EXHIBIT 2

Property No. 7013321-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7013321-1 Yessenia Camillo Croman Management Company 632 Broadway, 7th Floor New York, NY 10012-2614

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 416-418 East 13TH, New York 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 **416-418 East 13TH, New York 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.

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,

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 416-418 East 13TH, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

 §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 	to install cable television service upon the perty; I, if known; juipment to be installed upon the property, lation, the anticipated costs thereof, and the aesthetic impact of the installation;
 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 	the commission a petition verified by an n company setting forth: to install cable television service upon the perty; d, if known; uipment to be installed upon the property, lation, the anticipated costs thereof, and the aesthetic impact of the installation; responsible for the actual installation;
 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 	n company setting forth: to install cable television service upon the perty; d, if known; uipment to be installed upon the property, lation, the anticipated costs thereof, and the aesthetic impact of the installation; responsible for the actual installation;
 (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 (1) proof of service of a notice of intent landlord; (2) the specific location of the real prop (3) the resident address of the landlord entire cost of the installation, operation or removal of such facilities; (3) that the cable television company agree to indemnify the landlord for 	berty; d, if known; juipment to be installed upon the property, lation, the anticipated costs thereof, and the aesthetic impact of the installation; responsible for the actual installation;
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	berty; d, if known; juipment to be installed upon the property, lation, the anticipated costs thereof, and the aesthetic impact of the installation; responsible for the actual installation;
 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 (2) the specific location of the real proposed (3) the resident address of the landlord (4) a description of the facilities and equivalent terms (2) that the cable television company agree to indemnify the landlord for (2) the specific location of the real proposed (3) the resident address of the landlord (4) a description of the facilities and equivalent terms (5) the name of the individual or officer 	I, if known; uipment to be installed upon the property, lation, the anticipated costs thereof, and the aesthetic impact of the installation; responsible for the actual installation;
 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 (3) the resident address of the landlord for (4) a description of the facilities and equivalent to the measures to be taken to minimize (5) the name of the individual or officer 	I, if known; uipment to be installed upon the property, lation, the anticipated costs thereof, and the aesthetic impact of the installation; responsible for the actual installation;
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 (5) the name of the individual or officer	lation, the anticipated costs thereof, and the aesthetic impact of the installation; responsible for the actual installation;
and (3) that the cable television company agree to indemnify the landlord for (5) the name of the individual or officer	the aesthetic impact of the installation; responsible for the actual installation;
(3) that the cable television company agree to indemnify the landlord for (5) the name of the individual or officer	responsible for the actual installation;
	•
any damage caused in connection with	
(b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to	
	all be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be Part;	tion in accordance with section 898.2 of this
	elevision company to effect entry of the
property for installation; and	
	rded the opportunity to answer the petition
cable television service and those who do not. within 20 days from the receipt thereof petition and may set forth any additionate the second s	which answer must be responsive to the
	ndatory, however, if no appearance by the
	no answer filed within the time permitted,
the commission may grant to the petiti	oning cable television company an order of
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruli	ng that the petitioning cable television ents of section 228 of the Public Service
owners, lessees or persons controlling or managing buildings served by a company has complied with requirement cable television company, or do or permit any act, that would have the effect. Law and the regulations contained in the television company has complex to the television company of the television company.	
	sion company shall have 10 days within
	mmission may grant or deny the petition,
	any factual issues presented thereby or
	e consistent with the installation of cable ance with Section 228 of the Public Service
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	ance with Section 220 of the Fublic Service
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensati	on
§898.1 Prohibition A landlord may file with the commission within four months following the service	n an application for just compensation e by the cable television company of the
	s Part or within four months following the
	ble television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just	•
	hall set forth specific facts relevant to the uch facts relevant to the determination of
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space of the location and amount of the location and amount of space	ccupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the(b) the previous use of such space;Public Service Law upon application by the landlord pursuant to section 898.5(c) the value of the applicant's property	/ before the installation of cable television
of this Part.	's property subsequent to the installation of
cable television facilities; and	
	ermine such values. The secretary may,
(a) Every cable television company proposing to install cable television upon good cause shown, permit the fili service or facilities upon the property of a landlord shall serve upon said prior to final determination by the comr	ing of supplemental information at any time
landlord or an authorized agent, written notice of intent thereof at least 15	
days prior to the commencement of such installation. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the la	
	any making the installation and upon the
(i) the name and address of the cable television company;	ity in which the real property is located.
(ii) the name and address of the landlord; §898.8 Responses	
(iii) the approximate date of the installation; and Responses to the application, if any, sl	hall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the	e service of the application.
commission's rules. (c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just cor	npensation for the installation of cable
	application may be in excess of one dollar it
shall conduct a hearing pursuant to see	ction 216(3) of the Public Service Law.
	om the release date of the commission
	dollar or less, file a written request for a equest, the commission shall conduct a
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of t	
notice upon the landlord, or an authorized agent which notice shall contain the Subchapter A of this Title.	
date of entry and all other information described in section 893.3(b) of this (c) If after the filing of an application, the section 893.3(c) and the section application of the section application application application application application application application of the section application applicatio	
Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate approves such amount, the commission	st compensation and the commission on shall not be required to conduct a hearing
damages radied by such entry but such damages shall not duplicate approves such amount, the commission damages paid by the cable television company pursuant to section on the issue.	an onair noc be required to conduct a nearing
228(1)(a)(3) of the Public Service Law.	
· · · ·	

Property No. 7019318-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7019318-1 Jeffrey Heifetz Rose Associates, Inc. 200 Madison Avenue, 5th Floor New York, NY 10016-3903

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **72 E 97**, **New York 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.

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,

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 72 E 97, New York NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

§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.

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.

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,

Property No. 7020539-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7020539-1 Hal Wenig PSCH Inc. 22-44 119th Street College Point, NY 11356-2516

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 29-64 Beach Channel Dr, Queens 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 **29-64 Beach Channel Dr**, **Queens 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.

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,

alupon M. Scipal

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

cc (via U.S. mail): Owner: Psch, Inc.

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 29-64 Beach Channel Dr, Queens NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

§228. Landlord-tenant relationship pu	b) where the installation of cable television service or facilities is not effected ursuant to a notice served in accordance with section 898.3 of this Part, the
	able television company may file with the commission a petition verified by an
	uthorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
	1) proof of service of a notice of intent to install cable television service upon the
	andlord; 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,
	ncluding the type and method of installation, the anticipated costs thereof, and
	he 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
, , , , , , , , , , , , , , , , , , ,	iny damage caused in connection with the installation, including proof of
	nsurance or other evidence of ability to indemnify the landlord;
	7) a statement that the installation shall be conducted without prejudice to the
	ghts of the landlord to just compensation in accordance with section 898.2 of this
	Part; B) a summary of efforts by the cable television company to effect entry of the
	roperty for installation; and
	9) a statement that the landlord is afforded the opportunity to answer the petition
	vithin 20 days from the receipt thereof which answer must be responsive to the
	etition 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
, , ,	andlord is made in the proceeding or no answer filed within the time permitted, he commission may grant to the petitioning cable television company an order of
	ntry which order shall constitute a ruling that the petitioning cable television
	ompany has complied with requirements of section 228 of the Public Service
	aw and the regulations contained in this Part. If the landlord files a written
	inswer to the petition, the cable television company shall have 10 days within
	hich to reply to said answer. The commission may grant or deny the petition, chedule an administrative hearing on any factual issues presented thereby or
	lirect such other procedures as may be consistent with the installation of cable
	elevision service or facilities in accordance with Section 228 of the Public Service
	aw.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	2000 E Anglia time for instances and the
	898.5 Application for just compensation
	vithin four months following the service by the cable television company of the
	otice described in section 898.3 of this Part or within four months following the
	ompletion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	2000 C. Orantzarta of emplies that for instruments of the
	898.6 Contents of application for just compensation
	etermination of just compensation. Such facts relevant to the determination of
	ust compensation. Such facts should include, but need not be limited to, a
	howing 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
	acilities and the value of the applicant's property subsequent to the installation of
	able television facilities; and
	d) the method or methods used to determine such values. The secretary may,
	pon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said pri landlord or an authorized agent, written notice of intent thereof at least 15	rior to final determination by the commission.
	898.7 Service of Application
	copy of the application filed by the landlord for just compensation shall be
	erved upon the cable television company making the installation and upon the
	hief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company; (ii) the name and address of the landlerd:	898.8 Responses
	Responses to the application, if any, shall be served on all parties and on the
	ommission within twenty days from the service of the application.
commission's rules.	· · · · · · · · · · · · · · · · · · ·
	898.9 Hearing and determination
	a) If the commission finds that just compensation for the installation of cable alevision facilities as described in the application may be in excess of one dollar it
	elevision facilities as described in the application may be in excess of one dollar it hall conduct a hearing pursuant to section 216(3) of the Public Service Law.
§898.4 Right of Entry (b)	b) An applicant may, within 20 days from the release date of the commission
(a) A cable television company shall have the right to enter property of the ord	rder which sets compensation at one dollar or less, file a written request for a
	earing. Upon timely receipt of such request, the commission shall conduct a
	earing 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
	pplicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate ap	pproves such amount, the commission shall not be required to conduct a hearing
	n the issue.
228(1)(a)(3) of the Public Service Law.	

