

Mayor's Office for People with Disabilities

Testimony

Intro. 537

Hearing before the City Council

Committee on Small Business

September 25, 2015

Good afternoon, Chairman Cornegy and members of the Committee on Small Business. My name is Kleo King and I am the Deputy Commissioner and General Counsel for the Mayor's Office for People with Disabilities. With me is Andrew Schwartz, Acting Commissioner of Small Business Services and Marshall Kaminer, Executive Engineer for Technical Affairs and Code Development for the Department of Buildings.

First, I want to stress that the de Blasio Administration and MOPD share the Council's goal of assisting small businesses in becoming more accessible to people with disabilities.

MOPD is currently a resource for business owners on accessibility issues. We provide information on our website about federal, state, and local disability laws. We field calls from the community, including owners of small businesses, providing them with answers to their specific questions or connecting them with

other agencies for additional information as needed. Like MOPD, other City agencies also provide information about accessibility on their websites to assist small business owners. We have compiled a list of these links as an attachment to this testimony.

One example of MOPD's efforts focusing specifically on small businesses is our Restaurant Access Program (RAP). RAP allows a restaurant owner to advertise the "Wheelchair-Friendly" components of his or her restaurant. This helps the owner tap into a broader customer base, while providing people with disabilities better information about the accessibility of New York City's restaurants.

Another example relates to Local Law 47 of 2012, which involves accessibility signs, such as signs directing people to accessible entrances. MOPD provides information to assist businesses in learning and complying with the requirements under the local law.

MOPD also collaborates with all City agencies to provide accessibility information to the community, including small business owners. We work with the Department of Buildings to ensure that businesses undergoing construction or renovation comply with the accessibility provisions of the New York City Building Code. We are part of the Small Business First program and assist businesses that need to seek accessibility waivers. We are also currently working with the New York City Commission on Human Rights to help facilitate their outreach and education efforts with respect to small businesses' compliance with the New York City Human Rights Law, which has broad protections for disability access. For example, we are

currently working with the Commission to update the fact sheet located on MOPD's website concerning accommodations for people with disabilities who are accompanied by service animals, an accessibility issue that commonly affects small business owners.

I also want to highlight some of the work that other City agencies are doing to assist small businesses in complying with accessibility requirements:

- The Department of Small Business Services, through its Small Business First initiative, provides support and resources to help small businesses understand and comply with City regulations, including accessibility requirements.
- The Department of Buildings works with small businesses through the permitting process to ensure compliance with accessibility requirements, and through its Small Business Owner's nights. Small Business Owner's nights are free, drop-in, after-hours services that are available every Tuesday from 4pm to 7pm at each of DOB's borough offices. Small business owners can receive one-on-one guidance from plan examiners and other Department professionals on issues related to their new or existing building applications, including accessibility issues. These sessions support small businesses by helping them navigate any regulatory and compliance hurdles that they may be facing.
- The Human Rights Commission, through its Project Equal Access initiative, educates and assists small business owners to help bring their businesses into compliance with accessibility requirements. The Commission's experienced

staff members visit businesses on-site to identify accessibility concerns and offer cost-effective means of increasing accessibility.

While MOPD supports the intent of the bill, we have some concerns about the bill in its current form. Most significantly, the bill as drafted impairs the Mayor's powers related to the organization of the positions and functions within his executive office. In addition, while we support the idea of developing training that provides an overview of relevant federal, state, and local accessibility requirements, we would want to ensure that the bill could not be construed to require City officials to provide legal advice to individual small business owners. We would also want to ensure that the bill does not result in the duplication of effort and instead builds on the many worthwhile initiatives that are already being implemented by various City agencies.

We believe that these concerns can be addressed with appropriate revisions to the bill and welcome the opportunity to discuss the bill further with the Council. Thank you, Chairman Cornegy and members of the Committee. I will be happy to answer your questions at this time.

