



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JESSICA CHAIT
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District Manager

October 16, 2024

Adolfo Carrión, Jr.
Commissioner
Dept. of Housing Preservation and Development
100 Gold Street
New York, NY 10007

**Re: 353 West 57th Street
Cure for Harassment Application**

Dear Commissioner Carrión,

The proposal for the redevelopment of 353 West 57th Street into a 444-unit residential building with a hotel component, of which a Cure for Harassment is a requirement, was presented by CSC Hudson, LLC at the September 5th, 2024, meeting of Manhattan Community Board 4's (MCB4) Housing, Health and Human Services Committee.

At its regularly scheduled full Board meeting on October 1st, 2024, MCB4 voted, with a vote of 37 in favor, 0 opposed, 0 abstaining, and 1 present but not eligible, to approve the application, with conditions.

MCB4 has reviewed several Cure for Harassment applications in the past with specific recommendations for approval. MCB4 **approves** the Cure for Harassment with the conditions listed herein, starting on page 10. The Board is supportive of the Cure for this project, but this project presents a series of exceptionally difficult circumstances as currently proposed:

- The long-term housing needs of the existing tenants are not being met.
- Currently ongoing construction in violation of existing Stop Work orders.
- Existing tenants are living in unsanitary and unsafe conditions, including:
 - Mouse, rat and cockroach infestations.

- Frequent unannounced shutdowns of domestic water and electricity.
- Nonworking or dangerous electrical outlets.
- Undrinkable brown domestic water (owners provide bottled water at the building's front desk)
- Stopped-up drains
- Asbestos and lead on several occupied floors
- Leaky water pipes
- Mold in apartments
- Exposed wiring
- Reduced security
- Public areas that are construction sites in violation of any Tenant Protection Plan
Tenants are living in semi-demolished, active construction zones.
- Recurrent elevator breakdowns
- No overnight security staff

MCB4 and HPD are in a nearly untenable situation. The Cure for Harassment is the zoning required penalty which requires the development of permanently affordable housing. The renovation of the building and the Cure is a clear benefit to both the long-term tenants and the community. However, at the same time the egregious current conditions along with the immediate health, safety, and housing code violations must be remedied. These two actions must proceed simultaneously to protect the existing tenants both in the short and long term. Therefore, MCB4, under the public review required by ZR 96-109 (Cure for Harassment), will provide comments to the proposed Cure for Harassment and continue to work with the Hudson Tenants Association, HPD, and the owners to reach a comprehensive solution to both matters.

Background

353 West 57th Street, located between West 57th and 58th Streets and 8th and 9th Avenues, is a 26-story, mixed-use building currently containing commercial, hotel, and residential uses. The building is located partially in a C6-4 zoning district within Perimeter Area B of the Special Clinton District and partially in a C1-8 zoning district within the C1 Northern Subarea of the Special Clinton District. The building is on a lot which spans multiple subareas; the zoning requirements of subarea with more restrictions apply to the entire building.

The building, originally a 959-unit SRO building, was constructed in 1928 as the American Women's Association clubhouse and residence for young women in New York. In 1941, after the American Women's Association went bankrupt, the building was converted into The Henry Hudson Hotel. From 1982 to 1997, WNET, a primary PBS member television station, used the 2nd through 9th floors as its headquarters.

In 1997, the building was purchased by Morgans Hotel Group and after a 3-year renovation, was converted into the Hudson Hotel. From 2000 to 2003, The Hudson Hotel was marred by continuous complaints and controversy surrounding the Hudson Bar, which occupied the second floor of the hotel. Complaints regarding excessive noise, traffic, and drunk people on the street were dealt with by MCB4 over those 3 years. From 2010 to 2015, the Hudson Hotel appeared at least seven times in front of MCB4, which attempted to hold the hotel's management accountable for noise complaints and problems related to traffic. Major disturbances were caused to apartments within the building and in buildings as far as two blocks away by the excessive noise and operation of a basement dance hall¹. The hotel closed in November 2020 due to the COVID-19 pandemic and was purchased by 356W58 Ground Lessor LLC in May 2022. CSC Coliving, a development company owned by Alberto Smeke, is proposing redevelopment of the property into a 444-unit apartment building.

Illegal Construction Exceeding DOB Permits

Following the purchase of the building, the developers met with MCB4 in 2023. MCB4 advised the developers to work with MCB4 and HPD regarding Special Clinton District zoning requirements. However, the owners filed with NYC Department of Buildings (DOB) for interior demolition and construction.