Property No. 7049446-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7049446-1 2279-2283 Third Avenue Associates, Llc 29 Wildwood Drive Wilton, CT 06897-1620

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 2283 3 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **2283 3 Av, New York 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.

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,

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2283 3 Av, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

§228. Landlord-tenant relationship pu	b) where the installation of cable television service or facilities is not effected ursuant to a notice served in accordance with section 898.3 of this Part, the
	able television company may file with the commission a petition verified by an
	uthorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
	1) proof of service of a notice of intent to install cable television service upon the
	andlord; 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,
	ncluding the type and method of installation, the anticipated costs thereof, and
	he 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
, , , , , , , , , , , , , , , , , , ,	iny damage caused in connection with the installation, including proof of
	nsurance or other evidence of ability to indemnify the landlord;
	7) a statement that the installation shall be conducted without prejudice to the
	ghts of the landlord to just compensation in accordance with section 898.2 of this
	Part; B) a summary of efforts by the cable television company to effect entry of the
	roperty for installation; and
	9) a statement that the landlord is afforded the opportunity to answer the petition
	vithin 20 days from the receipt thereof which answer must be responsive to the
	etition 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
, , ,	andlord is made in the proceeding or no answer filed within the time permitted, he commission may grant to the petitioning cable television company an order of
	ntry which order shall constitute a ruling that the petitioning cable television
	ompany has complied with requirements of section 228 of the Public Service
	aw and the regulations contained in this Part. If the landlord files a written
	inswer 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, chedule an administrative hearing on any factual issues presented thereby or
	lirect such other procedures as may be consistent with the installation of cable
	elevision service or facilities in accordance with Section 228 of the Public Service
	aw.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	2000 E Anglia time for instances and the
	898.5 Application for just compensation
	vithin four months following the service by the cable television company of the
	otice described in section 898.3 of this Part or within four months following the
	ompletion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	2000 C. Orantzarta of emplies that for instruments of the
	898.6 Contents of application for just compensation
	etermination of just compensation. Such facts relevant to the determination of
	ust compensation. Such facts should include, but need not be limited to, a
	howing 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
	acilities and the value of the applicant's property subsequent to the installation of
	able television facilities; and
	d) the method or methods used to determine such values. The secretary may,
	pon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said pri landlord or an authorized agent, written notice of intent thereof at least 15	rior to final determination by the commission.
	898.7 Service of Application
	copy of the application filed by the landlord for just compensation shall be
	erved upon the cable television company making the installation and upon the
	hief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company; (ii) the name and address of the landlerd:	898.8 Responses
	Responses to the application, if any, shall be served on all parties and on the
	ommission within twenty days from the service of the application.
commission's rules.	· · · · · · · · · · · · · · · · · · ·
	898.9 Hearing and determination
	a) If the commission finds that just compensation for the installation of cable alevision facilities as described in the application may be in excess of one dollar it
	elevision facilities as described in the application may be in excess of one dollar it hall conduct a hearing pursuant to section 216(3) of the Public Service Law.
§898.4 Right of Entry (b)	b) An applicant may, within 20 days from the release date of the commission
(a) A cable television company shall have the right to enter property of the ord	rder which sets compensation at one dollar or less, file a written request for a
	earing. Upon timely receipt of such request, the commission shall conduct a
	earing 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
	pplicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate ap	pproves such amount, the commission shall not be required to conduct a hearing
	n the issue.
228(1)(a)(3) of the Public Service Law.	

Property No. 7060980-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7060980-1 Joshua London Glenwood Management Corp 1200 Union Turnpike New Hyde Park, NY 11040-1708

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 1596 York 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **1596 York Avenue**, New York 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.

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,

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 1596 York Avenue, New York NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

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.

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.

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,

Property No. 7061170-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7061170-1 Raymond Riso Briarwood Prop Inc. 36-35 Bell Blvd, Suite 101 Bayside, NY 11361-2097

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 331 E 119, New York NY

Dear Property Owner/Manager:

I have been advised by Verizon New York Inc.'s ("Verizon") NYC FiOS Real Estate Department of the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **331 E 119, New York 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.

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,

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 331 E 119, New York NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

§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.

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.

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,

Property No. 7061280-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7061280-1 Rima Ogrin Ogrin Associates LLC 169 East 74 Street , Suite #2 New York, NY 10021-3216

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 527 E 13, New York 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 **527 E 13**, **New York 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.

Cover-Ltr2-20120612 F

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,

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 527 E 13, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

PUBLIC SERVICE LAW §228. Landlord-tenant relationship	(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
1. No landlord shall (a) interfere with the installation of cable television	authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
(1) that the installation of cable television facilities conform to such	(1) proof of service of a notice of intent to install cable television service upon the
reasonable conditions are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other	landlord; (2) the specific location of the real property;
tenants;	(3) the resident address of the landlord, if known;
(2) that the cable television company or the tenant or a combination thereof	(4) a description of the facilities and equipment to be installed upon the property,
bear the entire cost of the installation, operation or removal of such facilities;	including the type and method of installation, the anticipated costs thereof, and
and (2) that the early talevisian company, area to independent the longland for	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.	(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
(b) demand or accept payment from any tenant, in any form, in exchange for	insurance or other evidence of ability to indemnify the landlord;
permitting cable television service on or within his property or premises, or	(7) a statement that the installation shall be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any	rights of the landlord to just compensation in accordance with section 898.2 of this
amount which the Commission shall, by regulation, determine to be reasonable; or	Part; (8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive	(9) a statement that the landlord is afforded the opportunity to answer the petition
cable television service and those who do not.	within 20 days from the receipt thereof which answer must be responsive to the
0. Dentel anno esta and la construction to la single la second de trainets and	petition and may set forth any additional matter not contained in the petition.
Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.	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,
nundred seventy-three may be emoreed notwithstanding this section.	the commission may grant to the petitioning cable television company an order of
3. No cable television company may enter into any agreement with the	entry which order shall constitute a ruling that the petitioning cable television
owners, lessees or persons controlling or managing buildings served by a	company has complied with requirements of section 228 of the Public Service
cable television company, or do or permit any act, that would have the effect,	Law and the regulations contained in this Part. If the landlord files a written
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	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,
individual antenna equipment.	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
NEW YORK CODES RULES AND REGULATIONS – PART 898 –	Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)	§898.5 Application for just compensation
Law 9220(1)	A landlord may file with the commission an application for just compensation
§898.1 Prohibition	within four months following the service by the cable television company of the
Except as provided in section 898.2 of this Part, no landlord shall demand or	notice described in section 898.3 of this Part or within four months following the
accept any payment from any cable television company in exchange for	completion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's property or premises.	§898.6 Contents of application for just compensation
	An application for just compensation shall set forth specific facts relevant to the
§898.2 Just Compensation	determination of just compensation. Such facts relevant to the determination of
Every landlord shall be entitled to the payment of just compensation for	just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be	showing of: (a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(a) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of
5909.2 Nation of installation	cable television facilities; and
§898.3 Notice of installation (a) Every cable television company proposing to install cable television	(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
service or facilities upon the property of a landlord shall serve upon said	prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	· · · · · · · · · · · · · · · · · · ·
days prior to the commencement of such installation.	§898.7 Service of Application
(b) The secretary of the commission shall prescribe the procedure for service	A copy of the application filed by the landlord for just compensation shall be
of such notice, and the form and content of such notice, which shall include, but need not be limited to:	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.
(i) the name and address of the cable television company;	shield excounted on our of the municipality in which the real property is located.
(ii) the name and address of the landlord;	§898.8 Responses
(iii) the approximate date of the installation; and	Responses to the application, if any, shall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the	commission within twenty days from the service of the application.
commission's rules. (c) Notice that installation of equipment has been completed may be served at	§898.9 Hearing and determination
any time on landlords upon whose property cable television service or	(a) If the commission finds that just compensation for the installation of cable
facilities were placed prior to the effective date of this Part.	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.
§898.4 Right of Entry	(b) An applicant may, within 20 days from the release date of the commission
(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	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
to the installation. Before such entry, the cable television company shall serve	hearing pursuant to section 216(3) of the Public Service Law and Chapter I,
notice upon the landlord, or an authorized agent which notice shall contain the	Subchapter A of this Title.
date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate	applicant agree upon the amount of just compensation and the commission
Uningues unacu un such chien dui such uningues stigli nut uudiicate	
	approves such amount, the commission shall not be required to conduct a hearing on the issue.
damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.	on the issue.