Website links

Mayor's Office for People with Disabilities

MOPD - www.nyc.gov/mopd

MOPD's RAP - <http://www.nyc.gov/html/mopd/html/rap/rap.shtml>

Accessibility Waiver - <http://www.nyc.gov/html/mopd/html/waiver/waiver.shtml>

Federal Laws - <http://www.nyc.gov/html/mopd/html/laws/federal.shtml>

State Laws - <http://www.nyc.gov/html/mopd/html/laws/state.shtml>

Local Laws - <http://www.nyc.gov/html/mopd/html/laws/local.shtml>

Directional Signage - http://www.nyc.gov/html/mopd/downloads/pdf/directional_signage.pdf

Department of Buildings

DOB – www.nyc.gov/dob

DOB Small Business Owner Nights -

http://www.nyc.gov/html/dob/html/news/pr_small_business_owner_night.shtml

City Commission on Human Rights

CCHR – www.nyc.gov/cchr

CCHR Fair Business practice -

http://www.nyc.gov/html/cchr/downloads/pdf/publications/fair_business_card.pdf

CCHR trainings on Human Rights Law -

<http://www.nyc.gov/html/cchr/html/trainings/trainings.shtml>

TESTIMONY

BY

ANDREW SCHWARTZ

ACTING COMMISSIONER

NEW YORK CITY

DEPARTMENT OF SMALL BUSINESS SERVICES

BEFORE

THE COMMITTEE ON SMALL BUSINESS

OF THE

NEW YORK CITY COUNCIL

FRIDAY, SEPTEMBER 25, 2015

Good afternoon Chair Cornegy and members of the Committee on Small Business. My name is Andrew Schwartz, and I am the Acting Commissioner of the Department of Small Businesses Services ("SBS"). I'm joined today by my colleague, Kelvin Collins, Assistant Commissioner of SBS' Business Development Division. At SBS, we seek to foster a thriving, equitable economy by connecting New Yorkers to good jobs, creating stronger businesses, and building a fairer economy. We recognize that small businesses are a driving force in New York City and are also an essential part of the character of New York City neighborhoods. For so many individuals, owning a business can be the first chance for economic self-determination and a path to economic stability and success. To create stronger businesses and neighborhoods, SBS seeks to foster an environment where it is easy for them to open, operate and grow.

I want to thank the Chair for his commitment to small businesses and today, I am pleased to testify on Intro. 851, which seeks to assist the more than 220,000 small businesses that call New York City home. As we speak with businesses on the ground every day, we know the challenges they face are many, which is why SBS offers an array of services to help them start, operate and grow. We strongly agree with the Council that it is important to ensure that commercial tenants are protected from abuse or harassment from landlords during their tenancy. After highlighting SBS' efforts to assist businesses, I will offer our comments on the proposed legislation. Following my testimony, I will be happy to take your questions.

SBS Services

SBS has established seven NYC Business Solutions Centers across the five boroughs that offer free business services to help businesses start, operate and grow. We offer financing assistance, incentives, business courses from Business Planning Basics to Advanced Social Media Strategies in more than eight languages; selling to government services; and pro-bono legal services to review contracts, advise on business legal structures, and answer questions on intellectual property issues.

As there is a real need for many businesses to better understand and negotiate commercial leases, we have started offering workshops in all five boroughs to teach New York City entrepreneurs about the components of a commercial lease and the implications of signing a lease. We are also offering clinics where business owners have the opportunity to speak one-on-one with a pro-bono lawyer to review their lease. Since launching in July, we have served approximately 150 business owners and due to the demand we have seen in this initial phase, we plan to continue rolling out these services.

Additionally, we know that businesses struggle to understand and comply with the City's many regulations. SBS' Division of Business Acceleration ("DBA") helps businesses navigate government by coordinating license and permitting processes and making the regulatory environment more efficient. Client managers act as a central point of contact for the business owner and walk them through and expedite the licensing, permitting and inspection processes they may need to open or reopen their doors. To better serve New York City's small businesses, the Mayor launched Small Business First, a \$27 million initiative spanning 15 different City agencies to reduce the regulatory burden on small businesses and increase compliance so businesses incur less violations and fines. Agencies have already completed several milestones of this comprehensive plan, including:

- Launching an online tool to help business owners avoid common violations;
- Going door-to-door to more than 400 businesses in all five boroughs to raise awareness of available business services;
- Offering the opportunity for building owners and commercial tenants to speak directly with representatives from the Department of Buildings ("DOB") every Tuesday night about questions they may have;
- Expanding the Department of Transportation's ("DOT") online permitting system so nearly all DOT permits are available online; and,
- Translating more than 10 guides into plain language, and translating eight of these guides into the top six non-English languages used through the city. Six partner agencies have also made phones available to their inspectors to access translation services while in the field.