On February 2nd, 2023, DOB issued a permit for Job #M00700809 for 'Minor interior demolition within existing 1st floor commercial space'. However, on that day, a letter was sent to tenants of the building stating "demolition work will commence on Monday, February 6th, 2023...on the 22nd floor (vacant rooms) and the entire 23rd floor". The material alteration² of the 22nd and 23rd floors results in the elimination of the dwelling units. Not only was this interior demolition work outside the scope of the permit issued by DOB, but construction of this magnitude is in violation of Section 96-109 of the Special Clinton District Zoning, which states that "prior to the issuance of an **alteration permit** by DOB *for a material alteration of a multiple dwelling unit*, HPD shall certify to DOB that HPD has issued a Certificate of No Harassment (CONH) or that the owner has complied with the Cure for Harassment".

The continued interior demolition, which exceeded the permit issued on February 2nd, 2023, continued through June 2023 when internal demolition of mechanical systems and partitions began, with long-term tenants in occupancy throughout the building. Not until July 2023 was the Tenant Protection Plan (TPP), as required by Administrative Code³, presented to tenants, with a

¹ See attached MCB4 Letter re: [Hudson Hotel's Extensive History of Liquor License Stipulation Violations](#)

² ZR 96-01 defines material alteration as "any alteration to a *multiple dwelling* including, but not limited to, an alteration which reduces or increases the *floor area* of the *multiple dwelling*, *converts floor area* from *residential* to non-*residential use*, changes the number or layout of *dwelling units* or *rooming units*, or adds or removes kitchens or bathrooms"

³ [NYC Administrative Code Section 28-120.1 Tenant Protection Plan](#)

narrative outlining plans to convert vacant SRO units into apartments on floors 3 through 23⁴. MCB4 reiterates that under Section 96-109 of the Special Clinton Zoning District “prior to the issuance of an **alteration permit** by DOB *for a material alteration of a multiple dwelling unit*⁵, HPD shall certify to DOB that HPD has issued a CONH or that the owner has complied with the Cure for Harassment”. The developer continued to substantially exceed the permitted work. Further, DOB in this location again acted in error by granting a permit without first certifying that HPD had issued a CONH.

DOB Stop Work Orders

DOB has issued 3 Stop Work orders since illegal construction began on the property in June 2022. The property is currently under a Full Stop Work Order.

Stop Work Order Type	Issue Date	Reason
Partial Stop Work Order #1629951	2/24/2023	Work not conforming to construction documents on the 9 th and 11 th floors.
Partial Stop Work Order #1630085	2/27/2023	Extensive interior demolition, metal framing and drywall partition work beyond scope of approved plans for GC job #M00735499 at Floros 4, 5, 6, 7, 8, 10, 12, 14, 15, 16, 17, 18, 19, and 20 th floors.
Full Stop Work Order #1677747	9/17/2024	Non-fire-retardant plastic sheeting covering walls and ceilings on multiple floors creating an unsafe environment; stop all work under job #M00735499-11.

CSC Co-living, in performing demolition and construction work beyond the scope of the DOB permits, created a material alteration and therefore the need for a Certificate of No Harassment from HPD. Further the developer continued demolition and construction work in violation of multiple above DOB Stop Work Orders. All of these actions are self-created and resulted in multiple violations and great distrust between the existing tenants and the owners.

Cure for Harassment

⁴ Existing SRO units remaining on floors 15, 17, 18, 19, 20, 21, and 22.

⁵ Emphasis added

Per ZR 96-108, prior to the issuance of an alteration permit by the Department of Buildings, the Department of Housing Preservation and Development must issue a Certificate of No Harassment following an investigation. As part of the investigation, if warranted, there is an administrative hearing at the Office of Administrative Tribunals and Hearings (OATH) for the findings of the investigation and testimony to be presented to a hearing officer. The majority of investigations do not result in an administrative hearing or a finding of harassment. The Certificate of No Harassment is a document issued by HPD that states that there have been no findings of harassment within a building upon surveying the tenants that live there.

Per ZR 96-109, if there is a finding of harassment at the project location, the applicant is required to comply with a Cure for Harassment. The Cure is a penalty in which the owner must provide, as permanently affordable housing, either:

- 28% of the total residential floor area of the existing building; or
- 20% of the total floor area of the newly proposed or enlarged building.

On December 2nd, 2022, HPD sent a letter to tenants of 353 West 57th Street regarding the owner's application for a CONH. Goddard Riverside, a not-for-profit settlement house with a specialty in SRO tenant advocacy, worked with tenants to assemble testimony, photographs, and a PowerPoint presentation, documenting the harassment.