Property No. 7061903-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7061903-1 Amnon Kehati Brownstone Building Management Services Corp. 88 Rivington Street New York, NY 10002-2245

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 94 Avenue a, New York 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 **94 Avenue a**, **New York 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 94 Avenue a, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

 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) where the installation of cable television company agree to indemnify the landlord for permitting cable television service on or within his property or premises, or from any cable television service on or within his property or premises, or amount which the Commission shall, by regulation, determine to be 	art, the ied by an ce upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 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 	e upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 (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 (1) proof of service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of the real property; (2) the specific location of the real property; (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 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 shall, by regulation, determine to be (a) that the Commission shall, by regulation, determine to be (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 shall, by regulation, determine to be (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 shall, by regulation, determine to be (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (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 including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (3) the resident address of the landlord, if known; (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (2) that the cable television company or the tenant or a combination thereof is a statement that the cable television company shall indemnify the landlord; (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 many 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
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 and (3) that the cable television company agree to indemnify the landlord for any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (c) the name of the individual or officer responsible for the actual instances of the individual or officer responsible for the actual instances. (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	Illation; andlord for f of ce to the 898.2 of this
 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 (6) a statement that the cable television company shall indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	andlord for f of ce to the 898.2 of this
 (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 any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	f of ce to the 898.2 of this
 (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 (b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	ce to the 898.2 of this
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be rights of the landlord to just compensation in accordance with section Part;	898.2 of this
amount which the Commission shall, by regulation, determine to be Part;	
	v of the
reasonable; or (8) a summary of efforts by the cable television company to effect entit	V OL IDA
property for installation; and	y of the
(c) Discriminate in rental charges or otherwise, between tenants who receive (9) a statement that the landlord is afforded the opportunity to answer	the petition
cable television service and those who do not. within 20 days from the receipt thereof which answer must be response	
petition and may set forth any additional matter not contained in the p	
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section. Participation by the landlord is not mandatory, however, if no appeara landlord is made in the proceeding or no answer filed within the time participation by the landlord is not mandatory.	
the commission may grant to the petitioning cable television company	
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruling that the petitioning cable television	
owners, lessees or persons controlling or managing buildings served by a company has complied with requirements of section 228 of the Public	
cable television company, or do or permit any act, that would have the effect, Law and the regulations contained in this Part. If the landlord files a v	
directly or indirectly of diminishing or interfering with existing rights of any answer to the petition, the cable television company shall have 10 day tenant or other petition.	
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the schedule an administrative hearing on any factual issues presented th	
direct such other procedures as may be consistent with the installation	•
television service or facilities in accordance with Section 228 of the Pu	
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensation A landlord may file with the commission an application for just compen-	eation
§898.1 Prohibition within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within	
Except as provided in section 898.2 of this Part, no landlord shall demand or notice described in section 898.3 of this Part or within four months foll	
accept any payment from any cable television company in exchange for completion of the installation of the cable television facilities, whichever	r is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relev	ant to the
§898.2 Just Compensation Such facts relevant to the determination of just compensation. Such facts relevant to the determination	
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should include, but need not be limited	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space occupied by the installation;	
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 (c) the value of the applicant's property before the installation of cable	television
of this Part.	
cable television facilities; and	
§898.3 Notice of installation (d) the method or methods used to determine such values. The secret	
(a) Every cable television company proposing to install cable television upon good cause shown, permit the filing of supplemental information	at any time
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. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the landlord for just compensation sh	all be
of such notice, and the form and content of such notice, which shall include, served upon the cable television company making the installation and	
but need not be limited to: () the news and address of the achieve transition assumes the following of the second	ocated.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;§898.8 Responses(iii) the approximate date of the installation; andResponses to the application, if any, shall be served on all parties and	on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application.	
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of	
facilities were placed prior to the effective date of this Part. television facilities as described in the application may be in excess of shall conduct a hearing pursuant to section 216(3) of the Public Service	
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the com	
(a) A cable television company shall have the right to enter property of the order which sets compensation at one dollar or less, file a written requ	lest for a
landlord for the purpose of making surveys or other investigations preparatory hearing. Upon timely receipt of such request, the commission shall compare the surveys of th	
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Cha	pter I,
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 (c) If after the filing of an application, the cable television company and	1 the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the comm	
damages caused by such entry but such damages shall not duplicate approves such amount, the commission shall not be required to condu	
damages paid by the cable television company pursuant to section on the issue.	5
228(1)(a)(3) of the Public Service Law.	

Property No. 7062415-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7062415-1 Waywest Tenants Corp. 380 West 12th Street New York, NY 10014-7200

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 380 W 12, New York 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 **380 W 12**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 380 W 12, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

 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) where the installation of cable television company agree to indemnify the landlord for permitting cable television service on or within his property or premises, or from any cable television service on or within his property or premises, or amount which the Commission shall, by regulation, determine to be 	art, the ied by an ce upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 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 	e upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 (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 (1) proof of service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of the real property; (2) the specific location of the real property; (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 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 shall, by regulation, determine to be (a) that the Commission shall, by regulation, determine to be (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 shall, by regulation, determine to be (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 shall, by regulation, determine to be (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (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 including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (3) the resident address of the landlord, if known; (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (2) that the cable television company or the tenant or a combination thereof (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation, operation or removal of such facilities. (b) demand or accept payment from any tenant, in any form, in exchange for many cable television service on or within his property or premises, or from any cable television shall, by regulation, determine to be (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation of the installation of the industry of the installation of the installation, including the type and method of installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
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 and (3) that the cable television company agree to indemnify the landlord for any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (c) the name of the individual or officer responsible for the actual instances of the individual or officer responsible for the actual instances. (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	Illation; andlord for f of ce to the 898.2 of this
 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 (6) a statement that the cable television company shall indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	andlord for f of ce to the 898.2 of this
 (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 any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	f of ce to the 898.2 of this
 (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 (b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	ce to the 898.2 of this
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be rights of the landlord to just compensation in accordance with section Part;	898.2 of this
amount which the Commission shall, by regulation, determine to be Part;	
	v of the
reasonable; or (8) a summary of efforts by the cable television company to effect entit	V OL IDA
property for installation; and	y of the
(c) Discriminate in rental charges or otherwise, between tenants who receive (9) a statement that the landlord is afforded the opportunity to answer	the petition
cable television service and those who do not. within 20 days from the receipt thereof which answer must be response	
petition and may set forth any additional matter not contained in the p	
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section. Participation by the landlord is not mandatory, however, if no appeara landlord is made in the proceeding or no answer filed within the time participation by the landlord is not mandatory.	
the commission may grant to the petitioning cable television company	
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruling that the petitioning cable television	
owners, lessees or persons controlling or managing buildings served by a company has complied with requirements of section 228 of the Public	
cable television company, or do or permit any act, that would have the effect, Law and the regulations contained in this Part. If the landlord files a v	
directly or indirectly of diminishing or interfering with existing rights of any answer to the petition, the cable television company shall have 10 day technic to the petition.	
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the schedule an administrative hearing on any factual issues presented th	
direct such other procedures as may be consistent with the installation	•
television service or facilities in accordance with Section 228 of the Pu	
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensation A landlord may file with the commission an application for just compen-	eation
§898.1 Prohibition within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within televi	
Except as provided in section 898.2 of this Part, no landlord shall demand or notice described in section 898.3 of this Part or within four months foll	
accept any payment from any cable television company in exchange for completion of the installation of the cable television facilities, whichever	r is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relev	ant to the
§898.2 Just Compensation Such facts relevant to the determination of just compensation. Such facts relevant to the determination	
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should include, but need not be limited	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space occupied by the installation;	
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 (c) the value of the applicant's property before the installation of cable	television
of this Part.	
cable television facilities; and	
§898.3 Notice of installation (d) the method or methods used to determine such values. The secret	
(a) Every cable television company proposing to install cable television upon good cause shown, permit the filing of supplemental information	at any time
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. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the landlord for just compensation sh	all be
of such notice, and the form and content of such notice, which shall include, served upon the cable television company making the installation and	
but need not be limited to: () the news and address of the achieve transition assumes the following of the second	ocated.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;§898.8 Responses(iii) the approximate date of the installation; andResponses to the application, if any, shall be served on all parties and	on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application.	
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of	
facilities were placed prior to the effective date of this Part. television facilities as described in the application may be in excess of shall conduct a hearing pursuant to section 216(3) of the Public Service	
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the com	
(a) A cable television company shall have the right to enter property of the order which sets compensation at one dollar or less, file a written requ	lest for a
landlord for the purpose of making surveys or other investigations preparatory hearing. Upon timely receipt of such request, the commission shall compare the surveys of th	
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Cha	pter I,
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 (c) If after the filing of an application, the cable television company and	1 the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the comm	
damages caused by such entry but such damages shall not duplicate approves such amount, the commission shall not be required to condu	
damages paid by the cable television company pursuant to section on the issue.	5
228(1)(a)(3) of the Public Service Law.	

Property No. 7062666-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7062666-1 Byron Goldman Morris Goldman Real Estate Corp 524 Broadway New York, NY 10012-4408

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 61 Hester, New York 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 **61 Hester, New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 61 Hester, New York NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

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

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.

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.

