BUILDING BY BUILDING, BLOCK BY BLOCK
THE COMMUNITY DEVELOPMENT DOCKET 2004
Brooklyn A provides legal assistance to low-income individuals and groups in the North and East Brooklyn communities of:

Williamsburg
Greenpoint
Bushwick
Oceanhill-Brownsville
East New York
Bedford-Stuyvesant
Cypress Hills
Starrett City
City Line
East Flatbush
Flatlands
Canarsie
LETTER FROM THE PROGRAM DIRECTORS

As a community-based organization working in North and East Brooklyn since 1968, Brooklyn A has a unique vantage point from which to witness and be a part of our changing and ever-growing neighborhoods. In the 1960's and 1970's, landlords were burning buildings in many of our neighborhoods for the insurance proceeds. Brooklyn A, together with other community partners, worked with tenants to save their neighborhoods and create tenant-owned coops. To date, we have created over 75 of these tenant-owned coops and they have been the core of stability in our communities.

Today, the scope and extent of our work has grown. In addition to creating solutions at the neighborhood level, more than ever, we are working at the city and state level on issues of development and planning to ensure the future stability of our communities. We are also expanding our Partnership for Community & Economic Development farther and wider to include foundations, banks, and other institutions that work with us to preserve and develop these neighborhoods.

For this year's docket, together with our community partners, we went through our archives to bring you an overview of the dynamic changes we have experienced in North and East Brooklyn. Our work this coming year builds upon the foundation and commitment of all of our partners to work for continued stabilization and preservation for our neighborhoods and their residents.

Martin S. Needelman
Project Director and
Chief Counsel

Martin S. Needelman

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

Paul J. Achapura
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.
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COMMUNITY DEVELOPMENT ORGANIZATIONS

Brooklyn A has developed a special ongoing relationship with some of the largest, long-standing, multi-program organizations serving low-income residents of North and East Brooklyn. These CDCs are provided with a full range of in-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 projects 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.

**Cypress Hills Local Development Corporation (CHLDC):** Sponsor of low-income and special needs housing, child care, intergenerational 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 Development Corporation (ENYDC):** 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 housing provider of commercial revitalization, advocacy and other social services in the northeast section of Bedford-Stuyvesant.

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

People's Firehouse Inc.: A multi-service community service organization in Williamsburg's Northside operating 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 tenants associations and low-income co-op boards), a senior citizens program, a social services agency, and a support center for victims of domestic violence.

**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 and other groups such as the North Brooklyn Coalition Against Family Violence, Inc., The Williamsburg-Greenpoint Mobilization Against Displacement (MAD) and the Brooklyn-West District Council of Presidents, Inc., a coalition of the presidents of all the public housing residents councils in a large sector of Brooklyn.

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 AND RECENT 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 prepare them for co-op ownership; drafting the property management contract and commercial leases; title closing; advice on legal issues facing the co-op Board, and, most recently, assistance in 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 Fried Frank Harris Shriver & Jacobson in the bankruptcy proceeding, which enabled the HDFC to avert mortgage tax foreclosure and then permitted restructure of finances so that the HDFC would retain ownership of property.

Hancock Manor: A $1.75 million NBHDC project involving the acquisition of 4 contiguous abandoned, vacant buildings and their rehabilitation into 16 apartments. The complex also includes a community space and a storefront office for NBHDC. The apartment area is leased to a non-profit co-op corporation under terms that (i) limit membership to low-income households, (ii) assure permanent affordability, and (iii) limit the equity a member can accumulate (a member who leaves the co-op can sell only to the co-op corporation, at a price set by the lease). Financed by the NYS Housing Trust Fund Corporation, NYS Division of Housing and Community Renewal, and 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 memberships in the co-op; assistance in obtaining real estate tax abatement; explaining the co-op structure to new tenant/owners and helping them prepare to operate the co-op corporation.

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

Brooklyn A is counsel to OHBTA and the co-op corporation. Representation included: reviewing the cooperative offering plan prepared by HPD; explaining the co-op structure to tenants and helping prepare them for co-op ownership; drafting the property management contract and commercial leases; title closing; and advice on legal issues facing the co-op Board.

376 Keap Street: Brooklyn A is also working with the 40 tenant families who own 376 Keap Street in Williamsburg to convert their building into a tenant cooperative. This is a Southside United HDFC (Los Surez) supported effort. 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 the 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 $3 million. Brooklyn A will provide the extensive legal work in obtaining the Attorney General’s approval for the conversion plan, including drafting and negotiating waivers, offering plans, revised certificate of incorporation, by-laws, proprietary leases, renovation financing arrangements and paperwork, as well as construction contracts.

265 Lee Avenue HDFC: Brooklyn A has represented the tenants of this 6-unit building from a rent strike through its conversion to a low-income, tenant-owned 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.
783 MacDonough HDFC: A low-income, limited equity residential cooperative similar to Jose Maria Garcia HDFC, with 41 apartments that CHBTA rehabilitated through CMP. Scope of Brooklyn A representation as in Jose Maria Garcia HDFC.