Goddard Riverside and the Hudson Tenants Association presented this documentation to MCB4 at the September 7th, 2023, HHHS Committee meeting. A portion of the documentation includes:

- Less than 24 hours' notice of water shutdown for 7 hours, which ran beyond the 7 hours.
- Return of water service yielded brown discolored water.
- Electrical shutdown for work on floors 11, 12, 14, 15, 16, 17, 18, 19, 21, 22, 23 and 25 on 5/10/23 from 7:00am to 3:00pm.
- Inadequate pest control, findings of mice, rats, and cockroaches around the building.
- Positive testing for lead in demolition dust on floors 11, 15, 18, and 20, where tenants are living, reported on 12/20/22. Those test findings were not made available to tenants until 1/25/23, which was 35 days after original findings were issued by DOHMH.
- Exposed wiring and cables on 15th floor, where alterations were ongoing, and one household lives.
- Exposed wiring and lead hazard signs on the 20th floor, where alterations were ongoing, and four households live.

In a response to the Hudson Tenants Association's appearance at the meeting, MCB4 sent a letter to HPD on October 16th, 2023, requesting that HPD continue this investigation of harassment, as

required by ZR 96-109, and proceed to a hearing at OATH seeking a finding of harassment at 353 West 57th Street⁶.

Given the extensive documentation presented by the Hudson Tenants Association and Goddard Riverside, the developers opted to decline appearing at OATH and instead informed HPD they would proceed directly to file an application for a Cure for Harassment.

Proposed Redevelopment and Cure for Harassment

353 West 57th Street is comprised of 960 dwelling units, 959 of which are SRO units and one (1) is a Class A apartment. The property was previously operated as a hotel and is vacant except for one (1) occupant of the Class A apartment, which is the owner's penthouse, and thirty-two (32) SRO occupants.

The ownership of the property is also subject to a condominium regime:

- Condominium Units 1701-1702, 1706 – comprised of a portion of the first floor and the entirety of the 2nd through 23rd floors of the building.
- Condominium units 1703-1704 - comprised of certain commercial space in the subcellar and cellar, and on the first floor of the building. (Excluded from the application)
- Condominium unit 1705 - comprised of a single penthouse apartment located on the 24th floor of the building. (Excluded from the application)

Building Layout

The components of CSC Co-living's proposed redevelopment application for both market rate and Cure units are:

- 1st Floor
 - New residential lobby
 - Bike storage
 - Mail and package rooms
 - Cold storage
- 2nd Floor
 - Lounge and exterior court (to receive finish upgrades and refurnishing)
 - Amenity spaces including:
 - Existing library
 - Private dining
 - Communal kitchen
 - Screening room

⁶ See attached MCB4 Letter re: [353 West 57th Street - Hudson Hotel](#)

- Golf simulator
 - Music studio
 - Sports lounge
 - Recreation room
 - Co-working space
- 3rd Floor
 - Residential apartments
 - Residential storage
- 4th Floor
 - Residential apartments
 - Stroller storage
 - Children’s play area
- 5th through 23rd Floors
 - Residential apartments
 - 15th floor roof terrace (to receive finish upgrades and refurbishing)

Proposed Cure for Harassment

To meet the requirements for the Cure for Harassment under Section 96-109 of the Special Clinton District, CSC Co-living has proposed to provide 28.01% of the total residential floor area of the Project as permanently affordable housing for households with an income level at or below 80% of Area Median Income (AMI).

2024 AMI⁷	
Family Size	80% AMI
1	\$ 86,960
2	\$ 99,440
3	\$ 111,840
4	\$ 124,240
5	\$ 134,160

Proposed Distribution

Overall Apartment Distribution—Unit Type

Type	Unit Count
Market Rate	270
Cure for Harassment	140

⁷ AMI is calculated for the Metropolitan Statistical Area (MSA). New York City’s MSA includes New York City, Nassau, Suffolk, Westchester, Rockland, Putnam, Orange, Dutchess and Ulster Counties in New York, Fairfield, New Haven, and Litchfield Counties in Connecticut, and Pike, Sussex, Morris, Essex, Union, Passaic, Bergen, Hudson, Hunterdon, Mercer, Somerset, Middlesex, Monmouth, and Ocean Counties in New Jersey.

Existing SRO Hotel Stabilized	32
Owner Units	2
Total Units:	444

5% of the project’s total dwelling units will be outfitted for mobility impaired tenants and 2% of the total dwelling units will be outfitted for hearing or visually impaired tenants.

Cure Apartment Distribution—Unit Size

Bedrooms	Unit Count	Percentage
Studio	35	25.00%
1 Bedroom	31	22.14%
2 Bedroom	74	52.86%
Total Units:	140	100.00%

MCB4 supports apartment type distribution and Cure unit distributions.

Cure Unit Vertical and Horizontal Distribution

The applicant presented the vertical and horizontal unit distributions, included as Appendix B. MCB4 always requests applicants present an equitable horizontal and vertical distribution of units, and the charts presented by the applicant showed that equitable distribution.

MCB4 supports the proposed vertical and horizontal unit distribution.

