The
COMMUNITY
DEVELOPMENT
DOCKET YEAR 2002
Brooklyn Legal Services Corporation A

And The

Partnership for Community and Economic Development

Community Development Docket Year 2002

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Our Partnership for Community & Economic Development is a public-private collaboration to expand housing and childcare, health, nursing home, educational and recreational services, and to create neighborhood-based businesses and jobs in Brooklyn.
Brooklyn Legal Services Corporation A

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INTRODUCTION

"If it is really equal justice we are concerned about, then the use of law, the knowledge of law and the role of lawyers means more than simply the availability of a lawyer at the moment a legal defense is required or ... [a] 'test case' is sought. Other major elements of the population do not so restrict the term 'legal aid' where they are themselves concerned."

Business (people), individually and in their corporate capacities, use lawyers in a multitude of ways to advance their immediate and long-range interests. Lawyers are prime tacticians and strategists for advancing economic goals of corporations. Lawyers are lobbyists and propagandists. Lawyers are negotiators and advocates in the trustiest and broadest sense of the term, and not merely where suit has been brought against the corporation.

... The same concept of legal assistance should apply to the poor. ... The new legal aid lawyer's role should be defined by the broadest reaches of advocacy, just as is the role of the corporation lawyer and the labor lawyer and the real estate board lawyer. Central to the new legal aid lawyer's role is the task of helping to articulate and promote the hopes, the dreams, and the real possibility for the impoverished to make the social changes that they feel are needed, through whatever lawful methods are available.

— Edward V. Sparer*

It has been more than 35 years since Edward Sparer, one of the principal philosopher-founders of the legal services movement, issued this call to public-interest advocates. Since that time, the country has seen the emergence of a nationwide legal services structure providing representation to thousands of individuals who may otherwise have access to justice. But despite these advances, much of Sparer's original message has now been forgotten. Today, Sparer's call for a legal services "defined by the broadest reaches of advocacy" is seldom heard.

For Brooklyn A, however, as for Sparer, effective legal services involves more than the defense of individuals and families facing crises. It involves close collaboration with community residents and ongoing representation of the groups and organizations working to address the long-term needs of their communities. During its 33 years as the primary provider of free legal services to grassroots organizations throughout North and East Brooklyn, Brooklyn A has maintained a firm commitment to such representation. As emphasized in its mission statement:

"The Board of Directors, management and staff are dedicated to maximizing the Corporation's effectiveness in serving the community via close and mutually supportive relationships with effective local grassroots organizations that have a demonstrated commitment to our common goal of social and economic justice."

This expansive vision of the role of legal services advocacy has been integral to Brooklyn A's efforts for nearly three decades. From the beginning, Brooklyn A's staff attorneys have been joining forces with local groups to improve the lives of community residents and their families. Over the years, this collaborative process has resulted in the creation of new and rehabilitated housing, the empowerment of tenants, the expansion of health care and childcare services, the development of community centers and nursing homes, and the creation of jobs and minority and community-owned businesses.

In 1986, Brooklyn A decided to institutionalize its commitment to community-building and development through the creation of a specialized Community & Economic Development Unit. Staffed by experienced attorneys, this Unit provides legal assistance to non-profit community-based organizations in the Oceanhill-Brownsville, Williamsburg, Greenpoint, East New York, Cypress Hills, Bushwick, and Bedford-Stuyvesant neighborhoods. Today, the Unit has more than 100 community partners and is recognized as a local and national beacon of success in the building of self-sustaining neighborhoods. The main thrust of the Unit's work involves:

- representation of community development corporations (CDCs) that provide a broad range of programs and services to low-income people
- participation in major development projects in which these CDCs are involved as well as representation of tenants associations seeking to address serious conditions within their buildings, frequently through vehicles of tenant self-management and/or ownership
- grassroots efforts to change public or private practices which harm low-income residents of North and East Brooklyn

The approach of Brooklyn A's Community & Economic Development team is very much a collaborative one. As Paul Acinapura, Director of the Unit, explains: "We are not saviors in dealing with the problems facing our community and its residents. We are participants in a community-driven, community-controlled response to an injustice."

Over the years, the work of Brooklyn A's Community & Economic Development Unit has come to be seen as a model for other legal services programs throughout the country. In 1993, the Unit was selected by the National Economic Development and Law Center as a "mentor" to help other legal services programs launch similar work. In 1994, it initiated, in collaboration with CUNY Law School, an innovative Housing and Community Development Clinic which won two Legal Services Civil Clinical Program grants. The Unit's work is featured in the video, So Goes a Nation (sponsored by New York Lawyers for the Public Interest and Fordham Law School), and articles in the New York University Review of Law and Social Change (Vol. 23, No. 1, Fall 1997) and the Fordham Urban Law Journal (Vol. XXV, No.4, Summer 1998).

This Docket provides an overview of Brooklyn A's housing and community development work. It describes the CDCs, tenant associations, and grassroots campaigns represented by Brooklyn A and the scope of that representation. In so doing, it demonstrates the strength of the client-attorney relationship Brooklyn A has developed within the community. More importantly, it bears witness to the extensive range of Brooklyn A's work and the enduring relevance of the original legal services vision. Without the dedicated assistance of Brooklyn A's Community & Economic Development Unit, many of the projects in this docket could not be accomplished.

This Docket includes many projects in the current pipeline of work as well as some completed development activities.
"Rehabilitate abandoned houses, open a day care center, establish an alternative parent-led public school—the list of projects Brooklyn A has helped us and other community groups accomplish is endless."

Michelle Neugebauer
Executive Director, Cypress Hills Local Development Corporation

"Without the vast amount of legal help provided to us by Brooklyn A and its Community and Economic Development legal team for more than 25 years, our Multi-Service Family Health Center would not exist. Today, we are providing the Brownsville community with more than 50,000 dental and medical visits annually in a full range of medical services. No longer do our patients have to go to the Emergency Rooms and Medicaid mills. Rather, they receive primary health care from a staff of more than 140 people, many of whom live in the neighborhood . . . None of this is possible without the close, collaborative, and historic relationships forged with Brooklyn Legal Services Corporation A. Paul Acinapura and the other lawyers see us through the financing, planning, regulatory, and other processes."

Maurice Reid
Executive Director, Brownsville Multi-Service Family Health Center

"As a non-profit community housing organization in the Southside section of Williamsburg, Brooklyn, Los Sures has a 25-year history of partnering with Brooklyn A’s attorneys. Our organizers work closely with Brooklyn A lawyers to assist tenants associations. Without Brooklyn A, tenants would really be in a lot of trouble. Many of these successful efforts result in low-income tenants being able to acquire and run their own buildings, and sustain them with rents that they can pay."

Barbara Schenck
Director, Housing Resources Unit, Southside United Housing Development Fund Corporation (Los Sures)

"The work of Brooklyn A demonstrates the truly creative role that lawyers can play in enabling individuals and communities to control their destiny. . . . The breadth and importance of their community and economic development activities show that Brooklyn A has become an indispensable part of Brooklyn’s social and economic fabric. Through these efforts, their staff is leveraging their good work many times over. Their operations should serve as a model for groups around the City who share the values of raising up the standards of our communities."

Henry L. Ring
Partner, Davis Polk & Wardwell

"Once, lawyers were an integral part of our nation’s ‘War on Poverty.’ As part of that effort, the federal legal services program was created to provide legal assistance to low-income people and communities across the country. During the last two decades, however, the right of poor people to legal counsel has come under constant attack. With the resulting massive federal cutbacks, low-income communities are now more vulnerable than at any time since the Great Depression. Today, many question whether lawyers have any role whatsoever to play in fighting poverty."

"Having grown up in Brooklyn, I know firsthand the work of Brooklyn Legal Services Corporation A. For over 32 years, it has worked very closely with its communities to build collaborative relationships that are a crucial foundation for community empowerment."

Jimmy Smits
Actor & Narrator of the film, So Goes A Nation, Community Lawyering in the 21st Century
I. COMMUNITY PARTNERS

A. COMMUNITY DEVELOPMENT ORGANIZATIONS

Brooklyn A has developed a special on-going relationship with some of the largest, long-standing, multi-program organizations serving the low-income residents of North and East Brooklyn. These CDCs are provided with a full range of "house counsel" services. The Community & Economic Development Unit represents them in corporate and tax matters, contract negotiations, drafting and interpreting documents, real estate transactions, administrative, licensing, regulatory and personnel matters, and litigation. It also offers strategy consultation, grant writing, and project coordinating services, as well as analysis of the legal, financial and political implications of program and policy options.

The continuity and breadth of this representation has given Brooklyn A a deep understanding of the special needs of its clients and their communities. It has enabled the Community & Economic Development Unit to build long-term relationships of mutual trust and respect with CDC officers and other community leaders. As counsel to groups which share common interests and engage in similar activities in adjoining neighborhoods, Brooklyn A has been able to facilitate a beneficial exchange of information, sharing of resources, and coordination of proposals, programs and work among the groups it represents.

The following is a partial list of the CDCs currently being served by Brooklyn A as house counsel or special project counsel. Brooklyn A also represents approximately 60 tenant associations in the neighborhoods:

New Visions School
Cypress Hills
1. Multi-Service Organizations

**Bushwick Information Coordinating and Action Committee (BICAC):** Developer of low and moderate income and special needs housing, sponsor of commercial revitalization, and provider of social services for youth and senior citizens in the eastern part of Bushwick.

**Central Brooklyn Neighborhood Employment Center (CBNEC):** Provider of services to help low-income residents of Oceanhill-Brownsville, Bushwick and Bedford-Stuyvesant get and keep decent long-term jobs.

**Cypress Hills Local Development Corporation (CHLDC):** Sponsor of low-income and special needs housing, child care, inter-generational programs, commercial revitalization and small business development mentoring, counseling, advocacy, family and youth services for residents of the Cypress Hills section of East New York.

**East New York Local Development Corporation (ENYDC):** Provider of commercial revitalization job training, job referral and supportive services to low-income community residents, especially the youth.

**Northeast Brooklyn Housing Development Corporation (NBHDC):** Developer and manager of low-income and special needs housing and provider of commercial revitalization, advocacy and other social services in the northeast section of Bedford-Stuyvesant.

**Oceanhill-Brownsville Tenants Association, Inc. (OHTBA):** Developer and manager of low-income housing, provider of advocacy and youth services; promoter of worker/community owned businesses; founding participant in the NYC Community Management Program (through which CDCs renovated occupied City-owned buildings and arranged for their sale to the tenants in a non-profit community-based entity).

**People's Firehouse Inc.:** A multi-service community service organization on Williamsburg's Northside operating supportive-housing, organizational assistance to low-income cooperatives, a weatherization program, and advocacy services.

**Ridgewood-Bushwick Senior Citizens Council Inc. (RBSCC):** Provides a diverse range of social, housing, and advocacy services to neighborhood residents of all ages. RBSCC provides comprehensive services from a 10-location operation serving more than 10,000 people yearly.
**St. Nicholas Neighborhood Preservation Corporation (St. Nick’s):** A large, community-based multi-service organization serving the neighborhoods of East Williamsburg and Greenpoint. Fondly known as St. Nick’s, this organization develops housing, creates jobs, engages in commercial revitalization and business development, assists tenant associations and tenant cooperatives, supports youth, and cares for the elderly.

