Representing not-for-profit organizations in affirmative litigation seeking to preserve or acquire affordable, decent, and community-owned housing.

The CED Team acts as counselors, negotiators, tacticians, strategists and troubleshooters. Our attorneys are essential partners with our communities as they fulfill ambitious and strategic development plans for neighborhood revitalization; we are at our communities' sides, navigating the governmental, regulatory, and financial universes and their requirements. We are meeting our historic task of building self-sufficiency within our communities. To achieve its community and economic development mission and goals, and enhance the legal counsel services that foster community and economic development, BROOKLYN A created a dynamic, public/private Partnership for Community & Economic Development which brings the resources, skills, expertise, and strategic advice of key individuals in banks, corporations, foundations, universities, government agencies and other organizations that support our ongoing efforts to better Brooklyn's neighborhoods.

Our Partnership for Community & Economic Development collaborates with BROOKLYN A to provide the legal counsel necessary to meet our community and economic development program goals. The members of the Partnership play a key role in generating major economic, pro bono, and in-kind support from law firms, corporations, financial institutions and foundations who believe in BROOKLYN A's community and economic development programs.



**The BROOKLYN A CED Unit:**  
L to R: Jessie Rose, Nikki Prenoveau,  
Paul Acinapura, Mike Haber

The CED Unit is continuously providing an array of legal counseling and representation to its organizational clients. Attorney-client relationships between BROOKLYN A and most of its organizational clients have existed for long periods of time spanning many years, if not decades. These relationships deepen as BROOKLYN A and its clients work together on development projects that can last for multiple years. The following are only a few examples of the community and economic development projects that BROOKLYN A was involved in this past year.



## CYPRESS HILLS LOCAL DEVELOPMENT CORPORATION, INC. GLENMORE GROVE PROJECT

In October 2008, **Cypress Hills Local Development Corporation, Inc.**, a client and community partner of BROOKLYN A's CED Unit for over two decades, broke ground on the first affordable condominium project to be built in its neighborhood of Cypress Hills, Brooklyn. Named Glenmore Grove, it is at the northeast corner of Glenmore Avenue and Miller Avenue. "This is a wonderful success story for the Cypress Hills Local Development Corporation," said Executive Director Michelle Neugebauer.

Glenmore Grove will consist of twelve 2- and 3-bedroom condos affordable to first time home buyers earning between 80-100% of the area median income.<sup>1</sup> Glenmore Grove also marks a significant stride in green affordable housing development – the project incorporates cutting-edge design, energy efficiency, healthy living and environmental stewardship. Construction is expected to be completed by Winter/Spring 2010.

The sales price of the condos will be partially subsidized with HOME and Affordable Housing Corporation (AHC) funds combined with a grant from the Brooklyn Borough President Marty Markowitz. The private construction lender is Capital One, NA. The AHC funds were secured through the Housing Partnership Development Corporation (the Partnership). The construction was also funded through a predevelopment loan with the Local Initiative Support Corporation and a bridge loan from the Community Partnership Development Corporation (a subsidiary of the Partnership).

**Cypress Hills LDC and BROOKLYN A CED Unit** – breaking ground and building community throughout Cypress Hills and East New York.



**Groundbreaking for Glenmore Grove in Cypress Hills** – Bishop David Benke, Cypress Hills LDC Executive Director Michelle Neugebauer, Capital One Bank Executive Vice President David Dineen and Brooklyn Borough President Marty Markowitz (front row with shovels), BROOKLYN A attorneys Jessie Rose (front row second from right) and Mike Haber (rear row second from right), along with representatives of HPD, LISC, Cypress Hills LDC staff and board members, the AAD Construction Corp. general contractor Tom Amaxas, and community residents.

Since 1983, Cypress Hills LDC has worked to revitalize its neighborhood through housing preservation, economic development, and educational, after-school and community services for youth and families. Cypress Hills LDC has developed over 237 units of affordable housing in approximately 65 buildings, with another 344 housing units, 7 commercial units and a 450-student capacity public school in the pipeline. Many of these renovated buildings are operated by Cypress Hills LDC as rentals to low-income tenants; many are two-to-three unit small homes and, in the near future, condos to be sold to moderate income eligible purchasers. In all of its housing development work, as with many of its other programs, CHLDC has been represented by BROOKLYN A.

BROOKLYN A's work for this project has involved the following: establishment of a CHLDC subsidiary entity through which development is taking place; negotiation and preparation of all documentation relating to hiring of the architect and general contractor; and handling the title and construction loan financing closing.

<sup>1</sup> Currently the AMI for family of 4 in the NYC metropolitan area is \$76,820. The calculation for the target income for each condo unit is based on unit size (number of bedrooms). Therefore, a unit marketed to 80% AMI (\$54,605-55,296) would be priced at approximately \$171,483, a unit marketed to 100% AMI (\$68,429-69,120) would be priced at approximately \$237,312, and a unit marketed at 110% AMI (\$87,060-87,859) would be priced at approximately \$303,744.



## NORTHEAST BROOKLYN HOUSING DEVELOPMENT CORPORATION SUMPTER MARCUS PROJECT

Sumpter Marcus is a new affordable housing development being created by **Northeast Brooklyn Housing Development Corporation (NEB)**. NEB will perform a gut rehab of 4 properties currently in terrible disrepair, transforming them into desirable, renovated buildings with 42 rental apartments that will be affordable to low-income families earning between 45% and 60% of the area median income.

These 4 properties are in the low-income neighborhoods of Bedford-Stuyvesant and Ocean Hill, Brooklyn: 408 Marcus Garvey Boulevard, 510 and 516 Chauncey Street, and 348 Sumpter Avenue. After the rehab, the buildings will consist of 1 studio, 8 one-bedroom, 14 two-bedroom, and 17 three-bedroom apartments affordable to low-income families, plus 7 other 2- and 3-bedroom apartments, 2 apartments for project superintendents, and 1 commercial space that will be utilized by NEB to house some of its own offices and community facilities.

NEB, acting through an affiliate corporation, purchased the four properties from Neighborhood Restore Housing Development Fund Corporation. The acquisition of the property was completed in December 2008, and the construction of the property will be completed in August 2010. Construction of the project is being financed by the Community Preservation Corporation

and the City of New York. A private equity investment was also made to the project by an equity limited partner, which will receive federal low-income housing tax credits that were awarded to the project by the City. The estimated total cost of this project is \$7.5 million.

BROOKLYN A has served as NEB's counsel in all aspects of this transaction: incorporation and establishment of the title-holding subsidiary corporation and the limited partnership vehicles necessary to complete the transaction; the negotiation and drafting of the contracts necessary to acquire the buildings, engage the project architect and general contractor, finance the development of the project and secure the equity limited partner; and handling the title and construction loan financing closing.

NEB and BROOKLYN A have long had a close relationship, dating back to shortly after NEB was incorporated in 1984. NEB has been a client of, and has partnered with, BROOKLYN A on dozens of community and economic development transactions.

With the Sumpter Marcus project, BROOKLYN A is proud to have again helped NEB to both protect its own interests as a not-for-profit community-based organization, and also to have helped it to meet our shared mission of increasing justice and opportunity in the low-income neighborhoods of North and East Brooklyn.

Photos courtesy of NEB



510 Chauncy Street



516 Chauncy Street



408 Marcus Garvey Boulevard



348 Sumpter Avenue

## GREEN BUILDING INITIATIVE

In 2008, with funding from Equal Justice Works, BROOKLYN A's CED Unit launched a Green Building Initiative to help our community development corporation (CDC) clients achieve their goals of developing affordable housing, schools, healthcare, and other community facilities reaping the environmental, public health, and energy-cost benefits of green building. We have begun to meet this community-driven mission by:

- Dedicating one staff attorney to focus full-time on green development (with support and involvement by the entire CED Unit);
- Creating model transactional documents that can be used for development projects when our community-group clients seek to build with green elements or to green specifications;
- Collecting and drafting materials which analyze green legal issues and information on both public and private energy-efficient financing programs; and
- Engaging attorneys who represent nonprofit developers of green development projects to collaborate and share best practices.

