

## **EXHIBIT 2**

**Property No. 7064954-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 7064954-1  
Concord Management of NY LLC  
1328 New York Avenue  
Huntington Station, NY 11746  
Attn: Joseph Maselli

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
3675 Broadway, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **3675 Broadway, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000043

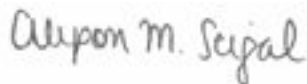
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 3675 Broadway, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 7065421-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 7065421-1  
HSC Management Corp.  
850 Bronx River Road, Suite #108  
Yonkers, NY 10708  
Attn: Josh Koppel

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
208 W. 119, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **208 W. 119, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000024



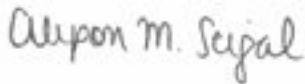
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 208 W. 119, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8071575-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8071575-1  
John B. Lovett & Associates  
109-15 14th Avenue  
College Point, NY 11356  
Attn: Ken Lovett

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
885 E. 38, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **885 E. 38, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

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02-000038

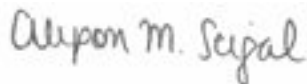
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 885 E. 38, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8071800-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8071800-1  
New Bedford Management Corp.  
210 East 23rd Street, 5th Floor  
New York, NY 10010  
Attn: Jason McLaughlin

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
2515 Glenwood Rd, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **2515 Glenwood Rd, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000001

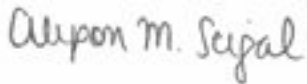
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 2515 Glenwood Rd, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8072000-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8072000-1  
First Management Corp.  
34-03 Broadway  
Astoria, NY 11106  
Attn: James Demetriou

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
25-25 Newtown Av, Queens, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **25-25 Newtown Av, Queens, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000025

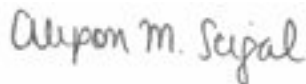
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 25-25 Newtown Av, Queens, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8073297-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8073297-1  
AKAM Associates, Inc.  
260 Madison Ave., 12th Floor  
New York, NY 10016  
Attn: Jay Strobing

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
204-15 Foothill Av, Queens, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **204-15 Foothill Av, Queens, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000004

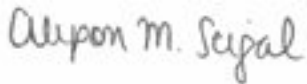
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 204-15 Foothill Av, Queens, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8073518-1**





Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8073518-1  
85-28 Homelawn Street  
Jamaica, NY 11432  
Attn: Sam Karamullah

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
87-74 150, Queens, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **87-74 150, Queens, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000040

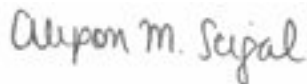
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 87-74 150, Queens, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8100508-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8100508-1  
Belmont Arthur LDC  
660 East 183rd Street  
Bronx, NY 10458  
Attn: Consolato Cicciu

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1055 College Av, Bronx, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **1055 College Av, Bronx, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

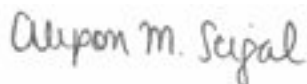
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1055 College Av, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017



<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8101148-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8101148-1  
Patoba Realty LLC  
PO Box 410  
Yonkers, NY 10704  
Attn: Tom Balbona

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
2745 Reservoir Av, Bronx, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **2745 Reservoir Av, Bronx, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000022

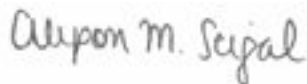
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

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Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

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The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. 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No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8194202-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8194202-1  
SMRC Mgmt. LLC  
80 Maiden Lane, Suite 2204  
New York, NY 10038  
Attn: William Goddard

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1919 Avenue U, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **1919 Avenue U, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000009



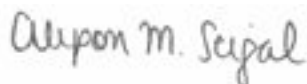
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1919 Avenue U, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8200461-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8200461-1  
Ids Management, LLC  
131 Tehama Street, Floor 3  
Brooklyn, NY 11218  
Attn: Vladislav Marom

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
2155 Ocean Av, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **2155 Ocean Av, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000031