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

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

392 South 5th Street HDFC: 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 of 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 HDFC: 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 purportted purchaser, attempts to bribe co-op officer, insurance company's obligation to cover and represent the co-op against a suit which alleged discrimination. Collaborated with attorney provided by insurance company in defending and ultimately settling said Wujeton.

195 South 4th Street HDFC: 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 additional tax, liability, and insurance matters. Successfully defended against a $200,000 lawsuit by a disgruntled shareholder who wanted her neighbor evicted. Successfully defended repeated attempts in Supreme Court by same shareholder to obtain unreasonable access to confidential records of other shareholders, to stop corporate elections, and to prevent cooperative leadership from standing for re-election. Oversaw corporate elections. Now defending against false claims by same shareholder in Housing Court.

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

63 Franklin Avenue HDFC: Assisted low-income co-op in reconstruction of corporate books and records and transfer of banking authorizations without cooperation of deposed corporate officer.
340 South 3rd St.: Advised with respect to corporate elections and bylaw changes, and oversaw election of new and reshaped board.

582 Morgan Ave.: Advised cooperative with respect to determining eligibility for corporate elections.

204 Bushwick Ave: Advised cooperative with respect to management contract.

76 Richardson Ave: Drafted proposed policy for possible adoption by cooperative with respect to resale of shares and preservation of cooperative's low income character.

**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 Citywide 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 CIP 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 RA 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 occurred on May 19, 2003 and the tax credit closing occurred on December 24, 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 Corner Apartments:_ A CHLDC project involving the acquisition of three landlord abandoned, partially occupied buildings and the rehabilitation of 30 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 spring of 2004 and be completed in 2006.

_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 the rehabilitation project was completed in the winter of 2003-4. Permanent loan closing expected in Spring 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.

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

East Lincoln Houses: A $5.75 million OHTA 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 OHTA'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.

101 Harrison Avenue Housing Development Fund Corporation: A $51,000,000 Los Sures project involving the acquisition and rehabilitation of an occupied building with 6 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 closed in June 2002, with occupancy date in 2003 and permanent loan financing in early 2004. 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 OHTA rehabilitated through CMP and currently manages for a community-based HDFC owner. Scope of Brooklyn A's representation as in 2170 Atlantic Avenue HDFC (without 8A Loan).

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

Junius J. Watford Houses: A $4.5 million NEHDC 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 S formerly vacant City-owned lots. The project provides 18 units of low-income rental housing (10 reserved for homeless households) and supportive social services. Financed by HPD and the NYS Housing Finance Agency (HFA) through the Permanent Housing For Homeless Families (85/85) Program, with technical assistance from LISC, as a LIHTC syndication. Occupied: August 1985.

Scope of Brooklyn A's representation as in Cheryl's Villa, plus formation of a not-for-profit HDFC subsidiary of BICAC which holds title to the property and also operated it for several months prior to LIHTC syndication; obtaining the HDFC's exemption from federal income tax, NYS sales tax and NYC property tax; negotiation of documents that transfer beneficial interest in the property to a limited partnership formed by BICAC for this purpose.

Mamie Wiggins Apartments: A $12 million OHTA project involving the acquisition of 2 vacant, abandoned buildings and 13 occupied buildings and rehabilitation of 105 units of low-income housing and 4 commercial spaces (2 of which are used for OHTA 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 1999; final two occupied February 1999.

Mary R. Wilson-Bilal Houses: A $13 million OHTA 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 85/85 program as a LIHTC syndication. Brooklyn A representation as in 1109 Madison Street HDFC. Occupied in 2002.
**NEB Houses:** A $7 million NBHDC project involving rehabilitation of seven partially occupied buildings to create 59 units of low-income housing. Financed by HPD through its NRP Program, with Enterprise Foundation technical assistance as a LIHTC syndication. Title and construction loan closing in July of 2000 and limited partnership closing in December of 2000. Completed in 2002. Scope of Brooklyn A’s representation as in Cheryl’s Villa.

**Oceanhill Housing:** A $1.3 million OHSTA 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 OHSTA’s renovation of a full block of low-income housing in Oceanhill. Scope of Brooklyn A’s representation as in Cheryl’s Villa. Occupied: January 1993.

**Putnam-Evergreen Houses:** A $1.7 million BICAC project involving the acquisition of 3 abandoned, vacant buildings in the eastern part of Bushwick and the rehabilitation of 24 units of low and moderate income rental housing. Implemented through a limited partnership with a private development firm serving as managing general partner. Financed by HPD through its Vacant Buildings Program. Occupied: May 1990.

Brooklyn A’s representation included: Incorporating the non-profit subsidiary formed by BICAC for this project; obtaining federal tax exemption; and drafting, negotiating and enforcing the limited partnership agreement.