**Southside United Housing Development Fund Corporation (Los Sures):** A grassroots, multi-service organization dedicated to the revitalization of Williamsburg’s Southside neighborhood. Founded as a local housing development corporation, Los Sures programs now include: a management team (responsible for approximately 1,200 units in 90 buildings), a Housing Resources Unit (which provides organizing and technical support to over 40 tenants associations and low-income co-op boards), a senior citizens program, a social services agency, and a support center for victims of domestic violence.

**2. Day Care Providers**

[Photo of two adults and a child]

**Children and Parents Day Care Center:** A neighborhood-based provider of day care services to low-income families throughout the Williamsburg area.

**Nuestros Niños Child Development School (Nuestros Niños):** Williamsburg-based operator of one of the largest day care programs in all of New York City. Nuestros Niños serves more than 800 children each year and provides living-wage jobs to Williamsburg residents.

**3. Neighborhood-Based Health Care Providers**

**Bedford-Stuyvesant Family Health Center, Inc. (BSFHC):** Principal provider of comprehensive community-based primary health care services for low-income people in Central Brooklyn.

**Brownsville Multi-Service Family Health Center, Inc:** Principal provider of comprehensive community-based primary health care services for low-income people in East Brooklyn.

**Urban Health Plan, Inc.:** Principal provider of comprehensive community-based primary health care services for low-income people in the south Bronx.

**B. NEWLY FORMED, COMMUNITY-BASED ORGANIZATIONS**

Brooklyn A provides legal consultation and representation to North and East Brooklyn community residents who are creating new, smaller neighborhood-based organizations or formalizing long-standing grassroots groups. The activities and programs of these organizations range from athletic, arts, cultural, educational, youth, and recreational services to job training programs. Clients also include tenant and block associations as well as the North Brooklyn Coalition for the Arts, Inc., and the North Brooklyn Coalition Against Family Violence, Inc. Sometimes community members come in with an idea of an unmet community need or a vision of what could be done and meet with Brooklyn A staff to discuss how their concepts can be realized. Brooklyn A representation may include: helping select and form the appropriate organizational structure, drafting by-laws, obtaining tax exemptions, and discussing regulatory compliance, directors’ responsibilities, funding, organizational development, contracting, and employment issues.
II. CURRENT DEVELOPMENT PROJECTS

A. LOW-INCOME HOUSING

1. Cooperatives

2182 Atlantic Avenue HDFC: A 16-unit building rehabilitated through HUD's Section 312 Rehabilitation Loan Program, with technical assistance from OHBTA. After rehabilitation, the HDFC defaulted on its HUD mortgage and its NYC real estate taxes. While litigating HUD's mortgage foreclosure, Brooklyn A negotiated a settlement in which HUD deferred repayment of mortgage arrears and NYC took title to the building (thereby canceling back real estate taxes) and then sold it back to the HDFC for operation as a low-income limited-equity co-op. Other Brooklyn A representation included: reviewing the cooperative offering plan prepared by HPD; explaining the co-op structure to tenants and helping prepare them for co-op ownership; drafting the property management contract and commercial leases; title closing; advice on legal issues facing the co-op Board, and most recently assistance in refinancing a balloon payment due under its mortgage note.

2178 Atlantic Avenue HDFC: A 16-unit building rehabilitated through HUD's Section 312 Rehabilitation Loan Program, with OHBTA technical assistance. This building's financial history is similar to 2182 Atlantic Avenue's. Brooklyn A served as co-counsel with Fried Frank Harris Shriver & Jacobson in the bankruptcy proceeding which enabled the HDFC to avert mortgage tax foreclosure and then permitted restructure of finances so that the HDFC would retain ownership of property.

Hancock Manor: A $1.75 million NBHDC project involving the acquisition of 4 contiguous abandoned, vacant buildings and their rehabilitation into 16 apartments. The complex also includes a community space and a storefront office for NBHDC. The apartment area is leased to a non-profit co-op corporation under terms that (i) limit membership to low-income households, (ii) assure permanent affordability, and (iii) limit the equity a member can accumulate (a member who leaves the co-op can sell only to the co-op corporation, at a price set by the lease). Financed by the NYS Housing Trust Fund Corporation, NYS Division of Housing and Community Renewal, and NYS Department of Housing Preservation and Development (HPD). Completes renovation of a block of lovely brownstones and revitalization of a commercial strip in the northeastern part of Bedford-Stuyvesant.

Brooklyn A's representation of NBHDC and the subsidiary it formed for this project included: predevelopment coordination; forming the subsidiary and co-op corporation; obtaining the subsidiary's federal tax exemption; drafting and negotiating architectural, construction and property management contracts, the subsidiary's lease agreements with NBHDC and the co-op corporation, and its construction loan and regulatory agreements; title and loan closings; preparing the cooperative offering plan, including subscription agreements and proprietary leases; obtaining the NYS Attorney General's acceptance of the offering plan; negotiating with the NYC Department of Social Services to secure grants that enable public assistance recipients to purchase memberships in the co-op; assistance in obtaining real estate tax abatement; explaining the co-op structure to new tenant/owners and helping them prepare to operate the co-op corporation.

Jose Maria Garcia HDFC: A low-income, limited equity residential cooperative with 25 apartments and 5 commercial spaces formed by tenants of buildings that OHBTA rehabilitated through HPD's Community Management Program (CMP). OHBTA currently manages the property and leases a commercial space.

Brooklyn A is counsel to OHBTA and the co-op corporation. Representation included: reviewing the cooperative offering plan prepared by HPD; explaining the co-op structure to tenants and helping prepare them for co-op ownership; drafting the property management contract and commercial leases; title closing; and advice on legal issues facing the co-op Board.
376 Keap Street: Brooklyn A is also working with the 40 tenant families who own 376 Keap Street in Williamsburg, to convert their building into a tenant cooperative. This is a Southside United HDFC (Los Sures) project. The building was in foreclosure when the prior landlord abandoned it, threatening the tenants with imminent eviction and/or forced vacating of the building. Brooklyn A successfully defended the tenants association against Freddie Mac, the federal mortgage agency that had been seeking to enjoin its long-running rent strike in Federal Court. The tenants then bought the building using the withheld rent, $325,000. Brooklyn A is representing the tenants in seeking the State Attorney General’s approval for the conversion from the current tenant-owned entity to a cooperative corporation. Once the corporate conversion is completed, Brooklyn A will represent the co-op in obtaining financing for and in completing the renovation which will cost approximately $1 million. Brooklyn A will provide the extensive legal work in obtaining the Attorney General’s approval for the conversion plan, including drafting and negotiating waivers, offering plans, revised certificate of incorporation, by-laws, proprietary leases, renovation financing arrangements and paperwork, as well as construction contracts.

265 Lee Avenue HDFC: Brooklyn A has represented the tenants of this 6-unit building through its conversion to a cooperative. Continuing to serve as its counsel, Brooklyn A has appeared on its behalf for administrative and legal issues, including its successful application for a DEP forgiveness grant to reduce its water bill obligation caused by a commercial tenant’s negligence.

789 MacDonough HDFC: A low-income, limited equity residential cooperative similar to Jose Maria Garcia HDFC, with 41 apartments that OHTBA rehabilitated through CHP Scope of Brooklyn A representation as in Jose Maria Garcia HDFC.

2185 Pacific Street HDFC: A 16-unit low-income co-op rehabilitated through the tenants’ sweat equity. Brooklyn A advises on various legal issues and helps resolve perennial problems with real estate taxes and water/sewer charges.

59 Troutman: A $260,000 Ridgewood-Bushwick project involving the purchase and rehabilitation of an 8-tenant building threatened with foreclosure. Brooklyn A served as counsel to the tenants in court against the building’s landlord and prepared the financial package for the purchase and rehabilitation of the property. In addition, Brooklyn A worked with the Community Service Society’s Ownership Transfer Program to transform the building into a low-income, limited-equity residential cooperative. The transfer was financed by Article 8A municipal loans. The purchase and rehabilitation were completed in the Summer of 1998.

392 South 5th Street: In Supreme Court, we successfully defended a challenge to the election of a new corporate board, obtained an order for turnover of corporate books and records and financial accounting, sought and won enforcement in contempt, assisted the new board in obtaining management services, and received thousands of dollars in accounts hidden by members of the prior board.
104 Division Avenue: Advised this low-income coop with regard to enforcement of a policy against unapproved sales of shares, securing of an abandoned apartment, attempts at forcible entry by a purported purchaser, attempts to bribe co-op officer, insurance company's obligation to cover and represent the co-op against a meritless suit which alleged discrimination. Collaborating with attorney provided by insurance company in defending against said litigation.

195 South 4th Street: Assisted low-income co-op in obtaining partition of tax lot and adjustment of tax and water bills and cancellation of tax liens. Advised on insurance matters. Now defending against a $200,000 lawsuit by a disgruntled shareholder who wants her neighbor evicted.

26 Havemeyer Street: Assisting low-income co-op in reconstruction of corporate books and records.

252 Heyward Street: Assisting low-income co-op in reconstruction of corporate books and records.

63 Franklin Avenue: Assisting low-income co-op in reconstruction of corporate books and records and transfer of banking authorizations without cooperation of deposed corporate officer.

2. Mutual Housing

Thomas S. Boyland HDFC: A non-profit corporation formed by OHBTA to purchase and operate low-income rental housing under the governance of a Board of Directors which will include representatives elected by the tenants of each participating building. Formed in 1992, this mutual housing association already has acquired 10 occupied buildings, containing more than 200 apartments, which OHBTA previously rehabilitated through CMP at a cost of $9.5 million.

Brooklyn A is counsel to OHBTA and the HDFC. Representation included: forming and organizing the HDFC as a mutual housing association; obtaining federal tax exemption; drafting and negotiating loan and regulatory agreements; obtaining abatement of real estate taxes and water and sewer charges; title and loan closings; negotiation with a consortium of City-wide organizations attempting to form a mutual housing trust to support and assist community-based mutual housing associations.

3. Rental Housing

2170 Atlantic Avenue HDFC: A project involving 35 units of formerly City-owned low-income housing which OHBTA rehabilitated through CMP and currently manages for a community-based HDFC owner. Brooklyn A advises the HDFC on business and tax issues, prepared its application for supplemental rehabilitation funds through HPD's 8A Loan Program, and represented it at the loan closing.

Cheryl's Villa: A $3.5 million NBHDC project involving the acquisition of 5 abandoned, vacant buildings and their rehabilitation to 40 units of low-income rental housing (12 reserved for homeless or doubled-up households). Financed by HPD, with Enterprise Foundation technical assistance, as a federal low-income housing tax credit (LIHTC) syndication.