SBS also goes beyond serving individual businesses to strengthen entire commercial corridors by supporting community-based economic development organizations in order to foster the conditions under which local businesses can grow and thrive. This year through SBS' Avenue NYC program, we are funding nearly 50 community-based organizations approximately \$1.5 million to implement commercial revitalization efforts in low-to-moderate-income neighborhoods across the city. This year, 16 of the community-based organizations are conducting retail recruitment and retention efforts.

We recognize that small businesses face complex issues and while I've outlined some of SBS' ongoing efforts to assist; we know there is much more to do. We hope to continue to partner with the Council to help New York City's small businesses.

INTRO. 851

Regarding Intro. 851, SBS strongly agrees with the intent of the proposed legislation to address harassment of commercial tenants. However, we have several concerns with the bill in its current form.

First, the Law Department has identified sections of the bill that raise preemption concerns, particularly as related to a commercial landlord's ability to decline to renew a lease and commence summary eviction proceedings under State law. Second, while we agree that much of the behavior that the bill characterizes as harassment could be improper, in certain circumstances, a landlord may have a legitimate need to engage in the conduct prohibited by the bill. For example, a landlord might need to interrupt or discontinue gas or hot water services to prevent or correct a hazardous condition. Affirmative defenses should be available as they are in the residential landlord-tenant context. Third, landlords currently have a right to include lease terms that permit them to reenter a premises when a lease is breached or terminated or if a tenant stops paying rent. Certain provisions of Intro. 851 may conflict with that right. Finally, the remedies prescribed by the bill must be consistent with State law. For example, determinations of possession should be reserved to a court of competent jurisdiction and consistent with State law.

We support the intent of this bill and look forward to working with you to strengthen its provisions. We believe that with the appropriate revisions, we can have a more effective bill that the administration can support. We would be happy to discuss specific recommendations with the Committee and its counsel to address the concerns discussed today.

Thank you for the opportunity to testify today, as well as the City Council's commitment to leveling the playing field for small businesses in New York City. I am happy to answer any of your questions.



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Gale A. Brewer, Borough President

**Testimony of Gale A. Brewer, Manhattan Borough President
Hearing of the New York City Council Committee on Small Business
September 25, 2015**

My name is Gale A. Brewer and I am the Manhattan Borough President. Thank you Chair Cornegy and the members of the Committee on Small Business for the opportunity to testify.

I commend Council Members Cornegy, Koo, and Levine on their respective pieces of legislation being discussed today. I believe the proposals are shaped to appropriately address the expectations of respect that underlie all business matters. The bills before the committee create new safeguards against discriminatory actions, unpremeditated or otherwise, that affect consumers and proprietors alike.

This year marks the 25th anniversary of the Americans with Disability Act (ADA), landmark legislation to protect the civil rights of people with physical and cognitive disabilities. Since 1990, advocates have doubled their efforts to ensure that Americans with disabilities have access to everything our society has to offer and are not excluded from it, including the right to be a consumer unrestricted by his or her handicap. To that end, the ADA and subsequent state and local regulations provide specific obligations to ensure that business owners do not infringe on those individual rights. An unfortunate consequence of these obligations, however, is that deciphering the overlapping jurisdictions often requires expeditors and expertise that is prohibitively costly. Unpacking that confusion would lessen the barriers that undermine businesses trying to fulfill their obligation under the law.

Int. 537, introduced by Council Members Koo and Cornegy, would benefit small businesses. If and when it becomes law, the result would be a knowledgeable and dedicated point of contact so that the space is a disability-inclusive design as opposed to a layout that is an impediment to people with disabilities. According to 2005-2007 statistics from the American Community Survey Public Use Microdata, persons with disabilities over age 5 comprise 13.6% of Manhattan's population (196,600 out of 1,253,980 individuals), and their value as consumers should not be underestimated.