Most importantly, in 2009 the CED Unit will represent CDC clients on some of their very first green community development projects, projects that will bring

Eastern Brooklyn affordable housing and a new community healthcare facility—both designed with substantial green attributes. These projects will be among the first green CDC-developed projects in the City. Currently, the CED Unit is helping these clients to consider financing packages, examining how to meet the programmatic and legal requirements imposed by the multiple lenders necessary to make any green project possible in the community development context, and reviewing and drafting the documents and contracts necessary to undertake these large scale innovative projects.

In our in-house counsel role, the CED Unit will be helping these clients with the full range of legal work attendant to these large projects, including: pre-development coordination, title and loan closings; drafting and negotiation of architect, construction, energy consultant and other contracts; and advising on corporate, tax, and regulatory compliance issues—all without the thousands of dollars in fees that a private law firm would charge its clients for representation on projects of this complexity.



## BROWNSVILLE MULTI-SERVICE FAMILY HEALTH CENTER 650 ASHFORD EXPANSION PROJECT

In 2009, Brownsville Community Development Corporation (BCDC) is expanding to a new health care facility site. In 1982 BCDC opened its first community health center in the Brownsville community of Brooklyn, known as the Brownsville Multi-Service Family Health Center (BMS), which was the first community health center in this medically-underserved community in Brooklyn, with the assistance of BROOKLYN A. In the intervening years, it has expanded its primary health care, nutrition and social services throughout the Brownsville and East New York communities in a number of additional locations with BROOKLYN A's help. In 2007, BMS provided 58,756 patient visits to over 20,000 individuals in low-income neighborhoods in Brooklyn from 8 separate locations.

BMS has recently received funding from the Health Care Efficiency and Affordability Law (HEAL) Program for Primary Care Infrastructure from the New York State Department of Health and the Dormitory Authority of the State of New York (DASNY). This funding is earmarked to help BMS expand its primary care facilities to meet community needs with a new 21st Century facility. BMS

plans to develop the site using a substantial number of green elements.

The CED Unit will represent BMS in the negotiation and drafting of a long-term commercial net lease, the negotiation and drafting of architect, construction, and other contracts, all created with an eye to making this project as green as possible. The CED Unit will also assist with the preparation and submission of the New York State Department of Health Certificate of Need application.

Maurice Reid, the former President and CEO of BCDC describes BROOKLYN A as “more than just valued legal counsel – they are, and have been for more than thirty years, our partners as we give meaning to our mission of providing integrative and high quality medical and social services to enhance the well-being of every individual and family in our community.”



Photo courtesy of BCDC

Front entrance of BMS' main location at 592 Rockaway Avenue, Brooklyn.

## CYPRESS HILLS LOCAL DEVELOPMENT CORPORATION, INC. CYPRESS VILLAGE PROJECT

Cypress Hills Local Development Corporation, Inc.'s most substantial affordable housing development project planned to close in 2009 will be the Cypress Village project, which will break records of what can be accomplished by building housing that is both green and affordable. Cypress Village will be built out of locally-made, state-of-the-art modular construction. This approach will allow Cypress Hills LDC to substantially cut its development costs so that the project can be built to be affordable to very low income families, and with the type of green improvements rarely seen in even the most modern luxury apartments in the City. Funding for the project will come from a multi-layered mix of private and public sources.

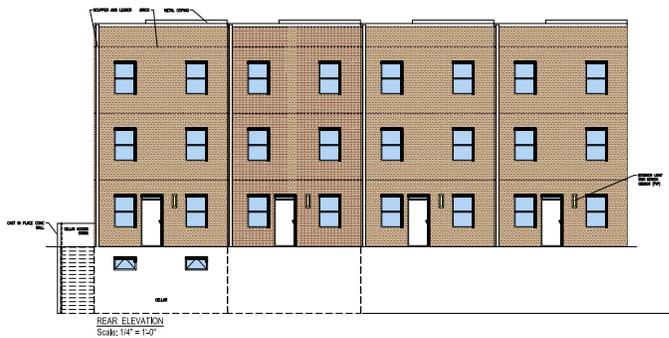
For the Cypress Village project, the CED Unit is presently helping Cypress Hills LDC to develop a green development strategy and determine how to most effectively layer its fiscal subsidies to build the project as green and as affordably as possible. We will also help Cypress Hills LDC to negotiate and prepare all documentation relating to hiring of the architect and general contractor and we will handle the title and construction loan financing closing.

Cypress Hills LDC's Director of Community Development, Betsy MacLean, describes the importance of

BROOKLYN A to her organization's efforts as "invaluable," and says that "so much of the community development work that we do at Cypress Hills LDC would not be possible without the counsel and advice of BROOKLYN A."



**p** Architectural rendering of one of the building sites for the Cypress Village project.



**t** Elevation drawing of one of the condo sites for the Cypress Village project.

Images courtesy of Magnusson Architecture and Planning PC.



## START-UP CLIENTS

BROOKLYN A's CED Unit clients include a broad range of not-for-profit organizations rooted in North and East Brooklyn that are working towards the long-term improvement of their neighborhoods. While our annual CED Docket naturally focuses on the more legally complex and time-intensive work done at BROOKLYN A, the CED Unit also represents dozens of small, new community groups (start-ups).

The scope of representation for a start-up client may include: advising regarding the corporate structures available to the group; forming the legal entity; drafting or revising bylaws and other corporate documents; preparing or reviewing conflicts of interest or records retention policies and employee manuals; advise regarding liability and insurance issues; applying for tax-exemption; and structuring relationships with corporate entities such as parent corporations, for-profit developers, or similar-purpose not-for-profit corporations.

The following is a description of some of the new, exciting organizations and the services the CED Unit provided to start-ups in 2008:

**Brooklyn East District Council of Presidents Inc.** (BEDCOP) – BEDCOP is a council of Presidents of resident associations of New York City Housing Authority (NYCHA) houses in East Brooklyn. Its charitable purposes include: serving as the district-wide organization representing the residents of Brooklyn East District NYCHA developments; assuring the formation of partnerships with NYCHA necessary to assure tenant and resident input in policy making and program implementation; improving the quality of services provided to members of NYCHA resident associations, including senior and youth services, education, and health and safety; promoting neighborliness; serving as an organized representative and spokesperson for tenants and residents; serving as liaison between the residents, management, community organizations, groups and agencies; encouraging involvement and participation in community life; and welcoming new residents.

The CED Unit, along with pro bono counsel from Fried Frank Harris Shriver & Jacobson LLP, prepared and filed BEDCOP's certificate of incorporation with the New York State Department of State (DOS), prepared its bylaws and conflict of interest policy, and assisted with the group's organizational meeting in which it adopted the bylaws and conflict of interest policy and elected its officers (organizational meeting).

**Network of Angels, Inc.** (Network of Angels) – Network of Angels plans to own and operate temporary residential facilities for individuals (including rehabilitated drug

abusers) transitioning from homeless shelters, jails, prisons or out of the foster care system. Its charitable purposes include: building a supportive and encouraging network of community residents, businesses and organizations in order to enhance the social and economic development and stability of residents who are in need of transition housing and supportive services; and providing information, resources and personal assistance to residents of Kings County in order to promote educational development, family stabilization, and/or economic security.

The CED Unit assisted Network of Angels with the filing of its certificate of incorporation with DOS; preparing its bylaws and conflict of interest policy; preparing the consent in lieu of organizational meeting; and preparing an application for an Employer Identification Number (EIN) and an application for federal tax exemption.

**Pentateuch Transportation, Inc.** (Pentateuch) – Pentateuch is an organization dedicated to providing transportation to the elderly, disabled and youth in East Brooklyn. Its charitable purposes include: making available to the elderly, disabled and youth a means of free or low-cost transportation to and from activities necessary for the full enjoyment and participation in all aspects of daily life including cultural activities and social engagements.

The CED Unit prepared and filed Pentateuch's certificate of incorporation with DOS, prepared its bylaws and conflict of interest policy, assisted with the group's organizational meeting, prepared and filed an application for federal tax exemption with the IRS, prepared and filed an application for an EIN, prepared and filed a Registration Statement for Charitable Organizations with the NYS Office of the Attorney General Charities Bureau, and prepared and filed an application for NYS sales and use tax exemption.

**Van Siclen Avenue Residents Association, Inc.** (Van Siclen) – Van Siclen is a resident association in East Brooklyn. The group's charitable purposes include building a stronger community and a safer neighborhood on Van Siclen Avenue by: getting to know their neighbors and building a foundation of mutual respect; addressing the needs and concerns of the block; striving to improve conditions in the neighborhood; and promoting relationships with other civic organizations through their group action and participation.

