

April 4, 2003

Hon. Edward Kelly  
Commissioner  
NYSLA  
84 Holland Avenue, 2<sup>nd</sup> Floor, A Wing  
Albany, New York 12208

**Re: Rica Enterprises Ltd., d/b/a B'lo, 220-230 West 19<sup>th</sup> Street. Request that you investigate the operation of the above-named premises and suspend the alteration to their liquor license granted September 30, 2003.**

Dear Commissioner Kelly,

On May 14, 2002, the Business Licenses and Permits Committee of Manhattan Community Board No. 4 approved the application of Rica Enterprises Ltd. for an alteration to its liquor license at the venue cited above. The alteration plans they presented involved the addition of a bar on the basement level of the existing premises (the ground floor is a billiard parlor) so that they could more conveniently serve occasional private parties and patrons shooting pool downstairs. The two floors were contiguous, and their plans showed several billiard tables on the lower floor. Closing time was 2 A.M. In short, the applicant assured us that this alteration was merely an extension of an existing business. Any music would be background CDs. The operation had been long standing and not problematic, and we approved their request.

Along with everyone else on the largely residential 200 block of West 19<sup>th</sup> Street, we were shocked to see the operation Rica Enterprises opened in November, 2002 - a dance club/lounge, with an occupancy of 400 and a cover charge, a separate entrance by elevator to the downstairs space which requires patron queuing on the sidewalk all night, a DJ booth/sound system, and hours of 10 P.M. to 4 A.M. The premises had been remodeled by a top club designer, hot event planners were involved, and the then-most infamous club publicist in New York had been engaged.

Had this manifestation been presented to us, we would **never** have approved it. We believe that the plans described to us were misrepresentations at best, and we believe that the operation described to you depended on the same misrepresentations. The two floors of the premises are not contiguous, the entrances are separate, the hours, patrons, nature, and purpose of the two businesses are different, and **we believe that two separate businesses are inappropriately operating under the umbrella of one liquor license.** And since the club allows dancing, it has become a **de facto illegal cabaret.** In fact, the club was padlocked by the Department of Consumer Affairs on March 29, 2003 for continuing to operate an illegal cabaret after earlier citations, a hearing, and a judicial finding a few weeks earlier that they had been operating a dance club without a license.

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Though it is beyond our authority to investigate the matter, we do not know who actually owns B'lo as the owner listed on the liquor license application, Robert Gans differs from the owner listed in the club's publicity materials, Robert Vinokur. It is not beyond your authority, however, and we respectfully ask that you do. The discrepancies between stated plans and present reality, as well as discrepancies among names on different documents, suggest that you should.

The negative effects this club is having on West 19<sup>th</sup> Street are plain. At its recent meetings, our Quality of Life Committee has heard the complaints of twenty to thirty distraught residents who suffer through the noise and disorderly behavior of club patrons all night, six nights per week.

The 10<sup>th</sup> Precinct has had to assign a special detail, with which the Captain now rides, to contend with this club and its patrons every weekend. This deprives the rest of the precinct of police coverage, and, in the last analysis, does not cure the root of the problem, which is the operation of B'lo itself. We believe that the 10<sup>th</sup> Precinct has supplied your office with a list of the violations incurred by the club and its patrons, including multiple assault and larceny charges brought against a bouncer and numerous summonses for public urination and disorderly conduct given to club patrons. The 10<sup>th</sup> Precinct has also recently become concerned about the possibility of drug trafficking inside the club.

**We hope you will hear our request for an investigation of the several issues raised in this letter and at the least suspend the alteration to the premises' liquor license that allows B'lo to operate while this investigation is in process.**

We will gladly answer any questions or provide any further information you need, and we look forward to your prompt response to our serious concerns. Thank you for your kind attention.

Sincerely,



Simone Sindin  
Chair  
Manhattan Community Board No. 4



Kevin Kossi  
Co-Chair  
Business Licenses & Permits Committee

Cheryl Kupper  
Co-Chair  
Business Licenses & Permits Committee

This letter was passed at Manhattan Community Board No. 4's April 2, 2003 full board meeting.

cc: Elected Officials  
Applicant  
Capt. Sbano, NYPD Tenth Precinct  
Beverly Gotay, Department of Consumer Affairs  
200 Chelsea West  
B.L.O.C. 19