Brooklyn A is counsel to NBHDC and the business corporation subsidiary and limited partnership it formed for this project. Representation includes: forming the subsidiary and partnership; predevelopment coordination (e.g., environmental audits, insurance coverage, permits); drafting and negotiating architectural, construction and property management contracts; preparing LIHTC submissions and SEC and NYS security filings; partnership, title and loan closings.

Chauncey Sumpter Project. A $10 million NBHDC project involving rehabilitation of 12 partially occupied buildings to create 116 units of low-income housing. Financed by HPD through its NRP Program, with Enterprise Foundation technical assistance as a LIHTC syndication. Brooklyn A's representation is the same as in Cheryl's Villa.
**Cypress Apartments:** A $2.3 million CHLDC project involving the acquisition of 5 abandoned, vacant buildings and the rehabilitation of 27 units of low-income rental housing (9 reserved for homeless or doubled-up households). Financed by HPD as a LIHTC syndication, with technical assistance from the Local Initiatives Support Corporation (LISC). Scope of Brooklyn A's representation as in Cheryl's Villa. Occupied: March 1993.

**Cypress Court Apartments:** Phase I of the project is a $2.1 million CHLDC project involving the acquisition of an abandoned, vacant building and the rehabilitation of 15 units of low-income rental housing. Financed by HPD as a LIHTC syndication, with technical assistance from LISC. Scope of Brooklyn A's representation as in Cheryl's Villa. Phase I was occupied in the Fall of 1997. Phase II involves the acquisition of 6 partially occupied and deteriorated city-owned buildings and their rehabilitation for low-income and homeless and doubled-up families. A total of 6 buildings, 57 units, Phase II is a $6.1 million project. Phase II construction commenced in July, 1998 and was completed in May of 2000.

**Cypress Corners Apartments:** A CHLDC project involving the acquisition of four abandoned, partially occupied buildings and the rehabilitation of 33 units of low-income rental housing. Financed by HPD as a LIHTC syndication, with technical assistance from LISC. Scope of Brooklyn A's representation as in Cheryl's Villa. The project is currently in pre-development with construction expected to commence in February 2003 and be completed in October 2004.

**Cypress West Housing Development Fund Corporation:** A CHLDC project involving the acquisition and rehabilitation of two occupied buildings with 12 units, abandoned by their former owner (see Rental Housing, 52-54 Sunnyside Avenue for history of CHLDC assistance to tenants) through HPD's Third Party Transfer Program. Financing for renovation through HPD and private lender. The project is currently in pre-development with acquisition and construction expected to commence in the spring of 2002. Total development costs are anticipated to be $650,000. Brooklyn A is counsel to the HDFC. Representation includes: forming the corporate entity, obtaining tax exemption; predevelopment coordination; drafting and negotiating architectural, construction and property management contracts; title and loan closings.

**Dorothy Dublin Houses:** A $7.5 million OHBTA project involving the acquisition of 4 partially occupied buildings for rehabilitation into 82 units of low-income housing. Financed by HPD through its Neighborhood Redevelopment Program NRP with Enterprise Foundation assistance in a LIHTC syndication. Scope of Brooklyn A's representation as in Cheryl's Villa. Occupied: February 1999.

**1530 Eastern Parkway HDFC:** A project involving 8 units of formerly City-owned low-income housing which OHBTA rehabilitated through CMP and currently manages for a community-based HDFC owner. Scope of Brooklyn A's representation as in 2170 Atlantic Avenue HDFC (without 8A Loan).

**East Lincoln Houses:** A $5.75 million OHBTA project involving the acquisition of 4 abandoned, vacant buildings and 3 adjoining empty lots and the rehabilitation of 60 units of low-income rental housing (18 reserved for homeless or doubled-up households). The project completed OHBTA's renovation of a half-block of community-controlled housing in Brownsville. Financed by HPD, with Enterprise Foundation technical assistance, as a LIHTC syndication. Scope of Brooklyn A's representation as in Cheryl's Villa, plus assistance in obtaining required zoning changes through the municipal urban land use review process ULURP. Occupied: March 1994.

**Bedford and South Ninth Houses:** A Los Sures project involving the acquisition of four (4) distressed, semi-occupied buildings and rehabilitation of eighteen (18) units of low-income rental housing. Financed by HPD, including funding through the Cross-Subsidy program. A LIHTC syndication with technical assistance from LISC. Acquisition of the properties and commencement of construction expected in the spring of 2002, with anticipated occupancy in the winter of 2003.
101 Harrison Avenue Housing Development Fund Corporation: A Los Sures project involving the acquisition and rehabilitation of an occupied building with 5 units, abandoned by its former owner, through HPD's Third Party Transfer Program. Financing for renovation through HPD and private lender. The project is currently in pre-development with acquisition and construction expected to commence in the spring of 2002. Total development costs are anticipated to be $510,000. Brooklyn A's counsel to 101 Harrison Avenue HDFC. Scope of Brooklyn A's representation as with Cypress West HDFC.

553 Howard Avenue HDFC: A project involving 12 units of formerly City-owned low-income housing which OHTBA rehabilitated through CPM and currently manages for a community-based HDFC owner. Scope of Brooklyn A's representation as in 2170 Atlantic Avenue HDFC (without 8A Loan).

Hunterfly Houses: A $5 million NBHDC project involving the acquisition of 9 abandoned, vacant buildings and rehabilitation of 43 units of low-income rental housing (14 reserved for homeless or doubled-up households) and 3 commercial spaces. Financed by HPD, with Enterprise Foundation technical assistance, as a LIHTC syndication. Scope of Brooklyn A's representation as in Cheryl's Villa plus negotiation and litigation arising from contractor default and enforcement of payment and performance bonds plus, after the contractor defaulted, extended advocacy (including a state court lawsuit) that won a substantial settlement from the insurance company that had issued payment and performance bonds for the project (with pro bono co-counsel, Kelley, Drye & Warren). Occupied: December 1996.

Junius J. Watford Houses: A $4.5 million NBHDC project involving the acquisition of 9 abandoned, vacant buildings and rehabilitation of 43 units of low-income rental housing (14 reserved for homeless or doubled-up households) and 4 commercial spaces. Financed by HPD, with Enterprise Foundation technical assistance, as a LIHTC syndication. Scope of Brooklyn A's representation as in Cheryl's Villa. Occupied: July 1997.

1109 Madison Street HDFC: A $4.5 million BICAC project involving the acquisition and operation of a new residential building constructed by a private developer on 5 formerly vacant City-owned lots. The project provides 18 units of low-income rental housing (10 reserved for homeless households) and supportive social services. Financed by HPD and the NYS Housing Finance Agency (HFA) through the Permanent Housing For Homeless Families (“85/85”) Program, with technical assistance from LISC, as a LIHTC syndication. Occupied: August 1995.
Scope of Brooklyn A's representation as in Cheryl's Villa, plus formation of a not-for-profit HDFC subsidiary of BICAC which holds title to the property and also operated it for several months prior to LIHTC syndication; obtaining the HDFC's exemption from federal income tax, NYS sales tax and NYC property tax; negotiation of documents that transfer "beneficial interest" in the property to a limited partnership formed by BICAC for this purpose.

Mamie Wiggins Apartments: A $12 million OHBTA project involving the acquisition of 2 vacant, abandoned buildings and 13 occupied buildings and rehabilitation of 105 units of low-income housing and 4 commercial spaces (2 of which are used for OHBTA community programs). Financed by HPD through its NRP, with Enterprise Foundation technical assistance, as a LIHTC syndication. Scope of Brooklyn A's representation as in Cheryl's Villa. Thirteen buildings completed during 1998; final two occupied February 1999.

Mary R. Wilson-Bilal Houses: A $13 million OHBTA project involving the acquisition of 9 buildings (6 occupied and 3 vacant) for rehabilitation into 93 units of low-income housing and a commercial space. Financed by HPD through its NRP program with Enterprise Foundation technical assistance in a LIHTC syndication. Scope of Brooklyn A's representation as in Cheryl's Villa, plus representation in insurance claims arising from vandalism at one site. Occupied: June 1999.

Nancy Des Grottes Apartments: A 46-unit new construction project jointly co-sponsored by St. Nick's and Los Sures. The project is financed through the City/State "85/85" program as a LIHTC syndication. Brooklyn A representation as in 1109 Madison Street HDFC. Occupied in 2001.


Oceanhill Housing: A $1.3 million OHBTA project involving the acquisition of an abandoned, vacant building and the rehabilitation of 18 units of low-income rental housing (6 reserved for homeless or doubled-up households). Financed by HPD, with Enterprise Foundation technical assistance, as a LIHTC syndication. The project completed OHBTA's renovation of a full block of low-income housing in Oceanhill. Scope of Brooklyn A's representation as in Cheryl's Villa. Occupied: January 1993.

Putnam-Evergreen Houses: A $1.7 million BICAC project involving the acquisition of 3 abandoned, vacant buildings in the eastern part of Bushwick and the rehabilitation of 24 units of low and moderate income rental housing. Implemented through a limited partnership with a private development firm serving as managing general partner. Financed by HPD through its Vacant Buildings Program. Occupied: May 1990. Brooklyn A's representation included: incorporating the non-profit subsidiary formed by BICAC for this project; obtaining federal tax exemption; and drafting, negotiating and enforcing the limited partnership agreement.

Von King Apartments: A $6 million NBHDC project involving the acquisition of 6 abandoned, vacant buildings and rehabilitation of 55 units of low-income rental housing (17 reserved for homeless or doubled-up households), and two commercial spaces. Financed by HPD, with Enterprise Foundation technical assistance, as a LIHTC syndication. Scope of Brooklyn A's representation as in Cheryl's Villa. Occupied: March 1993.

55 Whipple Street: A 41-unit housing project developed through the joint efforts of Los Sures and St. Nick's. Half of the apartments rented to formerly homeless individuals and families and half rented to other low-income tenants. Scope of Brooklyn A's representation as in Nancy Des Grottes Apartments. Occupied in 2000.
4. Special Needs Housing

**Arlington Apartments:** A $2 million CHLDC project involving the acquisition of 3 vacant, abandoned buildings and rehabilitation of 21 units of low-income rental housing with a community space. Two units are set aside for victims of domestic violence and 3 for the NYS Office of the Mentally Retarded and Developmentally Disabled (OMRDD). Financed by NYS Housing Trust Fund Corporation and Carver Federal Savings Bank (with interest rates subsidized by the Federal Home Loan Bank's Affordable Housing Program). Occupied: December 1995.

Brooklyn A serves as counsel to CHLDC and the non-profit subsidiary it formed for this project. Representation includes: formation and tax exemption of the subsidiary; drafting and negotiating contracts with the architect, general contractor, property manager and OMRDD; negotiating loan and regulatory agreements; and title and loan closings.

**Bushwick Apartments:** A $4.7 million BICAC project involving the acquisition of 6 contiguous vacant City-owned lots and new construction of 33 units of low-income rental housing. The project will set aside 2 units for veterans, 3 for single-parent households, and 27 for homeless families and individuals. It will include a community space and supportive social services. Financed by HHAC. Expected occupancy: June 2002.