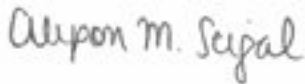
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 2155 Ocean Av, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8204130-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8204130-1  
BEMA Group Inc.  
1806 Voorhies Avenue, #3C  
Brooklyn, NY 11235  
Attn: Dimitri Abramov

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1806 Voorhies Ave Condominium, 1806 Voorhies Av, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **1806 Voorhies Ave Condominium, 1806 Voorhies Av, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000037

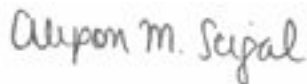
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1806 Voorhies Ave Condominium, 1806 Voorhies Av, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8215273-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8215273-1  
325-CPRS, LLC  
PO Box 190311  
Brooklyn, NY 11219  
Attn: Abraham Samuel

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
325 Cypress Av, Bronx, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **325 Cypress Av, Bronx, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000032

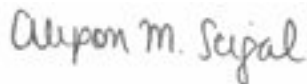
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 325 Cypress Av, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8229029-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8229029-1  
S.K.I. Realty, Inc.  
307 East 63rd Street, Floor 3  
New York, NY 10065  
Attn: Michael Kierman

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
250 E. 77, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **250 E. 77, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000010

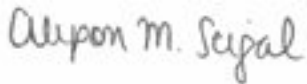
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 250 E. 77, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8230420-1**





Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8230420-1  
Douglas Elliman Property Management  
675 Third Ave., 6th Floor  
New York, NY 10017  
Attn: Casey O'Connor

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
10 Gracie Sq, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **10 Gracie Sq, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000006

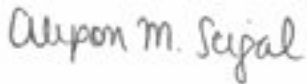
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 10 Gracie Sq, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8231036-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8231036-1  
VGY LLC  
4 Haviland Lane, Floor 1  
White Plains, NY 10605  
Attn: Vincent Young

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
410 E. 59, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **410 E. 59, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

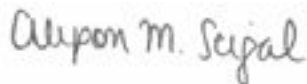
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 410 E. 59, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017



<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –  LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8232385-1**



Alyson M. Seigal  
Area Manager  
FiOS Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFiOS@verizon.com

April 13, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8232385-1  
H.S.C. Management Corp.  
850 Bronx River Road  
Yonkers, NY 10708  
Attn: Myra Caban

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
498 W. 55, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **498 W. 55, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

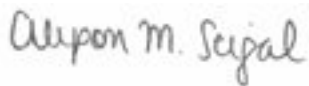
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, FiOS Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 498 W. 55, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 4/28/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon FiOS Real Estate Department at 888-364-3467 or NYCFiOS@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: April 13, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8252108-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8252108-1  
Fordham Bedford Housing Corp.  
2751 Grand Concourse  
Bronx, NY 10468  
Attn: Gerard Wollweber

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
272 E. 199, Bronx, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **272 E. 199, Bronx, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000019



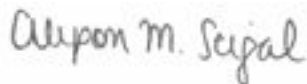
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 272 E. 199, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8253524-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8253524-1  
1803-1807 Bogart LLC  
1063 Rhineland Ave., Apt. 1A  
Bronx, NY 10461  
Attn: Barbara Chmielewski

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1803 Bogart Av, Bronx, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **1803 Bogart Av, Bronx, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

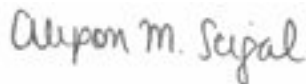
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1803 Bogart Av, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8256815-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8256815-1  
The Bridge, Inc.  
290 Lenox Avenue, Floor 3  
New York, NY 10027  
Attn: Nora Kershaw

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
538 E. 6, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **538 E. 6, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000007

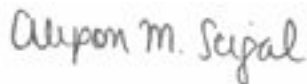
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 538 E. 6, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 8269207-4**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8269207-4  
Reliant Realty Services, Inc.  
885 2nd Avenue, 16th Floor  
New York, NY 10017  
Attn: Michael Bryantsev

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
585 Blake Av, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **585 Blake Av, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000005