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

**56 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 De 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 8 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 defaulting initial contractor involving negotiations with State financing agencies and surety bond representative.

Lucille Rose Manor: A $4.8 million project involving acquisition of vacant City-owned land and new construction of an elevator building with 54 apartments for senior citizens, plus a community space and supportive social services. Co-sponsored by NBHDC and Wayside Baptist Church, through a jointly-controlled nonprofit HDFC. Financed by HUD’s Section 202 Program. Completed in 2002. 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 $10.0 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 shortly. Scope of Brooklyn A representation as in Lucille Rose Manor.

Ozzi 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 June 2005. Brooklyn A representation includes: formation, structuring and tax exemption of the HDFC; coordinating environmental inspections; drafting and negotiating architectural, construction and property management contracts; and handling the title and loan closings.

Throop Court: A $10.8 million NBHDC project involving acquisition of an abandoned privately-owned factory and an adjacent City-owned building and rehabilitation of this complex to provide 53 apartments for low-income households, with supportive social services. 28 units are set aside for mentally ill people with independent living skills; 25 for formerly homeless households. The complex includes: (i) office and work space for a non-profit provider of supportive services for the mentally ill; (ii) a space to be developed as NBHDC management and social services offices; and (iii) a space to be developed as a childcare, health or social services center. Financed by NYS Homeless Housing and Assistance Corporation (Hi-HAC) with LIHTC syndication, a bridge loan from the EAB Bank, and operating subsidies from the NYS Office of Mental Health. Occupied: October 1996.

Brooklyn A is counsel to NBHDC and to the limited partnership and two subsidiaries that NBHDC formed for this Project. Representation (with pro bono assistance from Richards & O’Neil and Milbank, Tweed, Hadley 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 $6,000,000 project to be funded by the NYS Housing Trust Fund with approximately 50 units. 75% of the units will be for low and moderate income families and 25% of the units will be for individual clients of the NYS Office of Mental Retardation and Developmental Disabilities (OMRDD). Also, development 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 OHTBA (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 nonprofit subsidiary (HDFC). The Chisolm HDFC has so far acquired 14 buildings with 316 units, which were rehabilitated at a cost of $1.3 million. OHTBA is currently leasing 10 other buildings (151 units, rehabilitated at a cost of $6 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 OHTBA and the HDFC. Brooklyn A representation includes: preparing the proposal which enabled OHTBA to qualify for SIP; forming the HDFC; drafting property management contracts and grant and loan applications; review of loan and regulatory agreements; title closings; tenant orientations; obtaining exemption from federal income and NYC real estate taxes; and obtaining abatement of NYC water and sewer charges.


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

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

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

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

HOME OWNERSHIP

Cypress Hills Neighborhood Homes: Phase I: A $1.8 million initiative to rehabilitate small, substandard, partially occupied, City-owned buildings and provide home ownership for low-income families. Under this program, eleven one-to-three family homes were acquired in June 1998 by a CHLDC subsidiary, Cypress Homes HDFC. Current tenants will be relocated during construction. Upon renovation, the buildings 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 and were completed in early 2004. Financed by HPD and LIHC, with technical assistance from USC.

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.

Phase II: In Spring 2004, Cypress Homes HDFC will acquire 8 municipally and federally-owned multi-family residences (See Phase I on city ownership and Tompkins Park North Homes HDFC described below of foreclosed 203-K HUD owned properties.) Sale of the rehabilitated residences to local community purchasers is expected to occur in the spring of 2005. Scope of Brooklyn A’s representation as in Phase I and Tompkins Park North.

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 Housing Trust Fund, the grant from Fannie Mae, and loan financing from a private mortgage lender. The initial set of

TOMPKINS PARK NORTH HOMES HDFC: A NHBDC PROJECT


SOUTHSIDE PARTNERSHIP HOMES: BROOKLYN A REPRSENTED SOUTHSIDE UNITED HDFC (LOS SURES) WITH RESPECT TO ITS SPONSORSHIP AND MARKETING OF 84 SUBSIDIZED, TWO-FAMILY HOMES FOR WORKING FAMILIES. THIS $16 MILLION PLUS PROJECT, DEVELOPED UNDER THE AUSPICES OF THE NEW YORK HOUSING PARTNERSHIP IN THE SOUTHSIDE OF WILLIAMSBURG IS PROVIDING LOW AND MODERATE-INCOME FAMILIES (INCOME RANGES BETWEEN $21,000 AND $53,000) WITH THE OPPORTUNITY TO BECOME FIRST-TIME HOMEOWNERS OF THIS HOUSING. PART OF THIS WORK INCLUDED GIVING THE HOUSING SPONSOR A ROLE IN THE DESIGN AND ENLISTING AN ARCHITECT TO MONITOR THE CONSTRUCTION ON BEHALF OF THE HOMEOWNERS. IN ADDITION, BROOKLYN A ASSISTED THE SPONSOR IN ENSURING THAT A MAXIMUM NUMBER OF THE HOMES WENT TO CURRENT AND FORMER RESIDENTS OF THE SOUTHSIDE.