Brooklyn A representation includes: negotiating acquisition of the properties; obtaining real estate tax exemption for the properties; drafting and negotiating acquisition, loan, architectural, construction, property management, and commercial lease agreements; title and loan closings; and structuring the replacement of the defaulting initial contractor involving negotiations with State financing agencies and surety bond representative.

**Lucille Rose Manor:** A $4.8 million project involving acquisition of vacant City-owned land and new construction of an elevator building with 54 apartments for senior citizens, plus a community space and supportive social services. Co-sponsored by NBHDC and Wayside Baptist Church, through a jointly-controlled nonprofit HDFC. Financed by HUD's Section 202 Program. Expected occupancy: June 2001. Brooklyn A representation includes: formation, structuring and tax exemption of the HDFC; coordinating environmental inspections and removal of underground oil tanks; preparing an agreement between NBHDC and Wayside governing project development and operation; drafting and negotiating architectural, construction, and property management contracts; and title and loan closing.

**Los Sures Senior Housing:** A $7.8 million project involving acquisition of vacant land and new construction of an elevator building with 65 apartments for senior citizens, plus a community space and supportive social services. Financed by HUD's Section 202 Program. Scope of Brooklyn A representation as in Lucille Rose Manor.

**Ozzie Wilson Houses:** An $8.9 million project involving acquisition of City-owned vacant land and new construction of a 67-apartment building for senior citizens. This is a BICAC project that will be implemented through a nonprofit HDFC. The project is financed by HUD's Section 202 Program. Expected occupancy will be September 2003. Brooklyn A representation includes: formation, structuring and tax exemption of the HDFC; coordinating environmental inspections; drafting and negotiating architectural, construction and property management contracts; and handling the title and loan closings.
Throop Court: A $10.8 million NBHDC project involving acquisition of an abandoned privately-owned factory and an adjacent City-owned building and rehabilitation of this complex to provide 53 apartments for low-income households, with supportive social services. 28 units are set aside for mentally ill people with independent living skills; 25 for formerly homeless households. The complex includes: (i) office and work space for a non-profit provider of supportive services for the mentally ill; (ii) a space to be developed as NBHDC management and social services offices; and (iii) a space to be developed as a childcare, health or social services center. Financed by NYS Homeless Housing and Assistance Corporation (HHAC) with LIHTC syndication, a bridge loan from the EAB Bank, and operating subsidies from the NYS Office of Mental Health. Occupied: October 1996.

Brooklyn A is counsel to NBHDC and to the limited partnership and two subsidiaries that NBHDC formed for this Project. Representation (with pro bono assistance from Richards & O’Neil and Milbank, Haldley, Tweed and McCloy) includes: forming the subsidiaries and partnership; negotiating acquisition of the properties, obtaining real estate tax exemption for the properties and income tax exemption for the nonprofit subsidiary; drafting and negotiating acquisition, loan, architectural, construction, property management, and commercial lease agreements, as well as a complex limited partnership agreement with extensive ancillary documents; and title, loan and partnership closings.

357 Chester Street Housing Corporation: A $6,000,000 project to be funded by the NYS Housing Trust Fund with approximately 50 units. 75% of the units will be for low and moderate income families and 25% of the units will be for individual clients of the NYS Office of Mental Retardation and Developmental Disabilities (OMRDD). Also, developed on site will be office space for supportive services, adult day care and a space for community facilities. Representation involves the establishment of the corporation, obtaining its federal tax-exemption, real estate acquisition, preparation of architectural and construction contracts and finance closing with the State of New York.
5. Homeless Housing

William F. Chisolm HDFC: A turnkey project through which OHBTA (i) leased 21 vacant buildings renovated through HPD’s Special Initiatives Program (SIP), (ii) operates the buildings as rental housing for formerly homeless households (and some other low/moderate income tenants), with extensive social services for tenants and their children, and (iii) eventually acquired the buildings through a non-profit subsidiary (HDFC). The Chisolm HDFC has so far acquired 14 buildings with 316 units, which were rehabilitated at a cost of $1.8 million. OHBTA is currently leasing 10 other buildings (151 units, rehabilitated at a cost of $9 million) which the HDFC acquired in 1999 and 2000. The project’s operating budget is partially financed by the NYC Housing Development Corporation and the NYC Department of Youth Services.

Brooklyn A is counsel to OHBTA and the HDFC. Brooklyn A representation includes: preparing the proposal which enabled OHBTA to qualify for SIP; forming the HDFC; drafting property management contracts and grant and loan applications; review of loan and regulatory agreements; title closings; tenant orientations; obtaining exemption from federal income and NYC real estate taxes; and obtaining abatement of NYC water and sewer charges.


Alberta Woods HDFC: A SIP project similar to Chisolm, sponsored by NBHDC. NBHDC leased 3 buildings with 27 units, which were rehabilitated at a cost of $2.1 million. The subsidiary it formed for this project (Woods HDFC) acquired the buildings in July 1996. Scope of Brooklyn A’s representation as in Chisolm.

Clarence Nell Apartments HDFC: A SIP project similar to Chisolm sponsored by NBHDC. For several years NBHDC leased 2 buildings, with 24 units, rehabilitated at a cost of $1.8 million. Its subsidiary (Nell HDFC) acquired those buildings in June 1998. Scope of Brooklyn A’s representation as in Chisolm.

934-938 Greene Avenue HDFC: A SIP project similar to Chisolm sponsored by NBHDC. For several years NBHDC leased 2 buildings, with 32 residential units, rehabilitated at a cost of $2 million. Its subsidiary (Green Avenue HDFC) acquired those buildings in June 1998. Scope of Brooklyn A’s representation as in Chisolm.

Raymond Ballard Apartments HDFC: A SIP project similar to Chisolm sponsored by NBHDC. NBHDC initially leased 4 buildings, with 45 residential units, and 4 commercial spaces, rehabilitated by HPD at a cost of $3.5 million. Its subsidiary (Ballard HDFC) acquired those buildings and an adjoining lot in June 1998. Scope of Brooklyn A’s representation as in Chisolm.
6. Home Ownership

Cypress Hills Neighborhood Homes: A $1.8 million initiative to rehabilitate small, substandard, partially occupied, City-owned buildings and provide home ownership for low-income families. Under this program, eleven one-to-three family homes were acquired in June 1998 by a CHLDC subsidiary, Cypress Homes HDFC. Current tenants will be relocated during construction. Upon renovation, the buildings will be sold to first time, low-income home buyers, including tenants currently in occupancy. The first homes were completed in the winter of 2000 and sales to community residents began in early 2001. Financed by HPD and LISC, with technical assistance from LISC.

Brooklyn A's representation has included negotiating with HPD to structure the program so that it protects CHLDC; formation of corporate subsidiary which took title and will undertake renovation; obtaining federal tax exemption for the subsidiary; title and loan closing of the property from City to CHLDC subsidiary; contract documents with the architect selected to do design work and construction supervision and the construction contractor who will perform renovations; leases with current tenants; structuring sale with first time home buyers purchasing buildings after renovation.

Cypress Hills Home-Ownership Initiative Program: Based upon the success of the Neighborhood Homes model, CHLDC expanded its home-ownership initiative in the Spring of 2000 to vacant HUD and bank-owned (through mortgage foreclosure) buildings. Financed through HUD's Affordable Housing Program (discount of purchase price), a $368,804 grant from NYS DHCR, a grant from Fannie Mae, and loan financing from a private mortgage lender. Three buildings are currently undergoing development with eleven one-to-three family homes expected to be developed through this initiative by the end of 2003.

Scope of Brooklyn A's representation as in Neighborhood Homes.

NEB Houses/203K Project: A NBHDC project involving an HPD Neighborhood Homes' pilot program to acquire and rehab 9 multi-family residences foreclosed on by HUD under its 203K program. Financing of the Project will come from HPD and HUD. Brooklyn A representation includes: formation, structuring and tax exemption of the HDFC; negotiating acquisition of the properties; negotiating and preparing acquisition, loan, architectural, construction, property management, and lease agreements; and handling title and loan closings.

Southside Partnership Homes: Brooklyn A represented Southside United HDFC (Los Sures) with respect to its sponsorship and marketing of 84 subsidized, two-family homes for working families. This $16 million plus project, developed under the auspices of the New York Housing Partnership, in the Southside of Williamsburg is providing low and moderate-income families (income ranges between $21,000 and $53,000) with the opportunity to become first-time homeowners of this housing. Part of this work included giving the housing sponsor a role in the design and enlisting an architect to monitor the construction on behalf of the homeowners. In addition, Brooklyn A assisted the sponsor in ensuring that a maximum number of the homes go to current and former residents of the Southside.

Brooklyn A attorneys drafted and negotiated the terms of the marketing plan with the Partnership, the builder and the City of New York, provided on-going representation throughout the construction to Los Sures with respect to construction contract compliance issues, dealt with post-construction remediation, as well as represented Los Sures in providing support for the lower income purchasers in negotiating and concluding the individual building sales. The development will be fully completed and occupied this year (2002).
B. CHILD CARE/EDUCATION

Children and Parents Day Care Center: A neighborhood-based provider of day care services to low-income families throughout the Williamsburg area. Brooklyn A has served as house counsel to Children and Parents since its inception (it handled the Center's incorporation). Recently, Brooklyn A represented Children and Parents in a case in which the NYC Agency for Child Development (ACD) was moving to foreclose against the Center's landlord and in the process close the Center down. Brooklyn A helped prevent this disaster and, in the course of its negotiations with the City, succeeded in obtaining a long-term extension of the Center's lease.

Cypress Hills Child Care Corporation: A subsidiary established by CHLDC in 1992 to develop quality, affordable child care in the community through the development of several day care initiatives, including:


2. Cypress Hills Family Care Network: provides training, start-up loans (through a revolving loan fund), shared resources, group purchasing and technical assistance to enable local residents to become licensed providers of quality family and group child care in their homes. The Network currently provides care for 230 neighborhood children through its forty two providers and their twenty five assistants.

3. Cypress Hills In-Home Head Start Program: A $450,000 Head Start project initiated in the Fall of 1997 to provide child care to 46 neighborhood children through a family day care program in the providers' homes. The holistic model integrates child development, health, nutrition, and parental and community involvement. Funded through the U.S. Department of Health and Human Services, the program has expanded to serve 67 children.

Brooklyn A representation to Cypress Hills Child Care Corporation includes: corporate formation; tax exemption; personnel policy; drafting and negotiating architectural, construction, lease and loan agreements; negotiation of relationships with ACD, employees and vendors; structuring Head Start program revolving loan fund; helping guide individual providers through the licensing process.

Cypress Hills Community School (CHCS): A collaborative New Visions public elementary school, sponsored by CHLDC. The school emphasizes parental and community involvement and a holistic perspective on youth development. It utilizes a thematic and dual language (English-Spanish) educational program and an interdisciplinary team-teaching approach to instruction. The school opened in the fall of 1997 with grades K-3, and has expanded an additional grade each year to now be K-7. In the summer of 2001 CHLDC received a 20 million grant through the New York City Council to acquire and develop a community facility to house the full school and other child and family programs.

