The newly-constructed Lucille Rose Manor Senior Center in Brooklyn, which was once vacant city-owned land, now includes 54 apartments for senior citizens, plus a community space and supportive social services.

The staff at Cypress Hills Community School, a public elementary school that emphasizes parental and community involvement and uses a dual language educational program.

Local children painted this mural on a garden shed in Highland Park.

190 South 8th Street in Williamsburg, where Brooklyn A represented the tenants association against a landlord seeking to oust low-income tenants in this rapidly gentrifying area. Tenants received 18 months rent abatement as compensation for harassment.

Children making paper mâché at the Cypress Hills Community School.

Urban Health Plan, a new 39,000 square foot community health center, provides a full range of medical, AIDS, prenatal and social work services.

Cover photos: © Virginie Blachère 2003
How do legal services lawyers get involved in economic development work?

We're often asked this question. We got involved because we saw that by representing energetic, effective, concerned neighborhood groups attempting to build and rebuild their communities, we could have a much greater positive long-term impact on the lives of the low-income individuals and families caught in the day-to-day struggle to survive.

Just as our fellow attorneys who represent large corporations, we use the law in multiple ways to support the work of our client organizations, and to support the development of the communities of North and East Brooklyn. We help them build schools that work because their schools emphasize community and parent involvement and are child-centered. We work with these amazing groups to build and operate loving, nurturing, concerned day care, senior citizen and health centers, quality low-cost housing, recreational facilities, and other needed services. We provide the legal arm for our group clients' efforts to create and sustain a meaningful infrastructure for their neighborhoods.

We also support tenants and tenant organizations that don't just want to hold back the rent or prevent evictions. We are the lawyers for families working together to resist ouster from their homes and neighborhoods by the forces of incompetence and greed. These tenant groups don't run from their "distressed" buildings, they don't let themselves be displaced. They take control of their buildings, end the harassment and the neglect, renovate their homes, convert them to low-cost tenant cooperatives, and contribute to the reconstruction of their neighborhoods, block by block.

In doing this work, we have developed long-term partnerships with over 100 client community organizations throughout North and East Brooklyn. Perhaps our most effective legal work is in supporting these grassroots groups in building a self-sustaining, community-driven, community-led response to historic neglect and discrimination.

To enable us to continue to do this work, we rely on our Partnership for Community and Economic Development, which includes not only our neighborhood partners, but also government, corporate, banking, and law firm leaders and other friends like yourself. We are deeply grateful for your generous and ongoing support. Together we can truly make this a better and more just world, and a better and more just Brooklyn!

Marty Needelman
Project Director and
Chief Counsel

Paul J. Acinapura
General Counsel and
Director, Community and Economic Development Unit

Martin S. Needelman
Paul J. Acinapura
BROOKLYN LEGAL SERVICES CORPORATION A
AND THE PARTNERSHIP FOR COMMUNITY & ECONOMIC DEVELOPMENT

The Community Development Docket 2003

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

Project Director and Chief Counsel
Martin S. Needelman

General Counsel and Director, Community and Economic Development Unit
Paul J. Acinapura

Director of Development
A. Maryline Damour

Board of Directors
Rev. Peter A. Mahoney, Chair
Arthur Bates, Vice-Chair
Brian Sullivan, Treasurer
Valerie A. Harg, Secretary
Jane N. Barrett
Jenny Ortiz-Bowman
Mirta M. De Jesus
Harold Green
Harvey Lawrence
Joseph Lipofsky
Adela Miranda
Anne Pillsbury
Thomas McC. Souther
Benjamin B. Turner
Jones H.R. Windels

Advisory Committee
Honorary Co-Chairs
Haywood Burns, 1940-1996
Dean John D. Feenick
Barry H. Garminkel
Charles E. Inniss, 1935-1997
Henry L. King
Robert MacCrate
Marty Markowitz
Sargent Shriver
Hon. Harold R. Tyler, Jr.
William A. Volokhausen, 1937-2001

* * *
John M. Imperiale, Chair
Avin Adelman
Henry P. Baer
Darren Bloch
Cecil Brooks
Lloyd W. Brown
Nellie Bruno
Andre Burrell
Eduardo Castel
Peter A. Cross
Seth J. Cummins

