Property No. 7012723-1
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 240 E. 89, New York, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

May 11, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7012723-1
Alexander Hidalgo Real Estate, LLC
135 West 72nd Street, 2nd Floor
New York, NY 10023
Attn: Neil Hidalgo

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at: 240 E. 89, New York, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 240 E. 89, New York, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 240 E. 89, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/28/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 11, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

2. 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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.

(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:

   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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, by regulation, 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 answer 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
Property No. 7019318-1
August 11, 2017

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7019318-1
Rose Associates, Inc.
200 Madison Avenue, 5th Floor
New York, NY 10016
Attn: Jay Schofield

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at: 72 E. 97, 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 72 E. 97, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 72 E. 97, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 8/28/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: August 11, 2017
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:

(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;

(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

(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 988 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;

(2) the specific location of the real property;

(3) the resident address of the landlord, if known;

(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;

(5) the name of the individual or officer responsible for the actual installation;

(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;

(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; and

(8) a summary of efforts by the cable television company to effect entry of the property for installation; and

(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 file its response.

The commission may grant or deny the petition and 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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
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

May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7061884-1  
The Andrews Organization  
666 Broadway, 12th Floor  
New York, NY 10012  
Attn: Kenneth George

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

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.’s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 825 Broadway, New York, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal  
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 825 Broadway, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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)(e)(3) of the Public Service Law.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 finding 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 respond 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.

§898.5 Application for just compensation

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 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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
Property No. 7063918-1
October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7063918-1
Shari Ferretti
AHI EZER Housing Development Fund Corp.
1960 East 7th Street, Mgmt Office
Brooklyn, NY 11223

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service at:
1960 E 7, Brooklyn NY

Dear Property Owner/Manager:

I have been advised by Verizon New York Inc.’s (“Verizon”) NYC FiOS Real Estate Department of the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **1960 E 7, Brooklyn NY** (“Property”). Our records indicate that you have not responded to our previous correspondence, that you have conditioned Verizon’s access on unreasonable terms and conditions or that you have denied Verizon access to the Property. The purpose of this letter is to restate our need to gain access to your Property.

By way of background, Verizon is attempting to gain access to your building because we have received a request for FiOS service(s) from a tenant(s) in your building and/or a resident(s) on your block, and our access to your Property is necessary to provide cable television services to those tenants and/or residents. We are very excited about the opportunity to provide world-class voice, data and video services to you and the 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.

However, in the event that you do not cooperate in providing Verizon access, you should know that under Section 228 of the New York Public Service Law and Part 898, Title 16 of the New York Codes, Rules and Regulations (“NYCRR”), Verizon has the right to install cable television facilities upon the Property. Loretto v. Teleprompter Manhattan CATV Corp., 53 N.Y. 2d 124 (1981). Section 228 of the New York Public Service Law states that “[n]o landlord shall interfere with the installation of cable television facilities upon his property or premises ....” In addition, Verizon’s Cable Franchise Agreement with the City of New York requires Verizon 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 compliance with these franchise requirements 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 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 Part 898, Title 16 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 engage 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 M. Seigal
Manager, FiOS Franchise Assurance – New York City
NOTICE OF INTENTION
TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1960 E 7, Brooklyn NY. Verizon New York Inc. would like to perform this installation/upgrade on or after November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: October 14, 2014
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(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 fifteen 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 are subsequently installed.

§898.4 Right of Entry
(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.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;
(2) the specific location of the real property;
(3) the resident address of the landlord, if known;
(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;
(5) the name of the individual or officer responsible for the actual installation;
(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;
(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;
(8) a summary of efforts by the cable television company to effect entry of the property for installation; and
(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 is filed within the time permitted, the commission may conduct a hearing to determine the just compensation which order shall constitute a ruling that the petitioning cable television company shall be entitled to the installation of cable television facilities.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
An application for just compensation shall set forth specific facts relevant to the determination of just compensation. Such facts shall 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
(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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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, 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.
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

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

April 27, 2018

Property ID: 7064697-1
675 West End Owners Corp.
700 West End Avenue, Suite 3D
New York, NY 10025
Attn: Uzi Einy

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
667 West End Avenue, 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 667 West End Avenue, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 667 West End Avenue, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 are placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;

(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.
April 27, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL.

