

## **EXHIBIT 2**

**Property No. 7064291-1**



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

March 29, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 7064291-1  
Shpelrub Realty LLC  
2753 Coney Island Ave., Suite # 215  
Brooklyn, NY 11235  
Attn: Mitchell Shpelfogel

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
2177 E. 21, 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 **2177 E. 21, 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.**


01-000006

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2177 E. 21, Brooklyn, NY. The inspection will be performed on or about 4/13/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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: March 29, 2018

<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. 7065331-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 7065331-1  
David Eisenstein Real Estate Corp.  
244 W 54th Street, Suite #702  
New York, NY 10019  
Attn: Issac Eisenstein

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
143 W. 96, 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 **143 W. 96, 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.**

01-000009

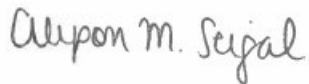


If you believe that Verizon's installation of cable television facilities constitutes an undue "taking" of your Property, you may file a petition for "just compensation" with the New York State Public Service Commission under the procedures set forth in Section 228 of the New York Public Service Law 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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 143 W. 96, New York, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018

<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. 8071654-1**



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 20, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8071654-1  
Hager Management Inc.  
266 Broadway, Suite #604  
Brooklyn, NY 11211  
Attn: Jacob Hager

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1245 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 **1245 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.

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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.**

01-000001

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 1245 Ocean Av, Brooklyn, NY. The inspection will be performed on or about 5/7/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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 20, 2018

<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. 8197726-1**



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 27, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8197726-1  
Dependable Property Management Inc.  
1980 Bergen Ave.  
Brooklyn, NY 11234  
Attn: Leo Katz

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
3368 Shore Pkwy, 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 **3368 Shore Pkwy, 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.**


01-000010

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 3368 Shore Pkwy, Brooklyn, NY. The inspection will be performed on or about 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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 27, 2018

<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. 8197833-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8197833-1  
European House Condominium  
2827 Brown Street, Unit #3A  
Brooklyn, NY 11235  
Attn: Bella Lurye

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
2827 Brown, 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 **2827 Brown, 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.**

01-000033

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2827 Brown, Brooklyn, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018

<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. 8216530-1**



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 27, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8216530-1  
Digs on Briggs LLC  
207 Rockaway Turnpike  
Lawrence, NY 11559  
Attn: Dreifus Uri

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
2846 Briggs 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 **2846 Briggs 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.**

01-000014

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2846 Briggs Av, Bronx, NY. The inspection will be performed on or about 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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 27, 2018

<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. 8256077-1**





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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 8256077-1  
422 West 55th Street  
New York, NY 10019  
Attn: Miriam Barredo

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
422 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 **422 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.**


01-000008

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 422 W. 55, New York, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018

<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. 9311753-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9311753-1  
MD Squared Property Group, LLC  
801 2nd Avenue, Suite # 404  
New York, NY 10017  
Attn: Michael Mintz

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
142 Sackett, 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 **142 Sackett, 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.**

01-000007

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 142 Sackett, Brooklyn, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building. 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 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, you may write or call the company'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, 2018



<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. 9320955-1**



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

March 23, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9320955-1  
The Armory Condominium  
1405 8th Avenue, Unit #2B  
Brooklyn, NY 11215  
Attn: Michael O'Keefe

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1405 8 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 **1405 8 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 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.**

01-000014

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 1405 8 Av, Brooklyn, NY. The inspection will be performed on or about 4/9/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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: March 23, 2018

<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. 9341622-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9341622-1  
404 East 48th Street, Apt. B2  
Brooklyn, NY 11203  
Attn: Clescina Ackie

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
404 E. 48, 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 **404 E. 48, 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.**

01-000015




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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 404 E. 48, Brooklyn, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building. 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 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, you may write or call the company'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, 2018

<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. 9342875-1**



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

March 29, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9342875-1  
45 Parade Properties LLC  
1470 Flatbush Avenue  
Brooklyn, NY 11210  
Attn: Aaron Cynamon

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
45 Parade Pl., 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 **45 Parade Pl., 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.**

01-000003

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 45 Parade Pl., Brooklyn, NY. The inspection will be performed on or about 4/13/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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: March 29, 2018

<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. 9342886-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9342886-1  
1705 & 1715 Caton Associates LLC  
5414 New Utrecht Avenue, 2nd Floor  
Brooklyn, NY 11219  
Attn: Sam Farkas

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1705 Caton 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 **1705 Caton 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 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.**


01-000025

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 1705 Caton Av, Brooklyn, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018

