



CITY OF NEW YORK  
**MANHATTAN COMMUNITY BOARD FOUR**

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**JESSICA CHAIT**  
Chair

**JESSE R. BODINE**  
District Manager

December 5, 2025

Ahmed Tigani  
Acting Commissioner  
New York City Department of Housing Preservation and Development  
100 Gold Street,  
New York, NY 10038

**Re: Request for Amendment to HPD Article XI Regulatory Agreement  
308-310, 318-340 West 49<sup>th</sup> Street**

Dear Commissioner Tigani,

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 49<sup>th</sup> Street and Housing Conservation Coordinators (HCC) regarding the ongoing illegal activity and building problems. The 14 properties are managed by Nieuw Amsterdam Property Management and are owned by HP West 49<sup>th</sup> Street Portfolio Housing Development. Following the tenants' presentation, Christian Banovich from Nieuw Amsterdam Property Management provided an update on building and maintenance issues.

At its regularly scheduled Full Board meeting on November 5, 2025, MCB4 voted 45 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible, **to request HPD to make an amendment to the HPD Regulatory Agreement that HP West 49<sup>th</sup> Street Portfolio Housing Development Fund Company must have onsite social services available by a third-party provider, as per standard protocol for buildings with Article XI real estate tax exemptions.**

**Background**

The 14 properties on West 49<sup>th</sup> Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues are 5-story walkup apartments located in the Preservation Area of the Special Clinton District. There are a total of 272 rental apartments across 14 properties. The HPD Regulatory Agreement, executed on November 27<sup>th</sup>, 2020, provides an Article XI real estate tax exemption in exchange for a percentage of permanently affordable rental units.

The breakdown of affordable apartments is as follows:

	40% AMI	90% AMI	125% AMI	Market Rate	Unregulated Rent-Stabilized
Registered low-income units	64	12	91	-	-
Occupied unregistered low-income units	-	-	29	-	-
Vacant unregistered low-income units	-	-	2	-	-
Market Rate	-	-	-	23	-
Unregulated rent-stabilized	-	-	-	-	51
<b>Total</b>	<b>64 units</b>	<b>12 units</b>	<b>122 units</b>	<b>23 units</b>	<b>51 units</b>

In accordance with the Regulatory Agreement, there must be no fewer than 50 units at 40% Area Median Income (AMI) or 90% AMI leased solely to Eligible Homeless Tenants, who are referred to the owners by HPD, Department of Homeless Services (DHS), or another referral source approved by HPD.

Likely due to the Regulatory Agreement executed amidst difficult pressures in staffing during the COVID-19 lockdown, the Agreement has no provisions for the requirement of a third-party onsite social service provider to deliver dedicated services for Eligible Homeless Tenants placed in the building. MCB4 has repeatedly requested Nieuw Amsterdam Property Management to identify and establish a third-party social service provider on the buildings' premises, detailed both in the June 26, 2025<sup>1</sup> and July 29, 2025<sup>2</sup> letters to Management. However, as this requirement is not explicitly indicated in the Regulatory Agreement, Nieuw Amsterdam Property Management is not currently mandated to provide these services on site. As it is standard practice for HPD Regulatory Agreements to include requirements for onsite social services, MCB4 requests HPD to amend the Regulatory Agreement with Nieuw Amsterdam Property Management to require onsite social services be provided to the Eligible Homeless Tenants in these 14 buildings.

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<sup>1</sup> [6.26.25 Letter to Black Spruce Management re: W. 49th Street Building Problems](#)

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

The lack of onsite social services has exacerbated the maintenance and security issues in the West 49<sup>th</sup> Street buildings and contributed to the destabilization and illegal activity in the buildings. One such case is detailed in the July 1, 2025 letter to the Housing Court, requesting to expedite the legal action against two squatters who conducted illicit drug deals whom previously occupied apartments at 328 West 49<sup>th</sup> Street.<sup>3</sup> The current model, which lacks an onsite social service provider, is not only nonfunctional; it puts the West 49<sup>th</sup> Street block, surrounding blocks and broader neighborhood at safety risk. Tenants in the Eligible Homeless Apartments are not set up to succeed when they lack the support of onsite social services, unlike other buildings where HPD Regulatory Agreements have social service providers as a requirement of such agreements.

With 50 units set aside for homeless referrals, it is critical to have a third-party social service provider dedicated to this tenant population. This requirement is customary in HPD's housing programs that require a large homeless component. The HPD and DHS referrals at this location have come with serious need without that assistance has led to serious incidents stemming from mental illness and/or addiction.

**MCB4 Request**

MCB4 requests HPD to amend the Article XI Regulatory Agreement to require an onsite third-party social service provider to be funded by Nieuw Amsterdam Property Management.

The permanently affordable apartments mandated through the HPD Regulatory Agreement are an asset to the community and the City, however the lack of a social service provider in the building undermines affordable housing initiatives and the quality of life for both its long-term residents and the surrounding community.

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

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<sup>3</sup> [7.1.25 Letter to NYC Housing Court re: W. 49<sup>th</sup> Street Buildings Squatter Legal Actions](#)