Apartment Finishes

MCB4 requested the applicant present a list of residential finishes for both affordable and market-rate apartments, and guarantee that the residential finishes are the same for all apartments. The applicant provided a list of residential finishes on September 20th, 2024.⁸

Hotel Use Component

The developer noted certain lines of SRO rooms have only lot line windows. Their continued SRO occupancy is grandfathered. However, NYC DOB would not approve conversion of those rooms into residential Class A apartments, since those lot line windows are the only source of light and air. Therefore, the developer has proposed to maintain hotel rooms on certain residential floors, which would be grandfathered in for continued use. These 50 rooms would comprise a hotel component of the redevelopment.

⁸ List of residential finishes provided to MCB4 on September 20th, 2024, can be found under Item 4 of **MCB4 Approval Conditions—Hudson Hotel Cure for Harassment**

Existing SRO Tenant Population

There are currently 32 SRO rooms with 46 persons residing in those households. These existing SRO rooms are covered by SRO hotel stabilization. The majority of these tenants are low-income seniors, and some are homebound. Other tenants with total households of 4 or 5 are living in 1 or 2 rooms.

At the MCB4 HHHS Committee meeting on September 5th, 2024, approximately a dozen tenants attended and spoke, a majority of whom were tenants who have resided in their rooms for 45 to 55 years.

Issues Raised at Committee Meeting

Below is a summary of issues raised by tenants, Committee members, and Councilmember Gale Brewer, who was present at the meeting:

- As proposed, renovated Cure units do not benefit the long-term tenants.
- The Board requested that the owner provided a letter commitment. (Owner provided draft on September 20th, 2024).
- Conflicting information was presented, whether SRO units would be renovated, or only have new services provided up to each room
- Many tenants voiced that they wanted to remain in their existing apartments, and just have the owner caused damages repaired.
- At the same time, many were concerned about their ability to live through such a major renovation
- Committee members proposed renovating 1 or 2 floors to habitability to temporary relocate tenants during construction to protect livability and health
- The Committee asked every tenant, given the severity of the situation, if temporary internal relocation with existing rights and rents protected would be acceptable. Many were willing to consider that option
- Overcrowded families requested to move to larger apartments while maintaining their current rents.
- HPD Housing Incentives informed the owner that existing tenants would have to income-qualify to move into a Cure unit
- Tenants objected to providing income information to the owner's agents due to ongoing distrust
- Goddard Riverside and Committee members discussed developing legally binding temporary and/or permanent internal relocation agreements to both secure tenants' new apartments and protect tenants existing rights
- The owner offered to abate and credit all rents paid by existing tenants since the start of illegal demolition in June 2022 through issuance of Certificate of Occupancy. However,

that offer was made only on the condition that existing tenants certify their income with HPD for new apartments. Tenants requested that the owners agree to rent abatement and credit, without any HPD application pre-conditions.

- Some occupied units were incorrectly designated as vacant Cure units⁹.
- Committee members, Hudson Hotel tenants and Councilmember Brewer raised serious concerns regarding the security and management of hotel component within a residential building. Councilmember Brewer proposed engaging with the adjacent owner to secure and light and air easement and having further discussions with DOB.

Further Information Submissions Needed

A number of application components were not provided. MCB4 requested:

- Development Budget including Sources and Uses
- Operating Budget
- Description of Apartment Finishes
- Laundry Room Location or location of in unit laundry facilities
- Amenity Fee Structure and Affordability to Existing Tenants

The above items were submitted to MCB4 on September 20th, 2024.

Open and Unresolved Development Matters

Given the multiple open matters, MCB4 and Councilmember Brewer agreed to arrange multiple separate meetings with HPD and DOB to bring as many matters to resolution as possible prior to MCB4's October 1st Full Board meeting.

Follow Up Meetings

MCB4 had 3 subsequent meetings with Councilmember Gale Brewer, Ahmed Tigani, the First Deputy Commissioner of HPD, and Tricia Dietz, the Assistant Commissioner of Housing Incentives at HPD on September 10th, 2024, and September 25th, 2024. MCB4 also held a well-attended meeting with the Hudson Tenants Association on September 18th, 2024. These meetings have been productive and have begun to move many open items to resolution. Therefore, MCB4 recommends approval of the proposed Cure for Harassment with multiple conditions.

MCB4 Approval Conditions—Hudson Hotel Cure for Harassment

Based upon these meetings and the multiple open items, MCB4 would recommend approval of the proposed Cure for Harassment under the following conditions:

1) Immediate Repairs to Restore Habitability to Occupied Rooms

⁹ The architectural plans were corrected after the Committee meeting and will have to be resubmitted to HPD.

- Hudson Hotel Tenant Association provided a list of immediate repairs (attached hereto as Appendix A). The list of repairs is currently the most accurate the Tenant Association can provide; Owner must conduct a thorough assessment of all items with a licensed architect or engineer to determine the precise scope of work necessary.
- HPD to require Owner to provide repair list with scheduled performance dates to be an appendix Cure Agreement.
- Repairs to be substantially complete prior to execution of Cure Agreement by HPD.