<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. 9343748-1**



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 27, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9343748-1  
Key, LLC  
4707 New Utrecht Avenue  
Brooklyn, NY 11219  
Attn: Moses Kaiser

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
533 E. 2, 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 **533 E. 2, 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.**

01-000005

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 533 E. 2, Brooklyn, NY. The inspection will be performed on or about 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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 27, 2018

<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. 9344107-1**



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 27, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9344107-1  
MMC Management Corp.  
950 49th Street  
Brooklyn, NY 11219  
Attn: Derek Goins

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
968 47, 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 **968 47, 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.**

01-000006

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 968 47, Brooklyn, NY. The inspection will be performed on or about 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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 27, 2018

<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. 9353067-1**





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 27, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9353067-1  
DAH Lee Trading Corp.  
1186 Sheepshead Bay Rd.  
Brooklyn, NY 11235  
Attn: Lily Chow

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
8705 Bay Pkwy, 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 **8705 Bay Pkwy, 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.**

01-000011

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 8705 Bay Pkwy, Brooklyn, NY. The inspection will be performed on or about 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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 27, 2018

<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. 9353808-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9353808-1  
ADOR Housing and Development LLC  
5318 New Utrecht Ave.  
Brooklyn, NY 11219  
Attn: Eliezer Spira

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
334 Foster 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 **334 Foster 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 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.**


01-000026

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 334 Foster Av, Brooklyn, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018



<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. 9357566-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9357566-1  
Jag Realty Group Ltd.  
67 Sullivan Street , Suite #2  
New York, NY 10012  
Attn: Richard Battaglino

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
77 Sullivan, 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 **77 Sullivan, 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.**

01-000006

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 77 Sullivan, New York, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building. 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 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, you may write or call the company'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, 2018

<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. 9396805-1**



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 6, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9396805-1  
361 Sterling Place Owners, Inc.  
361 Sterling Place, #201  
Brooklyn, NY 11238  
Attn: Katherine Caldwell

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
361 Sterling Pl., 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 **361 Sterling Pl., 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.**

01-000007




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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 361 Sterling Pl., Brooklyn, NY. The inspection will be performed on or about 4/24/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

Verizon New York Inc.'s installation/upgrade should conform with the safety, functioning and appearance of the building. 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](mailto:NYCFios@verizon.com).

The installation/upgrade of cable 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, you may write or call the company'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 6, 2018

<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. 9400323-1**



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

March 23, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9400323-1  
Essex Management Company LLC  
1060 Broad Street, Mgmt Office  
Newark., NJ 07102  
Attn: Sydney Engel

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
1091 Gates 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 **1091 Gates 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 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.**

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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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 1091 Gates Av, Brooklyn, NY. The inspection will be performed on or about 4/9/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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: March 23, 2018

<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. 9406485-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 9406485-1  
Advantage Property Management Services, LLC  
2844 8th Avenue, Grd. Floor  
New York, NY 10039  
Attn: Lakesha Baker

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
101 W. 118, 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 **101 W. 118, 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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 101 W. 118, New York, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018

<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. 10111311-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 10111311-1  
1639 Nostrand Ave., Lower Level  
Brooklyn, NY 11226  
Attn: Nickel Luma

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
470 E. New York 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 **470 E. New York 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 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.**

01-000028

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 470 E. New York Av, Brooklyn, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018

<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. 12175472-1**



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 27, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 12175472-1  
AAH Holdings LLC  
PO Box 250109  
Brooklyn, NY 11225  
Attn: Sam Aron

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
5201 Clarendon 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 **5201 Clarendon 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 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.**

01-000008

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 5201 Clarendon Rd, Brooklyn, NY. The inspection will be performed on or about 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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 27, 2018

<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. 14315841-1**





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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 14315841-1  
The Sunset Condominium  
81 Parrott Place  
Brooklyn, NY 11228  
Attn: Anthonytepedino

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
641 88, 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 **641 88, 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.**


01-000030

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 641 88, Brooklyn, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018

<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. 17351638-1**



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, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 17351638-1  
NOAM Corporation  
1428 36th Street, Suite #219  
Brooklyn, NY 11218  
Attn: Solomon Gottlieb

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
19 Delevan, 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 **19 Delevan, 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.**

01-000023

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  
INSPECTION AND SURVEY**

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 19 Delevan, Brooklyn, NY. The inspection will be performed on or about 4/30/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of 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.

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

The installation/upgrade of cable 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, you may write or call the company'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, 2018



<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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