H. Elaine Doves
Thomas Early
Joseph E. Geoghan
Steve Gordon
Gary S. Hattem
Michael Hickey
Susan M. Jacoby
Jean Leon
MacDara Lynch
Frank J. Macchiara
Kenneth J. Mahon
Thomas A. Nemeth
Edward Odom, Jr.
Russell G. Pearce
Vincent F. Pitta
Roy L. Reardon
Barbara Paul Robinson
Leslie B. Samuels
Frederick A.O. Schwarz Jr.
Marianne Teta
Grace Lyu Volokhausen
Peter Ward
Joseph Wayland
Dean Joan G. Wexler
Contents

COMMUNITY PARTNERS

Community Development Organizations .......................................................... 8
Multi-Service Organizations ........................................................................ 8
Day Care Providers ....................................................................................... 9
Neighborhood-Based Health Care Providers .................................................. 9
Newly Formed, Community-Based Organizations ........................................ 9

CURRENT DEVELOPMENT PROJECTS

Low-Income Housing .................................................................................... 10
Cooperatives ............................................................................................... 10
Mutual Housing ......................................................................................... 12
Rental Housing .......................................................................................... 12
Special Needs Housing ............................................................................... 15
Homeless Housing ....................................................................................... 16
Home Ownership ........................................................................................ 16

Child Care/Education ................................................................................. 17

Health Care ................................................................................................. 19

Community and Worker-Owned Businesses ................................................ 20

Community Facilities .................................................................................. 20

Employment and Business Opportunities ................................................. 22

GRASSROOTS CAMPAIGNS

Tenant Associations .................................................................................... 23
Federally Subsidized Housing ..................................................................... 23
City-Owned Housing ................................................................................ 24
Privately Owned Properties ......................................................................... 25

Community Coalitions ............................................................................... 28

WHO WE ARE

Community and Economic Development Unit—East Brooklyn Office ......... 31
Group Representation Unit—Williamsburg Office ....................................... 31
Tenant Associations and Tenant Cooperatives .......................................... 32

The printing of this Docket is made possible by a generous in-kind contribution from the law firm of
Davis Polk & Wardwell.
"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."

Twenty-nine years ago, Barbara Schliff (at far left), with a B.A. in Sociology, came to Los Sures as a VISTA volunteer. She learned the basics of tenant and community organizing "on-the-job," through helping low-income, mostly Latino tenants deal with housing problems in the Southside of Williamsburg. She was retained on the staff of Los Sures after her VISTA tenure under the Community Employment and Training Act. During the next three years, Barbara set up what would become the successful Housing Resources Unit of Los Sures. The Unit’s goals are to foster self-help through advocacy, organizing and education.

Over the years, Barbara has organized tenant associations in private and Los Sures buildings, brought numerous buildings into the city’s 7A program, provided technical assistance to 10 tenant-owned cooperatives, advocated for tenants in housing court, and worked with tenants’ associations to take over management of their buildings.

Most recently, Barbara has been working with Save Our Southside, a group that is working to preserve low-income housing and prevent displacement of residents in the Southside of Williamsburg due to gentrification in the area. The group has been active in the rezoning process, working to ensure that new developments provide significant numbers of affordable apartments.

Barbara is a recognized leader in her field. Her persistence and uncompromising belief in the rights of low-income tenants to safe, affordable housing has earned her the respect of her peers. Barbara co-founded the City-Wide Housing Task Force and is a member of the New York State Tenant and Neighborhood Coalition and the Association for Neighborhood Housing Developers.

Brooklyn A has been working with Los Sures since its inception over 25 years ago. The bulk of our partnership has involved working with tenant associations to attain legal control of their buildings because of landlord neglect and harassment, ultimately leading to ownership in the form of low-income coops.

For additional Los Sures projects, please see the Low-Income Housing section under Current Development Projects.
Ana Caba was born and raised in the Dominican Republic. In 1985, along with her husband and five-month-old son, she moved to the United States to seek a better future for her family. The birth of a second son and a daughter followed shortly, as did an unfortunate end to her marriage. Alone and in her early twenties, Ana knew she needed a full-time job, no easy task with three young children in tow.

In 1990, Ana participated in the Cypress Hills Child Care Corporation's (CHCCC) first workshop series for those interested in becoming family day care providers. Ana successfully completed the training, passed the Department of Health’s licensing requirements, and convinced her landlord to allow her to operate her child care business from her home. An active member of CHCCC, Ana attended seminars on all aspects of running a small business, as well as menu planning and cooking with children.