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 HOUSECOUNSEL TO CHILDREN AND PARENTS SINCE ITS INCORPORATION. RECENTLY, BROOKLYN A REPRESENTED CHILDREN AND PARENTS IN A CASE WITH 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 CHLC IN 1992 TO DEVELOP QUALITY, AFFORDABLE CHILD CARE IN THE COMMUNITY THROUGH THE DEVELOPMENT OF SEVERAL DAY CARE INITIATIVES, INCLUDING:

1. CYPRESS HILLS CHILD CARE CENTER: A $1.1 MILLION PROJECT TO RENOVATE LEASED SPACE IN A LOCAL CHURCH FOR USE AS A CHILD CARE CENTER. PRE-SCHOOLING FOR 72 NEIGHBORHOOD CHILDREN PER YEAR. RENOVATION FINANCED BY THE NATIONAL COMMUNITY DEVELOPMENT INITIATIVE, NYC ADMINISTRATION FOR CHILDREN'S SERVICES, BOOTH FERRIS FOUNDATION, AGENCY FOR CHILD DEVELOPMENT (ACD), NYS EMPLOYEES STATE DEVELOPMENT CORPORATION, NYS DEPARTMENT OF SOCIAL SERVICES, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, WITH LISC TECHNICAL ASSISTANCE. OPERATING SUBSIDIES COMMITTED BY ACD. OPENED JANUARY 2001, WITH PRE-KINDERGARTEN CLASSES ADDED IN SEPTEMBER 2002.

2. CYPRESS HILLS FAMILY CARE NETWORK: PROVIDES TRAINING, START-UP LOANS (THROUGH A REVOLVING LOAN FUND), SHARED RESOURCES, GROUP PURCHASING AND TECHNICAL ASSISTANCE TO ENABE LOCAL RESIDENTS TO BECOME LICENSED PROVIDERS OF QUALITY FAMILY AND GROUP CHILD CARE IN THEIR HOMES. THE NETWORK CURRENTLY PROVIDES CARE FOR 320 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 70 CHILDREN THROUGH 9 TEACHERS.

BROOKLYN A REPRESENTATION TO CYPRESS HILLS CHILD CARE CORPORATION INCLUDES: COMPLIANCE WITH GOVERNMENT REGULATIONS.
Cypress Hills Community School (CHCS): A collaborative New Visions public elementary school, sponsored by CHLDC. The school emphasizes parental and community involvement and a holistic perspective on youth development. It utilizes a thematic and dual language (English-Spanish) educational program and an interdisciplinary team-teaching approach to instruction. The school opened in the fall of 1997 with grades K-3, and has expanded an additional grade each year to its current grades K-8. In the summer of 2001, CHLDC received a 20 million grant through the New York City Council to acquire and develop a community facility to house the full school and other child and family programs. A commercial building was acquired in May 2002 and construction is expected to commence in the summer of 2004 on a state-of-the-art school building. Upon completion, anticipated in Fall 2005, the facility will be leased to the New York City Department of Education for use by CHCS.

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

Brooklyn A participates, along with CHCS and CHLDC, in the NYC School Construction Working Group described below.

New York City School Construction Working Group (SCWG): Brooklyn A participates in this city-wide collaborative (whose participants include New York University’s Institute for Education and Social Policy, Pratt Institute, LISC, Enterprise, and other financial institutions, Lawyers Alliance, community-based organizations and public schools) which utilizes the expertise and commitment of community-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 has financed 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. Construction is expected to be completed this year.

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.

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

A RETROSPECTIVE OF DEVELOPMENT IN NORTH AND EAST BROOKLYN
The growing commercial revitalization in Greenpoint.

WILLIAMSBURG AND GREENPOINT

20 years ago, Brooklyn A, with community organizations like Southside United Housing Development Fund Corp. (Los Sures) and St. Nicholas Neighborhood Preservation Corp., saved decaying North Brooklyn by building affordable housing on formerly garbage-filled lots and wresting control of neglected buildings from landlords to create tenant-owned coops.

Today, gentrification is threatening the stable, vibrant communities these residents fought to create. Manhattan émigrés are pricing out low-income residents in Williamsburg. And as Williamsburg gets expensive even for these new residents, nearby Greenpoint is experiencing the spillover. Brooklyn A and its long-time community partners are fighting to increase the stock of affordable housing and ensuring that existing communities are not lost to unchecked development.

Photos courtesy of St. Nicholas Neighborhood Preservation Corp.
Twenty years of development in the Southside of Williamsburg.

