



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

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JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

July 1, 2025

Shahabuddeen A. Ally
Administrative Judge
New York City Housing Court
111 Centre Street
New York, NY 10013

Re: Housing Court Index #309162-23
Addressing Squatter at 328 West 49th Street, Unit 2RE

Dear Honorable Judge Ally,

Belatedly, Manhattan Community Board 4's (MCB4) Housing, Health, and Human Services (HHHS) Committee meeting on March 6th, 2025, the Committee received a presentation from the HK49-54 Block Alliance, regarding the ongoing illegal activity and building problems at 308, 310, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, and 340 West 49th Street. The 14 properties are managed by Nieuw Amsterdam Property Management and owned by HP West 49th Street Portfolio Housing Development. That presentation was followed by a discussion with Christian Banovich from Nieuw Amsterdam Property Management.

At its regularly scheduled Full Board meeting on April 2, 2025, MCB4 voted 43 in favor, 0 opposed, 0 abstaining, and 1 present but not eligible, to request that the holdover action under Index #309162-23 for the squatter at 328 West 49th Street, Unit 2RE is expedited through Housing Court.¹

¹ Due to an internal oversight this letter was delayed in being delivered until July 2025

Background

328 West 49th Street, located in the Preservation Area of the Special Clinton District² between 8th and 9th Avenues, is a 5-story walkup with 20 apartments. 328 West 49th Street, along with the 13 other properties listed above, are subject to an HPD Regulatory Agreement, executed on November 27th, 2020, that provides an Article XI real estate tax exemption in exchange for a percentage of permanently affordable rental units.

Squatters in Apartments

During the discussion with Mr. Banovich, he presented that there are two squatters occupying apartments at 328 West 49th Street.

In February 2023, a squatter broke into unit 2RE. In April 2024, a squatter broke into unit 3RE. In both cases, when the managing agency called the police, the squatters presented fake lease documents, and based upon those fake lease documents, NYPD did not remove them, forcing the owners to start holdover actions to evict the squatters.

- The holdover action (Index #305486-24) for the squatter at 328 West 49th Street, Apt 3RE began on April 16th, 2024. The action was completed with the squatter evicted on March 12th, 2025.
- The holdover action (Index #309162-23) for the squatter at 328 West 49th Street, Apt 2RE is ongoing. This action began on February 21st, 2023. The squatter has an order to vacate by March 28th, but the Housing Court has already granted 3 orders to show cause, and at the last court appearance on March 6th, 2025 did not allow the owners to serve the warrant.

Mr. Banovich stated that the squatters have been responsible for destabilizing the building and conducting illegal activity that has spread to adjacent properties and the block outside the building. Illegal activities include active drug dealing out of apartments, littering drug paraphernalia in the public halls, and providing unauthorized access to other individuals.

Illegal Activity Involving Squatter

- Lieutenant Arnoldo Martinez from Midtown North Precinct reported multiple investigations into drug dealing, loitering, and other illegal activity at 328 West 49th Street.
- Mr. Martinez reported multiple raids of 2RE resulting in the arrest of the squatter. He noted that details on the arrests are subject to FOIL requests and would take a while to turn around.

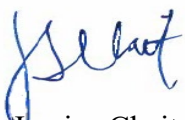
² Manhattan Community Board 4 website: [Special Clinton District](#)

- The squatter is giving unauthorized access to individuals, both into the building and into the squatter apartment, resulting in damage to the front door and security system which the management company has spent over \$100,000 to repair multiple times.
- Littering of drug paraphernalia in the public hallway outside of the unit.

MCB4 Request

MCB4 requests that the holdover action under Index #309162-23 be expedited through the Housing Court to ensure that the squatter is evicted from the unit. The permanently affordable apartments afforded through the HPD Regulatory Agreement are an asset to the community and the City, and the unlawful occupancy of an apartment leading to the destabilizing of the building undermines affordable housing initiatives and the quality of life for the long-term residents of this building and neighboring properties.

Sincerely,



Jessica Chait
Chair
Manhattan Community Board 4



Joe Restuccia
Co-Chair
Housing, Health,
And Human Services
Committee



Maria Ortiz
Co-Chair
Housing, Health,
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