A few years later, when CHCCC established one of the first Head Start Family Day programs in New York, Ana applied so that she could have the security of a steady income and the medical benefits she had been without for so long. Being part of the Head Start program involved additional responsibilities, including attending workshops, home visits and keeping detailed student records. The following year, Ana became a certified child care professional.

In addition to her professional accomplishments, Ana, with the help of the Cypress Hills Local Development Corporation (CHCC’s parent organization), participated in a homebuyer education program. This program assisted Ana in establishing and documenting her credit, and encouraged her to start a savings plan where Cypress Hills matched three dollars to every dollar she saved for a maximum of $5,000 dollars. These funds enabled Ana in 1998 to purchase a two-family home—a handyman special—that she, together with her children, cleaned, repaired, painted and transformed into a home/daycare center.

Brooklyn A provided assistance to establish the Cypress Hills Childcare Network and its In-home Head Start program. We are also involved in providing advice to the Cypress Hills home ownership program.

For additional Cypress Hills Child Care Corporation programs, please see Day Care Providers under Community Development Organizations.
COMMUNITY DEVELOPMENT ORGANIZATIONS

Brooklyn A has developed a special ongoing relationship with some of the largest, longstanding, multi-program organizations serving 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 conjunction with a number of these CDCs.

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 obtain and retain 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, training, counseling, advocacy, family and youth services for residents of the Cypress Hills section of East New York.

East New York Local Development Corporation (ENYLDC): Provider of commercial revitalization job training, job referral and supportive services to low-income community residents, especially 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. (OHBTA): 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 or a non-profit community-based entity).

People’s Firehouse Inc.: A multi-service community service organization in Williamsburg’s Northside offering supportive housing, and providing organizational assistance to low-income cooperatives, a weatherization program, and advocacy services.

Ridgewood-Bushwick Senior Citizens Council Inc. (RBSCC): Provider of 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 apartments in 90 buildings), a Housing Resources Unit (which provides organizing and technical support to over 40 tenant associations and low-income co-op boards), a senior citizens program, a social services agency, and a support center for victims of domestic violence.

Day Care Providers

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

Nuestros Niños Child Development School, Inc. (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.

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.

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 Against Family Violence, Inc. Often community members come to Brooklyn A with ideas to address an unmet community need. Our staff will 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.
Current Development Projects

LOW-INCOME HOUSING

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 them prepare 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 re-financing 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 Fred 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 nonprofit 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 NYC 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 membership 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 (CMF). 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 for $325,000, using the withheld rent that had accumulated. 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 8-unit building from a rent strike 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 OHTTA rehabilitated through CFP. 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-Sushwick project involving the purchase and rehabilitation of an 8-unit 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 runaway 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 coop against a meritless suit which alleged discrimination. Collaborated with attorney provided by insurance company in defending and ultimately settling 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.
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.

Mutual Housing

Thomas S. Boyland HDFC: A non-profit corporation formed by OHSTA 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 OHSTA previously rehabilitated through the City’s Community Management Program at a cost of $9.5 million.

Brooklyn A is counsel to OHSTA and the HDFC. Representation includes: 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.

Rental Housing

2170 Atlantic Avenue HDFC: A project involving 35 units of formerly City-owned low-income housing which OHSTA 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 5A 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 into 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. Title and construction loan closing expected in May of 2003.

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 Commons Apartments: A CHLDC project involving the acquisition of four landlord 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 the summer of 2003 and be completed in 2005.

Cypress West Housing Development Fund Corporation: A $710,000 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. Title and construction loan closed in January 2003 and project is expected to be completed in the spring of 2004. 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 BA 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-owned 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 uniform land use review process (ULURP). Occupied: March 1994.

**Bedford and South Ninth Houses:** A $3.9 million 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 in June, 2002, equity closing in December 2002, with anticipated occupancy in the winter of 2003.

**101 Harrison Avenue Housing Development Fund Corporation:** A $510,000 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. Acquisition and construction loan closing in June 2002, with occupancy expected in the spring of 2003. Brooklyn A 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 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 BA 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 negotiations 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, Drey & 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 ('85/86') 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 non-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 $1.2 million OHBTA project involving the acquisition of 2 vacant, abandoned buildings and 13 occupied buildings and rehabilitation of 205 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-Billal Houses: A $1.3 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 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 co-sponsored by St. Nick's and Los Sures. The project is financed through the City/State “65/65” program as a LIHTC syndication. Brooklyn A representation as in 1109 Madison Street HDC. 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 OHTBA'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 nonprofit 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 NBDHC 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.
Special Needs Housing

**Arlington Apartments**: $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 served as counsel to CHLDC and the non-profit subsidiary it formed for this project. Representation included: 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 sets aside 2 units for veterans, 3 for single-parent households, and 27 for homeless families and individuals. It includes a community space and supportive social services. Financed by HHAC. Completed in 2002.