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,

Property No. 7064440-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7064440-1 Marie Ruffino B & L Management Co., LLC 316 East 63rd Street, #1A New York, NY 10065-7755

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 312 E 30, New York 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 **312 E 30**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 312 E 30, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

 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) where the installation of cable television company agree to indemnify the landlord for permitting cable television service on or within his property or premises, or from any cable television service on or within his property or premises, or amount which the Commission shall, by regulation, determine to be 	art, the ied by an ce upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 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 	e upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 (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 (1) proof of service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of the real property; (2) the specific location of the real property; (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 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 shall, by regulation, determine to be (a) that the Commission shall, by regulation, determine to be (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 shall, by regulation, determine to be (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 shall, by regulation, determine to be (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (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 including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (3) the resident address of the landlord, if known; (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (2) that the cable television company or the tenant or a combination thereof (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation, operation or removal of such facilities. (b) demand or accept payment from any tenant, in any form, in exchange for many cable television service on or within his property or premises, or from any cable television shall, by regulation, determine to be (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation of the installation of the industry of the installation of the installation, including the type and method of installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
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 and (3) that the cable television company agree to indemnify the landlord for any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (c) the name of the individual or officer responsible for the actual instances of the individual or officer responsible for the actual instances. (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	Illation; andlord for f of ce to the 898.2 of this
 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 (6) a statement that the cable television company shall indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	andlord for f of ce to the 898.2 of this
 (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 any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	f of ce to the 898.2 of this
 (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 (b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	ce to the 898.2 of this
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be rights of the landlord to just compensation in accordance with section Part;	898.2 of this
amount which the Commission shall, by regulation, determine to be Part;	
	v of the
reasonable; or (8) a summary of efforts by the cable television company to effect entit	V OL IDA
property for installation; and	y of the
(c) Discriminate in rental charges or otherwise, between tenants who receive (9) a statement that the landlord is afforded the opportunity to answer	the petition
cable television service and those who do not. within 20 days from the receipt thereof which answer must be response	
petition and may set forth any additional matter not contained in the p	
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section. Participation by the landlord is not mandatory, however, if no appeara landlord is made in the proceeding or no answer filed within the time participation by the landlord is not mandatory.	
the commission may grant to the petitioning cable television company	
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruling that the petitioning cable television	
owners, lessees or persons controlling or managing buildings served by a company has complied with requirements of section 228 of the Public	
cable television company, or do or permit any act, that would have the effect, Law and the regulations contained in this Part. If the landlord files a v	
directly or indirectly of diminishing or interfering with existing rights of any answer to the petition, the cable television company shall have 10 day the petition and the cable television company shall have 10 day to be a set of a set	
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the schedule an administrative hearing on any factual issues presented th	
direct such other procedures as may be consistent with the installation	•
television service or facilities in accordance with Section 228 of the Pu	
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensation A landlord may file with the commission an application for just compen-	eation
§898.1 Prohibition within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within televi	
Except as provided in section 898.2 of this Part, no landlord shall demand or notice described in section 898.3 of this Part or within four months foll	
accept any payment from any cable television company in exchange for completion of the installation of the cable television facilities, whichever	r is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relev	ant to the
§898.2 Just Compensation Such facts relevant to the determination of just compensation. Such facts relevant to the determination	
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should include, but need not be limited	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space occupied by the installation;	
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 (c) the value of the applicant's property before the installation of cable	television
of this Part.	
cable television facilities; and	
§898.3 Notice of installation (d) the method or methods used to determine such values. The secret	
(a) Every cable television company proposing to install cable television upon good cause shown, permit the filing of supplemental information	at any time
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. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the landlord for just compensation sh	all be
of such notice, and the form and content of such notice, which shall include, served upon the cable television company making the installation and	
but need not be limited to: () the news and address of the achieve transition assumes the following of the second	ocated.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;§898.8 Responses(iii) the approximate date of the installation; andResponses to the application, if any, shall be served on all parties and	on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application.	
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of	
facilities were placed prior to the effective date of this Part. television facilities as described in the application may be in excess of shall conduct a hearing pursuant to section 216(3) of the Public Service	
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the com	
(a) A cable television company shall have the right to enter property of the order which sets compensation at one dollar or less, file a written requ	lest for a
landlord for the purpose of making surveys or other investigations preparatory hearing. Upon timely receipt of such request, the commission shall compare the surveys of th	
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Cha	pter I,
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 (c) If after the filing of an application, the cable television company and	1 the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the comm	
damages caused by such entry but such damages shall not duplicate approves such amount, the commission shall not be required to condu	
damages paid by the cable television company pursuant to section on the issue.	5
228(1)(a)(3) of the Public Service Law.	

Property No. 7064578-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7064578-1 Michael Dimson Caryle Construction Corp. 340 East 46th Street New York, NY 10017-3003

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 108 E 38, New York 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 **108 E 38**, **New York 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 108 E 38, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

PUBLIC SERVICE LAW §228. Landlord-tenant relationship	(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
1. No landlord shall (a) interfere with the installation of cable television	authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	dutionzed onicer of the oddre television company setting forth.
(1) that the installation of cable television facilities conform to such	(1) proof of service of a notice of intent to install cable television service upon the
reasonable conditions are necessary to protect the safety, functioning and	landlord;
appearance of the premises, and the convenience and well being of other	 (2) the specific location of the real property; (2) the period and a state of the level with real of the second state of
(2) that the cable television company or the tenant or a combination thereaf	(3) the resident address of the landlord, if known;(4) a description of the facilities and equipment to be installed upon the property,
(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;	including the type and method of installation, the anticipated costs thereof, and
and	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for	(5) the name of the individual or officer responsible for the actual installation;
any damage caused by the installation, operation or removal of such facilities.	(6) a statement that the cable television company shall indemnify the landlord for
	any damage caused in connection with the installation, including proof of
(b) demand or accept payment from any tenant, in any form, in exchange for	insurance or other evidence of ability to indemnify the landlord;
permitting cable television service on or within his property or premises, or from any cable television company in exchange therefore in excess of any	(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
amount which the Commission shall, by regulation, determine to be	Part;
reasonable; or	(8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive	(9) a statement that the landlord is afforded the opportunity to answer the petition
cable television service and those who do not.	within 20 days from the receipt thereof which answer must be responsive to the
2. Rental agreements and leases executed prior to January first, nineteen	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
2. Rental agreements and leases executed prior to January lirst, nineteen hundred seventy-three may be enforced notwithstanding this section.	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
3. No cable television company may enter into any agreement with the	entry which order shall constitute a ruling that the petitioning cable television
owners, lessees or persons controlling or managing buildings served by a	company has complied with requirements of section 228 of the Public Service
cable television company, or do or permit any act, that would have the effect,	Law and the regulations contained in this Part. If the landlord files a written
directly or indirectly of diminishing or interfering with existing rights of any	answer to the petition, the cable television company shall have 10 days within
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment.	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
NEW YORK CODES RULES AND REGULATIONS – PART 898 –	Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1)	§898.5 Application for just compensation
§898.1 Prohibition	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
Except as provided in section 898.2 of this Part, no landlord shall demand or	notice described in section 898.3 of this Part or within four months following the
accept any payment from any cable television company in exchange for	completion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	
property or premises.	§898.6 Contents of application for just compensation
§898.2 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
Every landlord shall be entitled to the payment of just compensation for	just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable	showing of:
television service or facilities. The amount of just compensation shall be	(a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(b) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and
§898.3 Notice of installation	(d) the method or methods used to determine such values. The secretary may,
(a) Every cable television company proposing to install cable television	upon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said	prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	
days prior to the commencement of such installation.	§898.7 Service of Application
(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,	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
but need not be limited to:	chief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company;	since excedute enteer of the manoparty in which the real property is located.
(ii) the name and address of the landlord;	§898.8 Responses
(iii) the approximate date of the installation; and	Responses to the application, if any, shall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the	commission within twenty days from the service of the application.
	S000 0 Lippaire and determined
	shall conduct a hearing pursuant to section 216(3) of the Public Service Law.
§898.4 Right of Entry	(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
Part. The cable television company shall be liable to the landlord for any	applicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate	approves such amount, the commission shall not be required to conduct a hearing
damages paid by the cable television company pursuant to section $228(1)(a)(3)$ of the Public Service Law.	on the issue.
 (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 	 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 doll 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 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 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 applicant agree upon the amount of pust compensation and the commission approves such amount, the commission shall not be required to conduct a hearing applicant agree upon the amount of pust compensation and the commission approves such amount, the commission shall not be required to conduct a hearing applicant agree upon the amount of pust compensation and the commission approves such amount, the commission shall not be required to conduct a hearing applicant agree upon the amount of pust compensation applicant agree upon the amount of pust compensation applies and the applicant agree upon the amount of pust compensation and the commission approves such amount, the commission shall not be required to conduct a hearing applicant agree upon the amount of pust compensation applicant agree upon the amount of pust compensation approves such amount applicant agree upon the applicant agree upon the amount applicant agree upon

Property No. 7064765-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7064765-1 Paul Bogoni Roxborough Apartments Corp. 251 West 92nd Street New York, NY 10025-7319

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 2481 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **2481 Broadway**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2481 Broadway, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

