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THE COUNCIL  
OF  
THE CITY OF NEW YORK

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CULTURAL AFFAIRS

**Via Facsimile and U.S. Mail**

July 17, 2008

Jerry Speyer  
Chairman of the Board  
and Chief Executive Officer  
Tishman Speyer  
Rockefeller Center  
45 Rockefeller Plaza  
New York, NY 10111

Rob Speyer  
President  
Tishman Speyer  
Rockefeller Center  
45 Rockefeller Plaza  
New York, NY 10111

Gentlemen:

As you are well aware, Tishman Speyer has engaged in a two year campaign to move rent-stabilized apartments in Stuyvesant Town and Peter Cooper Village to the market rate. In so doing, you have filed legal notices against a great number of tenants, alleging that their apartments are not their primary residences.

In light of the enormous burden this has placed on the many legitimate tenants who have been caught in your dragnet, Tishman Speyer should do the right thing and pay the legal fees of those who have been wrongly pursued.

By letter of March 24 to Rob Speyer, I wrote to express my serious concern about legal challenges being brought against legitimate rent-stabilized tenants, as well as exorbitant rent increases on market rate tenants. His lack of response, and the continued volume of calls to my office protesting your aggressive actions, reveal Tishman Speyer's

unwillingness to adopt a new approach toward its residents. There is simply no excuse, however, for Tishman Speyer to pursue tenants who are legal and entitled to live in their apartments. According to your own numbers, Tishman Speyer has more baseless cases than successful ones.

I have taken the liberty of proposing the following system that I believe will allow Tishman Speyer to preserve its rights under the law, while treating tenants in a much fairer manner. I hope you will agree that it is both reasonable and achievable, and that you will implement it without delay.

- (1) **Moratorium on legal notices until December 2008 or later.**  
Tishman Speyer needs to be much more careful before sending legal notices to rent-stabilized tenants. There is no articulated standard by which your attorneys send Golub Notices, and those notices frequently contain inaccurate information. We have seen notices claiming, for example, that a tenant votes or has a telephone number outside New York City, when public records clearly reveal the contrary. We again ask for a moratorium on all such notices until Tishman Speyer explains its standards, and how it will avoid these mistakes in the future.
- (2) **When you suspect that a tenant is using his/her apartment improperly, send a letter, not a notice.** After the moratorium is lifted, when a tenant is suspected of using an apartment as a non-primary residence, you should send them a letter setting forth your reasons and giving them an opportunity to explain their situation. You can initiate this process well before the period allowed to send a Golub Notice (90 days before the lease expiration) in order to avoid needless litigation.
- (3) **If the letter does not resolve the issue, invite the tenant in to discuss the matter.** Before filing a Golub Notice, you should invite a tenant in to your management office, without your lawyers present, to explain their situation.
- (4) **Tishman Speyer should pay legal fees when you pursue a tenant in error.** Frequently, tenants who receive Golub Notices resort to hiring lawyers at great expense. If the error was yours, as it was for at least 339 cases to date, you should compensate them for the costs they incurred. While this is not a legal obligation, this is how a landlord of Tishman Speyer's reputation should act. If a tenant did not hire a lawyer, you should give them a free month's rent to compensate them for their trouble.

- (5) **If a lease is disputed, and you offer to renew, give tenants 90 days to consider.** Tenants are entitled to 90 days under the Rent Stabilization Law to consider whether to renew their lease. The time spent fighting with Tishman Speyer should not count against them.
- (6) **Commit to not pursuing tenants repeatedly.** Many tenants are concerned that you are going to challenge their lease every time it comes up for renewal. Tishman Speyer should commit to not challenging subsequent leases where the facts have not changed and where you have already determined the legitimacy of the tenancy.

I ask that you respond to this letter by July 31 setting forth a new policy and a new approach from Tishman Speyer.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel R. Garodnick", with a stylized flourish at the end.

Daniel R. Garodnick