Photos (top) courtesy of Southside United Housing Development Fund Corp. (Los Sures).
OCEANHILL - BROWNSVILLE AND EAST NEW YORK

Amongst the lower economic indicators of Brooklyn A's service areas, these neighborhoods have historically experienced less outside development and gentrification pressures. Beset by gangs and suffering as victims of drugs in the 1980s, today the streets of boarded-up vacant buildings have given way to new housing and commercial development. Pitkin Avenue, the main commercial street running through the heart of Brownsville, remains vibrant with new small business continuing to open.

Throughout the lean years of the 1970s and 80s and continuing today, organizations such as Oceanhill Brownsville Tenants Association, Inc. and Northeast Brooklyn Housing Development Corporation are, with the assistance of Brooklyn A, addressing issues crucial to developing and sustaining these neighborhoods. Along with the Brownsville Community Development Corporation, these community-based organization clients of Brooklyn A have refused to despair in the face of daunting challenges, and have assumed the responsibility of actively participating and shaping a better future for their neighborhoods and their residents.
When Carmen Freyles came to Brooklyn A in 1988, her family of five was facing imminent eviction from the home they had reclaimed from abandonment. The City of New York had brought squatters proceedings against her. Carmen appeared in court without representation or knowledge of her rights. She didn't have a chance to explain to the judge the family's circumstances and didn't have a clear understanding of the paper she signed in the hallway. Now, fifteen years later, Carmen is the owner of the fully renovated twofamily home she resides in with her children and their families. "I shudder to think where we would be if it weren't for Brooklyn A," says Carmen.

Originally from Puerto Rico, Carmen lived with her husband and their four children in East Brooklyn, where she has been a resident since the age of 11. In the mid-1990s, like many of their neighbors, the family was facing a desperate housing situation. They were already scraping by to pay rent and had just found out the rent was being raised once again. With Carmen on public assistance and her husband ill, the family could no longer afford to live in their apartment.

Desperately seeking a solution, Carmen noticed a vacant, abandoned 2-story house a few blocks away while walking her dog one day. "I knew it was crazy to be thinking about it but there was nothing else we could do," Carmen says. "We saw so many empty buildings around us which were being used for drugs and all kinds of problems. Yet we

"We saw so many empty buildings around us which were being used for drugs and all kinds of problems. Yet we could not find any place we could afford in the neighborhood."
Clockwise from top left: Renovations done with the help of the Freyes’ church community and friends; The abandoned building that was home to the Freyes family; Carmen’s grandchildren playing in the home’s backyard today.

Today, Carmen shares the 2-family house with Enrique and his family. She is employed as an escort on a school bus for children with special needs. Among her children are a retired Marine and a policewoman.

Carmen says, “I never believed that this was possible, that we could actually own this home. We are so grateful that Brooklyn A stood with us for all these years. If it were not for them, it would have remained only a dream.”

settlement offers by the City which required her surrender of the building in exchange for a rental apartment in some undisclosed location and condition. Carmen’s tenacity was due to her desire to provide stability, not just for her family but also for the community she had grown up in and loved.

Hillary explains, “We used the available legal tools to defend the actions. We also recognized that the issue of the ultimate ownership of the property was critical to protect Carmen’s sweet equity in the building.” By 1998, the family had spent approximately $15,000 in renovations. Brooklyn A’s efforts included, in addition to litigation, extensive advocacy with elected officials, city agencies, and liaison with churches and community organizations that were in support of the family.

After lengthy discussion and negotiation, Brooklyn A convinced the City to transfer the title of the building to Carmen. In a model that was later applied to squatters in the Lower East Side, the City first transferred the title to a nonprofit, which continued the renovation work, and then from the nonprofit to Carmen.

Upon completion of the renovations and after a period in which Carmen assumed management responsibility for the building, title was transferred to her and to her son Enrique in the winter of 2003. As part of the sale, she was able to assume a low-cost mortgage, which contains a partial evaporating lien. Brooklyn A represented Carmen and Enrique in the acquisition of title.
[]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. Sparer

The New Legal Aid as an Instrument of Social Change, 1965
U.III. L. Forum 57, 59-60 (1965)
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 (MCFFA) and insured by State of NY Mortgage Agency (SONYMA); ancillary funding by NYS Department of Health (DOH).

Brooklyn A's representation has included: preparing for and obtaining a Certificate of Need from DOH; submissions to and appearances before MCFFA, SONYMA, DOH and NYS Public Authorities Control Board; drafting and negotiating architectural, construction, and financing agreements; loan closing; negotiations with investment bankers; review of bond documents and representation of borrower in bond sale; and 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.

Brooklyn A is currently representing BCDC in another BMS expansion project which will result in the opening of a new health center facility located in a transitional housing facility. The new 5,000 square foot facility, when operational, will provide services at a level of 25,000 health care visits per year. Brooklyn A's representation involved structuring of the lease with the landlord, obtaining New York State regulatory approval, negotiation of construction contract and construction and long-term lender financing agreements for this $1.5 million dollar project. Construction loan closing is expected in March 2004, with operation at the new facility expected to begin in December 2004.