Brooklyn A representation included: 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 defaulted initial contractor involved 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 non-profit HDFC. Financed by HUD’s Section 202 Program. Completed in 2001. Brooklyn A representation included: 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.

**145 South 3rd Street HDFC (Los Sures Senior Housing)**: A $10 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. Construction expected to commence in the winter of 2003. 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 NABDC 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 LMTC 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 Richelds & O’Neil and Millbank, Hadley, Tweed and McCloy) included: 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 $5,000,000 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.

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) operated 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 (HDC). The Chisolm HDFC has so far acquired 14 buildings with 316 units, which were rehabilitated at a cost of $28 million. OHBTA is currently leasing 13 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 Neil 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 (Neil 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.

Home Ownership

Cypress Hills Neighborhood Homes: A $1.8 million initiative to rehabilitate small, standard, 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 1999 by a CHLDC subsidiary, Cypress Homes HDFC. Current tenants will be relocated during construction. Upon renovation, the buildings were 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 included negotiating with HPD to structure the program so that it protected CHLDC; formation of corporate subsidiary which took title and did the 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 performed 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. One building completed; three buildings currently close to construction completion, two properties in contract and expected to close in the spring of 2003. CHLDC hopes to negotiate a bulk purchase agreement of one-to-three family homes in Cypress Hills. Scope of Brooklyn A's representation as In Neighborhood Homes.

Tompkins Park North Homes HDFC: 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 the Enterprise Foundation and HUD in the amount of $2,791,766. 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. Sale of the rehabilitated residences to local community purchasers will occur in December 2003 or early 2004.

Tompkins Park North Homes HDFC: Another HPD Neighborhood Homes project, involving the acquisition and rehabilitation of 7 multi-family residences will commence in 2003/2004. Acquisition is projected to occur in June 2003 and sale of the rehabilitated residences to occur around June 2004. Brooklyn A representation will be the same as above.

Ozlee Wilson HDFC: An organization created by the Bushwick Information Coordinating & Action Committee to acquire and construct a 67 unit supportive housing residence for the elderly under HUD Section 202 Program. This project will cost approximately $7,958,300 and initial closing is anticipated by the end of 2003. Brooklyn A's representation includes: formation, structuring and tax exemption of the HDFC; drafting agreements between the client and other development team members, such as the architect and construction contract; preparing all title and loan closing documents; and attending the title and loan closing.

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 $18 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 went 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 ongoing 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 was fully completed and occupied last year.

CHILD CARE/EDUCATION

Children and Parents Day Care Center, Inc.: 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 324 neighborhood children through its fifty 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 60 children through 9 teachers.

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.

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-based organizations (CBOs) to address school overcrowding. SCWG has developed a model non-profit leasing program in which CBOs experienced in facilities development 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, Inc.: 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 to 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 underserved 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, and helped obtain an additional 10-year lease extension.
Troy 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 Internal Revenue Code and advice on school governance issues.

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 low-income community residents with 50,000 medical and dental visits (including pre-natal, AIDS, social work, and nutritional services). It now employs 140 individuals. Financed through tax-exempt bonds issued by NYS Medical Care Facilities Finance Agency (MCOFFA) and insured by State of NY Mortgage Agency (SONYMA); ancillary funding by NYS Department of Health (DOH).

Brooklyn A representation has included: applying for and obtaining a Certificate of Need from DOH; submissions to and appearances before MCOFFA, 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 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 RSFHC 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, medicallyunderserved 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 BDG, 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 BDG 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 NYS 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 serves as the new home for its community health center. The center provides a full range of medical, AIDS, prenatal and social work services. In its new facility, it has added dental and nutrition services as well as expanded its capacity to provide a range of services in its 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.

COMMUNITY AND WORKER-OWNED BUSINESSES

Central Brooklyn Fedayeen Construction Company: A worker-owned company performing light construction primarily in residential apartments. It was formed by OHBTA 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 OHBTA; orienting prospective worker-owners; serving as liaison with accountants and business consultants; preparing funding applications; and drafting and negotiating loan and construction agreements.