Separately, discriminatory harassment practiced by landlords and directed at their commercial tenants is another area of law that needs improvement and a robust remedy - an objective that is captured in the cause of action in Intro. 851. Recently my office published a report, *Small Business, Big Impact: Expanding Opportunity for Manhattan's Storefronters*, that studied and provided recommendations to reverse the tide of disappearing independent businesses that have stood the test of time and anchored our communities. We confirmed what many felt - the recovery from the 2008 recession and escalating property values contributed to large-scale increases in commercial rents. In a hot market, like the one we're experiencing - fueled by the proliferation of chain stores and banks - the new asking prices per square foot are

triple and more of what long-standing “mom-and-pops” have been paying in some of the most desirable neighborhoods.

Only by holding aggressive landlords accountable can we dissuade such illegal harassment tactics as cutting off tenants’ essential utilities and wearing them down with frivolous court proceedings. That is why I’m proud to support Council Members Cornegy and Levine in advocating for Intro. 851.

I applaud the sponsors of these bills for their commitment to preserving the rights of both consumers with disabilities and small business owners. I am eager to work with the Mayor and members of the Council on these and other strategies to aid small businesses. Further solutions are addressed in our aforementioned report: taking the pressure off lease renewals, modernizing policies governing street vending, encouraging “condo-ization” of storefront space, and creating “low-intensity” commercial districts.

Thank you.



Disabled In Action of Metropolitan New York, Inc.

City Council Committee on Small Business
September 25, 2015

. No. 537 - In relation to the designation of a small business accessibility coordinator

My name is Edith Prentiss; I am President of the 504 Democratic Club, Vice President for Legislative Affairs of Disabled in Action of Metropolitan New York (DIA), Chair of the Taxis For All Campaign (TFAC), and a Board Member of the Disability Network of New York City (DNNYC) Board. Thank you for the opportunity to testify today.

We have seen the positive effects of ADA Coordinators in the few Agencies (CCHR, Parks, Dot, HRA, and HPD) that have designated such a position. There have been suggestions that ADA coordinators be sited in MOPD. I and many others disagree we believe ADA coordinator needs to be part of their agency. They need to be part of the water cooler culture. I am always amazed that everyday NYers report they know no PWDs. I see us everywhere; in house ADA coordinators would bring one into every City Agencies.

Yesterday, I attended a PCAC/TRC meeting at 2 Broadway. Every time I use the ladies room I wonder if there are any employees in power chairs! CCHR ADA Coordinator is the Director of Disability Service. He is well known City-wide. Parks has had an ADA Coordinator since 2006 after Comptroller Hevesi lambasted the Agency for their lackluster resolution to inaccessibility issues in facilities and programs. DoT's coordinator has made great strides in his year there. As a PWD he understands our issues.

Many small businesses are by nature inaccessible! I served on the licensing committee of CB12M. Over the years new applicants for SLA licenses accessibility have improved but inaccessible tiny holes in the wall wanting to serve alcohol claim to be accessible or are "grandfathered in". A major problem is that most businesses don't know anything about City, State or Federal civil rights and accessibility regulations or requirements. I live in Washington Heights the home of street vendor, bodega and one step stores. The ADA states One Steps are readily ameliorated. In many cases landlords / store proprietors simply demolished the step(s) and dump a mountain of cement! CCHR has had employees walking the streets but enforcement has been less than vigorous. Many 99 cent stores and bodegas are inaccessible with tight aisles and boxes everywhere which are inaccessible and safety hazards).

An ADA Coordination should also be sited in the Business Solution offices. This is an opportunity to expose business owners and operators to the City, State and Federal regulations.

Thank you for the opportunity to testify.



Friday, September 25th, 2015

Written testimony respectfully submitted to NYC Council Committee on Small Business by Melissa Chapman, Senior Vice President for Public Affairs at the Brooklyn Chamber of Commerce, in Support of Int 537-A and Int 851-A

Hon. Robert E. Cornegy, Jr, Chair

Good Afternoon Chair Cornegy, Jr., other members of the NYC Council Committee on Small Business and guests.

I'm Melissa Chapman, Senior Vice President for Public Affairs at the Brooklyn Chamber of Commerce (BCC). I am delivering testimony on behalf of Carlo A. Scissura, President and CEO of the BCC.

BCC is a membership-based business assistance organization which represents the interests of over 2,100 member businesses as well as other businesses across the borough of Brooklyn. The Brooklyn Alliance is the not-for-profit economic development organization of the Chamber, which works to address the needs of businesses through direct business assistance programs.