2) Public Area Security

- Secure front door (current door does not lock) and provide 24 hour/7 day a week security during construction
- Provide detailed security plan for building operations after construction i.e. staffing hours, access management, cameras
- If proposed hotel rooms cannot be converted to residential use, provide comprehensive security plan how security will be maintained on floors with both a permanent and transient population.
- Identify a hotel operator and commit to not using Airbnb or other electronic platforms for hotel room rental.

3) Construction Task Force

- Establish construction task force to manage tenant expectations, communicate clearly and fully and troubleshoot construction issues and temporary service shutdowns during the construction period.
- Task Force members to include Owner's Representative, Hudson Hotel Tenant Association, Office of Councilmember Brewer and MCB4.
- Task Force to meet at least monthly
- Establish internal website, with construction schedule with 2 week lookaheads to keep tenants informed of construction progress and project delays.

4) Apartment Finishes

- Owner agrees all apartment finishes shall be same in Market Rate and Harassment Cure units
- Apartment Finishes will be as follows:

APARTMENT FINISHES / APPLIANCES	MARKET RATE UNITS	AFFORDABLE UNITS
GENERAL		
FLOORS	Wood-look Luxury Vinyl Tile Planks	Wood-look Luxury Vinyl Tile Planks
WALLS	Paint (Sheetrock)	Paint (Sheetrock)
CEILINGS	Paint (Sheetrock)	Paint (Sheetrock)
WASHER/DRYER	<i>LG</i> Smart Wi-Fi Enabled Compact Front Load All-In-One Washer/Dryer Combo	<i>LG</i> Smart Wi-Fi Enabled Compact Front Load All-In-One Washer/Dryer Combo
KITCHEN		
KITCHEN CABINETS	Laminate (Upper and Lower Cabinets) <i>KITCHEN FORMICA</i> , (Neutral White Matte)	Laminate (Upper and Lower Cabinets) <i>KITCHEN FORMICA</i> , (Neutral White Matte)
KITCHEN COUNTER	Quartz Caersarstone (Pure White)	Quartz Caersarstone (Pure White)
KITCHEN BACKSPLASH	Woodgrain Light Marble (Matte Finish)	Woodgrain Light Marble (Matte Finish)
DISHWASHER	<i>FISHER AND PAYKEL</i> 24 inch Single DishDrawer™ Dishwasher	<i>FISHER AND PAYKEL</i> 24 inch Single DishDrawer™ Dishwasher
MICROWAVE OVEN	<i>ZLINE</i> Over the Range Convection Microwave Oven in Stainless Steel with Traditional Handle with Sensor Cooking	<i>ZLINE</i> Over the Range Convection Microwave Oven in Stainless Steel with Traditional Handle with Sensor Cooking
KITCHEN COOKTOP	<i>MAGIC CHEF</i> 24" Radiant Electric Cooktop (Black)	<i>MAGIC CHEF</i> 24" Radiant Electric Cooktop (Black)
KITCHENETTE STOVE	<i>FRIGIDAIRE</i> 24" Freestanding Electric Range in Stainless Steel with 4 Smoothtop	<i>FRIGIDAIRE</i> 24" Freestanding Electric Range in Stainless Steel with 4 Smoothtop
REFRIGERATOR	<i>FRIGIDAIRE</i> 4.5 Cu. Ft. Compact Refrigerator	<i>FRIGIDAIRE</i> 4.5 Cu. Ft. Compact Refrigerator

SINK	KRAUS Standard PRO Stainless Steel 17" Bar Sink	KRAUS Dex Stainless Steel Undermount
BATHROOM		
BATHROOM FLOORS	Wood-look Luxury Vinyl Tile Planks	Wood-look Luxury Vinyl Tile Planks
BATHROOM WALLS	Tile	Tile
BATHROOM TOILETS	FOUNDATIONS C41913-WH	FOUNDATIONS C41913-WH
BATHROOM VANITIES	FENIX J0029, ARJINA 24" Bathroom Vanity Set	MODULAR VANITY TOPS Series 19", Style: Wave
BATHROOM SHOWER DOOR / CURB	TOOLKISS H Swing Shower Door (Black), ANZZI HALBERD H Sliding Framed Shower Door (Black)	FREEDOM Code Compliant Shower Pan
BATHROOM BATHTUB	KOHLER Elmbrook 60" Alcove Bath K-R23217-LA	KOHLER Elmbrook 60" Alcove Bath K-R23217-LA

5) Building Amenities

Owner has proposed to following amenities for the building. The building will have a 3rd party gym with no access from the residential portion.