PUBLIC SERVICE LAW §228. Landlord-tenant relationship	(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
1. No landlord shall (a) interfere with the installation of cable television	authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require: (1) that the installation of cable television facilities conform to such	(1) proof of service of a notice of intent to install cable television service upon the
reasonable conditions are necessary to protect the safety, functioning and	landlord;
appearance of the premises, and the convenience and well being of other	(2) the specific location of the real property;
tenants;	(3) the resident address of the landlord, if known;
(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;	(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
and	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for	(5) the name of the individual or officer responsible for the actual installation;
any damage caused by the installation, operation or removal of such facilities.	(6) a statement that the cable television company shall indemnify the landlord for
	any damage caused in connection with the installation, including proof of
(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	insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any	rights of the landlord to just compensation in accordance with section 898.2 of this
amount which the Commission shall, by regulation, determine to be	Part;
reasonable; or	(8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.	(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
למטופ נפופאוסוטון ספואוכים מווע נווטסט אווט עט ווטנ.	petition and may set forth any additional matter not contained in the petition.
2. Rental agreements and leases executed prior to January first, nineteen	Participation by the landlord is not mandatory, however, if no appearance by the
hundred seventy-three may be enforced notwithstanding this section.	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
No cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a	entry which order shall constitute a ruling that the petitioning cable television company has complied with requirements of section 228 of the Public Service
cable television company, or do or permit any act, that would have the effect,	Law and the regulations contained in this Part. If the landlord files a written
directly or indirectly of diminishing or interfering with existing rights of any	answer to the petition, the cable television company shall have 10 days within
tenant or other occupant of such building to use or avail himself of master or	which to reply to said answer. The commission may grant or deny the petition,
individual antenna equipment.	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
NEW YORK CODES RULES AND REGULATIONS – PART 898 –	Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	Luw.
Law §228(1)	§898.5 Application for just compensation
	A landlord may file with the commission an application for just compensation
§898.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall demand or	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
accept any payment from any cable television company in exchange for	completion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	
property or premises.	§898.6 Contents of application for just compensation
S000.2 Just Companyation	An application for just compensation shall set forth specific facts relevant to the
§898.2 Just Compensation Every landlord shall be entitled to the payment of just compensation for	determination of just compensation. Such facts relevant to the determination of just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable	showing of:
television service or facilities. The amount of just compensation shall be	(a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(b) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and
§898.3 Notice of installation	(d) the method or methods used to determine such values. The secretary may,
(a) Every cable television company proposing to install cable television	upon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said	prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	8909 7 Service of Application
days prior to the commencement of such installation. (b) The secretary of the commission shall prescribe the procedure for service	§898.7 Service of Application A copy of the application filed by the landlord for just compensation shall be
of such notice, and the form and content of such notice, which shall include,	served upon the cable television company making the installation and upon the
but need not be limited to:	chief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;	§898.8 Responses
(iii) the approximate date of the installation; and (iv) a citation of section 228 of the Public Service Law and Part 898 of the	Responses to the application, if any, shall be served on all parties and on the
(IV) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules.	commission within twenty days from the service of the application.
(c) Notice that installation of equipment has been completed may be served at	§898.9 Hearing and determination
any time on landlords upon whose property cable television service or	(a) If the commission finds that just compensation for the installation of cable
facilities were placed prior to the effective date of this Part.	television facilities as described in the application may be in excess of one dollar it
8009 4 Bight of Entry	shall conduct a hearing pursuant to section 216(3) of the Public Service Law.
§898.4 Right of Entry (a) A cable television company shall have the right to enter property of the	(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
landlord for the purpose of making surveys or other investigations preparatory	hearing. Upon timely receipt of such request, the commission shall conduct a
to the installation. Before such entry, the cable television company shall serve	hearing pursuant to section 216(3) of the Public Service Law and Chapter I,
notice upon the landlord, or an authorized agent which notice shall contain the	Subchapter A of this Title.
date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate	applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing
damages paid by the cable television company pursuant to section	on the issue.
228(1)(a)(3) of the Public Service Law.	

Property No. 7064832-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7064832-1 Arnie Lauri ARGO Corporation 50 West 17th Street New York, NY 10011-5774

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 304 W 75, New York 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 **304 W 75**, **New York 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 304 W 75, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

 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) where the installation of cable television company agree to indemnify the landlord for permitting cable television service on or within his property or premises, or from any cable television service on or within his property or premises, or amount which the Commission shall, by regulation, determine to be 	art, the ied by an ce upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 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 	e upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 (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 (1) proof of service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of the real property; (2) the specific location of the real property; (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 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 shall, by regulation, determine to be (a) that the Commission shall, by regulation, determine to be (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 shall, by regulation, determine to be (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 shall, by regulation, determine to be (c) the specific location of the real property; (d) the specific location of the real property; (e) the specific location of the real property; (f) the measures to be taken to minimize the aesthetic impact of the installation, including proof insurance or other evidence of ability to indemnify the landlord; (f) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (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 including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (3) the resident address of the landlord, if known; (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (2) that the cable television company or the tenant or a combination thereof (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation, operation or removal of such facilities. (b) demand or accept payment from any tenant, in any form, in exchange for many cable television service on or within his property or premises, or from any cable television shall, by regulation, determine to be (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation of the installation of the industry of the installation of the installation, including the type and method of installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
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 and (3) that the cable television company agree to indemnify the landlord for any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (c) the name of the individual or officer responsible for the actual instances of the individual or officer responsible for the actual instances. (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	Illation; andlord for f of ce to the 898.2 of this
 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 (6) a statement that the cable television company shall indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	andlord for f of ce to the 898.2 of this
 (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 any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	f of ce to the 898.2 of this
 (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 (b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	ce to the 898.2 of this
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be rights of the landlord to just compensation in accordance with section Part;	898.2 of this
amount which the Commission shall, by regulation, determine to be Part;	
	v of the
reasonable; or (8) a summary of efforts by the cable television company to effect entit	V OL IDA
property for installation; and	y of the
(c) Discriminate in rental charges or otherwise, between tenants who receive (9) a statement that the landlord is afforded the opportunity to answer	the petition
cable television service and those who do not. within 20 days from the receipt thereof which answer must be response	
petition and may set forth any additional matter not contained in the p	
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section. Participation by the landlord is not mandatory, however, if no appeara landlord is made in the proceeding or no answer filed within the time participation by the landlord is not mandatory.	
the commission may grant to the petitioning cable television company	
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruling that the petitioning cable television	
owners, lessees or persons controlling or managing buildings served by a company has complied with requirements of section 228 of the Public	
cable television company, or do or permit any act, that would have the effect, Law and the regulations contained in this Part. If the landlord files a v	
directly or indirectly of diminishing or interfering with existing rights of any answer to the petition, the cable television company shall have 10 day tenant or other petition.	
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the schedule an administrative hearing on any factual issues presented th	
direct such other procedures as may be consistent with the installation	•
television service or facilities in accordance with Section 228 of the Pu	
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensation A landlord may file with the commission an application for just compen-	eation
§898.1 Prohibition within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within televi	
Except as provided in section 898.2 of this Part, no landlord shall demand or notice described in section 898.3 of this Part or within four months foll	
accept any payment from any cable television company in exchange for completion of the installation of the cable television facilities, whichever	r is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relev	ant to the
§898.2 Just Compensation Such facts relevant to the determination of just compensation. Such facts relevant to the determination	
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should include, but need not be limited	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space occupied by the installation;	
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 (c) the value of the applicant's property before the installation of cable	television
of this Part.	
cable television facilities; and	
§898.3 Notice of installation (d) the method or methods used to determine such values. The secret	
(a) Every cable television company proposing to install cable television upon good cause shown, permit the filing of supplemental information	at any time
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. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the landlord for just compensation sh	all be
of such notice, and the form and content of such notice, which shall include, served upon the cable television company making the installation and	
but need not be limited to: () the news and address of the achieve transition assumes the following of the second	ocated.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;§898.8 Responses(iii) the approximate date of the installation; andResponses to the application, if any, shall be served on all parties and	on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application.	
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of	
facilities were placed prior to the effective date of this Part. television facilities as described in the application may be in excess of shall conduct a hearing pursuant to section 216(3) of the Public Service	
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the com	
(a) A cable television company shall have the right to enter property of the order which sets compensation at one dollar or less, file a written requ	lest for a
landlord for the purpose of making surveys or other investigations preparatory hearing. Upon timely receipt of such request, the commission shall compare the surveys of th	
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Cha	pter I,
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 (c) If after the filing of an application, the cable television company and	1 the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the comm	
damages caused by such entry but such damages shall not duplicate approves such amount, the commission shall not be required to condu	
damages paid by the cable television company pursuant to section on the issue.	5
228(1)(a)(3) of the Public Service Law.	

Property No. 7064843-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7064843-1 Jeffrey Elghanayan Eagle Court, LLC 68 Main Street Tuckahoe, NY 10707-2953

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 2326 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **2326 Broadway**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2326 Broadway, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