Brooklyn A representation includes advice on governance for the school and representation in school facility development (financing, architect and consultants' contracts and construction documents, title and bond financing closing, lease negotiation).

Brooklyn A participates, along with CHCS and CHLDC, in the NYC School Construction Working Group described below.
New York City School Construction Working Group (SCWG): Brooklyn A participates in this city-wide collaborative (whose participants include New York University’s Institute for Education and Social Policy, Pratt Institute, LISC, Enterprise, and other financial institutions, Lawyers Alliance, community-based organizations and public schools) which utilizes the expertise and commitment of community-board organizations (CBOs) to address school overcrowding. SCWG has developed a model non-profit leasing program in which CBOs experienced in facilities may renovate or build new school space and lease it to the New York City Board of Education (Board). The strengths of the model include expanding the number of new seats to alleviate severe school overcrowding and utilizing schools as the center of community economic development. SCWG is working with the Board to implement the model and identify financing mechanisms which will bring additional private capital to school construction. Brooklyn A’s work includes research and analysis of the capital budget planning process, leasing, reimbursement of state building aid, and alternative financing and assistance in developing the model; working to reduce school overcrowding by enabling CBOs experienced in facilities development to renovate or build new school space and lease it to the NYC Board of Education. The Cypress Hills Community School will be one of the first schools developed under this model.

Nuestros Niños Child Development School: A Williamsburg-based operator of one of the largest day care programs in all of New York City, Nuestros Niños serves more than 800 children each year and provides living-wage jobs to dozens of Williamsburg residents. During the course of its 25 years, Nuestros Niños has nurtured over 5000 kids with its holistic philosophy of education for the social, physical, and intellectual growth of both children and their families. Its graduates have attended college in impressive numbers. Included among its many programs are: the child development school, located in a large facility in the heart of the Southside; a major family child care program supporting Williamsburg residents who care for other people’s children; a large after school program; care for neighborhood children until their parents get home from work; a pre-K program and related educational activities. ACD recently approved Nuestros Niños’ ambitious plans to build a second major facility on the under-served Western half of the Southside, which will dramatically increase the number of families that Nuestros Niños serves.

Brooklyn A has served as house counsel to Nuestros Niños since its inception. Recently, Brooklyn A attorneys successfully negotiated a reversal of an ACD decision denying Nuestros Niños an extension on its lease which led to an additional 10-year lease extension.

Trey Whitfield School: An independent elementary and intermediate school in East New York. The school’s educational model emphasizes a holistic approach to student learning where academic performance is fused with character and faith-building instruction to provide a strong foundation for success. The school’s unique curriculum and structured environment fosters the learning of respect and responsibility and inspires its 540 current students to believe in themselves and strive for excellence in all aspects of their lives. The school was founded in the Fall of 2000 and is exploring the prospect of expanding into a new school facility. Brooklyn A’s representation included the establishment of the education corporation and licensing to operate the school, preparation of the federal tax exemption application under section 501(c)(3) of the Code and advice on school governance issues.
C. HEALTH CARE

Brownsville Multi-Service Family Health Center: A $6.7 million BCDC project to renovate a 28,000 square foot site for use as a full-service community-controlled diagnostic and treatment center. The center opened in November, 1993. In its first year of operation, 90 full-time staff provided services to 50,000 medical and dental visits (including pre-natal, AIDS, social work, and nutritional services). It now employs 140 individuals. Projects included: applying for and obtaining a Certificate of Need from DOH; submissions to and appearances before MCFFA, SONYMA, DOH and NYS Public Authorities Control Board; drafting and negotiating architectural, construction, and financing agreements; loan closing; negotiations with investment bankers; review of bond documents and representation of borrower in bond sale; and 40 negotiating and structuring managed care agreements.

Brooklyn A's representation enabled a community-based primary health care provider to secure tax-exempt bond financing for the first time in NYS history. Based upon this model, NYC has since established its own Primary Care Development Corporation to promote tax-exempt bond financing for expansion of community-based health care.

Bedford-Stuyvesant Family Health Center: A $20 million joint project with a private developer that involves the construction of a multi-use facility in the Bedford-Stuyvesant community of Brooklyn. The new facility will include 30,000+ square feet to be used as residential and/or commercial space and an additional 30,000 square feet for use by BSFHC as the new home for its diagnostic and treatment center providing medical, dental, pre-natal, AIDS, social work, and nutritional services to low-income community residents. Supported by technical assistance and development loans from NYC Primary Care Development Corporation (PCDC). Financed through public and private sources plus ancillary funding from NYS DOH. Brooklyn A's representation as in Brownsville Family Health Center, plus site acquisition and title closing, and structuring a joint venture agreement with the private developer.
**Borough Development Group:** A BCDC subsidiary which provides technical assistance to help non-profit organizations bring essential health care services to low-income, medically-underserved communities. It will help such groups to assess the need for additional services and facilities in their communities, to acquire and prepare an appropriate site, and to either establish an organization to provide essential services or develop a mutually beneficial relationship with an independent provider.

Brooklyn A serves as counsel to BCDC, representing it in the incorporation and tax exemption process and in structuring and negotiating its contractual relations with community groups. Brooklyn A also serves as consultant, helping BCDC provide technical assistance to community groups.

**Brownsville Halfway House:** A BCDC project providing a 21-bed facility for recovering alcohol and substance abusers and a 100-slot outpatient program of alcohol and substance abuse counseling. The facility was renovated by the NYS Office of Alcohol and Substance Abuse Services at a cost of $1.25 million. Operations are funded by the NYS Division of Alcoholism and Alcohol Abuse and the NYC Department of Mental Health, Mental Retardation and Alcoholism Services. Occupied: August 1997.

Brooklyn A is counsel to BCDC and the non-profit subsidiary it formed for these programs.

Representation includes: corporate formation and tax exemption; Certificates of Need for the in-patient and out-patient programs; negotiating of funding contracts and an agreement to lease and eventually purchase the facility; title and loan closings.

**Urban Health Plan, Inc.:** A $12 million project involving the construction of a new 39,000 square-foot facility which will serve as the new home for its community health center. The center provides a full range of medical, AIDS, pre-natal and social work services. In its new facility it will add dental and nutrition services as well as expand its capacity to provide a range of services in its current practice areas. Financing was provided by the sale of tax-exempt bonds by the New York City Industrial Development Agency. Finance closing occurred June 30, 1999, and construction began in September, 1999 with completion and occupancy in November, 2001. Brooklyn A representation as in BMS Family Health Center plus site acquisition and title closing.

**D. COMMUNITY AND WORKER-OWNED BUSINESSES**

**Central Brooklyn Feyadien Construction Company:** A worker-owned company performing light construction primarily in residential apartments. It was formed by OHTBA to (i) enable community residents to gain jobs and marketable skills from housing and public facility construction work in Central and East Brooklyn, and (ii) retain in those communities a greater share of the capital generated by such projects. Organized late in 1991.

As counsel to the construction company, Brooklyn A's representation includes: forming the firm as a NYS business corporation; reorganizing it as a limited liability company; drafting an operating agreement which enables the company to establish worker ownership with OHTBA; orienting prospective worker-owners; serving as liaison with accountants and business consultants; preparing funding applications; and drafting and negotiating loan and construction agreements.
**OHB Security Corporation:** This company formed by OHBTA and licensed by NYS in July 1994 now employs more than 200 community residents as security guards. OHBTA is preparing to offer co-ownership to long-time employees. Brooklyn A's representation as in the construction company, plus the NYS licensing process.

**The Good Find Thrift Shop/La Buena Compra, Inc.:** Thrift store created by CHLDC as a job training and entrepreneurial development program and to offer low-cost quality goods to neighborhood residents. Financed by federal funds matched by private contributions raised by CHLDC. Opened in Summer 1997. Brooklyn A's representation included establishing the corporate entity, obtaining tax exemption, review of business plan, lease of store space, contract with architect and construction contractor to undertake store renovations, and assistance in structuring training program.

**Brooklyn Cabling LLC:** A start-up venture organized by Brownsville Community Development Corporation (BCDC). The equity in the business will be owned by BCDC and a co-venturer existing communications/cabling company. Brooklyn Cabling LLC will provide wiring and cable services for voice, video and data transmission. It is envisioned to begin operations in the Spring of 2002 and expects to employ 30 individuals by the end of its first year. Brooklyn A, along with pro-bono co-counsel Patterson, Belknap, Webb & Tyler, has prepared the organizational limited liability company documents and other transactional documents. Brooklyn A has also represented the LLC in its obtaining private start-up venture capital.
E. COMMUNITY FACILITIES

**Cypress Hills Mini-Mail:** A project of CHLDC, the Cypress Hills Mini-Mail is currently in pre-development. CHLDC has been awarded a $300,000 grant from the U.S. Department of Health and Human Services Office of Community Services, a $150,000 grant from the NYS Economic Development Corp., $200,000 from the Brooklyn Borough President, and additional grants from a number of banks. CHLDC is currently negotiating for site control and an anchor tenant.

Brooklyn A’s representation includes structuring the joint venture and drafting/negotiating the joint venture agreement, analyzing financial feasibility, reviewing loan agreements, commitment letters, consultant agreements, leases and other essential documents; structuring and creating ownership entity; and title and loan closing.

**Cypress Hills National Cemetery Caretaker’s Lodge:** The U.S. Veterans Administration had planned to demolish this historic structure in the Cypress Hills section of East New York, but agreed instead to lease it to CHLDC for renovation as a museum, historic archive, community meeting space, CHLDC office and home for a needy veteran (the caretaker). A $200,000 project financed by NYS Department of State, NYS Historic Preservation Office, Nonprofit Facilities Fund, Astor Foundation and Brooklyn Union Gas. Occupied: August 1994.

Brooklyn A’s representation included: drafting and negotiating CHLDC's agreements with the Veteran’s Administration, architect and general contractor; liaison with funders; and title and loan closing.

**Greenpoint Renaissance Enterprise Corporation (GREC):** A coalition of six major neighborhood organizations in North Brooklyn, GREC successfully developed, proposed and sponsored the implementation of a plan for the re-use of what had been the old Greenpoint Hospital campus. The plan imaginatively rehabilitated the old hospital buildings and transformed them into intergenerational housing, primary care health facilities, a nursing home, and senior citizen housing. Shortly after that plan was adopted by the City, the City began using some of the old buildings as temporary shelters for the increasing homeless population. What began as a facility for 200 homeless men, soon became a huge warehouse for over 1200 people. Not only was the surrounding residential area disrupted, but the GREC plan for the campus was indefinitely delayed.

As counsel to the Coalition (a position it has held since GREC’s inception), Brooklyn A did the litigation and negotiations that led to the reduction of the homeless facility to a manageable two hundred residents, with significant supportive programs. As a result of the settlement, the GREC plan has moved forward and a number of the facilities have already been built.

