CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR
tel: 212-736-4536
www.nyc.gov/mcb4

JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

November 17, 2025

Matthew Keller
Black Spruce Management LLC
80 Fifth Avenue, Suite 1201
New York, NY 10011

Christian Banovich
Nieuw Amsterdam Property Management
511 Sixth Avenue, Suite 7134
New York, NY 10011

Re: Illegal Activity, Building Service and Condition Issues Update 308, 310, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340 West 49th Street - Black Spruce Management, LLC

Dear Mr. Keller and Mr. Banovich,

At Manhattan Community Board 4's (MCB4) Housing, Health, and Human Services (HHHS) Committee meeting on October 7, 2025, the Committee received a presentation from tenants of 308, 310, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, and 340 West 49th Street, Thao Nguyen and Andrew Morley, and Housing Conservation Coordinators (HCC) staff, executive director Leslie Thorpe and tenant organizer Lianna Harrington, regarding the ongoing illegal activity and building problems. The 14 properties are managed by Nieuw Amsterdam Property Management (Nieuw Amsterdam) and owned by HP West 49th Street Portfolio Housing Development. The tenants' presentation was followed by a discussion with Christian Banovich from Nieuw Amsterdam.

At its regularly scheduled Full Board meeting on November 5, 2025, MCB4 voted 29 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible, to request clear and accurate information regarding building maintenance and conditions across the 14

buildings in this portfolio and monthly meetings with Nieuw Amsterdam, Black Spruce Management, LLC (Black Spruce), West 49th Street tenants, and HCC moving forward.

Background

At the HHHS Committee meeting on March 6, 2025, HHHS received a presentation from the HK49-54 Block Alliance regarding the ongoing illegal activity and building service and repair problems at a group of buildings on West 49th Street between 8th and 9th Avenues. The Committee had a discussion with Christian Banovich, and building issues were discussed in further detail. HHHS requested multiple steps be taken to address building issues, detailed further in the attached letter.[1] As noted in the letter, due to an internal oversight, this letter was delivered on June 26, 2025.

Subsequently, on July 1, 2025, Nieuw Amsterdam provided an update on the status of the issues raised in March at the regularly scheduled HHHS Committee meeting. These updates, detailed in the July 29, 2025 letter from MCB4 to Black Spruce,[2] include building conditions, maintenance issues, building security, tenant communication, building cleaning, communication with elected officials, and the need for social services. Nieuw Amsterdam presented an optimistic and proactive approach in addressing the numerous issues in the buildings.

On July 1, 2025, the Tenant Association of West 49th Street, with co-signatories HCC, Councilmember Erik Bottcher, Assemblymember Tony Simone, and Senator Brad Hoylman-Sigal, sent a letter to Nieuw Amsterdam detailing the full list of issues at the buildings.[3] The tenants also requested that Management meet with the tenant association to review a comprehensive plan for accomplishing necessary repairs by July 31 and provide a response with tentative meeting dates by July 9, 2025.

On July 9, 2025, Nieuw Amsterdam provided a response to the Tenant Association of West 49th Street.[4] Nieuw Amsterdam included item-by-item responses to concerns raised by the tenants; however, they did not address the request from the tenants to meet with Nieuw Amsterdam for further correspondence.

---

[1] 6.26.25 Letter to Black Spruce Management re: W 49th Street Building Problems

[2] 7.29.25 Letter to Black Spruce Management re: W. 49th Street (300 Block) Illegal activity, building service and condition issues update

[3] 7.1.25 Tenant Association of West 49th Street Letter to Black Spruce and Nieuw Amsterdam Property Management

[4] 7.9.25 Nieuw Amsterdam Property Management Letter to West 49th Street Tenants

Updates from Tenants at 308-310, 318-340 West 49th Street and Housing Conservation Coordinators (HCC)

On October 7, 2025, tenants from 308-310, 318-340 West 49th Street, Thao Nguyen and Andrew Morley and representatives from HCC, tenant organizer Lianna Harrington and executive director Leslie Thrope, presented their concerns on the status of Nieuw Amsterdam's maintenance and repair operations as detailed in their July 9th letter. HCC now represents approximately 60 tenants in the West 49th Street buildings. The tenants and HCC evidenced the following:

Building Conditions

- Persistent pest infestations.
- Repeated heat and hot water outages, which have been years-long issues.