§228. Landlord-tenant relationship pu	b) where the installation of cable television service or facilities is not effected ursuant to a notice served in accordance with section 898.3 of this Part, the
	able television company may file with the commission a petition verified by an
	uthorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
	1) proof of service of a notice of intent to install cable television service upon the
	andlord; 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,
	ncluding the type and method of installation, the anticipated costs thereof, and
	he 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
, , , , , , , , , , , , , , , , , , ,	iny damage caused in connection with the installation, including proof of
	nsurance or other evidence of ability to indemnify the landlord;
	7) a statement that the installation shall be conducted without prejudice to the
	ghts of the landlord to just compensation in accordance with section 898.2 of this
	Part; B) a summary of efforts by the cable television company to effect entry of the
	roperty for installation; and
	9) a statement that the landlord is afforded the opportunity to answer the petition
	vithin 20 days from the receipt thereof which answer must be responsive to the
	etition 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
, , ,	andlord is made in the proceeding or no answer filed within the time permitted, he commission may grant to the petitioning cable television company an order of
	ntry which order shall constitute a ruling that the petitioning cable television
	ompany has complied with requirements of section 228 of the Public Service
	aw and the regulations contained in this Part. If the landlord files a written
	inswer 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, chedule an administrative hearing on any factual issues presented thereby or
	lirect such other procedures as may be consistent with the installation of cable
	elevision service or facilities in accordance with Section 228 of the Public Service
	aw.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	2000 E Anglia time for instances and the
	898.5 Application for just compensation
	vithin four months following the service by the cable television company of the
	otice described in section 898.3 of this Part or within four months following the
	ompletion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	2000 C. Orantzarta of emplies that for instruments of the
	898.6 Contents of application for just compensation
	etermination of just compensation. Such facts relevant to the determination of
	ust compensation. Such facts should include, but need not be limited to, a
	howing 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
	acilities and the value of the applicant's property subsequent to the installation of
	able television facilities; and
	d) the method or methods used to determine such values. The secretary may,
	pon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said pri landlord or an authorized agent, written notice of intent thereof at least 15	rior to final determination by the commission.
	898.7 Service of Application
	copy of the application filed by the landlord for just compensation shall be
	erved upon the cable television company making the installation and upon the
	hief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company; (ii) the name and address of the landlerd:	898.8 Responses
	Responses to the application, if any, shall be served on all parties and on the
	ommission within twenty days from the service of the application.
commission's rules.	· · · · · · · · · · · · · · · · · · ·
	898.9 Hearing and determination
	a) If the commission finds that just compensation for the installation of cable alevision facilities as described in the application may be in excess of one dollar it
	elevision facilities as described in the application may be in excess of one dollar it hall conduct a hearing pursuant to section 216(3) of the Public Service Law.
§898.4 Right of Entry (b)	b) An applicant may, within 20 days from the release date of the commission
(a) A cable television company shall have the right to enter property of the ord	rder which sets compensation at one dollar or less, file a written request for a
	earing. Upon timely receipt of such request, the commission shall conduct a
	earing 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
	pplicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate ap	pproves such amount, the commission shall not be required to conduct a hearing
	n the issue.
228(1)(a)(3) of the Public Service Law.	

Property No. 7065025-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7065025-1 Irving Langer E & M Associates LLC 1465A Flatbush Ave Brooklyn, NY 11210-2428

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 337 W 138, New York 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 **337 W 138, New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 337 W 138, New York NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

(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.

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.

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,

Property No. 7065073-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7065073-1 Shirley Fox Shinda Management Corp. 221-10 Jamaica Avenue, 3rd Floor Queens Village, NY 11428-2047

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 250 W 146, New York 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 **250 W 146, New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 250 W 146, New York NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

(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

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.

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.

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,

Property No. 7065082-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7065082-1 Augustino Cafone Remik Holdings LLC 234 West 147th Street New York, NY 10039-3614

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 228 W 147, New York 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 **228 W 147, New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 228 W 147, New York NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

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.

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.

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,

Property No. 7065092-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7065092-1 Jorge Vazquez Grenadier Realty Corp. 1230 Pennsylvania Avenue Brooklyn, NY 11239-1119

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 680 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **680 St Nicholas Av, New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 680 St Nicholas Av, New York NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

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.

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,

Property No. 7065161-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 20, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7065161-1 Charlia Greene 157 West 123rd Street HDFC 157 West 123rd Street, #6G New York, NY 10027-5533

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 157 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **157 W 123, New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 157 W 123, New York NY. The inspection will be performed on or about November 20, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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 20, 2014

PUBLIC SERVICE LAW	(b) where the installation of cable television service or facilities is not effected
§228. Landlord-tenant relationship	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
1. No landlord shall (a) interfere with the installation of cable television	authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require: (1) that the installation of cable television facilities conform to such	(1) proof of service of a notice of intent to install cable television service upon the
reasonable conditions are necessary to protect the safety, functioning and	landlord:
appearance of the premises, and the convenience and well being of other	(2) the specific location of the real property;
tenants;	(3) the resident address of the landlord, if known;
(2) that the cable television company or the tenant or a combination thereof	(4) a description of the facilities and equipment to be installed upon the property,
bear the entire cost of the installation, operation or removal of such facilities;	including the type and method of installation, the anticipated costs thereof, and
and	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for	(5) the name of the individual or officer responsible for the actual installation;
any damage caused by the installation, operation or removal of such facilities.	(6) a statement that the cable television company shall indemnify the landlord for
(b) demand as accept neumant from any tangent in any form in avalance for	any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;
(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	(7) a statement that the installation shall be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any	rights of the landlord to just compensation in accordance with section 898.2 of this
amount which the Commission shall, by regulation, determine to be	Part;
reasonable; or	(8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive	(9) a statement that the landlord is afforded the opportunity to answer the petition
cable television service and those who do not.	within 20 days from the receipt thereof which answer must be responsive to the
2. Dontal agreements and leases succeited wins to leave first winst	petition and may set forth any additional matter not contained in the petition.
Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.	Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no approximated within the time permitted
nunureu seventy-triee may de eniordeu notwithstanung this section.	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
3. No cable television company may enter into any agreement with the	entry which order shall constitute a ruling that the petitioning cable television company an order of
owners, lessees or persons controlling or managing buildings served by a	company has complied with requirements of section 228 of the Public Service
cable television company, or do or permit any act, that would have the effect,	Law and the regulations contained in this Part. If the landlord files a written
directly or indirectly of diminishing or interfering with existing rights of any	answer to the petition, the cable television company shall have 10 days within
tenant or other occupant of such building to use or avail himself of master or	which to reply to said answer. The commission may grant or deny the petition,
individual antenna equipment.	schedule an administrative hearing on any factual issues presented thereby or
	direct such other procedures as may be consistent with the installation of cable
NEW YORK CODES RULES AND REGULATIONS – PART 898 –	television service or facilities in accordance with Section 228 of the Public Service Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	Law.
Law §228(1)	§898.5 Application for just compensation
	A landlord may file with the commission an application for just compensation
§898.1 Prohibition	within four months following the service by the cable television company of the
Except as provided in section 898.2 of this Part, no landlord shall demand or	notice described in section 898.3 of this Part or within four months following the
accept any payment from any cable television company in exchange for	completion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	6000 C. Oratanta of analization for just communication
property or premises.	§898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relevant to the
§898.2 Just Compensation	determination of just compensation. Such facts relevant to the determination of
Every landlord shall be entitled to the payment of just compensation for	just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable	showing of:
television service or facilities. The amount of just compensation shall be	(a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(b) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of
§898.3 Notice of installation	cable television facilities; and (d) the method or methods used to determine such values. The secretary may,
(a) Every cable television company proposing to install cable television	upon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said	prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	
days prior to the commencement of such installation.	§898.7 Service of Application
(b) The secretary of the commission shall prescribe the procedure for service	A copy of the application filed by the landlord for just compensation shall be
of such notice, and the form and content of such notice, which shall include,	served upon the cable television company making the installation and upon the
but need not be limited to:	chief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company;	§898.8 Responses
(ii) the name and address of the landlord;(iii) the approximate date of the installation; and	Responses to the application, if any, shall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the	commission within twenty days from the service of the application.
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at	§898.9 Hearing and determination
any time on landlords upon whose property cable television service or	(a) If the commission finds that just compensation for the installation of cable
facilities were placed prior to the effective date of this Part.	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.
§898.4 Right of Entry	(b) An applicant may, within 20 days from the release date of the commission
(a) A cable television company shall have the right to enter property of the	order which sets compensation at one dollar or less, file a written request for a
landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve	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,
notice upon the landlord, or an authorized agent which notice shall contain the	Subchapter A of this Title.
date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
	· · · · · · · · · · · · · · · · · · ·

on the issue.

applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing

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.

Property No. 7065187-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065187-1 Michael Davidowitz 166 West 129th Street Realty Corp. 1085 East 12th Street Brooklyn, NY 11230-4111

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 2167 Adam C Powell 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **2167 Adam C Powell Blvd**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2167 Adam C Powell Blvd, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