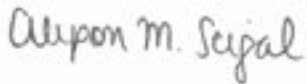
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 585 Blake Av, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 9324103-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9324103-1  
Sterling Street Assoc. LLC  
104 South Central Ave., Suite 10  
Valley Stream, NY 11580  
Attn: Alex Wagman

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
307 Sterling, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **307 Sterling, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

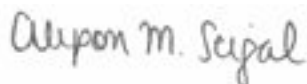
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 307 Sterling, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 9343105-1**





Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9343105-1  
Linden 166 LLC  
2071 Flatbush Avenue, # 48  
Brooklyn, NY 11234  
Attn: Joe Gugenhime

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
164 Linden Blvd, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **164 Linden Blvd, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

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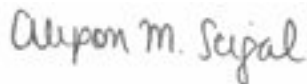
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 164 Linden Blvd, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  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**Property No. 9361611-1**



Alyson M. Seigal  
Area Manager  
FiOS Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFiOS@verizon.com

April 13, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9361611-1  
The Aragona Management Group Inc.  
250 West 57th Street, Suite 1629  
New York, NY 10107  
Attn: Joel Aragona

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
328 W. 89, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **328 W. 89, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

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02-000006

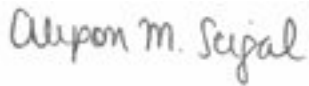
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, FiOS Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 328 W. 89, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 4/28/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon FiOS Real Estate Department at 888-364-3467 or NYCFiOS@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: April 13, 2017



<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 9365476-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9365476-1  
Harlem Property Management, Inc.  
272 Lenox Avenue, Suite 1B  
New York, NY 10027  
Attn: Jim Simari

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
204 W. 140, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **204 W. 140, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000008

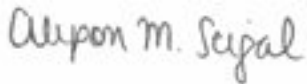
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 204 W. 140, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 9394198-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9394198-1  
E.M. Holding Corp.  
80 Joralemon Street  
Brooklyn, NY 11201  
Attn: Elia Malara

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
450 Clinton, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **450 Clinton, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000026



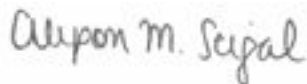
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 450 Clinton, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 9397493-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9397493-1  
The Amistad Management Corporation  
43 North Central Ave.  
Valley Stream, NY 11580  
Attn: William Lucas

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1605 Fulton, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **1605 Fulton, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000042

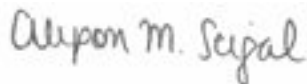
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1605 Fulton, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 9406113-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9406113-1  
Rose Associates, Inc.  
200 Madison Ave., 5th Floor  
New York, NY 10016  
Attn: Eric Mauskopf

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
235 E. 40, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **235 E. 40, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000003

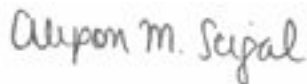
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 235 E. 40, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

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The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

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THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 9406234-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9406234-1  
Concord Management of NY LLC  
1328 New York Avenue  
Huntington Station, NY 11746  
Attn: Robert Ruiz

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
244 W. 112, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **244 W. 112, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000044

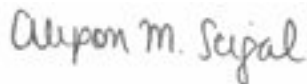
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 244 W. 112, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 9446927-1**



Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9446927-1  
Blake House Condominium  
293-295 Montauk Avenue  
Brooklyn, NY 11208  
Attn: Kenya McCall

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
293 Montauk Av, Brooklyn, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **293 Montauk Av, Brooklyn, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

02-000027

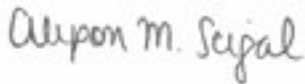
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 293 Montauk Av, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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**Property No. 14317414-1**





Alyson M. Seigal  
Area Manager  
Fios Franchise Assurance – New York City

140 West Street  
New York, NY 10007  
Phone: (888) 364- 3467  
NYCFios@verizon.com

September 15, 2017

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 14317414-1  
Tiffany Properties LLC  
37-76 62nd Street, Bsmt.  
Woodside, NY 11377  
Attn: John S. Kapetanos