Safety and Security Concerns

- Broken door locks: the front door lock at 340 West 49th Street was broken for nearly two months, leaving the building unsecure.
    - Thao Nguyen, a five-year tenant of 340 West 49th Street, reported that she was locked inside the building due to the faulty front door lock. Nguyen had to request FDNY assistance to break the lock to exit the building.
- Broken intercom systems: HCC stated they had received reports from five buildings that their intercom systems were not functional.
- Illicit activity: tenants stated that the front doors of buildings are consistently jammed by tenants' guests for illicit activities, including drug dealing and prostitution.
    - Nguyen reported that she witnessed a drug deal in front of 338 West 49th Street in broad daylight.
- Package theft: due to the unsecured doors, package theft is rampant across the West 49th Street buildings.

Lack of Clear and Accurate Communication

- Nieuw Amsterdam has not been responsive toward tenant complaints.
- The West 49th Street Tenant Association has repeatedly requested a monthly meeting with Nieuw Amsterdam. However, no monthly meetings have been arranged.
- Tenants acknowledged that an after-hours emergency line exists; however, there are frequently no follow-up actions taken by Nieuw Amsterdam following those calls.

Tenant Requests

- Establish monthly meetings with Nieuw Amsterdam and Black Spruce.
- Install functional security cameras at the entrances and/or first floors of each building to identify who is damaging those door locks.
- Provide tenants with a comprehensive and accurate timeline of all repairs in the buildings.
- Provide tenants with reliable contact information, particularly in case of an emergency.

Updates from Nieuw Amsterdam

Following the testimony and requests from West 49th Street tenants and HCC, Christian Banovich from Nieuw Amsterdam responded with updates.

Building Conditions and Maintenance Issues

- Since the 541 open violations on July 1, 2025, 195 HPD Housing Code violations were closed, and 109 new violations were issued. However, As of October 7, 2025, there were still 472 open violations across all buildings.
- Nieuw Amsterdam stated that the violations were concentrated in 8 units with 185 open violations, as the units are not providing access and have ongoing holdover actions. Nieuw Amsterdam is taking court action to obtain access to these units. **However, excluding these 8 units, there are still 287 open violations across the 14 buildings.**
- Nieuw Amsterdam reiterated that a new regional manager has been assigned to the West 49th Street Buildings, and the on-site manager has a reduced portfolio of two properties so greater attention can be paid to this site. MCB4 clarified that the Committee had already received this update in March 2025.
- Nieuw Amsterdam stated that heat and hot water issues in the building were due to mechanical issues in older buildings that would "not function as intended," and that substantial repairs to the boilers had already taken place. MCB4 responded that the majority of buildings in Manhattan Community District 4 (MCD4) have older heating systems, and owners are required by law to maintain their operations to provide adequate heat and hot water to tenants.

Tenant Communication

- Nieuw Amsterdam stated communication has been taking place with tenants, including through Councilmember Erik Bottcher's office.

- Nieuw Amsterdam responded to the July 1, 2025 letter from West 49th Street tenants and HCC on July 9, 2025. However, Nieuw Amsterdam stated that HCC and the tenants did not write a response to Nieuw Amsterdam's correspondence on July 9, 2025.
- Nieuw Amsterdam verbally committed to begin regular monthly meetings with the West 49th Street tenants and HCC.

Building Security

- Nieuw Amsterdam stated that security cameras were placed at the entryways and rear yards of every building and were not put on each floor viewing the hallways. Tenants disputed that there are no visible or functional cameras in the entryways.
- Nieuw Amsterdam stated that they repeatedly repaired the intercom systems. However, the Committee responded that broken intercom systems and doors are a part of a broader security issue due to the lack of social services in the building.

Needed Social Services

- MCB4 stated that there is not a dedicated social service provider for this portfolio, as it is not required by the HPD Regulatory Agreement. It is unclear what degree of social services, if any, are provided to the incoming social service needing tenants by the referring agency.

MCB4 Requests

In its July 29, 2025, letter to Nieuw Amsterdam, MCB4 provided a detailed list of requests, noted below.[5] To date, Nieuw Amsterdam has not responded to the letter from MCB4. MCB4 reiterates their requests from the July 29 letter; it is standard practice for any organization or agency receiving a letter from MCB4 to respond in writing.