The CED Unit prepared and filed its certificate of incorporation with DOS, prepared its bylaws and conflict of interest policy, and assisted with the group's organizational meeting.

## CED UNIT'S CLOSINGS AND ONGOING MATTERS FOR 2008:

### **BOROUGH DEVELOPMENT GROUP**

in-house counsel ongoing

### **BROOKLYN EAST DISTRICT COUNCIL OF PRESIDENTS INC.**

incorporation, federal tax exemption ongoing

### **BROWNSVILLE COMMUNITY DEVELOPMENT CORPORATION**

acquisition of property adjacent to Brownsville Multi-Service Family Health Center at 592 Rockaway Avenue, Brooklyn pending

### **BROWNSVILLE COMMUNITY DEVELOPMENT CORPORATION**

in-house counsel ongoing

### **BROWNSVILLE COMMUNITY DEVELOPMENT CORPORATION**

negotiations on leasing and renovation of new health care facility to be funded by Health Care Efficiency and Affordability Law (HEAL) Program for Primary Care Infrastructure from the New York State Department of Health and the Dormitory Authority of the State of New York (DASNY) pending

### **CARLOS LEZAMA ARCHIVES AND CARIBBEAN CULTURAL CENTER**

leasing and renovation project (Brooklyn Borough President, NYC Department of Cultural Affairs, and City of New York Department of Design and Construction) pending

### **COMMUNITY ACTION PROJECT (CAP) INCORPORATED**

merger with SouthWest Brooklyn Congregations completed

### **CYPRESS HILLS CHILD CARE CORPORATION**

in-house counsel ongoing

### **CYPRESS HILLS CHILD CARE CORPORATION**

lease negotiation for main administrative office located on Fulton Street completed

### **CYPRESS HILLS COMMUNITY SCHOOL DEVELOPMENT CORPORATION**

construction of 2911 Atlantic Avenue, Brooklyn for permanent site of Cypress Hills Community School (NYC School Construction Authority and Dormitory Authority of the State of New York (DASNY)) in construction

### **CYPRESS HILLS LOCAL DEVELOPMENT CORPORATION, INC.**

Cypress Mews Project acquisition of City owned property on Fulton Street, Brooklyn for the development and construction of a mixed commercial and residential project (NYC Department of Housing Preservation and Development (HPD) and Local Initiatives Support Corporation (LISC) and North Fork Bank) in construction

### **CYPRESS HILLS LOCAL DEVELOPMENT CORPORATION, INC.**

in-house counsel ongoing

### **CYPRESS HILLS LOCAL DEVELOPMENT CORPORATION, INC.**

Liberty Apartments Project (joint venture with private developer for low-income rental project to be financed with low income housing tax credits and other funding sources) ongoing

### **CYPRESS HOMES HDFC**

Glenmore Grove affordable condo project (HPD Cornerstone Program, LISC, NYC Partnership Housing Development Fund Company, Inc. and private lender) closing in construction

### **CYPRESS HOMES HDFC**

U.S. Department of Housing and Urban Development (HUD) Asset Control Area Program and Dollar Homes program (Restored Homes Development LLC) ongoing

### **CYPRESS HOMES HDFC**

Neighborhood Homes Project title acquisition and construction loan closing (HPD and LISC) in construction

### **EAST NEW YORK PREPARATORY CHARTER SCHOOL**

general counsel ongoing

### **GLENMORE GARDENS HDFC**

Cypress Village affordable condo and small homes project (HPD New Foundations Program with multi-layered mix of private and public sources) in pre-development

### **HILLS ASSOCIATES LP**

preservation of affordability for low income housing tax credit project (Year 15) ongoing

**MAKE THE ROAD NEW YORK**

leasing and renovation of new community center in Elmhurst, Queens **completed**

**MAKE THE ROAD NEW YORK**

general counsel **ongoing**

**NETWORK OF ANGELS, INC.**

incorporation and federal tax exemption **ongoing**

**NORTHEAST BROOKLYN HOUSING DEVELOPMENT CORPORATION**

in-house counsel **ongoing**

**NORTHEAST BROOKLYN HOUSING DEVELOPMENT CORPORATION**

128A Marcus Garvey litigation **concluded**

**NORTHEAST BROOKLYN HOUSING DEVELOPMENT CORPORATION**

Neighborhood Homes Program (203K) re-sales to eligible purchasers **in construction**

**PENTATEUCH TRANSPORTATION, INC.**

incorporation, federal tax exemption and sales tax exemption **completed**

**ST. PAUL PENTECOSTAL CHURCH**

permanent loan conversion (Banco Popular) **pending**

**SOUTHSIDE UNITED HOUSING DEVELOPMENT FUND CORPORATION (LOS SURES)**

160 South 2nd Street LP low income housing tax credit project permanent loan conversion (HPD and Community Preservation Corporation) **pending**

**SOUTHSIDE UNITED HOUSING DEVELOPMENT FUND CORPORATION (LOS SURES)**

210 Roebling Street low-income tenant-owned coop project (NYC Third Party Transfer program with Neighborhood Restore Housing Development Fund Corporation and a mixture of public and private financing) **in pre-development**

**SUMPTER MARCUS LP**

Sumpter Marcus LP low income housing tax credit closing through the NYC Third Party Transfer program title transfer from Neighborhood Restore Housing Development Fund Corporation, funding from the Community Preservation Corporation, the City of New York, and a private equity investor **closed**

**THE BEDFORD STUYVESANT FAMILY HEALTH CARE CENTER, INC.**

new diagnostic and treatment facility site located at 1456 Fulton Street, Brooklyn (DASNY, NYC Economic Development Corporation and Primary Care Development Corporation) **in construction**

**URBAN HEALTH PLAN, INC.**

leasing and constructing health clinic facility site located at 37-12 108th Street, Corona, Queens (Citibank and City of NY) **in construction**

**URBAN HEALTH PLAN, INC.**

renovation of its diagnostic and treatment center located at 1065 Southern Boulevard, Bronx, and its adjoining parking lot located at 1060 Simpson Street, Bronx **in pre-development**

**VAN SICLEN AVENUE RESIDENTS ASSOCIATION, INC.**

incorporation **completed**

**70 EAST 4TH STREET CULTURAL CENTER, INC.**

operating lease agreement for new cultural entity and miscellaneous counsel related to cultural center in renovation **pending**

**145 SOUTH 3RD STREET HDFC**

Los Sures Senior Housing Section 202 Project Final Closing **completed**

**358-74 VERNON AVENUE HDFC**

Lucille Rose Section 202 Project Final Closing **pending**

# GROUP REPRESENTATION UNIT

The Group Representation Unit, working out of our Williamsburg and Bushwick offices, represents tenants associations and low income tenant cooperatives in conjunction with an extraordinary network of tenant organizers from neighborhood-based organizations throughout Williamsburg, Greenpoint, Bushwick, and adjoining areas of Bedford Stuyvesant.

In addition, the Unit represents those and numerous other community groups as both in-house counsel as well as in litigation. Over the years, we have addressed, through our representation of community groups, a wide variety of neighborhood concerns, including racial quotas in public housing, environmental threats, the denial of parents' rights regarding their children's education, and the need for mandated affordable housing as part of the rezoning of the East River waterfront and for wide community participation in planning for the rezoning of the Broadway Triangle urban renewal area at the border of Williamsburg, Bedford Stuyvesant and Bushwick.

The Unit is led by BROOKLYN A Chief Counsel, Martin Needelman, and includes Senior Staff Attorneys Roberto Marrero and Joanne Koslofsky of the Williamsburg office, and Staff Attorney Vance Gathing of the Bushwick office (who works closely with the Bushwick Managing Attorney, David Bryan).

Among the groups with which we collaborate are the following: Southside United Housing Development Fund ("Los Sures") in the Southside of Williamsburg; St. Nicholas Neighborhood Preservation Corporation ("St. Nick's") in East Williamsburg and Greenpoint; Neighbors Allied for Good Growth ("NAG") and People's Firehouse in the Northside of Williamsburg; North Brooklyn Development Corporation in Greenpoint; Bushwick Housing Independence Project ("BHIP"); Churches United; Central Jewish Council; United Jewish Community Advocacy Relations and Enrichment (UJ-CARE); Broadway Triangle Community Coalition; the Williamsburg-Greenpoint Tenant Anti-Displacement Collaborative; El Puente; Save Our Southside ("SOS"); United Neighbors Organization ("UNO"); and the Williamsburg-Greenpoint Coop Support Network.