OHE Security Corporation: This company formed by OHBTA and licensed by NYS in July 1994 now employs more than 200 community residents as security guards. OHEBA is preparing to offer co-ownership to longtime 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 corporation 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 2003 and expects to employ 30 individuals by the end of its first year. Brooklyn A, along with pro bono co-counsel Patterson, Bellknap, 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 capital.

COMMUNITY FACILITIES

Cypress Hills Mini-Mall: A project of CHLDC, the Cypress Hills Mini-Mall 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 $160,000 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 A 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 Brooklyn A has held since GREC's inception), we 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 draft 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.

Brooklyn A's CEO team will assist Los Sures in developing housing for 40-60 additional families on this site at an approximate cost of $10 million. Among the work to be done will be identifying funding sources, developing financial arrangements, negotiating and drafting financing, construction, and marketing plans and agreements, throughout the development process through the closing and after.

Brooklyn A attorneys, having successfully negotiated Los Sures's acquisition of this valuable property have now successfully negotiated and effectuated the conveyance of a portion of the property to El Regreso, a community-based, residential drug treatment and prevention program. El Regreso is developing its first women's residential program to occupy its portion of the site. Brooklyn A did the legal work to convey back to Los Sures the balance of the property and prepared a real estate tax exemption application.
EMPLOYMENT AND BUSINESS OPPORTUNITIES

The North and East Brooklyn CDCs and their community-based development projects function as major generators of employment for community residents. The projects have created hundreds of well-paid jobs for local residents hired to carry out demolition, renovation and construction. Hundreds more have found meaningful, productive long-term employment in building maintenance, management and security, in CDC administration, and in the myriad community-based service and educational programs carried out by the CDC’s. OHTBA, for example has become the second largest private employer in Ocean Hill-Brownsville, with a permanent, full time workforce of 245 employees. Similarly, CHLDC, with more than 200 employees, is now one of the largest private employers in East New York.

While all of the CDC’s create jobs through their own activities, some also operate specific programs to help local residents find work with other employers.

Central Brooklyn Neighborhood Employment Center: CBNEC is funded by the New York City Partnership (NYCP) and the NYC Human Resources Administration (HRA) to provide a broad range of services to low-income community residents seeking to find, retain and upgrade employment. It provides job skills assessments, job readiness workshops, job matching and placement services, employment counseling, and referrals to childcare, educational, and job training programs, as well as access to the resources required for an effective job search (e.g., job postings, computers, telephones, fax machines). Its relationships with local and city-wide employers have enabled CBNEC to generate on-the-job training opportunities and other entry-level positions, resulting in permanent employment for 200 community residents, with a 70% retention rate.

Brooklyn A’s representation of CBNEC includes corporate formation, bylaws, application for state and federal tax exemption, negotiation of agreements with HRA, NYCP and a community-based fiscal sponsor (pending receipt of federal income tax exemption), and consultation on a personnel practices manual.

Cypress Hills Employment Center: CHLDC sponsored EarnFair program, as described in CBNEC. Brooklyn A’s representation includes advice on contract and program issues, and lease negotiation.

Elva McZeal Learning Center: The Elva McZeal Tenants Association HOFCA is the sponsor of the Elva McZeal Computer Learning Center, whose mission is to help participants become economically self-reliant; to raise the level of their expectations for themselves, their families, and their communities; and to encourage them to serve as agents of change and facilitators of self-growth in the process. The Center provides office technology and skills training and job partnership/placement assistance through six month classes on site at the Elva McZeal Apartments to the buildings’ tenants and the surrounding community.
Grassroots Campaigns

**TENANT ASSOCIATIONS**

A significant part of Brooklyn A’s group representation work is performed in support of local tenant associations and the tenant organizations employed by its partner organizations. Brooklyn A lawyers work with the tenants and their organizers to help rectify hazardous living conditions and restore critically needed services, including heat and hot water. Often these efforts lead to the tenants, with the critical ongoing assistance of the organizers, taking responsibility for managing and ultimately owning the buildings in which they live, frequently in the form of tenant cooperatives. Brooklyn A helped revive a previously unused statute (RPAPL Article 7A) to effectuate court ordered transfers of management from irresponsible landlords to community organizations. Brooklyn A currently represents approximately 60 tenants associations and tenant cooperatives. Some recent examples of the organization’s work in this regard include:

**Federally Subsidized Housing**

*Elva McNeal Apartments*: This $8 million, 143-unit federally-subsidized low-income housing project in East New York was acquired by HUD in 1983 and rapidly resold to private owners at a small fraction of its initial cost. The new owners proceeded to pocket HUD rent subsidies while providing few services and allowing the buildings to deteriorate. Since acquiring control of the building, extensive repairs have been made, and the project now provides safe and affordable housing. As counsel to this tenants association owner, Brooklyn A is involved in the negotiation of a structured work-out for the outstanding liens on the property which arose from the history of neglect and mismanagement.

