

ORDER

NEW YORK CITY LOFT BOARD

In the Matter of the Application of

**ROBERT SELWYN, ALINA PRECIADO, AMBER
KIRSCH, JOSEPHINE SHIELE, LEANDRO
MACIEL AND JESSE PESTA**

Loft Board Order No.: 4602

Docket No.: TR-1010

**RE: 8-10 Grand Avenue
Brooklyn, New York**

IMD No.: 30123

ORDER

On May 4, 2012, Robert Selwyn, occupant of unit 3-4 also known as 3-7 in the building located at 8-10 Grand Avenue, Brooklyn, New York ("Building"), filed an application seeking Article 7-C coverage for his unit pursuant to § 281(5) of the Multiple Dwelling Law ("MDL").

On August 3, 2012, the coverage application was amended to reflect the following applicants of the following units seeking Article 7-C coverage pursuant to MDL § 281(5):

Tenant Name(s)	Unit
Robert Selwyn	3-4 also known as 3-7
Alina Preciado	7-3
Amber Kirsch	7-4

On February 8, 2013, the coverage application was amended to reflect the following applicants ("Tenants") of the following units ("Units") seeking Article 7-C coverage and protected occupant status pursuant to MDL § 281(5):

Tenant Name(s)	Unit
Robert Selwyn	3-4 also known as 3-7
Josephine Shiele and Leandro Maciel	5-8
Jesse Pesta	7-2
Alina Preciado	7-3
Amber Kirsch	7-4

The Loft Board transferred the application to the Office of Administrative Trials and Hearings, which assigned the matter to Administrative Law Judge Alessandra F. Zoragniotti for adjudication.

In a stipulation of settlement dated December 16, 2013, Owner agreed to register the Building, the Units and Tenants as protected occupants. Tenants agreed to withdraw their claims with prejudice.

Protected Occupant(s)	IMD Unit
Rick Siggins and Molly White	3-1
Robert Selwyn	3-4 also known as 3-7
Markus Jarrow	3-8
Sachem Arvidson	4-2
Dennis McKenna	4-3
Dian Needham	4-6
Begona Colomar and Rick Bologna	4-8
Flora Hanijito and John Carson	4-9
Julie Sinios	5-1
Peter Sibilia	5-3

Josephine Shiele and Leondro Maciel	5-8
Gina Pham and Matt Penrose	6-6
Niall Van Dyke	6-7
Isabelle Lumpkin	7-1
Jesse Pesta	7-2
Alina Preciado	7-3
Amber Kirsch	7-4

On March 11, 2014, Grand Avenue Holdings, LLC ("Owner"), the owner of the Building filed a registration application listing among others, units 3-4 also known as 3-7, 5-8, 7-2, 7-3, and 7-4, as interim multiple dwelling units and Tenants as protected occupants of their respective units. The Loft Board records have been updated accordingly.

The coverage application is deemed withdrawn with prejudice.

DATED: January 19, 2017

Renaldo Hylton
Chairperson

Board Members Concurring: Carver, Roche, Hernandez, Delaney, Schachter, Shelton, Hylton

Board Members Absent: Barowitz, Bolden-Rivera

DATE LOFT BOARD ORDER MAILED: **JAN 27 2017**

NOTICE

A party aggrieved by a determination of the Loft Board may file an application for reconsideration of the determination. Under 29 RCNY § 1-07(b), an aggrieved party must serve the reconsideration application on the affected parties to the prior proceeding. Service of the application shall be completed in accordance with 29 RCNY § 1-06. The aggrieved party must then file the application at the Loft Board's office along with proof of service and the required application fee. Under section 1-07(b), "(t)o be considered timely, a complete reconsideration application must be received by the Loft Board within 30 calendar days after the mailing date of the determination sought to be reconsidered."

Pursuant to 29 RCNY §1-07(d):

A Loft Board determination pursuant to section 1-06 if these rules shall be the final agency determination for the purpose of judicial review, unless a timely application for reconsideration of the determination has been filed. In such case, (i) if the Loft Board modifies or revokes the underlying order, such revocation or modification shall be deemed the final agency determination from which judicial review may be sought; (ii) if the Loft Board denies the reconsideration application, the underlying order shall be deemed the final agency determination; and (iii) if the Loft Board decided the reconsideration application by remanding the matter to the hearing officer for further proceeding, neither the underlying order nor the remand order shall constitute a final agency determination, and no judicial review may be sought until such time as the Loft Board issues a final agency determination following the remand.