353 West 57th Street Proposed Amenities Layout	
1 st Floor	New residential lobby
	Bike storage
	Mail and package rooms
	Cold storage
2 nd Floor	Existing library
	Private dining
	Communal kitchen
	Screening room
	Golf simulator
	Music studio
	Sports viewing lounge
	Recreation room
Co-working space	
3 rd Floor	Residential storage
4 th Floor	Stroller storage

	Children’s play area
15 th Floor	Roof terrace (to be refinished with new amenity features)

The owner confirmed that the existing laundry room will be removed, and new residential units will have an in-unit washer and dryer, and existing tenants can either select a new unit or opt for a new washer and dryer in their current unit.

Tenants’ storage areas were demolished with no warning from management. Please clarify if residential storage will be included in unit renovations and clarify the dimensions of the proposed residential storage.

6) Tenant Rent Abatements and Credits

Owner has currently offered Tenant Rent Abatements and Credits to tenants retroactive to start of illegal demolition through Certificate of Occupancy for those tenants who permanently relocate to a Harassment Cure apartment. MCB4 supports this offer under the following conditions:

- Offer is extended to all Hudson Hotel tenants, whether remaining in current apartments or temporarily or permanently relocating within the building
- Offer is documented as provision of temporarily or permanent relocation agreement
- For those tenants remaining in their apartments during construction, offer is documented in written agreement

7) Temporary Relocation During Construction Period

For those tenants who agree, Owner agrees to temporarily relocate and consolidate existing tenants to one or two floors during the construction period to protect and mitigate the effect of major construction on long-term existing tenants, many of whom are senior citizens, under the following conditions:

- The owner agrees, with HPD approval, to enter into temporary relocation agreements for existing tenants
- The owner agrees that such relocation agreements will be drafted by Goddard Riverside Community Center (Goddard) and negotiated with Goddard legal staff, subject to HPD review
- All moving expenses including packing, moving (to and from temporary apartments) and utility relocations (phone, internet & cable, wi-fi) shall be the cost of the owner
- All tenants Hotel Stabilized status and rents shall continue and remain in full force and effect during the temporary construction relocation period.

8) Permanent Relocation into Harassment Cure Apartments

For those tenants who agree, Owner agrees to permanently relocate after the construction period to ensure the long-term benefit of fully renovated permanently affordable apartment to the long-term existing tenants, many of whom are senior citizens, under the following conditions:

- The owner agrees, with HPD approval, to enter into permanent relocation agreements for existing tenants
- The owner agrees that such relocation agreements will be drafted by Goddard Riverside Community Center (Goddard) and negotiated with Goddard legal staff, subject to HPD review
- All moving expenses including packing, moving (to and from temporary apartments) and utility relocations (phone, internet & cable, wi-fi) shall be the cost of the owner
- Tenants needing larger apartments for right-sizing, will be offered larger apartments
- All tenants, at initial lease signing for new permanent apartments, will be set at a preferential rent equivalent to their current rent, irrespective of HPD legal rents set for Cure Apartments
- Permanently relocated existing tenants will be grandfathered in to qualify for Cure apartments without any income verification requirements. However, HPD has not agreed to this provision, and instead proposed that permanently relocated tenant will provide income qualification information to Goddard for Goddard to attest their total household income and primary residency status to HPD (please note: neither the Owner nor their Administering Agent, Settlement Housing will have access to this information).
- All tenants Hotel Stabilized status and rents shall continue and remain in full force and effect after permanent relocation.

9) Existing Tenants—In Place Unit Renovation

- For tenants who prefer to remain in their current apartment, apartments will be renovated with the same apartment finishes and new mechanical systems as all apartments in the building.
- Construction will be extremely disruptive due to the scale of the scope of work throughout the building.

10) Enforceability Provisions in Regulatory Agreement

- Attach any temporary relocation agreement as an Exhibit to the Cure Agreement.
- Attach the List of Outstanding Repairs as an Exhibit to the Cure Agreement.
- Establish a mechanism for enforceability in the event that the owner does not perform the Cure, or does not abide by the temporary or permanent relocation agreements.

Conclusion

The renovation of the Hudson Hotel and its Harassment Cure component is a complex and difficult matter. In its review and recommendations for the proposed Cure, MCB4 seeks to balance the following interests:

- Protecting rights, living conditions and safety of existing tenants
- Securing Hudson Hotel tenants the benefits of newly renovated permanently affordable apartments
- Providing 144 permanently affordable apartments at 80% AMI for the Hell's Kitchen community
- Resolving the decades long bad conditions and housing issues at this location
- Enabling a developer to bring both affordable and market rate units to address overall housing needs in the City of New York

While acknowledging that complexity, the MCB4 also recognizes the urgency of the situation for both the existing tenants and the Owner. MCB4 will continue to work with the Hudson Hotel tenants, the Owner, HPD and Councilmember Brewer to reach a comprehensive and speedy resolution satisfactory to all parties.