At that point, Brooklyn A – representing the Elva McNeal Tenant Association – sued HUD and the private owners on the theory that tenants are third-party beneficiaries of HUD rent subsidy contracts. As a result of this lawsuit, the U.S. District Court appointed a receiver to collect rent and make repairs. In this context, and with the owners facing Federal investigation into possible felony charges, Brooklyn A negotiated transfer of title to the Tenant Association without compensation (other than assumption of property tax debts). Brooklyn A also negotiated a HUD commitment to continue rent subsidies.

The Tenant Association took ownership in February 1995. Its victory received national attention as a model of tenant-initiated action to improve low-income housing. Its story was featured by NBC Dateline on March 31, 1995, and since then in Newsday and the Daily News.

When the tenants acquired title, they assumed control of the buildings and responsibility for over 800 housing code violations, requiring extensive repairs. As counsel to this tenants association owner, Brooklyn A is involved in the negotiation of a structured work-out for the outstanding liens on the property which arose from the history of neglect and mismanagement.

*Gates Avenue Houses*: On April 17, 1997, after having filed a Civil RICO action against the claimed owners of this project, Brooklyn A achieved the ouster of one of the most notorious owner/managers of Section 8 Housing in the United States from the management of the project (see New York Times, 6/23/97, page 1). Based upon the allegation of criminal conversion of project funds by the purported owner, Allen Bird and his management company, RPS Management Inc., the Secretary of HUD, Andrew Cuomo, announced the ouster of Alan Bird from participation in ownership of HUD subsidized projects. This ouster is currently the subject of litigation by Bird and his company against the Secretary.

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 looters 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 claim and withdrew their suit in exchange for $300,000 earmarked for an on-site computer learning center. 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.

*Modgor 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 mortgagee-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 by HUD of more than 10 million dollars in rehabilitation and security at the project, it also triggered an investigation by the HUD Inspector General’s office which may result in criminal or other punitive proceedings against the former owners.
**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 been previously ousted from management from Medgar Evers houses through a RCO 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 commenced a 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 U.S. District Court in Brooklyn. After a considerable period of litigation, HUD 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 (Silom 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 W.J. 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 ten 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. The Center will open shortly.

**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 peacefully there for several years. Brooklyn A has defended against repeated attempts to evict the homesteaders. We represent two homesteaders who soon will acquire title to the building, following an interim transfer and completion of the renovation by a community organization. We are currently working with six other families to convert the building to a low-income cooperative.

**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 OHSTA 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 defended the city’s claim of exemption from state and municipal housing laws: (1) Invalidate the City’s claim of exemption from state and municipal housing laws; (2) compel it to remain 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.

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. The tenants recently moved back into these renovated apartments.

101 South 9th Street: In conjunction with Los Sures organizers, we represented the tenants of this 5 unit building against new landlord’s attempt to oust the court-appointed Administrator so the landlord could evict these long-term residents. We succeeded in preventing the charge, showing the new landlord’s history of mismanagement and violations in other properties that he owns.

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
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 Surrogate’s court, in small claims court, in housing court, and with the Division of Housing and Community Renewal. 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 rent control status and rents at legal levels. We negotiated HPD intervention, whereby tenants are receiving complete renovations without rent increases.

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 revoke 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 were forced to suffer through landlord harassment and the hazardous conditions of their apartments. The case was settled for extensive repairs, vigorously enforced until completed. Also defeated landlord’s attempts to evade rent stabilization. Soon to obtain leases with legal rents.

372 Wallabout St: Brought a 7A proceeding in a dilapidated, heatless, drug and prostitution-infested property with absentee landlord. Litigated with mortgagees in housing court and Supreme Court, and ultimately settled successfully after compelling repairs, restoration of services, securing of premises, and elimination of illicit trades.

273 Lee Avenue: Obtained numerous vital repairs through appointment of 7A administrator. Following subsequent removal of administration, represented tenants in nonpayment cases resulting from renewed rent strike to compel further repairs. Obtained rent abatements and order to do repairs. Currently obtaining similar relief for tenants who were not sued, through out-of-court negotiations.