Brooklyn A represented the coalition before state agencies to secure the various approvals required for the nursing home. In addition, it formed the Article 36 corporation, which will be responsible for running the health care facility located on the site.

**160 South Second Street:** A Los Sures Project situated on the former site of a New York State residential facility for the mentally disabled. The land was owned by the State until it was sold for $300,000 to Los Sures at a fraction of its market value. After lengthy negotiations with State agencies, Brooklyn A helped craft the legislation allowing for the property’s direct sale to Los Sures. Our attorneys formed a for-profit subsidiary of Los Sures to purchase the building. Brooklyn A negotiated the contract of sale. We are now working with Los Sures to develop this site, which will ultimately be home to a number of new facilities. One will be a State funded residential drug treatment center for women being developed by El Regreso.
The most important immediate result of this success has been the dramatic transformation of the Gates Avenue project itself. The new management, put into place by the federal court, has effectuated scores of building repairs and improvements and has rid the project of trespassers and loiterers who had plagued the tenants because of lack of security in the buildings. As a result of Brooklyn A's lawsuit, HUD took title to the project in July 1997. In May 1998, the tenants settled their damage claims and withdrew their suit in exchange for $300,000 earmarked for an on-site computer learning center. As of February, 2001, several million dollars of repairs and improvements to the project have been made and HUD is presently considering bids from several not-for-profit organizations to assume ownership of the project.

**Medgar Evers Houses:** This 315-unit Section 8 housing project located in Bedford-Stuyvesant directly across from Gates Avenue Housing was cited as one of the worst housing projects in New York City. The tenants came to Brooklyn A as the direct result of what they saw being accomplished by their Gates Avenue Housing neighbors.

Brooklyn A, with pro-bono assistance from Patterson, Belknap, Webb & Tyler, sued the owners and management of the project. Rather than face a motion to oust them from management, the defendants stipulated to being replaced by a court-appointed receiver. The receiver took over management on June 18, 1997, and has taken major steps to rehabilitate the project. Subsequently, HUD agreed to declare itself mortgage-in-possession, thus making available millions of dollars in federal rehabilitation funds. HUD has also commenced foreclosure proceedings against the ownership entity and, subject to its obtaining title, has awarded ownership of the project to a not-for-profit organization.

Although the RICO claim was ultimately dismissed, the fact remains that the lawsuit achieved not only the ouster of corrupt ownership and management, and the investment of HUD of more than 10 million dollars in rehabilitation and security at the project, it has also triggered an investigation by the HUD Inspector General's office which may result in criminal or other punitive proceedings against the former owners.

**Noble Drew Ali Plaza Housing Corporation (Noble Drew):** Noble Drew Ali Plaza, a low-income section 8 apartment complex in Brownsville is the home for 354 families. The project was acquired by Noble Drew Ali Plaza Housing Corporation as a result of a federal lawsuit brought by Brooklyn A against former owners alleging misappropriation and misuse of federal subsidy dollars. Principals of the former owners were subsequently convicted of federal crimes growing out of their illegal conversion to personal use of federal subsidies granted to maintain the project. Our client, Noble Drew, having acquired title, now faces the prospect of turning around a housing development which for more than 20 years had been operated by ownership intent on diverting subsidies from the project into private bank accounts. Little or no investment had been made in the infrastructure of the five buildings. Total project costs of repairs and renovations are likely to be slightly under $10 million. HUD has awarded a grant of $4 million toward costs of the work. We are currently working on a financial package to underwrite the gap financing needed to complete the work. In order to meet financial underwriting criteria a project "work-out" must also be developed and implemented involving new real estate management, project and construction management, and a fiscal plan to address post-acquisition operational debt. Brooklyn A's work involves negotiation of the terms and conditions of private financing, negotiation and structuring of the real estate management contract, architectural contract, construction contract and construction loan closing. Financing of the necessary repairs may also require the creation of a new entity, a limited liability company and/or limited partnership, to undertake the renovation project. In this event, Brooklyn A will be responsible for the negotiation and structuring of the documents necessary for the creation of the new entity and the documents establishing the relationship between it and Noble Drew. Additionally, the project will involve the development of 43,000 square feet of non-residential space into viable community spaces (health care center, day care center) and commercial retail spaces.
Willard J. Price Houses: A 192-unit project located next door to the Gates and Medgar Evers Houses in Bedford-Stuyvesant, Brooklyn A convinced HUD to launch mortgage foreclosure proceedings against the ownership of the houses and simultaneously to oust its management company from daily operation and control of the project. (The management company, BPC Management, was essentially the same entity that had previously been ousted from management from Medgar Evers houses through a RICO suit). In January, 1998, the US District Court for the Eastern District of New York granted HUD's application to oust BPC and appoint a reputable, independent management company to operate the premises during litigation. During the intervening year, however, HUD failed to adequately finance the receivership. Therefore, at the request of the tenants, Brooklyn A has commenced a legal proceeding against HUD, seeking an order to correct the large number of housing code violations that continue to exist. HUD had the case removed from New York City Housing Court to the Federal District Court in the Eastern District of New York. After a considerable period of litigation, HUD has finally agreed to settle the case by adding the proposed new ownership to the lawsuit and requiring them to do approximately 5 million dollars of additional repairs and improvements (including new elevators), 2 million dollars of which will be provided by HUD. Brooklyn A will continue to represent the tenants' association and carefully monitor performance by the new, not-for-profit owners.

300 Putnam Street (Silosam Houses): This 54-unit Section 8 project in Bedford-Stuyvesant had been managed by the same group that had mismanaged both Medgar Evers Houses and WJ Price Houses. In June, 2000, the tenants asked Brooklyn A to represent them to oust BPC Management from operation of the premises. Brooklyn A sued the owner and HUD, seeking to have the building put into receivership. As a result, BPC has been ousted by the ownership, which has now put in a management company named by HUD and the tenants. While the litigation proceeds, negotiations are continuing with the not-for-profit ownership entity to add tenant representation to its Board of Directors.

Marcus Garvey Houses: This huge mixed Section 8/Mitchell Lama project, with more than 625 units, has suffered substantial deterioration since being taken over by the current management company (RY Management). More than 225 tenants retained Brooklyn A to represent them in an Article 7A proceeding which is designed to have court-appointed management of the premises installed. The proceeding was commenced in December, 2000 and remains in litigation.

Williamsburg Houses Task Force and 4th Floor Residents Committee: For over eight years, Brooklyn A has represented the "4th Floor Tenants Committee" and the Williamsburg Houses Task Force in addressing and ameliorating the disruptions caused by the forced relocation of over 400 families in the largest renovation project ever done in a public housing development in the country.

On behalf of the tenants, Brooklyn A helped persuade the NYC Housing Authority to stagger structural roof repairs at Williamsburg Houses, the second oldest public housing project in the United States. In addition, Brooklyn A lawyers negotiated written protocols that: protected tenants' rights to return to their original apartments, expanded their choice of apartments to which they could move, increased and clearly stated the relocation benefits that were to be made available, enhanced security and reduced disruptions to other residents during construction, and maximized the number of tenants who were provided jobs by the $60 million renovation contract. In order to ensure maximum compliance with these protocols, Brooklyn A succeeded in establishing periodic review meetings between representatives of the Authority, contractors, tenants and the Community Board. Finally, the Housing Authority agreed to construct a $5 million community center for the project tenants. Construction on the center has recently begun.
2. City-Owned Housing

**East New York Homesteaders:** The NYC Department of Housing Preservation and Development (HPD) moved to dispossess 13 low-income families, demolish structurally sound City-owned buildings and construct fewer units of middle-income housing. Although the families had no leases, they had renovated the previously drug-infested and deteriorated buildings with their own money and labor, and had lived peaceably there for several years. Brooklyn A has successfully defended against repeated attempts to evict the homesteaders and has represented one homesteader in negotiations which resulted in HPD's conveyance of her homestead to a community organization which agreed to give her title to the building (while retaining ownership of the land).

**838-848 Park Place:** HPD placed 3 City-owned buildings with 24 apartments in its Private Ownership Management Program (POMP), which involved operation and eventual ownership by a private landlord, frequently leading to gentrification. The tenants, assisted by OHBTA and the Union of City Tenants, organized a rent strike and demanded low-income co-op ownership through HPD's CMP or TIL (Tenant Interim Lease) programs. Brooklyn A successfully defended against two attempts to evict the tenants and helped negotiate the removal of the buildings from POMP.

**18 Schaefer Street:** On behalf of the tenants of this NYC-owned property, Brooklyn A sued to: (1) invalidate the City's claim of exemption from state and municipal housing laws; (2) compel it to keep occupied, City-owned housing in good repair; and (3) stop its "Consolidation Program" of demolishing such housing after it falls into disrepair. The NYS Appellate Division unanimously affirmed a NYS Supreme Court decision granting the tenants summary judgment on the first two claims and refusing to dismiss the third. Brooklyn A's success in this case marks a major victory for the more than 65,000 low-income households living in City-owned apartments.

3. Privately Owned Properties

**100 South 8th Street:** Obtained appointment of a 7A administrator associated with Los Sures in this building which had become uninhabitable, negotiated scope of work and HPD loan, successfully advocated to end work stoppage due to delays by city agency; defeated attempt by landlord to remove 7A and reclaim building prior to completion of work, and got stay removed, allowing work to continue toward the restoration of habitability and the return of the tenants to their homes.

**209 Atkins Avenue:** When the private owner abandoned this 6-unit low-income building in Cypress Hills, the tenants organized to manage the building themselves. The owner initiated eviction proceedings, but Brooklyn A won a dismissal. The mortgagee then foreclosed, and Brooklyn A represents the tenant association in litigation against the mortgagee to obtain essential repairs. Brooklyn A currently represents the tenants in litigation regarding their rights as rent stabilized tenants.

**1041 Bushwick Avenue:** With RBSCC, defending against landlord's ongoing attempt since 1994 to evict activist president of tenant association in 30-plus-unit building.

**112 Calyer Street:** Representing 3 tenants in this 8-unit building, Brooklyn A obtained a judicial order that compels the landlord to repair and correct violations within 6 months, as well as 50% rent abatements. Brought contempt charges and settled for additional abatements and agreement for the appointment of a 7A administrator unless the building is completely repaired or sold within four months.

**18 Conselyea Street:** Ongoing effort through the courts and through collaboration with police to hold accountable landlord suspected of torching building, attempting to firebomb home of St. Nicholas tenant organizer, and having tenant murdered on eve of contempt hearing.
284 Cooper Street: With Ridgewood-Bushwick Senior Citizens Council, successfully defending an ongoing series of holdover eviction and small claims proceedings and Supreme Court tort actions brought by landlord to harass tenant association members. Collaborating with HPD to obtain fines against landlord for denial of heat and hot water. Seeking sanctions and injunctive relief for landlord’s duplicative litigation.

277 Division Avenue: Since 1999, Brooklyn A has represented the remaining tenants of this 6-unit building. Abandoned by its owner to drive occupants out, tenants with the assistance of Los Sures and Brooklyn A are maintaining the premises.