Bedford-Stuyvesant Family Health Center: A $20 million joint project with a private developer that involves the construction of a multi-use facility in the Bedford-Stuyvesant community of Brooklyn. The new facility will include 30,000 square feet to be used as residential and/or commercial space and an additional 30,000 square feet for use by BSFHC as the new home for its diagnostic and treatment center providing medical, dental, pre-natal, AIDS, social work, and nutritional services to low-income community residents. Supported by technical assistance and development loans from NYC Primary Care Development Corporation (PCDC). Financed through public and private sources plus ancillary funding from NYS DOH. Brooklyn A's representation as in Brownsville Family Health Center, plus site acquisition and title closing, and structuring a joint venture agreement with the private developer.

Borough Development Group: A BCDC affiliate which provides technical assistance to help non-profit organizations bring essential health care services to low-income, medically-underserved communities. It will help such groups to assess the need for additional services and facilities in their communities, to acquire and prepare an appropriate site, and to 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.
Brooklyn A has represented BOG in its acquisition of a 16,000 square foot building from which services will be provided by Brownsville Community Development Corporation. Brooklyn A's representation involved the real estate acquisition and financing of the building in November 2001 and the representation for the construction and permanent loan closing of $800,000 in July 2003. Occupancy is expected in April 2004.

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

Brooklyn A is counsel to BCDC and the non-profit subsidiary it formed for these programs. Representation includes: corporate formation and tax exemption; Certificates of Need for the in-patient and out-patient programs; negotiating of funding contracts and an agreement to lease and eventually purchase the facility; title and loan closings.

Urban Health Plan, Inc.: A $12 million project involving the construction of a new 39,000 square-foot facility which serves as the new home for its community health center. The center provides a full range of medical, AIDS, pre-natal and social work services. In its new facility, it 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's representation as in BMS Family Health Center plus site acquisition and title closing.

COMMUNITY AND WORKER-OWNED BUSINESSES

Central Brooklyn Fedayean 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.

OHB Security Corporation: This company formed by OHBTA and licensed by NYS in July 1994 now employs more than 200 community residents as security guards. OHBTA is preparing to offer co-ownership to 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 corporate entity, obtaining tax exemption, reviewing of business plan, lease of store space, contract with architect and construction contractor to undertake store renovations, and assistance in structuring training program.
COMMUNITY FACILITIES

Borough Development Group’s 408 Rockaway Project: A project of this BCDC affiliated entity, the 408 Rockaway Avenue project involved the acquisition of a 36,000 square foot commercial building in the heart of the Brownsville community to serve as a new “Life and Wellness Center.” Within the building will be provided food and nutrition services to pregnant women and their new born children and infants, as well as case management and counseling services to individuals and families impacted or affected by debilitating health problems. All services will be provided by BCDC through its licensed food and nutrition WIC Program (Women, Infant & Children) and its social services program staff.

The Project is fully privately financed and involved two phases: acquisition of the building which occurred in November 2001, and a construction loan closing which occurred in July 2003. Brooklyn A’s representation and work included negotiation of the contract of sale, title closing, negotiation of the contracts with the contractor, architect and the construction lender documents and representation at the construction loan closing. Occupancy is projected for May 2004.

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 $150,000 grant from the NYS Economic Development Corp, $200,000 from the Brooklyn Borough President, and additional grants from a number of banks. CHLDC is currently negotiating for site control and an anchor tenant.

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

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

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

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

BROOKLYN A ATTORNEY
HILLARY EXTER WINS LEGAL SERVICES AWARD
Pictured from left to right are: President of the Association, E. Leo Milonas; recipient, Kim Sweet, New York Lawyers for the Public Interest; Hillary Exter, Brooklyn Legal Services Corporation A; Catherine Rugheghaus, National Employment Law Project; Sandy Russo, Legal Services for New York City-Legal Support Unit; and Ed Simon, Legal Services for New York City-Mannahattan; and Joseph Beliacosta, Dean of St. John’s Law School, who presented this year’s Awards.
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 most 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 long-vacated 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 is the recently opened State funded residential drug treatment center for women developed by El Regreso.

Brooklyn A’s CDC 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 effected the conveyance of a portion of the property to El Regreso, a community-based, residential drug treatment and prevention program. El Regreso developed 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 citywide 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 (pursuing receipt of federal income tax exemption), and consultation on a personnel practices manual.

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

**Elva McNeal Learning Center:** The Elva McNeal Tenants Association HDFC is the sponsor of the Elva Mc Neal 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 McNeal Apartments to the buildings’ tenants and the surrounding community.
TENANT ASSOCIATIONS

A significant part of Brooklyn A’s group representation work is performed in support of local tenant associations and the tenant organizers 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 McZeal Apartments: This $6 million, 143-unit federally-subsidized low-income housing project in East New York was acquired by HUD in 1983 and rapidly re-sold 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 workout for the outstanding liens on the property which arose from the history of neglect and mismanagement.