Building Security

- Squatters were accessing units by entering units from the roof. Please seal the vacant unit windows from the inside using plywood until they are rented to ensure the overall security of the building and prevent illegal access.
- Please provide the number of vacant units across the buildings.
    - *Please confirm that there are 20 vacant units, as stated by Mr. Banovich in the October 7, 2025, HHHS meeting.*
- Please provide confirmation that fire escape windows that were screwed shut for security have been made operable. Fire escape windows provide a second means

[5] Requests referenced directly from the July 29, 2025 letter are in standard typeface, while additional requests are italicized.

of egress for the fire escape and cannot be screwed shut. **<u>That action is illegal and not code compliant.</u>**

- *The tenants and HCC asserted that intercom systems of 5 buildings are still not working, despite repairs. MCB4 understands that this security issue is a part of a broader issue of the lack of social services in the building. In tandem with establishing a third-party onsite social service provider, please confirm that all intercoms are functional and provide documentation.*

<u>Building Conditions and Maintenance Issues</u>

- Please provide MCB4 with a monthly list of the issues that have been addressed and resolved.
- Please provide air conditioners for any social service-referred tenant.
- Please provide a detailed list of open violations with a schedule for repairs to clear all building violations.
- The owner asserted that they were advised by their landlord-tenant attorney that they could not take any action to secure access for repairs for tenants who are subject to a pending holdover action. <u>That information is not correct. MCB4 asks the owner to make motions for access orders to correct HPD violations as part of those ongoing holdover actions. That process is standard and customary in Housing Court.</u>
- *Please provide documentation on the boiler repair work and subsequent steps taken to address the heat and hot water issues in the building.*

<u>Tenant Communication</u>

- *Please confirm and provide the starting date for monthly meetings between Nieuw Amsterdam, Black Spruce, tenants, and HCC to address outstanding issues and repairs.*
- Please provide MCB4 with a copy of all communications with the tenants.

<u>Safety Concerns of Tenants</u>

- 50-60 tenants out of 272 apartments have been working with Housing Conservation Coordinators (HCC) to detail the comprehensive outstanding repairs and building issues that Black Spruce has to remedy. HCC has stated 7 tenants moved out of the buildings, either due to unsafe conditions or failure to make repairs.

<u>Needed Social Services</u>

- Per the Regulatory Agreement, there must be no fewer than 50 units leased to Eligible Homeless Tenants, who are referred to the owners by HPD, Department of Homeless Services (DHS), or another referral source approved by HPD. The

owners have noted issues with referrals, particularly with reviewing referrals for tenants to see if they are suitable for independent living. Further, there are tenants who require social service tenants, and MCB4 repeats the request to address this need through identifying a social service provider that can be contracted to provide social services for tenants to enable them to succeed in their new homes.

- Please describe, in detail, the referral process for homeless tenants. There is an ongoing information gap regarding the referral process for this group of buildings. Please describe in detail all referral sources and which sources provide ongoing social services.

Conclusion

MCB4 appreciates the updates provided by Ms. Nguyen, Mr. Morley, Ms. Harrington, Ms. Thorpe, and Mr. Banovich. However, MCB4 expresses their frustration with Nieuw Amsterdam's lack of communication with the West 49th Street tenants, HCC, and MCB4.

MCB4 is committed to liaising the resolution of these building maintenance and operations issues in a collaborative, timely manner. MCB4 requests that Nieuw Amsterdam and Black Spruce respond to this letter and the above committee discussion punch list with item-by-item responses in writing. Further, MCB4 asks that Nieuw Amsterdam arrange monthly meetings with Black Spruce, West 49th Street tenants, and HCC and return to the HHHS Committee meeting scheduled for November 6, 2025.

Sincerely,

Jessica Chait Chair Manhattan Community Board 4	Joe Restuccia Co-Chair Housing, Health, And Human Services Committee	Maria Ortiz Co-Chair Housing, Health, And Human Services Committee

cc: Ahmed Tigani, Acting Commissioner, NYC Housing Preservation and Development
Nicole Simmons, Assistant Commissioner, NYC Housing Preservation and Development
Hon. Brad Hoylman-Sigal, NYS Senate
Hon. Tony Simone, NYS Assemblymember
Hon. Mark Levine, Manhattan Borough President
Hon. Erik Bottcher, NYC Councilmember
Housing Conservation Coordinators