313 Eckford Street: Brooklyn A successfully restored tenants to their apartments after their landlord removed front and back fire escapes in the middle of the winter. Suing on behalf of the tenants, Brooklyn A received a judicial order that compelled the landlord to replace the fire escapes, causing the Fire Department to rescind its vacate order.

92 Graham Avenue: The owner of this 6-unit building requested that the Department of Buildings condemn this property in order to have it razed. Suing on behalf of the tenants, Brooklyn A successfully received an order compelling the landlord to repair this previously out-of-plumb (leaning) building, as well as correct numerous violations within the units. After 13 months of relocation, the tenants returned to their rehabilitated apartments in November of 2000.

105 Grattan Street: Represented tenants in Surrogates court, in small claims court, in housing court, and with the Division of Housing and Community Renewal and in housing court. Defeated landlord’s attempts to nullify rent-stabilized rents through fraudulent administrative agency filing; to have tenant association members (including a rent-controlled tenant of 32 years) evicted; to obtain money judgment and an injunction against St. Nicholas NPC for organizing the tenants; and to force all tenant association members to give up their washing machines. We obtained substantial rent abatements, an order for repairs, express recognition of rent stabilization, and control status and rents at legal levels.

544 Hemlock Street: Representing the tenants of this 23-unit low and moderate income building, Brooklyn A has obtained judicial repair orders and substantial rent abatements and initiated court proceedings for long-term rent reductions.

530 Herzl Street: Representing the tenant association of this 46-unit low and moderate income building, Brooklyn A intervened in a mortgage foreclosure proceeding and secured appointment of an acceptable receiver to manage the building. It then persuaded the receiver to cease substantial rent overcharges imposed by the former owner.

15 Humboldt Street: Representation of tenants on rent strike in various non-payment cases, forcing substantial rent abatements and eventual completion of extensive repairs from initially obdurate landlord in a building, parts of which have collapsed on tenants’ belongings and on tenants themselves.

225 Lynch Street: Working with Los Sures, Brooklyn A brought a 7A action to install a court-appointed administrator to repair hundreds of violations in this 6-unit property. Featured in a New York Times photo-editorial on impoverished citizens, the tenants here suffered through landlord harassment and the hazardous conditions of their apartments. The case was settled for extensive repairs.

347 and 349 Broadway: Brooklyn A petitioned on behalf of tenant associations working with Los Sures for appointment of a 7A administrator for these two buildings with histories of illegal conversion and severe landlord harassment. Settled with stipulation for a new management company, repairs, the installation of bell and buzzer systems, legalization of the building without displacement, and the recognition of the tenants’ rent-stabilized status.
295 Broadway: Brooklyn A petitioned for the appointment of a 7A administrator in a building where years of neglect and coverups by landlord have resulted in widespread high levels of hazardous molds, as well as extensive water damage, including damage to structural members. Abatement work is continuing on an emergency basis while case is pending. Brooklyn A is also defending several nonpayment proceedings related to the tenants’ ongoing rent strike. Landlord is making settlement overtures following the submission of motions to dismiss.

219 Manhattan Avenue: New owners of this building were attempting to evict tenants at this property using a pattern of harassment and frivolous legal actions. Representing the tenant association there, Brooklyn A defeated the landlord’s recent civil action, as well as their application for major rent increases.

103 Meserole Street: Brooklyn A successfully won a 7A action to appoint an administrator of this abandoned property. Working with St. Nick’s and Brooklyn A, the tenants are trying to acquire and then rehabilitate the property.

257 Powers Street: Challenging landlord’s attempts to have three-building property removed from rent stabilization through nonpayment cases, holdovers, and DHCR application.

259 Powers Street: Defeated attempt by landlord to have apartments in rear house removed from rent stabilization. With St. Nicholas NPC, successfully negotiated with initially recalcitrant landlord for extensive repairs and adjustment of overcharged rent.

267 Powers Street: Working with St. Nicholas NPC, defeated attempt by landlord to have rear building vacated. Achieved structural and other repairs. Collected $25,000 judgment against landlord.

551 Ridgewood Avenue: Following mortgage foreclosure, this 9-unit low-income building in Cypress Hills was abandoned by the owner, who made no effort to maintain decent living conditions. Representing the tenant association, Brooklyn A sought and obtained court appointment of a 7A administrator to collect rents and make repairs.

22 Scholes: A St. Nick’s project involving the purchase of a foreclosed building with an absentee owner and an inactive receiver. Brooklyn A represented the tenants association in the purchase of the mortgage and the conclusion of the foreclosure action. Acquisition will be financed by money from the rents that the tenants had been withholding as well as from a low interest loan and rent restructuring.

310 South 3rd Street: Representing the tenants in this 35-unit, 6-floor apartment building, Brooklyn A has helped to maintain a six-year rent strike while also defending non-payment and holdover actions to compel the landlord to repair and correct building violations. Tenants continued to strike until all units were made habitable; cases are now settling with rent abatements and recognition of disputed tenancy.

319 South 3rd Street: Representing the tenants of this building abandoned by its owner, Brooklyn A, working with Los Sures, filed a 7A action and obtained installation of a court-appointed administrator to repair and maintain this building.

343 South 4th Street: The director of Southside United HDFC (Los Sures) was appointed as the court’s administrator to take control of this neglected building from the landlord and work with the tenants association. When the mortgagee in foreclosure got an order in Supreme Court appointing a referee and put in an illegal clause removing the administrator, Brooklyn A went to the tenants’ defense and got the order reversed. A motion to remove the administrator in housing court was also defeated.

59 Ten Eyck: A St. Nick’s project involving the ultimate purchase of a mortgage by the tenants from an out of state investor. The Executive Director of St. Nick’s has served as the Court-Appointed Administrator of the premises. A $250,000 renovation is going on at the present time.
869 Thomas Boyland Avenue: Representing the tenant association of this 30-unit low-income building in Brownsville, Brooklyn, obtained judicial repair orders and long-term rent reductions.

52-54 Sunnyside Avenue: Representing tenants of this 12-unit building in an Article 7A proceeding successfully replacing the landlord with a court-appointed administrator. Organizing and tenant advocacy by CHLDC. Over $300,000 in renovations have taken place at the buildings since the appointment of the administrator paid for by grants from the City Department of Housing Preservation and Development. The building is slated to be transferred to a CHLDC subsidiary by the City through the Third Party Transfer Program (see Rental Housing, Cypress West HDFC).

305 Jerome Street: Representing tenants of this 24-unit building in an Article 7A proceeding successfully replacing the landlord with a court-appointed administrator. In addition a civil penalties judgment in excess of $1.6 million was imposed upon the building’s owner due to the Housing Maintenance Code violation in the building. The building is currently being renovated with grants from HPD.

796 Park Place: Representing tenants of this 15-unit building in a rent strike and in an action to compel the owner to correct violations of the Housing Maintenance Code. Successfully defended tenants in eviction proceeding where the landlord’s claims for over three (3) years in back rent were dismissed with prejudice. The building is slated to be transferred to a new owner by the City through the Third Party Transfer Program.

35 East 94th Street: Representing tenants of this 85-unit building in an Article 7A proceeding. Successfully settled case whereby building was sold to a new owner who agreed to rent abatements of up to two (2) years back rent, to perform repairs and adjust rents where tenants were being overcharged.

190 South 8th Street: Representing the tenant association of this 41-apartment building with over 100 hazardous violations against a landlord seeking to oust low-income tenants through a campaign of harassment and neglect, in a rapidly gentrifying area. Obtained court orders to correct the violations, and continues to pursue litigation seeking the appointment of an administrator by the Court. The trial, one of the longest in Brooklyn Housing court history, has taken over 25 court dates and is not yet concluded.
B. COMMUNITY COALITIONS AND COMMUNITY LITIGATION MATTERS

**Brooklyn Unidos:** This coalition of Latino groups from throughout Brooklyn was developed to promote the interests of the borough's Latino communities. Over the years, it has attracted federal, state, and city officials, as well as leaders of businesses, foundations, and non-profit organizations to share ideas and become more familiar with the Brooklyn Latino community. Brooklyn A has served as counsel to Brooklyn Unidos since its inception, and has provided direct services to community organizations that have presented themselves at Unidos meetings or are implementing Unidos-inspired projects.

**Brownsville Jail:** The NYC Department of Juvenile Justice announced construction of a juvenile pre-trial detention facility on a Brownsville site previously designated for a new public high school which had never been built. The decision was opposed by a coalition of block and tenant associations, merchants and community activists. As counsel to that coalition, Brooklyn A obtained a state court order, since reversed on appeal, enjoining construction pending a full environmental review of the physical and social impact of the proposed facility.

**Bushwick Committee to End Lead Paint Poisoning:** A coalition organized by Bushwick Community Service Society, local block associations and community activists to press the NYC Department of Health to inspect area buildings and actively enforce lead paint laws. Brooklyn A provided legal advice, assisted in community education, and helped prepare a City-wide class action lawsuit to compel lead paint inspections and enforcement of lead paint laws.

**Community Reinvestment Committee/Community Forum on Banks:** This campaign was organized by CHLDC and the City-Line Coalition (block associations and community activists working to improve neighborhoods near the Brooklyn-Queens border). The coalition's aim is to reform the lending policies of financial institutions in East New York so that low- and moderate-income local residents can get financing for home purchases and renovation. The committee is also part of a city-wide coalition focused on community reinvestment.

As co-counsel (with the Neighborhood Economic Development Advocacy Project and New York Law School Prof. Rick Mansico), Brooklyn A provided analysis of Community Reinvestment Act and fair housing requirements and advised on negotiations with local officials and bank officers.

**Comprehensive Foreclosure Action Program:** A campaign organized by CHLDC and the City-Line Coalition to stem the abandonment of privately-owned housing. Program includes public education, counseling of homeowners and tenants, a $1 million distressed properties' revolving loan fund, and CHLDC acquisition, rehabilitation and resale of vacant bank and City-owned properties. Brooklyn A represents CHLDC in the acquisition and resale process and assists in counseling homeowners and tenants. CHLDC is now also targeting the problem of predatory lending by sub-prime lenders. Brooklyn A represents homeowners who have been victims of fraudulent and predatory loans and participates in community education endeavors to combat the problem.

**East New York-Brownsville HIV/AIDS CARE Network/Williamsburg-Greenpoint-Bushwick HIV/AIDS CARE Network:** Two separate coalitions of community-based health care, social service, education and advocacy organizations. Funded by Ryan White Title II monies, these coalitions promote HIV/AIDS education and co-ordinate and develop HIV/AIDS services throughout North and East Brooklyn. Brooklyn A is an active member of both Networks, drafted their Bylaws and Operating Procedures, and has provided legal advice on specific issues.
Essex Street Incinerator: East New York community groups learned early in 1995 that a private biochemical company had secured NYS authorization to build a large waste wood incinerator dangerously close to child care centers, schools, a convalescent home, churches and two large, densely-populated public housing projects. Brooklyn A, along with the NAACP Legal Defense Fund, NYPIRG, and NY Lawyers for the Public Interest, represented a coalition of community groups which joined with the Brooklyn Borough President's office to articulate strong opposition to the proposed location of the incinerator. In June 1995, the NYS Dept. of Energy Conservation ruled that the incinerator could not be built without approval from the NYC Dept. of Environmental Protection (DEP) under the NYC Environmental Quality Review procedure. When the DEP refused to grant approval of the incinerator, the plan was abandoned.