Our primary work involves representing tenant associations in buildings where affordable apartments are threatened by landlord neglect and/or harassment, prompted in part by – and in turn accelerating – the

widespread gentrification of the Greenpoint and Williamsburg neighborhoods. Despite the deteriorating economy, landlords can make huge profits by replacing long-term lower income residents with newcomers willing to pay dramatically higher rents, often well above the levels permitted for existing tenants. Protections provided by longstanding legislation such as the Rent Stabilization Law are of little meaning without effective enforcement; in reality, that enforcement is only possible when lawyers and organizers are available to assist tenants in asserting their rights in administrative agencies and the courts.

In the last two years, BROOKLYN A's capacity to do this critical work has been significantly sustained and increased by the creation and funding of the Tenant Anti-Displacement Collaborative in accordance with an important provision of the Williamsburg-Greenpoint waterfront rezoning resolution. That provision, fought for and won by the community, committed the city to helping tenants and their advocates combat the harassment and displacement of tenants associated with the huge expansion of luxury housing engendered by the rezoning.

As a result of the work of the Unit, going back to the early 1970's, over 125 low-income tenant cooperatives, incorporated as Housing Development Fund Corporations ("HDFCs") have been created. These coops are the product of tenant struggles against voracious and irresponsible (often absentee) owners, who deprived tenants of adequate heat, hot water and/or other basic services for long periods, particularly during the winter months, and engaged in numerous incidents of arson. Rather than fleeing, the tenants often took de facto and then de jure control of the buildings, running them collectively and democratically with the assistance of tenant organizers so as to ensure that the buildings are decently maintained and that the rents remain affordable to the often very low-income, very long-term residents.

One of the Unit's early legal innovations that sparked the success of these struggles was the resurrection of a dead letter statute known as Article 7A of the Real Property Actions and Proceedings Law. That law, enacted as a result of Jesse Gray's Harlem Rent Strike of the late 1950's, provides for the appointment of a court-designated Administrator to run a building in place of the landlord, where one third of the tenants move for same and can prove the existence of hazardous conditions. The appointment of an Administrator,

whose primary function is to use the rents for repair and maintenance of the building (rather than for landlord's debts, real estate and water taxes, mortgages, and profits) ousts the landlord from possession or access to the building until all violations are removed. In the 1970s, 1980s, and 1990s, that rarely happened before the City took the buildings via tax foreclosure, and then began a process of transfer per management contract and then coop creation to the community organization and/or the tenants.

It has been extremely impressive to see the extent to which the tenant-shareholders, many of whom were involved in the original horrific struggles, have resisted the market pressures to sell and remained in the buildings; in so doing, they have preserved their apartments and buildings for their children and grandchildren, some of whom have taken leadership roles in those same buildings.

Today those coops are confronted with a variety of issues resulting from the area's hot real estate market, such as dramatically increased real estate and other associated costs and, as mentioned above, the intense market pressures to sell. BROOKLYN A's Group Representation Unit, in conjunction with our tenant organizer colleagues, have represented and assisted the coops in ensuring their survival during these changing and challenging times by, among other things, helping them to develop sales policies and implement changes in their bylaws that preserve and enforce income and residency restrictions imposed by their certificates of incorporation, deeds, bylaws and/or proprietary leases, and to sustain the buildings for "persons of low income."

None of this would have been possible without the extraordinary efforts of such tenant organizing heroes as Los Sures' Barbara Schloff and Debbie Medina, St. Nick's Alison Cordero, Martha Vargas and Rolando Guzman, People's Firehouse's Ron Webster and Felice Kirby (both now retired from this work), later joined by Jerry Urbaez, Annie Vega, and Cathy Pinto at Los Sures, Jackie Aristy and Bethany Hartzell at St. Nick's, Kurt Hill and Jacek Bikowski (our incredible link to the Polish community, who also works out of North Brooklyn Development Corp.) at the People's Firehouse, Ryan Kuonen at NAG, Matt Sollett at Churches United, and the legendary Father John Powis, Sister Kathy Maire, Kennedy Rivera, and Yolanda Coca at Bushwick Housing Independence Project.

## EXAMPLES OF ONGOING WORK

- **Broadway Triangle Community Coalition ("BTCC").**

This broad-based coalition, representing virtually every major housing group in Williamsburg, Bedford Stuyvesant and Bushwick, is continuing the struggle to ensure that the planning and control of this huge undeveloped



block of land does not get preempted by a geographically, racially and religiously limited "partnership" of two, extremely politically powerful and connected agencies. The BTCC has been engaged in a prolonged effort to mobilize and involve a wide cross-section of the affected communities in developing a vision for the area's renewal. Pratt Institute is providing significant technical assistance in articulating a comprehensive plan that reflects this vision. In light of the City's continuing abdication of power and proposed grant of site control of the Triangle to the two-agency partnership, litigation will likely be necessary to ensure compliance with City Charter and statutory mandates for comprehensive and meaningful community input in the process and with federal and state prohibitions against discrimination on the basis of race, national origin, and religion.

- **202 Franklin Street**

The long-time tenants of 202 Franklin Street in Greenpoint, Brooklyn, achieved a tremendous victory in July 2008: Four years after being forced out of their homes by a fire and subsequent vacate order, the new landlord, 202 Franklin Street Corp. – which had been seeking to demolish the building – entered into a consent

# GROUP REPRESENTATION UNIT

order requiring him to withdraw his demolition application with prejudice and to complete extensive repairs to the building, closely monitored by the city, in accordance with a 7-month schedule.

202 Franklin Street Corp. is the building's third owner since the fire occurred in 2004. Under pressure of the housing court proceedings initiated by various tenants acting pro se, the individual owner at the time of the fire, Toolchan Singh, undertook some repairs. However, he did not restore the building to a habitable condition before selling it, in March 2006, to Franklin Global Realty LLC. At the closing on the property, the City secured a written agreement from the LLC to correct all outstanding violations. But the LLC quickly reneged on that agreement and, instead, fought the tenants, who obtained representation from BROOKLYN A in May 2006, and the City in court for the following year and a half. During that time, the tenants were offered and rejected substantial sums of money to surrender their right to be restored to possession of their apartments at 202 Franklin Street. Confronted with the tenants' steadfastness and with the prospect of continuing litigation, the LLC sought for many months to sell the building. It finally succeeded in doing so in November 2007, when 202 Franklin Street Corp. – which was well aware of the ongoing litigation and the tenants' fight for their homes – purchased the property.

Because the tenants' struggle had generated so much publicity and so much pressure on the City to address this travesty, Mayor Bloomberg publicly committed his administration, at a neighborhood meeting in Greenpoint in October 2007, to making sure that the building was restored to habitability and the tenants permitted to move back in. However, the administration refused the tenants' demand that the City use its own resources to fix the building and place a lien on the property. As a result, we had to continue the legal battle, alongside the City, against yet another owner. But finally, four years and eight months since a vacate order was placed on the building, the repairs are being completed. These tenants who have been so courageous will hopefully be back home in just another few weeks.

- **287 Division Avenue Tenants Association.** The remaining 9 Latino families in this 25-unit apartment house, like so many others in comparable buildings in the neighborhood, have been struggling for years with a hostile, indifferent, neglectful Hasidic landlord. As a

result of numerous rent strikes and affirmative litigation the landlord has been forced to be minimally civil and functional. However, the landlord remains intent on replacing the Latino tenants with other Hasidim. In a scheme to effectively remove most of the building's units from rent stabilization, it appears that the now majority Hasidic "tenants" purchased their apartments as unofficial (and illegal) condos, created via 99-year leases and other tactics. Those "tenants" almost universally have gut rehabbed their apartments and, among other renovations, installed private heating and hot water systems. Thus, only those tenants who rely on the central heating and hot water systems – the Latino tenants – are affected by a problem in those systems. Despite claims by the landlord that one of the Hasidic "tenants" is the super, the actual super, who works for the same landlord elsewhere, does not live in or near the building. When, as often happens, there is a heat and/or hot water problem on the Jewish Sabbath, the official super cannot respond, and the other super is nowhere to be found – and only the Latino tenants suffer. We are currently fighting a number of non-payment cases as well as meritless holdover proceedings brought by the landlord in Housing Court in a new burst of aggressive action against the Latino tenants. But it is clear that whatever happens in Court in this round, the tenants will be forced to go through this over and over until we get decisive action from the courts. We are exploring the possibility of a federal civil rights Fair Housing Law action to address the racial and religious discrimination practiced by the landlord as well as possible state court actions and complaints to the State Attorney General's office concerning the illegal "condo'ing" of the building, which always requires significant prior evaluation and approval by that office.