We support both Int 537-A and Int 851-A, the first of which relates to the designation of a small business accessibility coordinator within the Mayor's Office for People With Disabilities; and the second which refers to curbing harassment of small business and non-residential tenants that are operating legally on a premises.

Under federal and state law, it is illegal to discriminate against any person with an actual or perceived disability in many contexts of everyday life, including, public accommodations such as business establishments. This provision comes with the requirement on the part of business owners to construct or adjust their physical space, as well as their policies and procedures, to make sure that people with physical and sensory disabilities have the same access to their facilities and services as people without disabilities. Int 537-A is a common-sense approach to ensuring that businesses are in compliance with the law and also that they have proper guidelines and support from the small business accessibility coordinator to make the required transformations. With better access, small businesses will be able to accommodate a wider cross-section of customers and employees as well.

As it relates to Int 851-A, we simply cannot displace our 'Mom and Pop' shops and small businesses in our collective commitment to maintain a robust business environment in New York City. These businesses play a very important role in economic development, and in creating an authentic 'New York' neighborhood experience. Further, they provide jobs and create a sense of community in the areas in which they operate. As such, BCC is also in support of Int 851-A which aims to address instances in which a small business is on the receiving end of harassment and interruption of business operations by landlords; providing that the small business tenant is legally operating in the space. In our 2014 Member Issues Survey, the cost of real estate/finding available commercial space was listed as the number one obstacle to doing business in Brooklyn. This speaks volumes as the majority of our members are small business owners, so it is important that we create a conducive environment for our small businesses to flourish.

Thank you for providing BCC with the opportunity to testify on these issues.



Brooklyn Law School
ESTABLISHED 1901

Edward W. De Barbieri
*Assistant Professor of Clinical Law
Counsel, Center for Urban Business
Entrepreneurship (CUBE)
Director, Urban Economic Development Clinic*

Hearing on Int. No 851, A Local Law to amend the administrative code of the city of New York, in relation to curtailing harassment of small businesses and other non-residential tenants

New York City Council, Committee on Small Business
Chair Robert Cornegy

September 25, 2015
1 p.m.

Good afternoon Chair Cornegy, and Committee Members. Thank you for the opportunity to testify before the Committee. My name is Ted De Barbieri, and I am an Assistant Professor of Clinical Law, Counsel to the Center for Urban Business Entrepreneurship (CUBE) at Brooklyn Law School where I direct the Urban Economic Development Clinic.

The fundamental mission of **Brooklyn Law School** is to provide its students with the knowledge, skills, and ethical values needed for a career in the law. A well-rounded legal education exposes students to theory and legal doctrine, and gives them the practical skills necessary to be excellent lawyers. In order to achieve its mission, the law school has created, and is continuing to create, a community of outstanding legal scholars and teachers and students who are among the best and the brightest. Brooklyn Law School is dedicated to contributing to the advancement of our understanding of law, legal institutions, and society at large. The law school has over a century of experience in training students to engage in the practice of law.

The Center for Urban Business Entrepreneurship (CUBE), launched in November 2013, is a hub for exploring legal issues surrounding entrepreneurship, and for providing effective legal representation and support for new commercial and not-for-profit businesses — while also training the next generation of business lawyers to advise and participate in these sectors. CUBE, through in-house clinical courses and pro bono projects, offers opportunities for law students to learn how to represent start-up and operating nonprofit and for-profit businesses.

The **Urban Economic Development Clinic** represents small businesses and nonprofits that cannot otherwise afford legal counsel. Students represent small businesses, worker-owned cooperatives, nonprofit community-based organizations, and other ventures supporting low-income, immigrant entrepreneurs on a variety of transactional matters, including business entity formation, governance, leasing, and loan/ related financial closings.

I am here today to speak in support of Int. No. 851, a bill to curtail commercial tenant harassment. This is an access to justice issue for small businesses that cannot afford legal counsel. The attorneys' fees provisions allow small businesses to enforce their rights as

tenants – rights they may not have known were an issue until they find themselves about to be evicted.

No residential rent is affordable unless the tenant and her family has a job to pay for the rent. Small businesses are the engines of economic opportunity, especially in low-income and communities of color. Too frequently commercial tenants unwittingly enter into a lease agreements that fail to protect their interests. Often landlords take advantage of these leases to skirt commercial tenant rights.