210 Raebling Street: Defeated attempt by real estate speculators to remove longstanding Los Sures 7A administrator.

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. Rent strike continues and now proceeding to enforce stipulation through motion for contempt.

296 Broadway: Brooklyn A petitioned for the appointment of a 7A administrator in a building where years of neglect and cover-ups by landlord have resulted in widespread high levels of hazardous molds, as well as extensive water damage, including damage to structure. Abatement work has continued on an emergency basis while case is pending. Extensive repairs were finally done after Brooklyn A moved for contempt. Brooklyn A has also defended 3 sets of nonpayment proceedings related to the tenants’ ongoing rent strike and a retaliatory ejectment action in Supreme Court. Landlord has settled 7A with a consent order for remaining repairs. Brooklyn A has also won an administrative overcharge complaint vindicating the building’s rent stabilized status.
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, Brooklyn A defeated the landlords' recent civil action, as well as their application for major rent increases.

103 Meseore 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. Brooklyn A recently stopped the city from demolishing this rent stabilized building, which would probably have caused catastrophic damage to adjoining homes. Currently negotiating with the city over rehab of the property.

257 Powers Street: Defeated landlord’s attempt 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. Renewed negotiations with new owner after sale.

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 housing court proceedings and then in the purchase of the mortgage.

310 South 3rd Street: Representing the tenants in this 35-unit, 6-floor apartment building, Brooklyn A has helped to maintain a seven-year rent strike while also defending nonpayment and holdover actions, in order 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 large rent abatements.

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 affiliated with Los Sures to repair and maintain this building.

343 South 4th Street: Los Sures’ affiliated administrator 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 mortgage 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: The Executive Director of St. Nick’s has served as the Court-Appointed Administrator of the premises and has overseen a $250,000 renovation.

869 Thomas Boyland Avenue: Representing the tenant association of this 30-unit low-income building in Brownsville, Brooklyn A 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 and 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 the 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 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 sought the appointment of an administrator by the Court. The trial, one of the longest in Brooklyn Housing court history, took 41 court dates and heard over 100 hours of testimony, resulting in the tenants’ receipt of 18 months rent abatement to compensate them for their suffering and to penalize the landlords who sold the building immediately after trial.

COMMUNITY COALITIONS AND COMMUNITY LITIGATION MATTERS

Brooklyn Unidos: This coalition of Latino groups from throughout Brooklyn was developed to promote the interest 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 Marsico, 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 low-income homeowners who have been victims of fraudulent, abusive, and predatory purchase and loan transactions, including several test cases now pending in federal court 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 by-laws 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 Fiephen 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. Arguments are by Brooklyn A and Brooklyn A on April 21, 2003 before the Appellate Division.

**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 confederacy 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 housing project, and to assist in housing project’s defense against tort liability suit.

**Let's Build IS 171 Committee**: A group of Cypress Hills parents and community residents organized to oppose the interim transfer of some grades from the overcrowded 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 and to recently announce a much more community-friendly approach.
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 Niños, 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, seeks the return of their children from child welfare agencies, obtains child custody, visitation and support, and resolves 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) and huge accompanying volume of garbage truck traffic 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.

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.

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.
Who We Are

COMMUNITY AND ECONOMIC DEVELOPMENT UNIT
EAST BROOKLYN OFFICE

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. A Brooklyn A staff member 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 capital expansion of primary care health facilities run by community-based providers.

Rafael Martinez joined Brooklyn Legal Services Corporation A in January, 1998. Funding for his position was obtained through contributions from 10 major law firms 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.

Hillary Eexter 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.

Rick Wagner has been Brooklyn A's Director of Litigation since 1995. Originally working in journalism for NBC's News and Press Information department, 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 McZeal, Noble Drew, Modjes 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, the Brownsville Jail matter, and, most recently, against predatory lenders.

GROUP REPRESENTATION UNIT
WILLIAMSBURG OFFICE

Martin S. Neidelman is the Project Director and Chief Counsel of Brooklyn Legal Services Corporation A, a position 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. Over the years, Marty has received a number of awards for his community leadership and legal services work.