- **310 South 3rd Street Tenants Association.** The tenants in this 35-unit apartment building have been struggling for over 20 years, with the help of Los Sures, against neglect and harassment by a series of landlords. Rent strikes and affirmative litigation have led to court orders and settlements providing for significant repairs and rent abatements. Yet, the pattern of landlord abuse remains unchanged. More recently, it has been prompted by the opportunity to rent vacant apartments to more affluent newcomers. Among the issues currently facing these tenants are the absence of a super on premises, inconsistent heating, leaks, a front entrance door that frequently cannot be opened from

the inside, and construction debris in the public hallways. BROOKLYN A's Group Unit is representing the 14 association members, who have been engaged in a rent strike for over two years, in prolonged non-payment proceedings in Housing Court. What should have been relatively routine litigation has been bogged down in an appellate fight over the landlord's resistance to the statutorily mandated consolidation of the cases, with the owner going so far as to hire four different lawyers to represent it in various of the fourteen pending cases in an attempt to evade the statutory mandate. All of the cases are currently stayed pending the appeal. More to come!

- **392 South 5th Street HDFC.** This low-income 29-apartment co-op was created as a result of a huge struggle in the early 1980's. After the collapse of the building's roof and the appointment of a 7A administrator, the city took over the building and eventually converted it to a tenant-owned HDFC. The shareholders as a group meet monthly, with the assistance of Los Sures and our Group Unit lawyer; all of the building's business is conducted at those monthly, open meetings, where comprehensive reports are provided to all shareholders. Maintenance charges (i.e., rents) have been maintained at very affordable levels, but like so many tenant-owned HDFCs, this coop is confronting



Barbara Schliff of Los Sures and tenants of 392 South 5th Street address a Brooklyn A Community Tour.

large accumulated real estate and water/sewer tax bills. The City had ignored these unpaid taxes for many years but with the decline in the overall economy, the City has started aggressively enforcing collection. We have negotiated a repayment plan for the water bills, involving the City's waiver of over half the outstanding amount, and are in the process of evaluating potential alternatives – a City planned waiver of real estate taxes combined with restrictive regulatory agreements versus private financing to pay out the outstanding debt.

## GROUP REPRESENTATION UNIT'S ONGOING MATTERS FOR 2009

**In collaboration with Southside United Housing Development Fund**

- 195 South 4th Street
- 265 Lee Avenue
- 774 Driggs/168 South 3rd Street
- 167 Havemeyer Street
- 210 Roebling Street
- 300 South 3rd Street
- 378 Hooper Street
- 104 Division Avenue
- 272 South 5th Street
- 108 Division Avenue
- 312 South 3rd Street
- 101 Harrison Avenue

- 310 South 3rd Street
- 234 South 3rd Street
- 392 Marcy Avenue
- 341 South 5th Street
- 287 Division Avenue
- 376 Keap Street
- 368 Hooper Street
- 273 Lee Avenue
- 365 South 4th Street
- 319 South 5th Street
- 190 South 8th Street
- 349 Broadway
- 114 Walton Street
- 188 South 3rd Street
- 392 South 5th Street

- 335 Union Avenue
- 380 South 4th Street
- 350 South 4th Street
- 385 South 5th Street
- 363 South 4th Street
- 384 Keap Street
- 189 South 9th Street

**In collaboration with Neighbors Allied for Good Growth ("NAG") and People's Firehouse**

- 88 Clay Street
- 139 North 10th Street
- 169 North 7th Street

**In collaboration with St. Nicholas Neighborhood Preservation Corporation**

- 202 Franklin Street
- 684 Flushing Avenue
- 140 Grattan Street
- 199 Johnson Avenue
- 55 Harrison Place
- 146 Guernsey Street
- 163 Humboldt Street
- 210 Humboldt Street
- 16 Maujer Street
- 41 Montrose Avenue

# ANTI-PREDATORY LENDING AND FORECLOSURE PREVENTION UNIT

BROOKLYN A's service communities fall within the federal government's identified mortgage foreclosure "hot zone," engulfed as it is in a wave of foreclosures stemming mainly from widespread predatory mortgage lending practices. Predatory lenders preyed on the struggling communities of East New York, Brownsville, Bushwick, Cypress Hills, Canarsie, and Bedford-Stuyvesant, targeting families with the least amount of financial and legal literacy, and scant access to legitimate sources of credit. These neighborhoods now confront the results of this prior victimization.

BROOKLYN A's Anti-Predatory Lending and Foreclosure Prevention Unit has actively assisted these families threatened with foreclosure pursuing a bold, innovative legal strategy that addresses root causes and seeks to hold all participants in these fraudulent transactions accountable for their actions. This legal strategy focuses on "impact litigation" (i.e., taking cases with factual and legal issues that present opportunities to achieve broad and lasting effects, beyond the particular case involved, on judicial precedent, public consciousness, public policy, and remedial legislation). The strategy aims to:

- Expand the rights of borrowers and their defenses to foreclosure, primarily in cases involving mortgages that were originated in a predatory, deceptive fashion;
- Hold the entire array of participants -- corrupt sellers, lenders, lawyers, appraisers, and title companies -- responsible for this deepening crisis and ensure that they face legal and economic consequences. We are targeting major wholesale purchasers of sub-prime mortgages who often claim that, as "holders in due course," they bear no responsibility for the underlying fraudulent nature of those transactions;
- Underscore the racial targeting and other civil rights violations inherent in much of the predatory lending that has spurred the foreclosures threatening the destruction of vulnerable families and the destabilization of entire neighborhoods;
- Hold HUD accountable for its abdication of re-

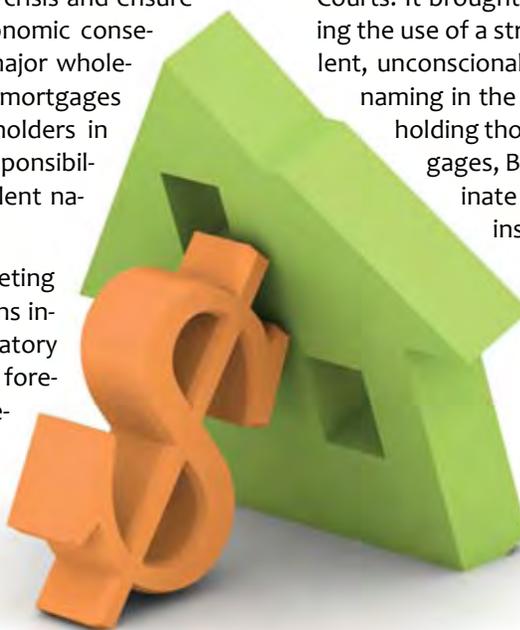
sponsibility and even complicity in widespread violations of the Fair Housing Act; and

- Challenge mortgage agreements that provide for attorneys' fees to representatives of lenders who prevail in litigation, but deny such awards to attorneys successfully representing victims of predatory lending against foreclosure. Our goal is to create a reciprocal right to attorneys' fees that would provide an incentive for local individual practitioners and small firms to take such cases, significantly broadening private bar participation in obtaining justice and economic redress for victims.

The Unit is uniquely qualified to play an expanded role in confronting the foreclosure crisis. The Unit is led by BROOKLYN A's Litigation Director Richard Wagner, a veteran attorney with 25 years of experience representing low-income clients in Brooklyn's foreclosure "hot zone" communities. Rick is joined in this work by Senior Staff Attorneys David Bryan and Rafael Martinez, Staff Attorneys Joseph Sanders and Lauren Fouda and Legal Assistant Robert Sheehan. Rick has initiated ground-breaking legal strategies, including the use of the federal civil RICO statute against owners of dilapidated federally subsidized housing projects, and affirmative federal civil litigation against both predatory sellers and mortgage lenders engaged in conspiracy to commit fraud.