Property ID: 7065045-1
Development Outreach, Inc.
63 West 124th Street, Suite # 100
New York, NY 10027
Attn: Ismail Shamsid-Deen

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
2905 Fred Douglass Blvd, 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 2905 Fred Douglass Blvd, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 2905 Fred Douglass Blvd, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
USPS Tracking No.:
92071969009997901758723478

NEW YORK CODES RULES AND REGULATIONS – PART 898 –
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(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 therefor 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.

§898.4 Right of Entry
(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.
(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 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 serve said answer upon the commission. 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
Property No. 7065553-1
April 27, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7065553-1
B&B Management Corp.
1624 Webster Avenue
Bronx, NY 10457
Attn: Feliz Gomez

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
61 Vermilyea Av, 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 61 Vermilyea Av, New York, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City

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NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 61 Vermilyea Av, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:

(a) 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;

(b) 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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company for permitting cable television service or facilities on or within said landlord’s property or premises.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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 893.5(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.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;

(2) the specific location of the real property;

(3) the resident address of the landlord, if known;

(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;

(5) the name of the individual or officer responsible for the actual installation;

(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;

(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;

(8) a summary of efforts by the cable television company to effect entry of the property for installation; and

(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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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 1, 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.
May 11, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7065681-1
Arbington Holding, LLC
950 Third Avenue, 27th Floor
New York, NY 10022
Attn: Caroline Berley

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
249 Mulberry, 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 249 Mulberry, 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
NOTICE OF INTENTION
TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 249 Mulberry, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/28/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 11, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation

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.

§898.3 Notice of application
(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 least 15 days prior to such completion.

§898.4 Right of Entry
(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.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;
(2) the specific location of the real property;
(3) the resident address of the landlord, if known;
(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;
(5) the name of the individual or officer responsible for the actual installation;
(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;
(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;
(8) a summary of efforts by the cable television company to effect entry of the property for installation; and
(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.

Part.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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 landlord’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.

§898.7 Service of application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL.

Property ID: 7066335-1
437 Morris Park LLC
406 Avenue F
Brooklyn, NY 11218
Attn: Kalman Tabak

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
437 Morris Park 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 437 Morris Park Av, Bronx, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 437 Morris Park Av, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any 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.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(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 are installed.

§898.4 Right of Entry
(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.
(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:
(1) proof of service of a notice of intent to install cable television service upon the landlord;
(2) the specific location of the real property;
(3) the resident address of the landlord, if known;
(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;
(5) the name of the individual or officer responsible for the actual installation;
(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;
(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;
(8) a summary of efforts by the cable television company to effect entry of the property for installation; and
(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 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7066754-1
Pelican Management, Inc.
524 North Avenue
New Rochelle, NY 10801
Attn: Thomas Frye

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
1135 Pelham Pkwy N., 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 1135 Pelham Pkwy N., Bronx, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1135 Pelham Pkwy N., Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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 898.5 of this Part.

§898.3 Notice of installation
(a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord an authorized agent, written notice of intent thereof at least fifteen 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

(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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 893.5(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)(e) of the Public Service Law.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;
(2) the specific location of the real property;
(3) the resident address of the landlord, if known;
(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;
(5) the name of the individual or officer responsible for the actual installation;
(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;
(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;
(8) a summary of efforts by the cable television company to effect entry of the property for installation; and
(9) a statement that the landlord is afforded the opportunity to answer the petition within twenty 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 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 ten days within which to file a reply. The commission may grant or deny the petition, and 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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;

(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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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 Act.

(b) 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 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.
May 11, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8073539-1
ZARA Realty Holding Corp.
166-07 Hillside Avenue, Suite #3
Jamaica, NY 11432
Attn: Rajesh Subraj

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
88-25 148, Queens, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.’s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 88-25 148, Queens, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 88-25 148, Queens, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/28/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 11, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 Part 228 of the Public Service Law.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
March 29, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8087120-1
Pride Property Management Corp.
11 New Street, 2nd Floor
Englewood Cliffs, NJ 07632
Attn: Monica Keller Large

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
Thomas Eddy, 85 8 Av, 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 Thomas Eddy, 85 8 Av, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at Thomas Eddy, 85 8 Av, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 4/13/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of application
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 respond thereto. 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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;
   (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.

§898.7 Service of application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
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

May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL.

Property ID: 8087558-1  
The Andrews Organization, Inc.  
666 Broadway, 12th Floor  
New York, NY 10012  
Attn: Kenneth Jorge

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
31 W. 31, 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 31 W. 31, 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,

[Signature]

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 31 W. 31, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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 898.5 of this Part.