§228. Landlord-tenant relationship pu	b) where the installation of cable television service or facilities is not effected ursuant to a notice served in accordance with section 898.3 of this Part, the
	able television company may file with the commission a petition verified by an
	uthorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
	1) proof of service of a notice of intent to install cable television service upon the
	andlord; 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,
	ncluding the type and method of installation, the anticipated costs thereof, and
	he 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
, , , , , , , , , , , , , , , , , , ,	iny damage caused in connection with the installation, including proof of
	nsurance or other evidence of ability to indemnify the landlord;
	7) a statement that the installation shall be conducted without prejudice to the
	ghts of the landlord to just compensation in accordance with section 898.2 of this
	Part; B) a summary of efforts by the cable television company to effect entry of the
	roperty for installation; and
	9) a statement that the landlord is afforded the opportunity to answer the petition
	vithin 20 days from the receipt thereof which answer must be responsive to the
	etition 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
, , ,	andlord is made in the proceeding or no answer filed within the time permitted, he commission may grant to the petitioning cable television company an order of
	ntry which order shall constitute a ruling that the petitioning cable television
	ompany has complied with requirements of section 228 of the Public Service
	aw and the regulations contained in this Part. If the landlord files a written
	inswer 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, chedule an administrative hearing on any factual issues presented thereby or
	lirect such other procedures as may be consistent with the installation of cable
	elevision service or facilities in accordance with Section 228 of the Public Service
	aw.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	2000 E Anglia time for instances and the
	898.5 Application for just compensation
	vithin four months following the service by the cable television company of the
	otice described in section 898.3 of this Part or within four months following the
	ompletion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	2000 C. Orantzarta of emplies that for instruments of the
	898.6 Contents of application for just compensation
	etermination of just compensation. Such facts relevant to the determination of
	ust compensation. Such facts should include, but need not be limited to, a
	howing 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
	acilities and the value of the applicant's property subsequent to the installation of
	able television facilities; and
	d) the method or methods used to determine such values. The secretary may,
	pon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said pri landlord or an authorized agent, written notice of intent thereof at least 15	rior to final determination by the commission.
	898.7 Service of Application
	copy of the application filed by the landlord for just compensation shall be
	erved upon the cable television company making the installation and upon the
	hief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company; (ii) the name and address of the landlerd:	898.8 Responses
	Responses to the application, if any, shall be served on all parties and on the
	ommission within twenty days from the service of the application.
commission's rules.	· · · · · · · · · · · · · · · · · · ·
	898.9 Hearing and determination
	a) If the commission finds that just compensation for the installation of cable alevision facilities as described in the application may be in excess of one dollar it
	elevision facilities as described in the application may be in excess of one dollar it hall conduct a hearing pursuant to section 216(3) of the Public Service Law.
§898.4 Right of Entry (b)	b) An applicant may, within 20 days from the release date of the commission
(a) A cable television company shall have the right to enter property of the ord	rder which sets compensation at one dollar or less, file a written request for a
	earing. Upon timely receipt of such request, the commission shall conduct a
	earing 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
	pplicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate ap	pproves such amount, the commission shall not be required to conduct a hearing
	n the issue.
228(1)(a)(3) of the Public Service Law.	

Property No. 7065220-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065220-1 Dennis Ovalle Manhattan North Management Co. Inc. 107-129 East 126th Street New York, NY 10035-1606

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 45 Lenox 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **45 Lenox Av**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 45 Lenox Av, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

 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) where the installation of cable television company agree to indemnify the landlord for permitting cable television service on or within his property or premises, or from any cable television service on or within his property or premises, or amount which the Commission shall, by regulation, determine to be 	art, the ied by an ce upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 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 	e upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 (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 (1) proof of service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of the real property; (2) the specific location of the real property; (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 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 shall, by regulation, determine to be (a) that the Commission shall, by regulation, determine to be (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 shall, by regulation, determine to be (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 shall, by regulation, determine to be (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (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 including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (3) the resident address of the landlord, if known; (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (2) that the cable television company or the tenant or a combination thereof is a statement that the cable television company shall indemnify the landlord; (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 many 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
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 and (3) that the cable television company agree to indemnify the landlord for any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (c) the name of the individual or officer responsible for the actual instances of the individual or officer responsible for the actual instances. (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	Illation; andlord for f of ce to the 898.2 of this
 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 (6) a statement that the cable television company shall indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	andlord for f of ce to the 898.2 of this
 (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 any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	f of ce to the 898.2 of this
 (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 (b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	ce to the 898.2 of this
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be rights of the landlord to just compensation in accordance with section Part;	898.2 of this
amount which the Commission shall, by regulation, determine to be Part;	
	v of the
reasonable; or (8) a summary of efforts by the cable television company to effect entit	V OL IDA
property for installation; and	y of the
(c) Discriminate in rental charges or otherwise, between tenants who receive (9) a statement that the landlord is afforded the opportunity to answer	the petition
cable television service and those who do not. within 20 days from the receipt thereof which answer must be response	
petition and may set forth any additional matter not contained in the p	
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section. Participation by the landlord is not mandatory, however, if no appeara landlord is made in the proceeding or no answer filed within the time participation by the landlord is not mandatory.	
the commission may grant to the petitioning cable television company	
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruling that the petitioning cable television	
owners, lessees or persons controlling or managing buildings served by a company has complied with requirements of section 228 of the Public	
cable television company, or do or permit any act, that would have the effect, Law and the regulations contained in this Part. If the landlord files a v	
directly or indirectly of diminishing or interfering with existing rights of any answer to the petition, the cable television company shall have 10 day tenant or other petition.	
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the schedule an administrative hearing on any factual issues presented th	
direct such other procedures as may be consistent with the installation	•
television service or facilities in accordance with Section 228 of the Pu	
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensation A landlord may file with the commission an application for just compen-	eation
§898.1 Prohibition within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within	
Except as provided in section 898.2 of this Part, no landlord shall demand or notice described in section 898.3 of this Part or within four months foll	
accept any payment from any cable television company in exchange for completion of the installation of the cable television facilities, whichever	r is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relev	ant to the
§898.2 Just Compensation Such facts relevant to the determination of just compensation. Such facts relevant to the determination	
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should include, but need not be limited	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space occupied by the installation;	
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 (c) the value of the applicant's property before the installation of cable	television
of this Part.	
cable television facilities; and	
§898.3 Notice of installation (d) the method or methods used to determine such values. The secret	
(a) Every cable television company proposing to install cable television upon good cause shown, permit the filing of supplemental information	at any time
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. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the landlord for just compensation sh	all be
of such notice, and the form and content of such notice, which shall include, served upon the cable television company making the installation and	
but need not be limited to: () the news and address of the achieve transition assumes the following of the second	ocated.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;§898.8 Responses(iii) the approximate date of the installation; andResponses to the application, if any, shall be served on all parties and	on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application.	
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of	
facilities were placed prior to the effective date of this Part. television facilities as described in the application may be in excess of shall conduct a hearing pursuant to section 216(3) of the Public Service	
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the com	
(a) A cable television company shall have the right to enter property of the order which sets compensation at one dollar or less, file a written requ	lest for a
landlord for the purpose of making surveys or other investigations preparatory hearing. Upon timely receipt of such request, the commission shall compare the surveys of th	
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Cha	pter I,
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 (c) If after the filing of an application, the cable television company and	1 the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the comm	
damages caused by such entry but such damages shall not duplicate approves such amount, the commission shall not be required to condu	
damages paid by the cable television company pursuant to section on the issue.	5
228(1)(a)(3) of the Public Service Law.	

Property No. 7065253-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065253-1 Michael Aryeh 2162-68 8The Avenue Realty LLC 619 West 54th Street, Suite #10A New York, NY 10019-3585

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 2162 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **2162 Fred Douglass Blvd**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2162 Fred Douglass Blvd, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

PUBLIC SERVICE LAW §228. Landlord-tenant relationship	(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
1. No landlord shall (a) interfere with the installation of cable television	authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
(1) that the installation of cable television facilities conform to such	(1) proof of service of a notice of intent to install cable television service upon the
reasonable conditions are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other	landlord; (2) the specific location of the real property;
tenants;	(3) the resident address of the landlord, if known;
(2) that the cable television company or the tenant or a combination thereof	(4) a description of the facilities and equipment to be installed upon the property,
bear the entire cost of the installation, operation or removal of such facilities;	including the type and method of installation, the anticipated costs thereof, and
and (2) that the early talevisian company, area to independent the longland for	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.	(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
(b) demand or accept payment from any tenant, in any form, in exchange for	insurance or other evidence of ability to indemnify the landlord;
permitting cable television service on or within his property or premises, or	(7) a statement that the installation shall be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any	rights of the landlord to just compensation in accordance with section 898.2 of this
amount which the Commission shall, by regulation, determine to be reasonable; or	Part; (8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive	(9) a statement that the landlord is afforded the opportunity to answer the petition
cable television service and those who do not.	within 20 days from the receipt thereof which answer must be responsive to the
0. Dentel anno marte and based and a dente to be seen forthe instance	petition and may set forth any additional matter not contained in the petition.
Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.	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,
nundred seventy-three may be emoreed notwithstanding this section.	the commission may grant to the petitioning cable television company an order of
3. No cable television company may enter into any agreement with the	entry which order shall constitute a ruling that the petitioning cable television
owners, lessees or persons controlling or managing buildings served by a	company has complied with requirements of section 228 of the Public Service
cable television company, or do or permit any act, that would have the effect,	Law and the regulations contained in this Part. If the landlord files a written
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	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,
individual antenna equipment.	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
NEW YORK CODES RULES AND REGULATIONS – PART 898 –	Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)	§898.5 Application for just compensation
Law 9220(1)	A landlord may file with the commission an application for just compensation
§898.1 Prohibition	within four months following the service by the cable television company of the
Except as provided in section 898.2 of this Part, no landlord shall demand or	notice described in section 898.3 of this Part or within four months following the
accept any payment from any cable television company in exchange for	completion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's property or premises.	§898.6 Contents of application for just compensation
	An application for just compensation shall set forth specific facts relevant to the
§898.2 Just Compensation	determination of just compensation. Such facts relevant to the determination of
Every landlord shall be entitled to the payment of just compensation for	just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be	showing of: (a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(a) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of
5909.2 Nation of installation	cable television facilities; and
§898.3 Notice of installation (a) Every cable television company proposing to install cable television	(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
service or facilities upon the property of a landlord shall serve upon said	prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	· · · · · · · · · · · · · · · · · · ·
days prior to the commencement of such installation.	§898.7 Service of Application
(b) The secretary of the commission shall prescribe the procedure for service	A copy of the application filed by the landlord for just compensation shall be
of such notice, and the form and content of such notice, which shall include, but need not be limited to:	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.
(i) the name and address of the cable television company;	shield excounted on our of the municipality in which the real property is located.
(ii) the name and address of the landlord;	§898.8 Responses
(iii) the approximate date of the installation; and	Responses to the application, if any, shall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the	commission within twenty days from the service of the application.
commission's rules. (c) Notice that installation of equipment has been completed may be served at	§898.9 Hearing and determination
any time on landlords upon whose property cable television service or	(a) If the commission finds that just compensation for the installation of cable
facilities were placed prior to the effective date of this Part.	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.
§898.4 Right of Entry	(b) An applicant may, within 20 days from the release date of the commission
(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	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
to the installation. Before such entry, the cable television company shall serve	hearing pursuant to section 216(3) of the Public Service Law and Chapter I,
notice upon the landlord, or an authorized agent which notice shall contain the	Subchapter A of this Title.
date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate	applicant agree upon the amount of just compensation and the commission
Uningues unacu un such chien dui such uningues stigli nut uudiicate	
	approves such amount, the commission shall not be required to conduct a hearing on the issue.
damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.	on the issue.