The Unit is currently litigating 10 high impact foreclosure cases in Federal or New York State Supreme Courts. It brought its first major case in 2001, pioneering the use of a strong affirmative assault upon fraudulent, unconscionable lending and selling practices. By naming in the litigation major financial institutions holding thousands of packaged sub-prime mortgages, BROOKLYN A sought to narrow or eliminate the legal barriers that insulate these institutions from any responsibility for their lack of due diligence and resultant complicity as nationwide predatory lending patterns became clear.

The Unit has received support from both the Center for New York City Neighborhoods and the New York State Division of Housing and Community Renewal (in conjunction with Brooklyn Housing and Family Services) to provide ongoing



ing legal assistance to low-to-moderate income homeowners facing foreclosure. The communities served by BROOKLYN A have been among the hardest hit in NYC by the tidal wave of foreclosures, partly because during the prior decade, predatory lending practices in these largely minority neighborhoods went virtually unchecked. BROOKLYN A's first priority is to substantially lower the enormous percentage of homeowners who simply fail to appear in court and contest the foreclosure actions against them. In order to maximize the number of persons the Unit can assist, BROOKLYN A has instituted our "Default Judgment Avoidance Initiative" in which we individually interview homeowners facing foreclosure, review all of their documents, and prepare personalized pro se Verified Answers for them. The Unit then assists them in serving these answers on the plaintiff lenders and getting the papers filed in Court. By helping persons avoid default, contest the plaintiffs' claims and raise factual and legal defenses, the Unit not only prevents the lenders from obtaining judgments quickly and without opposition, but provides incentives to the plaintiffs to settle claims on reasonable terms instead of engaging in extended litigation. Each member of the Unit also takes up to five cases each for full representation, focusing on cases that present opportunities to extend the law, reinforce or expand existing rights, or otherwise impact on foreclosure related issues to the benefit of the homeowner community at large.

Ms. Jones\* is one of the lucky ones – if you can consider losing equity of more than \$150,000 a stroke of luck. Ms. Jones, a mother of four adopted children facing foreclosure, was offered a deal purporting to assist her with saving the deed to her home. Afterwards,

Ms. Jones learned the deal was offered by one of the many foreclosure rescue scam artists using the mortgage crisis as a business opportunity. Thinking she was signing documents for financial assistance and a modified mortgage, she was actually the victim of a scam that transferred the property's deed to a third party. With the help of BROOKLYN A's Anti-Predatory Lending and Foreclosure Prevention Unit, Ms. Jones filed a complaint against the phony buyer and the mortgage company this past summer, and by the Fall the deed was returned to her. Although this was an unusually swift success, BROOKLYN A is still assisting Ms. Jones in negotiations to modify the mortgage to an affordable and sustainable amount.

Mr. Ramirez\* had been attempting to modify the terms of his home loan prior to a referral to BROOKLYN A by a housing counselor at a local community organization. Mr. Ramirez had been stuck with a "balloon payment" – a mortgage loan structured to pay small amounts of interest in the beginning before the complete payment is owed after a limited period of time. Mr. Ramirez had unsuccessfully attempted to modify the loan, but the monthly payments he was being offered were far in excess of his means, particularly after losing rental income. After he filed a pro se legal document drafted by BROOKLYN A for his foreclosure case, the bank offered him a loan modification three weeks later with terms he could meet.



*\*Names have been changed to protect the confidentiality of our clients*

# STAFF

## CED UNIT STAFF

**PAUL J. ACINAPURA, ESQ.**  
*General Counsel*  
pacinapura@bka.org



Paul is the General Counsel of BROOKLYN A and founder of BROOKLYN A's Community and Economic Development Unit. His pioneering work includes facilitating the financing of the capital expansion of primary care health facilities run by community-based providers. He also has leadership roles in community organizations, including being a board member of Urban Health Plan, general counsel of the Brownsville Multi-Service Family Health Center, and special counsel to The Bedford-Stuyvesant Family Health Center, Inc. Paul joined BROOKLYN A in 1974, and led its CED practice since 1976. Paul is an alumnus of Rutgers University Law School in New Jersey.

**JESSICA ROSE, ESQ.**  
*Director*  
jrose@bka.org



Jessie joined the CED Unit in June 2004 after three years of practice in the public finance firm Hawkins Delafield & Wood LLP. As an associate at that firm, she worked on all aspects of its structured finance and public finance practice as bond and underwriter's counsel in the public offerings of debt obligations of governmental entities. As director of the CED Unit, she is responsible for the coordination of all the Unit's work with their clients as their general counsel and as project counsel on the client's affordable housing, healthcare, and educational facility development matters. She is a graduate of Fordham University School of Law, where she was a Stein Scholar in Public Interest and Ethics.

**MICHAEL HABER, ESQ.**  
*Senior Staff Attorney*  
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Mike joined the CED Unit in September 2005 as an Equal Justice Works Fellow and is now a senior staff attorney. His fellowship focused on working closely with community-based organizations to maintain the affordability of housing currently subsidized by the federal Low-Income Housing Tax Credit Program. Mike originally interned with the CED Unit during the summer after his first year in law school. He graduated from Fordham University School of Law in 2005, where he was a Stein Scholar in Public Interest and Ethics, and recipient of the Archibald R. Murray Public Service Award, and has master's degrees from Carnegie Mellon University and New College of Florida.

**NICOLE PRENOVEAU, ESQ.**  
*Staff Attorney/Equal Justice Works Fellow*  
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Nikki is the most recent addition to the CED Unit, joining in September 2008 as an Equal Justice Works Fellow. Her fellowship focuses on providing assistance to non-profit community development corporations (CDCs) building and maintaining "green" or "sustainable" affordable housing, health centers and other vital neighborhood infrastructure primarily in North and East Brooklyn, as well as developing resources for community economic development lawyers who represent CDCs wanting to go green. She also works on general CED matters with the rest of the Unit. Nikki graduated from Brooklyn Law School in 2008 where she was an Edward V. Sparer Public Interest Law Fellow.

## GROUP REPRESENTATION UNIT STAFF

**MARTIN S. NEEDELMAN, ESQ.**  
*Project Director &  
Chief Counsel*  
mneedelman@bka.org



Marty is Project Director and Chief Counsel of Brooklyn Legal Services Corporation A, positions he has held since 1984. He joined BROOKLYN A in 1971 as a Reginald Heber Smith Fellow, specializing in education, immigration, civil rights, housing, and community group representation. Throughout his 35 years with BROOKLYN A, Marty has received a number of awards for his community leadership and legal services work. He is a graduate of East New York's Thomas Jefferson High School, Brooklyn College, Boston University (J.D.) and NYU (LL.M.) Law Schools. Marty founded and directs the Unit.

**ROBERTO MARRERO, ESQ.**  
*Senior Staff Attorney*  
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Roberto joined BROOKLYN A in 1989 after graduating from CUNY Law School. He has been part of the housing units representing both individual tenants facing eviction and tenant associations fighting to improve conditions in their building and against gentrification. Roberto has also served as a legislative aide in the New York State Assembly and as a Court Attorney in NYS Supreme Court for Kings County.

**JOANNE KOSLOFSKY, ESQ.**  
*Senior Staff Attorney*  
jkoslofsky@bka.org



Joanne joined the Group Representation Unit in September 2004 after more than a decade of practice in various public interest and labor organizations, including Housing Conservation Coordinators in Hell's Kitchen, Queens Legal Services, United Electrical, Radio, and Machine Workers of America, and the Puerto Rican Legal Defense and Education Fund. Her work at BROOKLYN A is focused on preserving decent, affordable housing by representing tenants' groups in their struggle to obtain repairs and essential services and prevent the loss of their homes via illegal rent increases and illegal evictions. Joanne is a graduate of CUNY Law School at Queens College and has a master's degree in Economics from the University of Massachusetts at Amherst.

**VANCE GATHING, ESQ.**  
*Staff Attorney*  
vgathing@bka.org

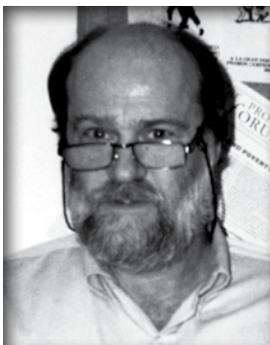


Vance joined the Group Representation Unit in September 2007 following a fellowship developing shared-equity housing with the Urban Homesteading Assistance Board. He studied sociology at University of Wisconsin (Madison) before graduating from the John Marshall Law School, and has served as a tenant advocate with the Tenant Resource Center, Madison Equal Opportunity Commission, John Marshall Fair Housing Clinic, and Cabrini Green Legal Aid. His work at BROOKLYN A is focused on preserving affordable housing by representing tenants organized against hazardous conditions, harassment, and community displacement, out of the Bushwick office, particularly in conjunction with Bushwick Housing Independence Project.