An application for just compensation shall set forth specific 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
(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.

§898.3 Notice of installation

(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 thereat of 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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:

1. proof of service of a notice of intent to install cable television service upon the landlord;
2. the specific location of the real property;
3. the resident address of the landlord, if known;
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;
5. the name of the individual or officer responsible for the actual installation;
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;
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;
8. a summary of efforts by the cable television company to effect entry of the property for installation; and
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. 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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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
(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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
Property No. 8089463-1
August 11, 2017

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8089463-1
Rose Associates, Inc.
200 Madison Avenue, 5th Floor
New York, NY 10016
Attn: Jay Schofield

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
64 E. 97, 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 64 E. 97, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 64 E. 97, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 8/28/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: August 11, 2017
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.
(b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service 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
(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of application
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.
(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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.

$898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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;
(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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
April 27, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8098586-1
Eliah Mgmt. LLC
2707 Sedgwick Avenue, Apt. 2E
Bronx, NY 10468
Attn: Kenny Nasab

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
28 West 182, 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 28 West 182, Bronx, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

[Signature]

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION
TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 28 West 182, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(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 fifteen 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 landlord upon whose property cable television service or facilities were placed prior to the effective date of such Part.

§898.4 Right of Entry
(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.

(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:

   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (9) a statement that the landlord is afforded the opportunity to answer the petition within twenty 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 ten days within which to file a 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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 twenty 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.
Property No. 8098587-1
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL.

Property ID: 8098587-1
City House Management LLC
10 Schoolhouse Lane
Roslyn Heights, NY 11577
Attn: Anuradha Kumar

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
27 W. 181, 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 27 W. 181, Bronx, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 27 W. 181, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 intention 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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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 898.2(b)(1)(a)(3) of the Public Service Law.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;
(2) the specific location of the real property;
(3) the resident address of the landlord, if known;
(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;
(5) the name of the individual or officer responsible for the actual installation;
(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;
(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;
(8) a summary of efforts by the cable television company to effect entry of the property for installation; and
(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. 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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8099333-1
Wavecrest Management Group LLC
87-14 116th Street
Richmond Hill, NY 11418
Attn: Gerry Puente

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
1265 College Av, Bronx, NY

Dear Property Owner/Manager:

I have been advised by Verizon New York Inc.’s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 1265 College Av, Bronx, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City

______________________________

New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1265 College Av, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228)

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(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 are placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 thereto. 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
April 27, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8101825
Dougert Management
2881 Middletown Road,
Bronx, NY 10461
Attn: Christian Sachs

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
2825 Webb Av

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 2825 Webb Av ("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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 2825 Webb Av. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
PUBLIC SERVICE LAW

§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 or deny the petition. 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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
Property No. 8211556-1
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: 8211556-1  
Grenadier Realty Corp.  
1945 Vyse Avenue, Mgmt Office  
Bronx, NY 10460  
Attn: Manuel Almonte  

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
934 E. 179, 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 934 E. 179, Bronx, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.  

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

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

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

02-000016
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 934 E. 179, Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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.

2. 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 time to file a reply. 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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
Property No. 8226306-1
August 11, 2017

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8226306-1
Rose Associates, Inc.
200 Madison Avenue, 5th Floor
New York, NY 10016
Attn: Jay Schofield

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
68 E. 97, 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 68 E. 97, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 68 E. 97, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 8/28/2017. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: August 11, 2017
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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 an 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.

(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:

   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 file a reply. 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.

§898.5 Application for just compensation
An 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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
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  

May 4, 2018  

VIA CERTIFIED MAIL AND FIRST CLASS MAIL  

Property ID: 8231828-1  
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:  
790 9 Av, 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 790 9 Av, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 790 9 Av, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.
   (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
   (c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228)

§898.1 Prohibition

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.

§898.2 Just Compensation

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 898.5 of this Part.

§898.3 Notice of installation

(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.

§898.4 Right of Entry

(a) A cable television company shall have the right to enter property of the landlord for the purpose of making surveys or other investigations preliminary 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 893.9(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.
   (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:
      (1) proof of service of a notice of intent to install cable television service upon the landlord;
      (2) the specific location of the real property;
      (3) the resident address of the landlord, if known;
      (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;
      (5) the name of the individual or officer responsible for the actual installation;
      (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;
      (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;
      (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
      (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 come 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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
May 11, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 9326999-1
C&C Apartment Management LLC
1865 Palmer Avenue, Suite # 203
Larchmont, NY 10538
Attn: Justin Kornvein

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

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.’s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 192 Marcus Garvey Blvd, Brooklyn, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Your cooperation in this matter would be greatly appreciated. We look forward to hearing from you.

