

David A. Paterson
Governor



Deborah VanAmerongen
Commissioner

New York State Division of Housing and Community Renewal
Office of Rent Administration
Gertz Plaza
92-31 Union Hall Street
Jamaica, NY 11433

May 12, 2009

This is in response to your letter addressed to Governor David A. Patterson, which has been forwarded to me for a reply.

You state that you are writing on behalf of hundreds of tenants "residing in commercial loft spaces" in Brooklyn, NY. You also indicate that your "block on South 11th Street has been in litigation for more than 20 years, fighting for the right to be recognized as legal tenants of our loft dwelling." You ask the Governor to "reinstate the 1974 Emergency Tenant Protection Act with a provision that recognizes all the loft dwellers who have been denied access to rent stabilization."

Please be advised that an opinion letter is not intended to address any issues which may be pending before a court of competent jurisdiction. Therefore, it would be inappropriate if we commented upon the issue raised.

We trust that we have responded as fully as possible to your inquiry under the circumstances.

Very truly yours,

Michael B. Rosenblatt
Assistant Commissioner/
Rent Administration


By: Cheryl King
Senior Attorney

MBR:CK

CC: Deputy Commissioner Torres
(col-2521)