# STAFF

## ANTI-PREDATORY LENDING AND FORECLOSURE PREVENTION UNIT STAFF

**RICHARD WAGNER, ESQ.**  
*Director of Litigation*  
rwagner@bka.org



Rick has been BROOKLYN A's Director of Litigation since 1985. Prior to that, he worked at NBC-TV from 1967-1969, the Center for Constitutional Rights from 1970-1975, and the firm of Stolar, Alterman, Wagner & Boop until joining BROOKLYN A. He graduated from Adelphi University and New York Law School where he graduated cum laude. Rick has initiated groundbreaking legal strategies, including use of federal civil statute against owners of dilapidated housing projects receiving federal subsidies, and affirmative federal civil conspiracy lawsuits against both predatory sellers and mortgage lenders. Rick founded and directs the Unit.

**JOSEPH SANDERS, ESQ.**  
*Staff Attorney*  
jsanders@bka.org

Joe joined the BROOKLYN A Foreclosure Prevention Unit in March 2008. Prior to coming to BROOKLYN A, Joe was a litigator for the Administration for Children's Services for two years after his admission to the New York State Bar. Joe graduated from Loyola University Chicago School of Law, where he was an Antitrust and Consumer Law Fellow. Joe also worked for the Consumer Protection division of the Illinois Attorney General's Office while in law school. Joe's work at BROOKLYN A is focused helping homeowners who are facing foreclosure or have become the victim of "foreclosure rescue" schemes.



**LAUREN FOUDA, ESQ.,**  
*Staff Attorney*  
lfouda@bka.org

Lauren joined BROOKLYN A's Comprehensive Rights Unit in January 2008 and transferred to the Foreclosure Prevention Unit last September. Before joining BROOKLYN A, she worked as a law clerk for the American Civil Liberties Union of Northern California, a refugee status determination officer for the UN High Commissioner for Refugees in Cairo, Egypt, and an intern for Catholic Charities Immigration Legal Services. Lauren graduated from Georgetown University Law Center in 2007, where she was president of the Innocence Project and an editor of the Georgetown Journal on Poverty Law and Policy.

**RAFAEL MARTINEZ, ESQ.**  
*Senior Staff Attorney*  
rmartinez@bka.org



Ralph has been with BROOKLYN A since 1998 bringing with him, at that time, more than 20 years of practice in both the private and public sector, including positions of General Counsel to the Roosevelt Island Operating Corporation, Vice-Chair of the New York City Loft Board, and New York City Planning Board Commissioner. From 1998 through 2007, Ralph was a member of the CED Unit, and in 2008, he transferred to the Foreclosure Prevention Unit. He is a graduate of Brooklyn Law School.

**DAVID J. BRYAN, ESQ.**  
*Senior Staff Attorney*  
*Bushwick Office Managing Attorney*  
dbryan@bka.org



Dave Bryan, the Managing Attorney of the Bushwick Office, is a 1994 graduate of New York University and 1998 graduate of the University of North Carolina at Chapel Hill School of Law. Since joining BROOKLYN A in December 1998 David has been a member of our Comprehensive Rights Unit serving the HIV infected and affected population of Central and East Brooklyn. In 2005 Dave became the director of the Comprehensive Rights Unit and has since directed many initiatives including the Single Stop Program funded by the Robin Hood Foundation. In 2008, Dave added foreclosure

prevention to his practice. A United Way Senior Fellow, Dave is currently attending Baruch College to obtain a Masters Degree in Public Administration so as to become a more effective advocate and manager for delivery of legal services to the poor.

**ROBERT SHEEHAN**  
*Legal Assistant*  
rsheehan@bka.org



Rob joined BROOKLYN A's Foreclosure Prevention Unit in November 2008, after spending time as a Legal Assistant in our Government Benefits Unit. Rob was an Urban Studies major at his alma mater, University of Pennsylvania.

## SIMPSON THACHER & BARTLETT LLP EXTERNSHIP

In January 2009 the CED Unit started a new externship program with the firm of Simpson Thacher & Bartlett LLP. For four month cycles, Simpson associates work full time at BROOKLYN A's East Brooklyn Office with the CED Unit. They collaborate with the other CED Unit attorneys on their clients' larger community development projects (which largely relate to affordable housing, healthcare and education).

**RAFAEL VASQUEZ**, an associate in the Capital Markets and Securities group at Simpson since 2006, was the first Simpson extern with the CED Unit from January through April 2009. Rafael graduated from New York University Law School in 2006 where he was Notes Editor of the Journal of Law & Business. He received his B.A. from Yale University in 2003. CED Unit



Director Jessica Rose said, "We are all extremely excited about this new relationship between Simpson and BROOKLYN A. Rafael as our first Simpson extern set the bar high with the enthusiasm, intelligence, hard work and kindness he brought to his work for our clients." Mr. Vasquez shared in the CED Unit's enthusiasm, "this was a great opportunity to extend my corporate transactional experience to the representation of community-based organizations and to see the direct

and tangible results of our legal work on the local level."

**GUSTAVO BENCHIMOL**, an associate in the Capital Markets and Securities group and member of the Latin American practice at Simpson since 2007, is the second Simpson extern with the CED Unit from May through August 2009. He received his LL.M. from Columbia University Law School in 2005 and completed postgraduate work in Corporate Law at the Brazilian Institute of Capital Market and received his LL.B. from Catholic University of Rio de Janeiro in 2001. Prior to joining Simpson, Gustavo was an associate at Allen & Overy LLP in New York and an associate at Villemor Amaral Advogados in Rio de Janeiro, Brazil.



# FINANCIAL SUMMARY

## BROOKLYN A STATEMENT OF FINANCIAL POSITION YEAR ENDED DECEMBER 31, 2008\*

### ASSETS

#### CURRENT ASSETS

Cash and Cash Equivalents	\$139,184
Government Contracts Receivables	\$650,426
Grants and Contributions Receivables	\$262,130
Other Receivables	\$70,763
Prepayment	\$6,495
Inter-Company Receivables	\$132,764
Escrow	\$149,796

**Total Assets** **\$1,411,558**

### LIABILITIES

#### CURRENT LIABILITIES

Accrued Expenses and AP	\$127,800
Current Portion of Mortgage	\$31,253
Current Portion of Equipment	\$20,328
Accrued Leave Payable	\$314,187
Inter-Company Payables	\$695,454
Escrow Liability	\$149,796

**Total Current Liabilities** **\$1,338,818**

#### LONG TERM LIABILITIES

Mortgage Payable	\$473,963
Notes Payable Corp. Treasury	\$20,328
Total Long Term Liabilities	\$494,292