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 192 Marcus Garvey Blvd, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/28/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 11, 2018
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any 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.

§898.2 Just Compensation
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 898.3 of this Part.

§898.3 Notice of application
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of entry
(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 893.9(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 898.3(b) of this Part.

(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:
(1) proof of service of a notice of intent to install cable television service upon the landlord;
(2) the specific location of the real property;
(3) the resident address of the landlord, if known;
(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;
(5) the name of the individual or officer responsible for the actual installation;
(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;
(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;
(8) a summary of efforts by the cable television company to effect entry of the property for installation; and
(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 or deny the petition and may set forth any additional matter not contained in the petition. The commission may grant or deny the petition and may set forth any additional matter not contained in the petition. The commission may grant or deny the petition and may set forth any additional matter not contained in the petition.

§898.5 Application for just compensation
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
(d) the value of the applicant’s property after the installation of cable television facilities.

§898.6 Contents of application for just compensation
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
(d) the value of the applicant’s property after the installation of cable television facilities.

§898.7 Service of application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any 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.

§898.2 Just Compensation
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 898.3 of this Part.

§898.3 Notice of application
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of entry
(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 893.9(b) of this Part.

(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:
(1) proof of service of a notice of intent to install cable television service upon the landlord;
(2) the specific location of the real property;
(3) the resident address of the landlord, if known;
(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;
(5) the name of the individual or officer responsible for the actual installation;
(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;
(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;
(8) a summary of efforts by the cable television company to effect entry of the property for installation; and
(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 or deny the petition and may set forth any additional matter not contained in the petition. The commission may grant or deny the petition and may set forth any additional matter not contained in the petition.

§898.5 Application for just compensation
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
(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.

§898.7 Service of application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
April 27, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 9338080
988-90 Hopkinson Avenue Housing Development Fund Corporation
990 Thomas Boyland, #3D
Brooklyn, NY 11212
Attn: Pamela Hardy

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
990 Thomas S. Boyland

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 990 Thomas S. Boyland ("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
NOTICE OF INTENTION
TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 990 Thomas S. Boyland. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
PUBLIC SERVICE LAW
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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 for just compensation pursuant to section 898.5 of this Part.

§898.3 Notice of Installation
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.

(b) 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.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;
(2) the specific location of the real property;
(3) the resident address of the landlord, if known;
(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;
(5) the name of the individual or officer responsible for the actual installation;
(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;
(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;
(8) a summary of efforts by the cable television company to effect entry of the property for installation; and
(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 petitioner 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 respond thereto. 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.

§898.5 Application for Just Compensation
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.

§898.6 Contents of Application for Just Compensation
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
(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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and Determination
(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.
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 9338641-1
Northeast Brooklyn Housing Development Corporation
132 Ralph Avenue
Brooklyn, NY 11233
Attn: Gabriel Pacheco

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

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 523 Blake Av, Brooklyn, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 523 Blake Av, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

2. 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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 the installation site, or at the landlord’s residence, or at any other location at which the landlord can be reasonably expected to receive it.

§898.4 Right of Entry

(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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 shall 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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
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

May 11, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL.

Property ID: 9342262-1  
4722 Snyder Ave., LLC  
361 East 22 Street  
Brooklyn, NY 11226  
Attn: Hensley Hercules

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:  
4722 Snyder 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 4722 Snyder 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.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 4722 Snyder Av, Brooklyn, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/28/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 11, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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 therefor in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said landlord 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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.

(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:

   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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; and
   (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;

(8) a summary of efforts by the cable television company to effect entry of the property for installation; and

(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.

Part; 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 respond thereto. 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
April 27, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL.

Property ID: 9380605-1
Progress of Peoples Management Corp.
191 Joralemon Street, 8th Floor
Brooklyn, NY 11201
Attn: George Stathoudakis

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
105-20 Liverpool, Queens, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 105-20 Liverpool, Queens, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

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

[Signature]

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 105-20 Liverpool, Queens, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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 facilities or services. 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.