Porter Avenue Shelter: Representing East Williamsburg and Bushwick tenants and local Community Board #1, with pro bono co-counsel Kaye Scholer Fierman Hays & Handler representing local businesses and low-income homeowners associations, litigating against the City's attempt to contract for a $180 million, 22 year, 400-bed homeless facility in a very vulnerable residential and commercial location without normal ULURP (community) and environmental review processes. The proposed shelter is to replace the current, 800-bed shelter on 30th Street and First Avenue in Manhattan. Brooklyn A obtained Supreme Court order requiring environmental review, and is currently appealing other aspects of the lower court decision.

Forbell Street Shelter: Without any public hearing or other community consultation, the NYC Human Resources Administration moved to transform a women's pre-trial detention center across the street from a local elementary school in the Cypress Hills section of East New York into a shelter for homeless single adult male drug and alcohol abusers. The action was opposed by the local community board, local elected officials and the City-Line Coalition, a confederation of local block associations. As counsel to the opponents, Brooklyn A initiated an unsuccessful lawsuit to enjoin NYC from violating its own Urban Land Use Review Procedure (ULURP).

Jarka Hall: Obtained and still collaborating with outside counsel to overcome insurance company's initial denial of coverage and representation to a low-income, assisted living housing project, and to assist in housing project's defense against tort liability suit.

Lets Build IS 171 Committee: A group of Cypress Hills parents and community residents organized to oppose the interim transfer of some grades from the over-crowded local public school to other neighborhoods and to advocate expeditious construction of a new local school. As co-counsel (with Advocates for Children), Brooklyn A represented the Committee at NYC Board of Education hearings and appeals and before the NYS Commissioner of Education. When NYC finally began building a new school, a local food manufacturer sued to enjoin construction, contending that it had an alleged agreement with government agencies to exchange the proposed school site for land owned by the manufacturer. On behalf of the Committee, Brooklyn A filed a "friend of the court" brief, and the food manufacturer was ultimately unsuccessful in this litigation. When the Committee attempted to communicate with elected representatives and the media regarding the impact of the failure to build the school, the manufacturer brought a defamation action. Brooklyn A defended this suit as co-counsel, with Patterson, Belknap, Webb & Tyler LLP, and filed a counterclaim against the manufacturer under civil rights statutes designed to protect the public's right to freedom of speech. Both the manufacturer's lawsuit and the Committee's counterclaim were favorably settled.

As a result of the Committee's decade-long advocacy, construction of a new elementary school commenced in the Spring of 1998, and the new school opened in September, 1999.
Neighbors Against Garbage (NAG): Brooklyn A served as co-counsel in this community-wide effort to challenge the City's plans to accommodate the closing of the Fresh Kills landfill by expanding garbage transfer stations along Williamsburg's waterfront. Brooklyn A participated in litigation to force the City to follow procedures ensuring maximum community input and prior consultation before the adoption or revision of the City's Solid Waste Management Plan. This litigation, along with the coalition's efforts, has led the City to withdraw its initial plan.

North Brooklyn Coalition Against Family Violence, Inc.: This coalition of North Brooklyn groups is dedicated to providing services and support to the rising numbers of victims of domestic violence in the area. As counsel to the Coalition, Brooklyn A developed its articles of incorporation, drafted its by-laws, secured its federal tax exempt status, and oversaw its filings with the Attorney General's office. Brooklyn A remains an active presence in the Coalition, which includes Alternatives For Women (AFW), Los Sures, St. Nick's, Nuestros Ninos, the Ridgewood-Bushwick Senior Citizens Council, and others. Brooklyn A was awarded $313,000 from the US Department of Justice to start a Domestic Violence Law Project. When that funding expired, Phillip Morris Companies provided continuing support. As a result, Brooklyn A's Project staff assists victims petition for orders of protection, seek the return of their children from child welfare agencies, obtain child custody, visitation and support, and resolve housing, government benefits and immigration issues. Last year the Project helped over 400 women with more than 1,000 legal problems.

Outrage: Brooklyn A advises member organization Outrage in its battle to diminish the harmful impact of waste transfer stations (WTS) in Community Board 1. The Williamsburg Greenpoint communities have the largest saturation of WTS and the Department of Sanitation planned on increasing the saturation in the area. Composed of tenant and non-profit members, Outrage succeeded in receiving a moratorium on any new WTS in Community Board 1.

Stop the Barge: With Stop the Barge and Neighbors Against Garbage, Brooklyn A is working to stop the construction of two new electrical production facilities on the Williamsburg waterfront. Both facilities received necessary air permits from the New York State Department of Environmental Conservation although no environmental impact statement (EIS) was completed by state-appointed lead agencies. The affected neighborhoods are already saturated with environmentally hazardous facilities, and suffer from shockingly high asthma and cancer rates.
Southside Task Force: A coalition of Southside Community organizations and leaders who meet on a monthly basis to coordinate their activities and update each other on their plans and projects. Among the initiatives that the Task Force has promoted are the Southside Partnership Homes and the North Brooklyn Coalition Against Family Violence. The Task Force hosts presentations by community leaders, local police, hospital administrators, governmental officials, and representatives of neighborhood banks, businesses, and related institutions. Brooklyn A has served as counsel to the Task Force since it was formed.

"Tin House" Closing: In 1987, NYC Mayor Koch closed the main Oceanhill-Brownsville fire house, Engine Company 232, on Super Bowl Sunday. The City had held no prior discussion with the community or even given advance notice of its intention. On behalf of the local community board and a broad coalition of local elected officials and community groups, Brooklyn A filed a civil rights suit to prevent the closing and block destruction of the building. Plaintiffs' claims of racial discrimination and violation of the NYC Urban Land Use Review Procedure (ULURP) survived the City's motion to dismiss. The City Council subsequently passed legislation which requires 30 days' notice before similar closings, and the building has not been torn down.

Williamsburg Bridge Task Force: This task force was formed in 1988 shortly after the discovery of serious structural faults in the Williamsburg Bridge. It was founded by neighborhood residents anxious to have a role in the evaluation of plans for the reconstruction/replacement of the Bridge. As counsel to the task force, Brooklyn A played a critical role in ensuring this participation and in averting plans that would have displaced or destroyed large segments of the low-income community. Several years later, Brooklyn A came together once again with many of the groups from the Task Force when it served as co-counsel to a coalition of neighborhood groups from both the Manhattan and Brooklyn sides of the Williamsburg Bridge. This coalition succeeded in halting the dangerous blasting of lead paint on the Bridge and won the adoption of safe and tightly monitored paint removal procedures.

North Brooklyn Coalition for the Arts, Inc.: This is a coalition of the major development and community groups in North Brooklyn, including Los Sures, St. Nick's, El Regreso, Ridgewood-Bushwick Senior Citizens Council, Nuestros Niños Child Development School, and Southside Mission, among others. It was initially organized to prevent the closure of the last movie house in all of Williamsburg-Greenpoint-Bushwick, and to convert it to a community center for the arts, including the preservation of the theater. Having seen the threat to the loss of major neighborhood facilities and landmarks, the group plans to put together funds to acquire, develop and/or renovate such critical, but endangered parts of the cultural infrastructure of this area. Brooklyn A handled the coalition's incorporation, developed its bylaws and other organizational documents, and is doing the work related to obtaining tax exempt status. In addition, our attorneys are assisting with the negotiations to acquire the theater and associated financing.

Mobilization Against Displacement: This is a coalition of neighborhood organizations fighting to protect the interests of seniors and other low income tenants in the rapidly gentrifying sections of Williamsburg and Greenpoint. The group includes St. Nick's, Los Sures, People's Firehouse, Neighbors Against Garbage, and the North Brooklyn Development Corporation. Brooklyn A is working with the coalition to develop legal and other strategies to address the crisis level displacement of long term residents as a result of rapidly rising market rents.
Paul J. Acinapura is the General Counsel of Brooklyn Legal Services Corporation A., the Managing Attorney of its East Brooklyn Office, and the head of Brooklyn A's Community and Economic Development Unit. With Brooklyn A since 1974, he has been practicing community economic development law for 24 years. Paul is an expert in corporate, real estate, health care, and contract law. He has done pioneering work in the area of financing the capital expansion of primary care health facilities run by community-based providers.

Hillary Exter has worked in Brooklyn A's Community and Economic Development Unit since 1986. Before joining Brooklyn A, she worked with the Legal Aid Society, Criminal Appeals Division's Parole Revocation Defense Unit. She received her B.A. in 1976 from Queens College of the City University of New York and her J.D. in 1979 from the State University of New York at Buffalo Law School.

Rafael Martinez joined Brooklyn Legal Services Corporation A in January, 1998. Funding for his position was obtained through contributions from 10 major law firms (see page 23 photo) interested in and supportive of Brooklyn A's efforts in community and economic development. As a former acting general counsel to the NYS Roosevelt Island Operating Corporation, member of the NYC Planning Commission, and associate counsel to the NYS Urban Development Corporation, Rafael brings substantial economic development experience to Brooklyn A.

Rick Wagner has been Brooklyn A's Director of Litigation since 1985. Originally working in journalism for NBC's News and Press Information department after his graduation in 1966, he decided to go to law school and graduated cum laude from New York Law School in 1980. Having engaged in a great deal of civil rights and other affirmative litigation at Stolar, Alterman, Wagner & Boop, he came to Brooklyn A in the summer of 1985. Rick has worked with the CED Unit on the Elva McNeal, Noble Drew, Medgar Evers, Gates Avenue, Willard J. Price, 300 Putnam and Marcus Garvey cases to obtain the ouster of corrupt ownership and management, and has also worked with the unit on such diverse cases as the "Tin House" case and the Brownsville Jail matter.
Martin S. Needelman is the 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 Staff Attorney, specializing in education, immigration, civil rights, housing, and community group representation. Throughout his over 30 years with Brooklyn A, Marty has received a number of awards for his community leadership and legal services work.

Gibb Suratte joined Brooklyn A as a Staff Attorney in 1992. Prior to that, he spent five years at NY Legal Services in a program to represent the chronically mentally ill. He initially served in Brooklyn A's Family Preservation Unit for three years. Since 1995, he has served in Williamsburg's Group Representation Unit. Gibb is also the attorney union delegate for the Williamsburg office and has held various other positions in the Legal Services Staff Association. He lives in Brooklyn with his wife Barbara, daughter Acotirene (15) and son Ektar (9).
# APPENDIX

## TENANT ASSOCIATIONS AND TENANT COOPERATIVES

Ongoing Representation (Partial List)

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Partnership for Community & Economic Development