Gibb Surette joined Brooklyn A as a Staff Attorney in 1992. Prior to that, he spent five years at MFY Legal Services in a program to represent the chronically mentally ill. After three years with Brooklyn A's Family Preservation Unit, Gibb joined the Williamsburg Group Representation Unit in 1995. Gibb is also the attorney union delegate for the Williamsburg office and has held various other positions in the Legal Services Staff Association.
# Tenant Associations and Tenant Cooperatives

Ongoing Representation (Partial List)

<table>
<thead>
<tr>
<th>Building Address</th>
<th>Sponsoring Organization</th>
<th>Building Address</th>
<th>Sponsoring Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>452 Bedford Avenue</td>
<td>Los Sures</td>
<td>190 &amp; 192 Meserole Street</td>
<td>St. Nick's</td>
</tr>
<tr>
<td>454 Bedford Avenue</td>
<td>Los Sures</td>
<td>79 Monitor Street</td>
<td>St. Nick's</td>
</tr>
<tr>
<td>1041 Bushwick Avenue</td>
<td>RBSCC</td>
<td>177 Montrose Avenue</td>
<td>St. Nick's</td>
</tr>
<tr>
<td>112 Calyer Street</td>
<td>St. Nick's</td>
<td>44 Morgan Avenue</td>
<td>St. Nick's</td>
</tr>
<tr>
<td>38 Catherine Street</td>
<td>St. Nick's</td>
<td>210 Roebling Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>104 Division Avenue</td>
<td>Los Sures</td>
<td>40 Scholes Street</td>
<td>St. Nick's</td>
</tr>
<tr>
<td>108 Division Avenue</td>
<td>Los Sures</td>
<td>140 Scholes Street</td>
<td>St. Nick's</td>
</tr>
<tr>
<td>277 Division Avenue</td>
<td>Los Sures</td>
<td>364 South 1st Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>279 Division Avenue</td>
<td>Los Sures</td>
<td>159 South 2nd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>287 Division Avenue</td>
<td>Los Sures</td>
<td>202 South 2nd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>235 Driggs Avenue</td>
<td>St. Nick's</td>
<td>285 South 2nd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>774 Driggs Ave., 168 South 3rd Street</td>
<td>Los Sures</td>
<td>272 South 2nd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>878 Driggs Avenue</td>
<td>Los Sures</td>
<td>278 South 2nd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>147 Freeman Street</td>
<td>St. Nick's</td>
<td>229 South 3rd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>611 Grand Street</td>
<td>St. Nick's</td>
<td>234 South 3rd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>92 Graham Avenue</td>
<td>St. Nick's</td>
<td>300 South 3rd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>101 Harrison Avenue</td>
<td>Los Sures</td>
<td>304 South 3rd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>167 Havemeyer Street</td>
<td>Los Sures</td>
<td>310 South 3rd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>252 Heyward Street</td>
<td>Los Sures</td>
<td>312 South 3rd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>378 Hooper Street</td>
<td>Los Sures</td>
<td>319 South 3rd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>15 Humboldt Street</td>
<td>St. Nick's</td>
<td>340 South 3rd Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>161 Java Street</td>
<td>St. Nick's</td>
<td>195 South 4th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>185 Johnson Avenue</td>
<td>St. Nick's</td>
<td>256 South 4th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>527 Knickerbocker Avenue</td>
<td>RBSCC</td>
<td>343 South 4th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>265 Lee Avenue</td>
<td>Los Sures</td>
<td>365 South 4th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>273 Lee Avenue</td>
<td>Los Sures</td>
<td>272 South 5th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>219 Manhattan Avenue</td>
<td>St. Nick's</td>
<td>319 South 5th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>392 Marcy Avenue</td>
<td>Los Sures</td>
<td>341 South 5th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>364 Leonard Street</td>
<td>St. Nick's</td>
<td>392 South 5th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>225 Lynch Street</td>
<td>Los Sures</td>
<td>100 South 8th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>394 Marcy Avenue</td>
<td>Los Sures</td>
<td>190 South 8th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>177-181 Mauer Street</td>
<td>St. Nick's</td>
<td>69 South 9th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>103 Meserole Street</td>
<td>St. Nick's</td>
<td>101 South 9th Street</td>
<td>Los Sures</td>
</tr>
<tr>
<td>141 Meserole Street</td>
<td>St. Nick's</td>
<td>156 South 9th Street</td>
<td>Los Sures</td>
</tr>
</tbody>
</table>
[1] 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 truest and broadest sense of the term, and not merely when 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. Sperer

The New Legal Aid as an Instrument of Social Change, 1965

U.III, L. Forum 57, 59-60 (1965)