§898.3 Notice of application

(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
   (i) the name and address of the landlord;
   (ii) the resident address of the landlord, if known;
   (iii) the approximate date of the installation; and
   (iv) 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;
   (v) the name of the individual or officer responsible for the actual installation;
   (vi) 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;
   (vii) 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;
   (viii) the service fee or other charges; and
   (ix) a statement that the landlord shall be provided with the receipt upon completion of the installation.

§898.4 Right of Entry

(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.
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 200 E. 32, 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

April 27, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL.

Property ID: 9405578-1
AKAM Associates, Inc.
260 Madison Avenue, 12th Floor
New York, NY 10016
Attn: Judie Ulysse

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
200 E. 32, 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 200 E. 32, 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
NOTICE OF INTENTION
TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 200 E. 32, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
PUBLIC SERVICE LAW
§228. Landlord-tenant relationship
1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.
(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
(c) Discern in rental charges or otherwise, between tenants who receive cable television service and those who do not.
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.
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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))
§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of application
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.
(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 9405959-1
A.R. Walker & Company, Inc.
225 West 80th Street, Apt. #2B
New York, NY 10024
Attn: George Beane

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
225 W. 80, 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 225 W. 80, 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
NOTICE OF INTENTION
TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 225 W. 80, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:

   (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;

   (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

   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 988 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 in any time on landlords upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:

   (1) proof of service of a notice of intent to install cable television service upon the landlord;

   (2) the specific location of the real property;

   (3) the resident address of the landlord, if known;

   (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;

   (5) the name of the individual or officer responsible for the actual installation;

   (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;

   (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;

   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and

   (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 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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
Property No. 9406505-1
April 27, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 9406505-1
Prestige Management Inc.
1200 Zerega Avenue, 2nd Floor
Bronx, NY 10462
Attn: Irene Henry

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
151 W. 123, 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 151 W. 123, 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,

[Signature]

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 151 W. 123, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/14/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

2. 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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 upon the landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 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 file a 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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

Responses to the application, if any, shall be served on all parties and the commission within twenty days from the service of the application.

§898.9 Hearing and determination

(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.
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 9407151-1
Finger Management Corp.
20 Tuckahoe Road
Yonkers, NY 10710
Attn: James Carbone

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
824 St. Nicholas Av, 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 824 St. Nicholas Av, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 824 St. Nicholas Av, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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.

§898.2 Just Compensation
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.

§898.3 Notice of application
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;

(2) the specific location of the real property;

(3) the resident address of the landlord, if known;

(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;

(5) the name of the individual or officer responsible for the actual installation;

(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;

(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;

(8) a summary of efforts by the cable television company to effect entry of the property for installation; and

(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 thereto. 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.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
Property No. 9407755-1
VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 9407755-1
Sherman 29 LLC
1919 54th Street
Brooklyn, NY 11204
Attn: Joel Gluck

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
47 Sickles, 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 47 Sickles, 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
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 47 Sickles, New York, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/28/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 11, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:

   (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;

   (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

   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

(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

(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition

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.

§898.2 Just Compensation

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.

§898.3 Notice of installation

(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry

(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.

(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:

(1) proof of service of a notice of intent to install cable television service upon the landlord;

(2) the specific location of the real property;

(3) the resident address of the landlord, if known;

(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;

(5) the name of the individual or officer responsible for the actual installation;

(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;

(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;

(8) a summary of efforts by the cable television company to effect entry of the property for installation; and

(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.

§898.5 Application for just compensation

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.

§898.6 Contents of application for just compensation

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.

§898.7 Service of Application

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.

§898.8 Responses

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.

§898.9 Hearing and determination

(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.
Property No. 10956413-1
May 4, 2018

**VIA CERTIFIED MAIL AND FIRST CLASS MAIL**

Property ID: 10956413-1
78 Monterey Street
New Hyde Park, NY 10040
Attn: Margaret Grzetic

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
74-11 88 Rd, Queens, NY

Dear Property Owner/Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 74-11 88 Rd, Queens, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 74-11 88 Rd, Queens, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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
   (2) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities; and
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities; and
   (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television service or facilities upon 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
   (c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.

2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.

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.

NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
   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.

§898.2 Just Compensation
   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.

§898.3 Notice of installation
   (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 828 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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
   (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.
   (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:
      (1) proof of service of a notice of intent to install cable television service upon the landlord;
      (2) the specific location of the real property;
      (3) the resident address of the landlord, if known;
      (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;
      (5) the name of the individual or officer responsible for the actual installation;
      (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;
      (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;
      (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
      (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.