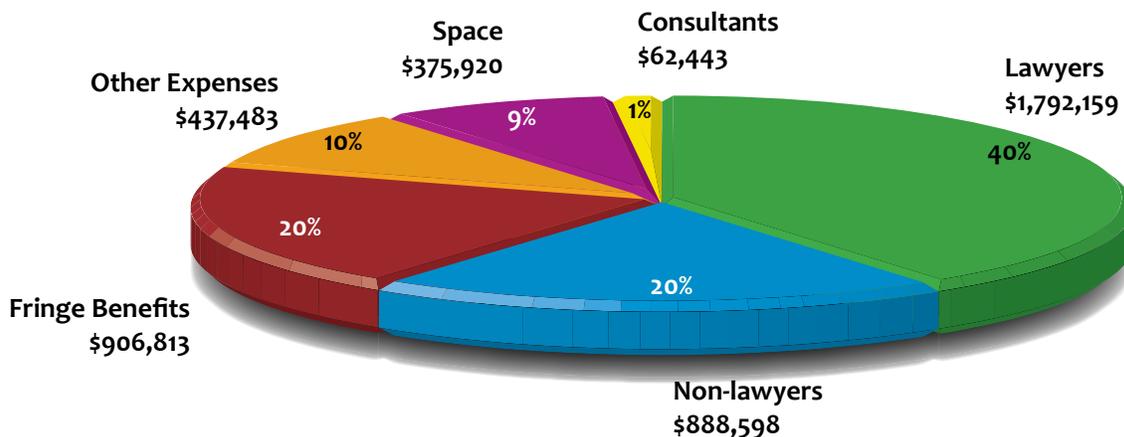
**Total Liabilities** **\$1,833,110**

#### NET ASSETS

Beginning Net Assets Balance	\$1,090,707
Change In Net Assets	\$64,951

**Total Net Assets** **\$1,155,658**

**Total Liabilities and Net Assets** **\$2,988,768**

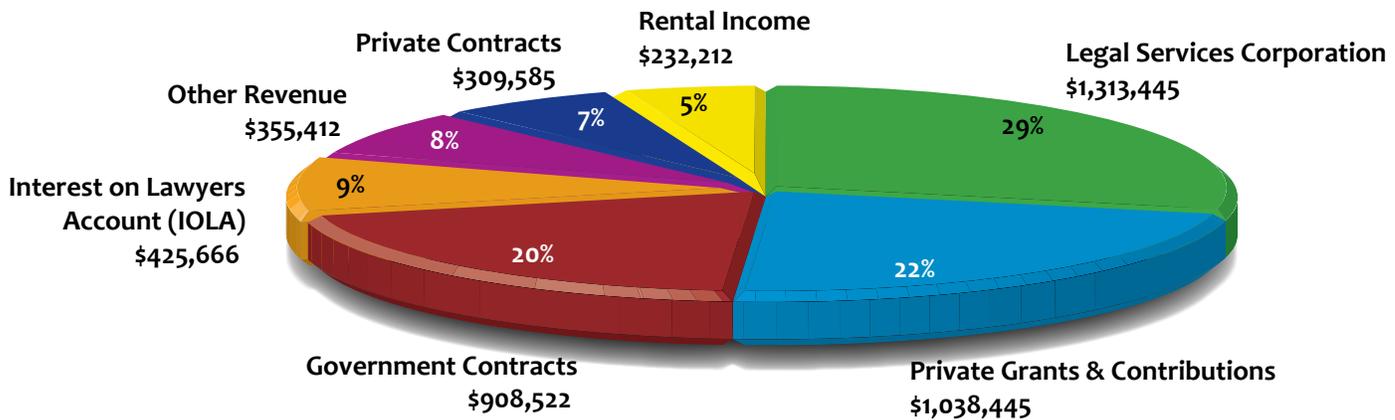


\* As of 3/15/09 – unaudited financials

# BROOKLYN A STATEMENT OF ACTIVITIES

YEAR ENDED DECEMBER 31, 2008\*

SUPPORT AND REVENUE	
Legal Services Corporation	\$1,313,445
Interest On Lawyers Account (IOLA)	\$425,666
Donated Services	\$155,679
Private Grants & Contributions	\$1,038,445
Government Contracts	\$908,522
Private Contracts	\$309,585
Interest	\$978
Rental Income	\$232,212
Other Revenue	\$354,434
<b>Total Support And Revenue</b>	<b>\$4,738,965</b>
EXPENSES	
Total Personnel	\$3,763,249
Total Other Than Personnel Costs	\$996,423
<b>Total Expenses</b>	<b>\$4,759,672</b>
<b>Change In Net Assets</b>	<b>\$64,951</b>
<b>Net Assets - Beginning Of Year</b>	<b>\$1,090,707</b>
<b>Net Assets – End Of Year</b>	<b>\$1,155,658</b>



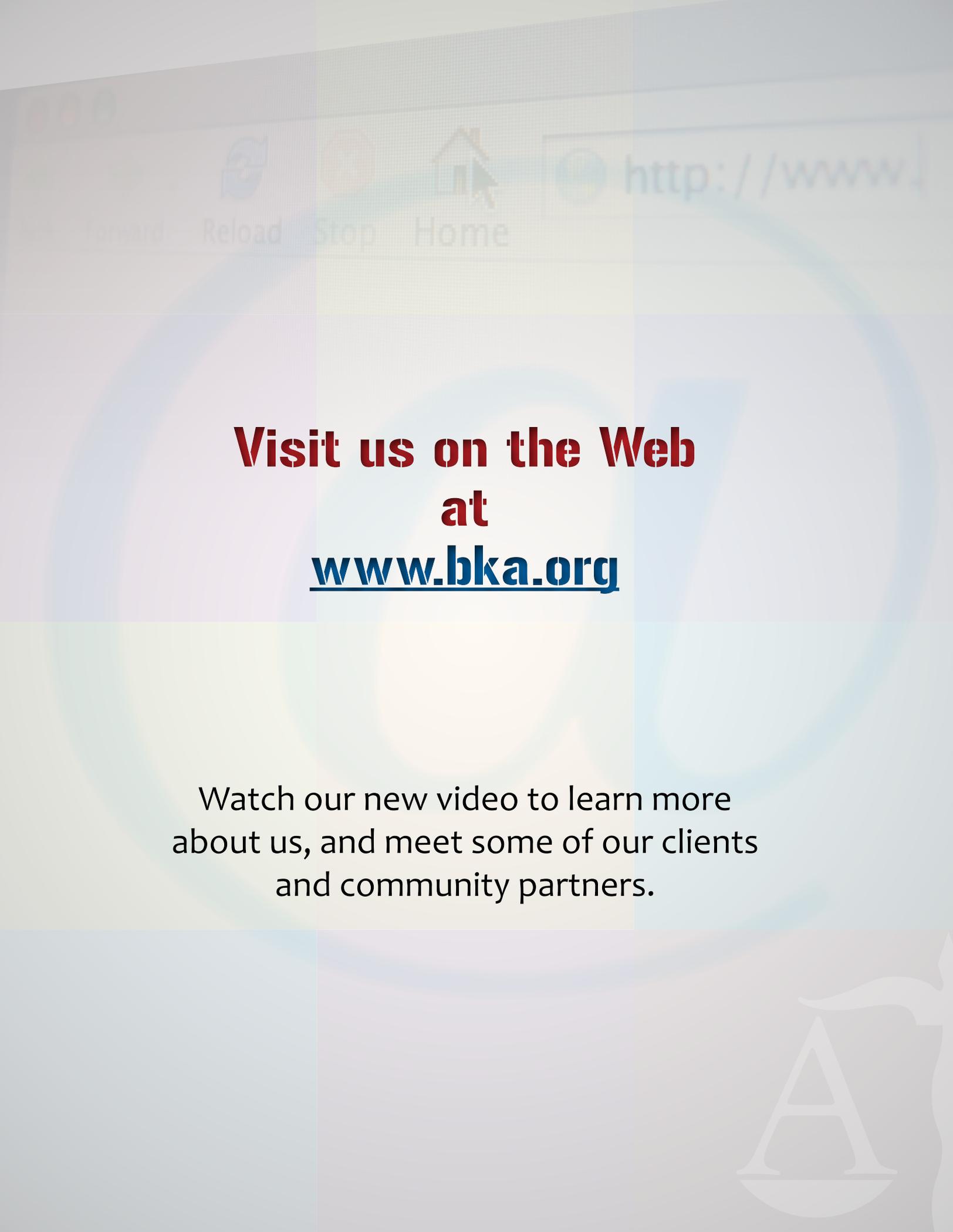
\* As of 3/15/09 – unaudited financials

# OUR DONORS

The work of BROOKLYN A is made possible through private support from individuals, community-based organizations, foundations, small businesses, large corporations, and financial institutions that believe in the positive impact that our work has in improving Brooklyn's communities and the quality of life of its residents. The following donors support our work by way of our annual CED campaign, the Annual Gala, and individual contributions.

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We would also like to thank the entire "Partnership for Community & Economic Development", namely our CED team, our community partners, those law firms providing pro bono assistance to our team, and you, who provide the moral, political and economic support, without which none of this great work would have been possible.



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Watch our new video to learn more about us, and meet some of our clients and community partners.



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For further information about the Community and Economic Development Unit, please call Jessica Rose at 718-487-1300  
For further information about the Group Representation Unit, please call Martin S. Needelman at 718-487-2300  
For further information about the Anti-Predatory Lending and Foreclosure Prevention Unit, please call Richard Wagner at 718-487-1300

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