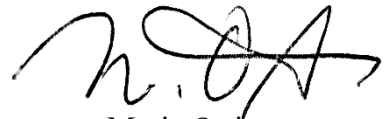
Sincerely,



Jessica Chait
Chair
Manhattan Community Board 4



Joe Restuccia
Co-Chair
Housing, Health
Human Services Committee



Maria Ortiz
Co-Chair
Housing, Health
Human Services
Committee

cc: Hon. Gale A. Brewer, City Council
Hon. Mark Levine, Manhattan Borough President
Hon. Brad Hoylman-Sigal, NYS Senate
Hon. Tony Simone, NYS Assembly
Hudson Tenant Association
Goddard Riverside Law Project
353 West 57th Street ownership

Appendix A – Hudson Tenants Association Tenant Repair List

(NOTE: The below list is currently the most accurate the Tenant Association can provide; Owner must conduct a thorough assessment of all items with a licensed architect or engineer to determine the precise scope of work necessary.)

353 West 57th Street SRO Tenant Repair List					
Building-wide repairs: Electrical wiring and plumbing needs full replacement					
Room Number	Tenant Name	Household Size	Repairs	Status of Repairs	Notes
1169	Arlene Simmons	1	N/A		Tenant Association representative left several phone messages, no response
1546	Tess Radunovich	5	N/A		Tenant Association representative left several phone messages, no response
1846	Emil Levi	1	Repair major water pipe break	Management aware by documentation, photographs, and inspection of flooding	Flooding caused by demolition
					No repairs until completion of all renovations
1856	Ken Leach	2	Unclog bathroom sink	Ongoing since August 23, 2024	Clogged at waste line in wall
			Repair shower leak	Ongoing since October 31st, 2023	Requires opening the wall
			Replace carpet	Last replaced 2004	Carpet was removed due to water and mold damage
			Paint room	Last painted 2001	
			Replace window screens		

1916	Owen Lamb	1	N/A		Tenant Assoc representative left several phone messages, no response
2031	Teresa Carter	1	Repair all non-working electrical outlets		
			Replace carpet		
			Paint room		
			Repair shower to provide adequate water pressure		
2039	Flora Palma	1	No repairs needed		
2045	Celia Susana Ortubia	2	Replace plumbing in the bathroom wall		Damaged during demolition
			Replace windows		Windows don't open
			Replace refrigerator		
2106	Khwasa Khan	1	N/A		Tenant Association representative sent multiple emails, no response
2107	Leo Jenkins	1	Repair leaking air conditioning.		Unit leaks when turned on
			Repair leaking toilet		Toilet leaks around the base when flushed
2114	Yolanda Rodriguez	2	Repair damages to the kitchen		
			Repair bathroom tiles		
			Repair heating system and plumbing		
			Install oven hood		
			Replace doors		

			Install hardwood floor		
2129	George Maroulis	1	Replace house phone system		House phone system was taken out by the new owner
2138	Caridad (Corina) Quioque	1	No repairs needed		
2139	Maria Rodriguez	1	No repairs needed.		
2140	Pat Brokenborough	1	Replace bathroom tiles		
			Paint room		Room has not been painted since relocation to room in 2016
2145	Julian Bonifacio-Sanchez	1	No repairs needed		
2155	Judy Hirsch	1	Repair all non-working electrical outlets		
			Replace house phone system		
			Replace carpet		Carpet has not been replaced in 25 years
			Paint room		Room painted in 25 years
2157	Claudia Schwantes	2	Paint room		Room has not been painted in 35 years
			Repair broken window		
			Replace door hinges		Door has loose hinges; have to bang door to close the door

			Repair tiled floor		
			Repair plumbing issues in the bathroom		Constant sink drip, clogged bathtub, and leaking toilet
2204	Nick Natos	1	Repair electrical plates in the kitchen		
			Repair plugged bathroom drains		
2206	Margaret Cowie	1	N/A		Raul sent multiple emails, no response yet
2207	William Carroll	1	N/A		No response
2211	Virginia Nathaniel	2	No repairs needed		
2212	Hnin (Rose) Phyu	4	Restore electricity to the apartment		Electricity has been out in half the apartment for almost a year
			Replace ceiling lights		Ceiling lights are broken and disconnected
			Repair kitchen ceiling		Kitchen ceiling is crumbling from a leak from above
			Repair exhaust fan in the kitchen		The exhaust fan blows air back into the kitchen
			Repair damaged living room wall		
			Repair pipe leading to the toilet		Toilet leaks when flushed
			Repair bathroom tiles		