§898.5 Application for just compensation
   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.

§898.6 Contents of application for just compensation
   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 shall 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.

§898.7 Service of Application
   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.

§898.8 Responses
   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.

§898.9 Hearing and determination
   (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.
Property No. 13216290-1
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 13216290-1
Winnresidential (NY) LLC
2534 Adam Clayton Powell Jr. Blvd.
New York, NY 10039
Attn: Esmarlyn Ponceano

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
1695 Andrews Av S., 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 1695 Andrews Av S., 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

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

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION
TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 1695 Andrews Av S., Bronx, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
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 upon his property or premises.

§898.2 Just Compensation
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.

§898.3 Notice of application
(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 landlord or upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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 and 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.
(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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.

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.

§898.5 Application for just compensation
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 898.2 of this Part or within four months following the completion of the installation of the cable television facilities, whichever is later.

§898.7 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.
May 4, 2018

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 16336862-1
Pelican Management, Inc.
524 North Avenue
New Rochelle, NY 10801
Attn: Brett Obletz

RE: Notice of Intention to Inspect, Survey and Install/Upgrade Cable Television Facilities and Service at:
162 Beach 24, Queens, NY

Dear Property Owner/ Manager:

I have been advised by Verizon New York Inc.’s ("Verizon") NYC Fios Real Estate Department of Verizon’s unsuccessful attempts to inspect, survey and/or install Fios facilities at 162 Beach 24, Queens, NY ("Property"). Our records indicate that we have not yet been able to obtain access to the Property. The purpose of this letter is to restate and explain our need to gain access to your Property.

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

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

Verizon’s proposed installation will protect the safety, functioning and appearance of the premises, and Verizon will bear the cost of the installation of its cable television facilities. Verizon will also indemnify the landlord for any damage caused by the installation of Verizon’s facilities. Verizon’s policy is to work with you to arrange convenient dates for access and to reach agreement on engineering plans / designs for the Property. Please contact Verizon’s NYC Fios Real
Estate Department at (888) 364-3467 within two weeks of receipt of this letter so that we may move forward with the process of bringing Fios to your Property and/or other properties on your block.

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

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

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

Sincerely,

Alyson Seigal
Manager, Fios Franchise Assurance – New York City
NOTICE OF INTENTION

TO INSTALL/UPGRADE CABLE TELEVISION FACILITIES AND SERVICE

PURSUANT to Public Service Law §228 and 16 NYCRR Part 898, Verizon New York Inc. intends to install/upgrade cable television facilities and service upon your property at 162 Beach 24, Queens, NY. Verizon New York Inc. would like to perform this installation/upgrade on or after 5/21/2018. In the event of any damage to your property, Verizon New York Inc. will be responsible. More specifically, Verizon New York Inc.’s installation/upgrade plan involves the following:

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

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions regarding the New York State Public Service Commission’s rules or regulations, you may write or call Verizon New York Inc.’s representative, or write or call the Secretary to the New York State Public Service Commission at secretary@dps.ny.gov 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: May 4, 2018
§228. Landlord-tenant relationship

1. No landlord shall (a) interfere with the installation of cable television facilities upon his property or premises, except that a landlord may require:
   (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;
   (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
   (3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.

2. 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.

NEW YORK CODES RULES AND REGULATIONS — PART 898 — LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1))

§898.1 Prohibition
Except as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company for permitting cable television service or facilities on or within said landlord’s property or premises.

§898.2 Just Compensation
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.

§898.3 Notice of installation
(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 landlord upon whose property cable television service or facilities were placed prior to the effective date of this Part.

§898.4 Right of Entry
(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.

(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:
   (1) proof of service of a notice of intent to install cable television service upon the landlord;
   (2) the specific location of the real property;
   (3) the resident address of the landlord, if known;
   (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;
   (5) the name of the individual or officer responsible for the actual installation;
   (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;
   (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;
   (8) a summary of efforts by the cable television company to effect entry of the property for installation; and
   (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 file a reply. Thereafter the commission may grant or deny the petition.

§898.5 Application for just compensation
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.

§898.6 Contents of application for just compensation
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.

§898.7 Service of Application
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.

§898.8 Responses
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.

§898.9 Hearing and determination
(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.