Int. 851 goes a long way to protecting commercial tenants particularly, in instances where they did not negotiate, or did not know to negotiate, critical protections. Brooklyn Law School students have witnessed this issue too often through our **CUBE Consultation Center** where lawyers and law students provide pro-bono consultations to small business owners and entrepreneurs on an array of legal issues that come up during their business life cycle. Among the many issues we address, commercial leasing is one of the important issues that we consistently provide small businesses legal consultation. The inclusion of attorneys' fees in the proposed legislation is key in making this legislation an access to justice issue.

Too often commercial tenants are unable to assert their rights in court because of the high cost of legal services. Including attorneys' fees in the proposed legislation is a good step to remedying this access to justice issue.

In some instances, the proposed legislation may be redundant for commercial lease agreements that already protect tenants against aggressive landlord actions. However, this redundancy will not harm tenants with protections, but will benefit those who were unable to or did not know but they should be negotiating for in a lease agreement.

One concern we have related to the current language of the bill is that some may interpret the list of landlord actions provided in § 22-911 to be exhaustive. As a result, certain conduct that would otherwise be interpreted as harassing might not fall within the intent to cause a tenant to vacate or surrender the lease. § 22-911 (11) seeks to provide a fact-finder with the ability to interpret conduct as harassing. This provision might be even more broad to include acts that indicate an intent to cause a tenant to vacate or surrender the lease.

Thank you for allowing us to comment on this important legislation. We look forward to working with the Council and the Committee on implementing this needed cause of action.

"Bullying" Landlord Forces Artists Space Closure



Artists Space has occupied 38 Greene Street in SoHo since 1993, but a new landlord — who acquired the building from its previous owner in 2008 — has forced the venue's temporary closure and the delay, until January, of a Cameron Rowland exhibition. Landlord Zar Properties intends to construct a 12,000-square-foot office penthouse addition atop the landmarked building, but Artists Space director Stefan Kalmár alleges that Zar has neither adequately communicated the timeframe of the interruption (the addition requires reinforcing existing columns throughout the structure) nor offered compensation for the imminent impact on its usability. "[Zar] continues to fail to give us a reliable schedule and program of work," Kalmár said.

On Monday, Zar Properties apparently responded to a proposed deal by refusing the question of compensation and relegating the negotiation to both parties' lawyers. Zar Properties did not respond to multiple requests for comment.

Even before this latest impasse, which was first reported by Artforum, troubles were frequent under Zar's ownership, Kalmár told ARTINFO by phone. "[Zar] started for example renovation of entranceway in 2014, and said it would be ready in January, but it took 18 months," Kalmár said. "[Zar] is never notifying us if the elevator gets shut down for three days. Essentially, it's pure bullying," Kalmár added. As of press time, the single open Department of Buildings violation on 38 Greene Street concerns the elevator and dates to May 2014. Two further complaints, logged in March and April 2014 and now marked as resolved, state that no permits were posted for an "entire 4th floor renovation."

"[Zar] behaves in a way that ignores tenant rights, let alone our work spanning 23 years in this building and being a good tenant over that period," Kalmár said. "It's not our fault that we have a lease from '93. It's not our fault that [Zar] loses, in current market rates, likely over \$500,000 annually on this floor." He estimates that the work will affect 90 percent of the 7,500-square-foot Artists Space venue on the third floor of 38 Greene, which includes a small office area along with the expansive exhibition space. The office may be usable during the work, pending noise issues, and Artists Space Books & Talks at 55 Walker Street will continue to operate uninterrupted. Should construction proceed, it remains to be seen how the bulk of the reinforced columns, originally slim cylinders, will affect the exhibition space's functionality.

"What it boils down to is that [Zar] doesn't want to work with us to arrive at a mutually agreeable solution and failing to give clear deadlines," Kalmár said. Artists Space is now working with several attorneys to plan how it intends to respond to Zar; options might include receiving compensation for this interruption, or denying the landlord access to do this work altogether until the lease is up in 2019.

This contretemps between a profit-driven landlord and a storied institution comes at a

time when culture funding priorities in the city seem to be directed elsewhere, and the possibility of obtaining a comparable lease in 2019 — in Manhattan or elsewhere — seems remote. Zar has reportedly offered to buy Artists Space out of its lease, but the offers, according to Kalmár, amounted to less than a year's rent at a similarly-sized space.