			Repair floor		Floor is coming apart particularly around the heat radiator
			Paint room		
2227	Peggy Chane	1	Repair all non-working electrical outlets		
			Replace storage closet		
			Replace old plumbing pipes		
2231	Iris Blakely	1	Remove tub and replace with ADA-compliant shower with safety handles and bars		
			Remove toilet seat and replace with ADA-compliant toilet seat		
2232	Letitia Ramos	2	No repairs needed		
2235	Kenneth Reddy	1	No repairs needed		
2236	Jeanette Morrow	1	Replace all windows		Windows do not open
			Paint room		Room has not been painted in 10 years
			Deep clean room		Room needs deep cleaning because of construction dust
			Replace door		Construction crew broke door
			Replace house phone system		House phone system was removed by the new owner
2239	Daisy (+Lue) Chen	2	Replace kitchen cabinets		Kitchen cabinets are rotting
			Replace kitchen stove		Stove is broken

2244	Renata Bendana	3	Replace all windows		Windows freeze over during the winter
			Repair all non-working electrical outlets in the kitchen		Electrical outlets spark
			Paint room		Room has not been painted in 10 years
			Repair water leak in the bathroom wall		
			Repair hole in kitchen ceiling		Hole in kitchen ceiling was caused by 23rd floor demolition
			Repair cracks in bedroom wall		Cracks caused by demolition
			Split electrical wiring from the two contiguous SRO units		All 3 rooms share the same fuses and the fuses blow frequently
			Replace storage closet		Storage closet was destroyed in the demolition
			Replace house phone system		House phone system was taken out by the new owner.

Appendix B – Vertical and Horizontal Unit Distribution Charts

PROJECT NAME:	HENRY HUDSON
ADDRESS:	353 W. 57 St. New York NY
DATE:	08.22.2024

Chart A - Vertical Unit Distribution

Instructions: Please list the Inclusionary Housing Units by floor and designation. Please dedicate one column for each line of apartments.

Floor #	Inclusionary Housing Apartment Numbers																							Total # of IH Units/Floor
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
27																								0
26																								0
25																								0
24																								0
23	2301	2305	2308	2311	2312																			5
22	2200	2202	2203	2204-1	2205	2207-1	2253	2255																8
21	2101	2103	2104	2105	2106-1	2107-1	2108	2109																8
20	2010	2011	2012	2014	2017																			5
19	1901	1905	1912	1914	1915																			5
18	1803	1811	1812	1814																				4
17	1701	1705	1708	1715	1716																			5
16	1600	1601	1605	1607	1612	1615																		6
15	1507	1514	1515																					3
14	1401	1402	1403	1404	1405	1406	1409	1422	1425															9
12	1201	1202	1203	1204	1206	1209	1215	1217	1221	1222	1225													11
11	1101	1102	1103	1104	1109	1116	1117	1121	1122	1124	1125													11
10	1002	1003	1004	1015	1017	1022																		6
9	902	903	904	915	917	922																		6
8	802	803	804	815	817	822																		6
7	702	703	704	715	717	722																		6
6	601	602	603	604	609	615	617	621	622	625														10
5	501	502	503	504	506	509	515	520	522	523														10
4	402	403	404	408	409	412	417	418	426															9
3	300	303	305	306	308	311	312																	7
2																								0
1																								0
140																							Total DU	

PROJECT NAME:		HENRY HUDSON			
ADDRESS:		353 W. 57 St. New York NY			
DATE:		08.22.2024			

Chart B - Horizontal Unit Distribution

Construction Floor #	Marketing Floor #	Total # of Units Per Floor	IH Units Per Floor	Staff Units Per Floor	Non-IH Units Per Floor	IH %-age
26	27	0	0	0	0	0.00%
25	26	0	0	0	0	0.00%
24	25	0.5	0	0	0.5	0.00%
23	24	1.5	0	0	1.5	0.00%
22	23	15	5	0	10	33.33%
21	22	21	8	0	13	38.10%
20	21	21	8	0	13	38.10%
19	20	18	5	0	13	27.78%
18	19	18	5	0	13	27.78%
17	18	18	4	0	14	22.22%
16	17	19	5	0	14	26.32%
15	16	18	6	0	12	33.33%
14	15	19	3	0	16	15.79%
13	14	26	9	0	17	34.62%
12	12	26	11	0	15	42.31%
11	11	27	11	0	16	40.74%
10	10	26	6	0	20	23.08%
9	9	26	6	0	20	23.08%
8	8	26	6	0	20	23.08%
7	7	26	6	0	20	23.08%
6	6	26	10	0	16	38.46%
5	5	27	10	0	17	37.04%
4	4	26	9	0	17	34.62%
3	3	13	7	0	6	53.85%
2	2	0	0	0	0	0.00%
1	1	0	0	0	0	0.00%
TOTAL		444	140	0	304	