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
201 E. 22, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon's unsuccessful attempts to inspect, survey and/or install Fios facilities at **201 E. 22, New York, NY** ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your Property because we have received a request for Fios service(s) from resident(s) in your building and/or resident(s) of another building on your block, and our access to your Property is necessary to provide cable television services to such residents. We are very excited about the opportunity to provide world-class voice, data and video services to area residents using a fiber-based network to deliver these services at unprecedented speeds and capacities. Your cooperation in allowing Verizon access to your Property will enable your tenants and/or other residents on your block to receive the services they want in a timely manner.

It is Verizon's position that under Section 228 of the New York Public Service Law and Title 16, Part 898, of the New York Codes, Rules and Regulations ("NYCRR"), Verizon has the right to install cable television facilities upon the Property. In addition, Verizon's Cable Franchise Agreement with the City of New York requires Verizon, subject to certain terms, conditions, and exceptions, to provide cable television service to residents in its franchise area who request it, and Verizon has a limited timeframe in which to do so. Verizon's ability to meet these expectations may be compromised by the delay we are experiencing in trying to gain access to and install cable television facilities at your Property.

Verizon's proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon's facilities. Verizon's policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. **Please contact Verizon's NYC Fios Real**

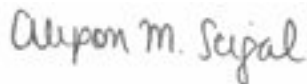
**Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.**

If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law and Title 16, Part 898, of the NYCRR. Please note, however, that the filing of such a petition does not delay Verizon's right to access your Property. The complete text of Section 228 may be found on the enclosed copy of the notice of Verizon's intention to survey/install/upgrade cable television facilities and service.

If we do not hear from you within two weeks as mentioned above, Verizon's Legal Department may be forced to file a Petition for Order of Entry to the New York State Public Service Commission, after which you will be afforded, per 16 NYCRR 898.4(b)(9), twenty days to answer the Petition and set forth any additional matter not contained in the Petition. The Petition will seek an order granting Verizon the right to survey for and/or install/upgrade cable television facilities and service at your Property. If you have specific legal questions about Verizon's rights under New York law or Verizon's Cable Franchise Agreement, we recommend that you consult with an attorney. You may also contact Michael Morano, Assistant General Counsel for Verizon's National Operations, at (908) 559-3332 to discuss legal issues or questions, but please be advised that he represents Verizon and cannot provide you with legal advice.

Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,



Alyson Seigal  
Manager, Fios Franchise Assurance – New York City

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## NOTICE OF INTENTION

### TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 201 E. 22, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 10/2/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

Generally consist of building pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced. Work will be performed in accordance with the Certificate of Acceptance of Proposed Work.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building in accord with the requirements of the New York State Public Service Commission law and regulations. Should you have any questions regarding this Notice, please contact the NYC Verizon Fios Real Estate Department at 888-364-3467 or NYCFios@verizon.com.

The installation/upgrade of cable television service will likely enhance the value of your property, and there will be no charge to you for such installation/upgrade. If you believe the value of your property is not enhanced, you may attempt to seek compensation according to the procedures established by the New York State Public Service Commission as delineated on the reverse side of this Notice.

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission's rules or regulations, you may write or call Verizon New York Inc.'s representative, or write or call the Secretary to the New York State Public Service Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or #3 Empire State Plaza, Albany, NY 12223-1350, Tel. No. (518) 474-6530.

THE LANDLORD'S RIGHT TO INITIATE A COMPENSATION PROCEEDING WILL EXPIRE FOUR (4) MONTHS FROM THE SERVICE OF THIS NOTICE OR FROM THE DATE OF INSTALLATION, WHICHEVER IS LATER.