Kalmár spoke of a meeting late last year between Common Practice, an arts nonprofit advocacy group in New York of which Artists Space is a member, and the Department of Cultural Affairs. "We met with [the commissioner] and he said something to the effect of 'Look, if you stay in Manhattan or not is one of my lesser problems,'" Kalmár said, adding that the city is nonetheless willing to spare \$50 million for the Culture Shed, a ritzy Highline-adjacent arts-and-events development set to open in 2019. (And, one might also observe, \$57 million for the Whitney Museum's new building recently completed nearby.)

— *Mostafa Heddaya (@mheddaya)*

(Photo: 38 Greene Street/Google Maps)



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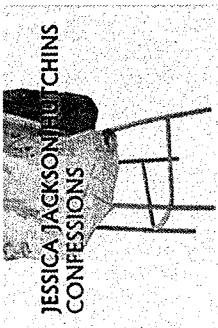
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Recent Entries

- 09.24.15 Independent Brussels Announces Two New Co-Directors
- 09.24.15 Russian Collector Will Return Two Picassos to Artist's Stepdaughter
- 09.24.15 Court Dismisses Lawsuit Brought by Peggy Guggenheim Family
- 09.24.15 Kara Walker Named Tepper Chair at Rutgers's Mason Gross School of the Arts
- 09.24.15 Candida Höfer Receives 2015 Cologne Fine Art Prize
- 09.24.15 Zaha Hadid Wins RIBA's 2016 Royal Gold Medal, Walks Out of BBC Interview
- 09.23.15 Jim Nutt Receives Artists' Legacy Foundation's 2015 Award
- 09.23.15 Anish Kapoor to Modify His Vandalized Sculpture after Lawsuit [UPDATED]



DIARY PICKS FILM

Newest Entries

- Zeenat Nagree at the 4th EXPO Chicago
- Kate Sutton on "The Great Mother" at Fondazione Nicola Trussardi
- Linda Yablonsky around New York fall openings
- Kaelen Wilson-Goldie at the 14th Istanbul Biennial
- Kate Sutton at the 31st Biennial of Graphic Arts in Ljubljana
- Gemma Tipton at the 12th Edinburgh Art Festival

POSTED SEPTEMBER 23, 2015

Artists Space to Close for Four Months, As Building Owners Construct Penthouse Expansion

Artists Space will see a four-month closure of its exhibition space at 38 Greene Street beginning September 14, 2015, through mid-January 2016. Preparatory construction work by the owners of 38 Greene Street, who want to create a penthouse expansion for the building, is rendering the space inoperable for exhibitions.



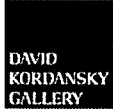
The executive director and curator, Stefan Kalmár, says: "Artists Space has always worked within the same urban reality, and has been subject to many of the same pressures, as the three generations of artists living and working in New York. Generations of artists that made this city what it is, or should I say once was—it is telling that nothing seems to have changed over the forty-three years since our founding, and so the wracking of entire neighborhoods and communities continues."

Offices at 38 Greene Street will stay open, as will Artists Space Books & Talks, the venue's location at 55 Walker Street.

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BLUM & POE

links



For Immediate Release

Building owners' expansion forces 4 month closure of Artists Space Exhibitions

Artists Space regrets to announce the four-month closure of Artists Space Exhibitions – its 38 Greene Street location – beginning September 14, 2015, through mid-January 2016.

Artists Space Exhibitions is forced to close its exhibition venue temporarily due to preparatory construction work by the owners of 38 Greene Street in advance of the planned penthouse expansion on top of this 1869 landmark building. This two-story addition requires structural work throughout the building rendering it inoperable for exhibitions during this period.

Stefan Kalmár, Executive Director & Curator, says: “Artists Space has always worked within the same urban reality, and has been subject to many of the same pressures, as the three generations of artists living and working in New York. Generations of artists that made this city what it is, or should I say once was – it is telling that nothing seems to have changed over the 43 years since our founding, and so the wracking of entire neighborhoods and communities continues.”

Offices at 38 Greene Street will remain open. Artists Space Books & Talks, our venue at 55 Walker Street, will not be affected by this closure and will continue to host programs and exhibitions through the fall and winter.

