

B.J. Jones

President & Chief Executive Officer

Battery Park City Authority

200 Liberty Street, 24th Floor

New York, NY 10281

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April 3, 2023

Assembly Member Charles D. Fall
New York State Assembly, 61st District
853 Forest Avenue
Staten Island, NY 10310

Dear Assembly Member Fall,

Thanks for your March 31, 2023 letter regarding retail establishments in our community. Like you, we believe it is critical to the ongoing success of Battery Park City for our retail landscape to serve the needs of our community.

We would be pleased to discuss with you the Authority's efforts toward this important goal. Despite the fact that, as you know, there is no commercial rent regulation or relief for business owners in New York City at this time, there are other benefit programs administered by partners in local and State government that we can connect to our local small businesses, in addition to ongoing engagement work with their owners. As the Authority attends every meeting of the Battery Park City Committee of Manhattan Community Board 1 — as well as many other CB1 meetings over the course of the month — we plan to attend the April 11th meeting, and we will be prepared to discuss the Authority's work on this matter at that time.

As a precursor to that discussion, however, it is important to note that the Authority is not party to the retail leases mentioned in your letter. We do not approve the tenants, and we do not set the rents. The owners of the underlying buildings do. BPCA's ground leases with the underlying buildings, similarly, are not the cause of these retail establishments' closure; none of the buildings that housed the now-shuttered businesses you mentioned have experienced a material increase in their ground rent charges in recent years. With regards to our community's condominium buildings, the Authority continues to make progress in our efforts to replace these leases' ground rent resets with a fiscally responsible alternative, as recently evidenced by our agreement with River & Warren condominium this past August, and as we've discussed in person on January 12th.

Sincerely,



B.J. Jones



**Battery Park
City Authority**



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHARLES D. FALL
ASSISTANT MAJORITY LEADER
ASSEMBLY MEMBER, 61ST DISTRICT
STATEN ISLAND – MANHATTAN – BROOKLYN

CHAIR
SUBCOMMITTEE CONSUMER
FRAUD AND PROTECTION

COMMITTEES
AGING
CITIES
CONSUMER AFFAIRS
CORPORATIONS
GOV. EMPLOYEES
TOURISM & PARKS
ARTS & SPORTS DEVELOPMENT
COMMITTEES

March 30, 2023

B.J. Jones
President & CEO
Battery Park City Authority
200 Liberty St 24th floor
New York, NY 10281

Martha J. Gallo
Vice Chair
Battery Park City Authority
200 Liberty St 24th floor
New York, NY 10281

Dear Mr. Jones and Ms. Gallo:

I write to you today with deep concern about the number of empty storefronts in Battery Park City due to rent increases as well as the growing number of local businesses closing down.

I am requesting Battery Park City Authority's plan of action to address this along with initiatives and programs in effect to help prevent future business closures and encourage the establishment of new businesses in the area.

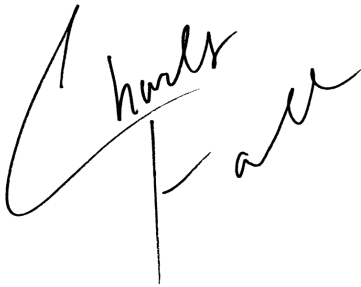
In regards to the rate of rent increases, the Battery Park City Homeowners Coalition, which successfully negotiated a master ground rent agreement with The Battery Park City Authority (BPCA) in 2011. Since then, they have been unable to get the current The Battery Park City Authority (BPCA) leadership to the table to negotiate a new agreement. The existing 2011 agreement, which covers 12 of the 18 buildings, expires in 16 years, after which ground, rents will explode to unsustainable levels. These ground leases must be re-negotiated now to provide homeowners, buyers and financial institutions certainty. The concern is not on the reduction of ground rents but the rate of increases.

Due to the rate of these increases, I have learned that several businesses that have been operating for years have closed down and can no longer serve the community. These businesses include Picasso Pizza (served for 26 years), Cove Club Garage, Miramar Restaurant, Fresh Cleaners and Rite Aid Pharmacy located in Brookfield.

Additionally, I am requesting Battery Park City Authority (BPCA) send a representative to the 2023 BPC Committee meeting on 04/11/23.

Thank you for your attention to this matter.
I look forward to hearing from you in a timely manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Fall". The signature is written in a cursive, flowing style. The first name "Charles" is written above the last name "Fall", which is written in a larger, more prominent script. The signature is positioned to the left of the printed name and title.

Charles D. Fall
Assistant Majority Leader
New York State Assembly, 61st District

cc: Tammy Meltzer, Chair, Manhattan Community Board 1