DATED: September 15, 2017

<p><b>PUBLIC SERVICE LAW</b>  <b>§228. Landlord-tenant relationship</b></p> <p>1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:</p> <p>(1) that the installation of cable television facilities conform to such reasonable conditions as are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other tenants;</p> <p>(2) that the cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; and</p> <p>(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.</p> <p>(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or</p> <p>(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.</p> <p>2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.</p> <p>3. No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.</p> <p><b>NEW YORK CODES RULES AND REGULATIONS – PART 898 –</b>  <b>LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))</b></p> <p><b>§898.1 Prohibition</b>  Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on or within said landlord's property or premises.</p> <p><b>§898.2 Just Compensation</b>  Every landlord shall be entitled to the payment of just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 898.5 of this Part.</p> <p><b>§898.3 Notice of installation</b>  (a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation.  (b) The secretary of the commission shall prescribe the procedure for service of such notice, and the form and content of such notice, which shall include, but need not be limited to:  (i) the name and address of the cable television company;  (ii) the name and address of the landlord;  (iii) the approximate date of the installation; and  (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.  (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.</p> <p><b>§898.4 Right of Entry</b>  (a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve notice upon the landlord, or an authorized agent which notice shall contain the date of entry and all other information described in section 893.3(b) of this Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.</p>	<p>(b) where the installation of cable television service or facilities is not effected pursuant to a notice served in accordance with section 898.3 of this Part, the cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:</p> <p>(1) proof of service of a notice of intent to install cable television service upon the landlord;</p> <p>(2) the specific location of the real property;</p> <p>(3) the resident address of the landlord, if known;</p> <p>(4) a description of the facilities and equipment to be installed upon the property, including the type and method of installation, the anticipated costs thereof, and the measures to be taken to minimize the aesthetic impact of the installation;</p> <p>(5) the name of the individual or officer responsible for the actual installation;</p> <p>(6) a statement that the cable television company shall indemnify the landlord for any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;</p> <p>(7) a statement that the installation shall be conducted without prejudice to the rights of the landlord to just compensation in accordance with section 898.2 of this Part;</p> <p>(8) a summary of efforts by the cable television company to effect entry of the property for installation; and</p> <p>(9) a statement that the landlord is afforded the opportunity to answer the petition within 20 days from the receipt thereof which answer must be responsive to the petition and may set forth any additional matter not contained in the petition. Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no answer filed within the time permitted, the commission may grant to the petitioning cable television company an order of entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service Law and the regulations contained in this Part. If the landlord files a written answer to the petition, the cable television company shall have 10 days within which to reply to said answer. The commission may grant or deny the petition, schedule an administrative hearing on any factual issues presented thereby or direct such other procedures as may be consistent with the installation of cable television service or facilities in accordance with Section 228 of the Public Service Law.</p> <p><b>§898.5 Application for just compensation</b>  A landlord may file with the commission an application for just compensation within four months following the service by the cable television company of the notice described in section 898.3 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.</p> <p><b>§898.6 Contents of application for just compensation</b>  An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a showing of:  (a) the location and amount of space occupied by the installation;  (b) the previous use of such space;  (c) the value of the applicant's property before the installation of cable television facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and  (d) the method or methods used to determine such values. The secretary may, upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.</p> <p><b>§898.7 Service of Application</b>  A copy of the application filed by the landlord for just compensation shall be served upon the cable television company making the installation and upon the chief executive officer of the municipality in which the real property is located.</p> <p><b>§898.8 Responses</b>  Responses to the application, if any, shall be served on all parties and on the commission within twenty days from the service of the application.</p> <p><b>§898.9 Hearing and determination</b>  (a) If the commission finds that just compensation for the installation of cable television facilities as described in the application may be in excess of one dollar it shall conduct a hearing pursuant to section 216(3) of the Public Service Law.  (b) An applicant may, within 20 days from the release date of the commission order which sets compensation at one dollar or less, file a written request for a hearing. Upon timely receipt of such request, the commission shall conduct a hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.  (c) If after the filing of an application, the cable television company and the applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing on the issue.</p>
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