Artists Space: Founded in 1972 in Downtown New York, Artists Space has for four decades successfully contributed to changing the landscape for contemporary art – lending support to emerging artists and emerging ideas alike. Artists Space has been the site of provocative discussion within contemporary artistic debate, from the postmodern image (Douglas Crimp's Pictures, 1977) to identity politics (Adrian Piper's It's Just Art, 1981), to institutional critique (Michael Asher's Untitled, 1988) to the AIDS Crisis (Nan Goldin's Witnesses: Against our Vanishing, 1989). Artists Space has introduced a number of artists to a wider public, amongst them Joan Jonas, Cindy Sherman, Jeff Koons, Sherrie Levine, Louise Lawler, Laurie Anderson, Barbara Bloom, John Baldessari, Jack Smith, Andrea Fraser, Haim Steinbach, Tim Rollins, Lari Pittman, Group Material, Barbara Kruger, Laurie Simmons, Anthony McCall, Fred Wilson, Felix Gonzalez-Torres, Mike Kelley, Judith Barry, Michael Smith, Robert Longo, Jenny Holzer, and Mark Morrisroe.

Artists Space has been located at 38 Greene Street since 1993.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 851A Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jim Smith

Address: 34 W 28 St

I represent: Tennet

Address: 34 W 28 St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 537/65 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Shula Warren, on behalf of MBPGale Brewer

Address: 1 Centre St., 19th floor South

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 851 Res. No. _____

in favor in opposition

Date: 9/25/15

(PLEASE PRINT)

Name: Amen Ambak

Address: ~~22~~ Brevooort Place BK NY 11216

I represent: Juice It Health Bar

Address: 1068 Fulton Street BK NY 11238

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 351A Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ted DeBarbieri

Address: _____

I represent: Brooklyn Law School

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12 5 15

(PLEASE PRINT)

Name: MELVILLE SIMON

Address: 626 CLEVELAND ST

I represent: 151 EAST 15 R

Address: ARTIST SPACE

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 851 Res. No. _____

in favor in opposition

Date: 9 25 15

(PLEASE PRINT)

Name: STEFAN KACMAR

Address: 151 EAST 15 R

I represent: ARTISTS SPACE

Address: 38 GREENE

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 851 Res. No. _____

in favor in opposition

Date: 9/25/15

(PLEASE PRINT)

Name: Stephanie ~~JAVCH~~ JAVCH

Address: 38 Greene Street, 3rd Fl

I represent: Artists Space

Address: same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/25/15

(PLEASE PRINT)

Name: Byron Menoz

Address: 280 Broadway

I represent: Dept. of Buildings

Address: 280 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/25/2015

(PLEASE PRINT)

Name: Marshall Kaminer

Address: D

I represent: DEPARTMENT OF BUILDINGS

Address: 280 Broadway, 7th Fl.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 537 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kleo King

Address: 100 Gold St NY NY

I represent: MOPD

Address: 100 Gold St NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 537-A Res. No. 851-A
 in favor in opposition

Date: 9/25/15

(PLEASE PRINT)

Name: Melissa Chapman

Address: 335 Adams St, Suite 2700 BH, NY 1124

I represent: Brooklyn Chamber

Address: Same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 537 Res. No. _____
 in favor in opposition

Date: 9/2

(PLEASE PRINT)

Name: Edyth Premier

Address: 739 W 186 St 4C NYC 10032

I represent: Disabled in Action

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 851 Res. No. _____

in favor in opposition

Date: 25 Sept 2015

(PLEASE PRINT)

Name: ANDREW SCHWARTZ

Address: 110 WILLIAM STREET, 7TH FLOOR

I represent: SBS

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 851 Res. No. _____

in favor in opposition

Date: 25 Sept 2015

(PLEASE PRINT)

Name: KELVIN COLLINS

Address: 110 WILLIAM STREET, 7TH FLOOR

I represent: SBS

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 851 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Erica Coleman

Address: 1231 Lafayette Ave, Bronx 10474

I represent: Start Small Thing Big

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 851 Res. No. _____

in favor in opposition

Date: Sept. 25 2015

(PLEASE PRINT)

Name: NICK VELLAN

Address: 501 W 145th ST, LOFT 3

I represent: BRAHMAN YOGA

Address: SAME

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