At that point, Brooklyn A as representing the Elva McZeal 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 litigation, 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 a 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 workout 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 debarment of Alan Bird from participation in ownership of HUD subsidized projects. This debarment 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. In the project's history of neglect and mismanagement these efforts 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 workout for the outstanding liens on the property which arose from the history of neglect and mismanagement.

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

Brooklyn A, with pro bono assistance from Patterson, Belknap, Webb & Tyler, sued the owners and management of the project. Rather than face a motion to oust them from management, the defendants stipulated to being replaced by a court-appointed receiver. The receiver took over management on June 18, 1997, and has taken major steps to rehabilitate the project. Subsequently, HUD agreed to declare itself mortgagee-in-possesion, 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 RICO suit). In January, 1998, the US District Court for the Eastern District of New York granted HUD’s application to oust BPC and appoint a reputable, independent management company to operate the premises during litigation. During the intervening year, however, HUD failed to adequately finance the receivership. Therefore, at the request of the tenants, Brooklyn A 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 US 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 (Siloa 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 525 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 opened last year.

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 successfully negotiated with the city to transfer one of the buildings to two homesteaders following an interim transfer and completion of the renovation by a community organization. In addition, we represented the families in the title and loan closing. We are currently working with six other families to convert another of the buildings 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 Scheeler Street: On behalf of the tenants of this NYC-owned property, Brooklyn A sued for: (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 moved back into these renovated apartments.

We have continued to advise, facilitate collaboration between tenants and administrator, and to advocate with city agencies for financial and in-kind resources to accelerate necessary repairs.

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 that the landlord could evict these long-term residents. We succeeded in preventing the change, 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 dismissal. The mortgagee then foreclosed, and Brooklyn A represented the tenant association in litigation against the mortgagee to obtain essential repairs and in litigation regarding their rights as rent stabilized tenants. We are currently working with the tenants and city to explore tenant ownership through the city's Third Party Transfer Program for distressed buildings.

1041 Bushwick Avenue: With RBSCC, defended against landlord's eight-year attempt to evict activist president of tenant association in 30-plus-unit building.

112 Calyer Street: Representing 3 tenants in this 8-unit building, Brooklyn A obtained a judicial order that compels the landlord to repair and correct violations within 6 months, as well as 50% rent abatements. Brought contempt charges and settled for additional abatements and agreement for the appointment of a 7A administrator unless the building is completely repaired or sold within four months. Building was sold with establishment of large escrow fund for repairs. Enforcing rights against new owner in Housing Court.

286 Division Avenue: Continue to represent, in collaboration with Los Sures organizer, 7 remaining low income Rent Controlled and Rent Stabilized tenants of 30-unit building where the landlord has been trying to oust them for the past several years. Landlord installed an elevator and caused major disruptions of basic services and access to the building, during a time when most of the other tenants were away for the summer. After significant litigation, services were restored and major abatements were obtained. Recently obtained new orders to correct newly developed conditions in a continuing effort to force the landlord to provide normal services, maintenance and repair to these tenants.
88 Clay Street: Representing the five tenants, in collaboration with People's Firehouse organizer, in this 6-unit Greenpoint building that was acquired last year by new landlords intent on removing these tenants and replacing them with some of the new émigrés from Manhattan willing to pay dramatically higher rents. A prime example of the impact of gentrification in Williamsburg-Greenpoint, and now far landlords will go to take advantage of the new market rents despite legal limitations imposed by the Rent Stabilization Law and Regulations. Litigating in administrative proceedings before the State Division of Housing and Community Renewal and in Housing Court. Reached a settlement whereby the landlord acknowledged the tenants' rights and provided for a significant abatement and repairs, but continuing to deal with recurrent problems and proceedings.

169 North 7th Street: Representing 5 out of 6 Rent Stabilized or Rent Controlled tenants in a building at the every epicenter of the North Brooklyn gentrification. When the adjoining building collapsed during that landlord's demolition and reconstruction work, this building's landlord attempted to vacate the building and permanently oust the tenants, in order to completely rebuild his building for the new wave of prospective tenants willing and able to pay 4x-5 times the current rents. Representing tenants against contrived claims by landlord of de-control in both administrative (State DHCR) and Housing Court proceedings, as well as bringing affirmative litigation to ensure correction of conditions and/or appointment of administrator to replace the landlord.

18 Conselyea Street: Ongoing effort through the courts and through collaboration with police to hold accountable landlord suspected of torching building, attempting to firebomb home of St. Nicholas tenant organizer, and having tenant murdered on eve of contempt hearing.

264 Cooper Street: With Ridgewood-Bushwick Senior Citizens Council, successfully defending an ongoing series of holdover eviction and small claims proceedings and Supreme Court tort actions brought by landlord to harass tenant association members. Settled nonpayment proceedings with substantial abatements of rent. Currently pursuing sanctions and injunctive relief for landlord's duplicative litigation and for his failure to comply with court orders to make repairs and provide services.

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 23 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 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 received complete renovations with minimal rent increases. Advocated successfully to end delays in the return of the tenants to their renovated apartments, and since their return have continued to advocate for correction of all shortcomings in the renovation work.

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 Herk Street: Representing the tenant association of this 48-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 have suffered 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. Reviewed and rejected improper leases, thereby preventing illegal increases. With no increases whatever in the interim, we are now awaiting 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 Roebling Street: Defeated attempt by real estate speculators to remove long-standing 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 recognition of the tenants’ rent-stabilized status. Through contempt motions, we have obtained the imposition on the landlord of thousands of dollars in fines. As rent strike continues at 349 Broadway and landlord has abandoned, we have advised tenants with respect to self-management with an eye to filing of a new Article 7A proceeding to name an administrator.

256 Broadway: Brooklyn A petitioned for the appointment of a 7A administrator in a building where years of neglect and coverups by landlord 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 landlord’s civil action, as well as their application for major rent increases.

103 Meeuse 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 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 attempts to have three-building property removed from rent stabilization through nonpayment cases, holdovers, and DHCR application.

259 Powers Street: Defeated attempt by landlord to have apartments in rear house removed from rent stabilization. With St. Nicholas NPC, successfully negotiated with initially recalcitrant landlord for extensive repairs and adjustment of overcharged rent. 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 5-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 settled with large rent abatements worth several thousand dollars per participating tenant, and other relief including an escrow for further repairs and the recognition of a disputed tenancy.

319 South 3rd Street: Representing the tenants of this building abandoned by its owner, Brooklyn A, working with Los Sures, filed a 7A action and obtained installation of a court-appointed administrator 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 mortgagor 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. Ultimately, the administrator was removed based on the substantial degree to which the conditions leading to his appointment had been corrected.

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 Sunny Side 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 tenancy 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 was transferred to a CHLDC subsidiary by the City through the Third Party Transfer Program and completely renovated in 2003 (see Rental Housing, Cypress West HDFC).

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

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

35 East 94th Street: Representing tenants of this 85-unit building in an Article 7A proceeding. Successfully settled case whereby building was sold to a new owner who agreed to rent abatements of up to two 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. Recently have begun new cases against new landlord who acquired the building shortly after the conclusion of earlier cases.

27 Olive Street: Representation in Housing Court of tenants made homeless by a fire. Through trial and contempt motions, landlord was forced to return all tenants to their apartments, most of them completely renovated, months before the date he had proposed, without collecting any increase for the improvements.

1138 Willoughby Ave., 1354 Greene Ave., and 195 Stockholm Street: Representing tenants in three buildings taken from a notorious slumlord in a tax foreclosure and destined for nonprofit ownership through the Third Party Transfer program. The former landlord moved to set aside the foreclosure and obtained a stay preventing current owners and others from either providing basic services or advising tenants of their rights. We have advised the tenants, gotten the stay lifted, obtained restoration of basic services and moved to intervene the tenants so they may be heard on the issue of whether to return the property to the former landlord.

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.
ANTI-PREDATORY SELLING/LENDING WORK

Brooklyn A, working with private co-counsel, Jacob, Medinger & Finnegan, LLP, commenced two federal actions and one State action against multiple defendants engaged in a complex and large scale conspiracy to defraud minority, first-time home buyers into purchasing homes at grossly inflated prices. The two principal defendants were Option-to-Buy, Ltd. and Consumer Home Mortgage, both owned and operated by the same family, unknown to the plaintiffs. Additional defendants who plaintiffs allege participated in the fraudulent scheme included real estate brokers, attorneys for the seller, lender and buyers, appraisers, inspecters and contractors. Brooklyn A also sued HUD which, through its FHA Mortgage Insurance program, insured these fraudulent transactions without exercising any due diligence or scrutiny despite its knowledge that such fraudulent schemes were rampant in minority communities in Brooklyn and Queens.

In the two federal cases, Vaughn vs. Consumer Home Mortgage, et al. and Banks, et al. vs. Consumer Home Mortgage, et al., all of the private defendants made motions to dismiss on a variety of grounds. The United States District Court Judge I. Leo Glasser, in two lengthy and important decisions, emphatically rejected the attempts of the defendants to have the claims dismissed, holding that all of the plaintiffs stated claims which, if proven at trial, entitled them to relief sought.

Also, in a third decision, Judge Glasser held that the plaintiffs had also stated a cause of action against HUD for a declaratory judgment that HUD, in cases where race discrimination in housing was implicated, had a duty to engage in due diligence to remedy and prevent the discriminatory conduct. He therefore denied the government's motion to dismiss.

After these decisions were rendered, the three cases were partially settled against certain of the private defendants. To date, a total of more than $1.5 million dollars in damages and debt relief have been obtained for the plaintiffs, and the two federal actions continue against the non-settling defendants.

COMMUNITY COALITIONS AND COMMUNITY LITIGATION MATTERS

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