Property No. 7065255-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065255-1 370 Manhattan Avenue Co. Llc 370 Manhattan Avenue New York, NY 10026-2315

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 370 Manhattan 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **370 Manhattan Av, New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 370 Manhattan Av, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

 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) where the installation of cable television company agree to indemnify the landlord for permitting cable television service on or within his property or premises, or from any cable television service on or within his property or premises, or amount which the Commission shall, by regulation, determine to be 	art, the ied by an ce upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 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 	e upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 (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 (1) proof of service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of the real property; (2) the specific location of the real property; (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 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 shall, by regulation, determine to be (a) that the Commission shall, by regulation, determine to be (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 shall, by regulation, determine to be (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 shall, by regulation, determine to be (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (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 including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (3) the resident address of the landlord, if known; (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (2) that the cable television company or the tenant or a combination thereof (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation, operation or removal of such facilities. (b) demand or accept payment from any tenant, in any form, in exchange for many cable television service on or within his property or premises, or from any cable television shall, by regulation, determine to be (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation of the installation of the industry of the installation of the installation, including the type and method of installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
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 and (3) that the cable television company agree to indemnify the landlord for any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (c) the name of the individual or officer responsible for the actual instances of the individual or officer responsible for the actual instances. (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	Illation; andlord for f of ce to the 898.2 of this
 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 (6) a statement that the cable television company shall indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	andlord for f of ce to the 898.2 of this
 (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 any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	f of ce to the 898.2 of this
 (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 (b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	ce to the 898.2 of this
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be rights of the landlord to just compensation in accordance with section Part;	898.2 of this
amount which the Commission shall, by regulation, determine to be Part;	
	v of the
reasonable; or (8) a summary of efforts by the cable television company to effect entit	V OL IDA
property for installation; and	y of the
(c) Discriminate in rental charges or otherwise, between tenants who receive (9) a statement that the landlord is afforded the opportunity to answer	the petition
cable television service and those who do not. within 20 days from the receipt thereof which answer must be response	
petition and may set forth any additional matter not contained in the p	
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section. Participation by the landlord is not mandatory, however, if no appeara landlord is made in the proceeding or no answer filed within the time participation by the landlord is not mandatory.	
the commission may grant to the petitioning cable television company	
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruling that the petitioning cable television	
owners, lessees or persons controlling or managing buildings served by a company has complied with requirements of section 228 of the Public	
cable television company, or do or permit any act, that would have the effect, Law and the regulations contained in this Part. If the landlord files a v	
directly or indirectly of diminishing or interfering with existing rights of any answer to the petition, the cable television company shall have 10 day technic to the petition.	
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the schedule an administrative hearing on any factual issues presented th	
direct such other procedures as may be consistent with the installation	•
television service or facilities in accordance with Section 228 of the Pu	
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensation A landlord may file with the commission an application for just compen-	eation
§898.1 Prohibition within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within televi	
Except as provided in section 898.2 of this Part, no landlord shall demand or notice described in section 898.3 of this Part or within four months foll	
accept any payment from any cable television company in exchange for completion of the installation of the cable television facilities, whichever	r is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relev	ant to the
§898.2 Just Compensation Such facts relevant to the determination of just compensation. Such facts relevant to the determination	
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should include, but need not be limited	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space occupied by the installation;	
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 (c) the value of the applicant's property before the installation of cable	television
of this Part.	
cable television facilities; and	
§898.3 Notice of installation (d) the method or methods used to determine such values. The secret	
(a) Every cable television company proposing to install cable television upon good cause shown, permit the filing of supplemental information	at any time
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. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the landlord for just compensation sh	all be
of such notice, and the form and content of such notice, which shall include, served upon the cable television company making the installation and	
but need not be limited to: () the news and address of the achieve transition assumes the following of the second	ocated.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;§898.8 Responses(iii) the approximate date of the installation; andResponses to the application, if any, shall be served on all parties and	on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application.	
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of	
facilities were placed prior to the effective date of this Part. television facilities as described in the application may be in excess of shall conduct a hearing pursuant to section 216(3) of the Public Service	
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the com	
(a) A cable television company shall have the right to enter property of the order which sets compensation at one dollar or less, file a written requ	lest for a
landlord for the purpose of making surveys or other investigations preparatory hearing. Upon timely receipt of such request, the commission shall compare the surveys of th	
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Cha	pter I,
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 (c) If after the filing of an application, the cable television company and	1 the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the comm	
damages caused by such entry but such damages shall not duplicate approves such amount, the commission shall not be required to condu	
damages paid by the cable television company pursuant to section on the issue.	5
228(1)(a)(3) of the Public Service Law.	

Property No. 7065307-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065307-1 Janusz Sikora Matthew Adam Properties, Inc. 127 East 59th Street, 3rd Floor New York, NY 10022-1225

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: Cambridge House, 890 West End 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **Cambridge House**, **890 West End Av**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at Cambridge House, 890 West End Av, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

 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) where the installation of cable television company agree to indemnify the landlord for permitting cable television service on or within his property or premises, or from any cable television service on or within his property or premises, or amount which the Commission shall, by regulation, determine to be 	art, the ied by an ce upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 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 	e upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 (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 (1) proof of service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of the real property; (2) the specific location of the real property; (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 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 shall, by regulation, determine to be (a) that the Commission shall, by regulation, determine to be (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 shall, by regulation, determine to be (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 shall, by regulation, determine to be (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (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 including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (3) the resident address of the landlord, if known; (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (2) that the cable television company or the tenant or a combination thereof (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation, operation or removal of such facilities. (b) demand or accept payment from any tenant, in any form, in exchange for many cable television service on or within his property or premises, or from any cable television shall, by regulation, determine to be (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation of the installation of the industry of the installation of the installation, including the type and method of installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
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 and (3) that the cable television company agree to indemnify the landlord for any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (c) the name of the individual or officer responsible for the actual instances of the individual or officer responsible for the actual instances. (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	Illation; andlord for f of ce to the 898.2 of this
 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 (6) a statement that the cable television company shall indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	andlord for f of ce to the 898.2 of this
 (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 any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	f of ce to the 898.2 of this
 (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 (b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	ce to the 898.2 of this
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be rights of the landlord to just compensation in accordance with section Part;	898.2 of this
amount which the Commission shall, by regulation, determine to be Part;	
	v of the
reasonable; or (8) a summary of efforts by the cable television company to effect entit	V OL IDA
property for installation; and	y of the
(c) Discriminate in rental charges or otherwise, between tenants who receive (9) a statement that the landlord is afforded the opportunity to answer	the petition
cable television service and those who do not. within 20 days from the receipt thereof which answer must be response	
petition and may set forth any additional matter not contained in the p	
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section. Participation by the landlord is not mandatory, however, if no appeara landlord is made in the proceeding or no answer filed within the time participation by the landlord is not mandatory.	
the commission may grant to the petitioning cable television company	
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruling that the petitioning cable television	
owners, lessees or persons controlling or managing buildings served by a company has complied with requirements of section 228 of the Public	
cable television company, or do or permit any act, that would have the effect, Law and the regulations contained in this Part. If the landlord files a v	
directly or indirectly of diminishing or interfering with existing rights of any answer to the petition, the cable television company shall have 10 day the petition and the cable television company shall have 10 day to be a set of a set	
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the schedule an administrative hearing on any factual issues presented th	
direct such other procedures as may be consistent with the installation	•
television service or facilities in accordance with Section 228 of the Pu	
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensation A landlord may file with the commission an application for just compen-	eation
§898.1 Prohibition within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within televi	
Except as provided in section 898.2 of this Part, no landlord shall demand or notice described in section 898.3 of this Part or within four months foll	
accept any payment from any cable television company in exchange for completion of the installation of the cable television facilities, whichever	r is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relev	ant to the
§898.2 Just Compensation Such facts relevant to the determination of just compensation. Such facts relevant to the determination	
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should include, but need not be limited	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space occupied by the installation;	
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 (c) the value of the applicant's property before the installation of cable	television
of this Part.	
cable television facilities; and	
§898.3 Notice of installation (d) the method or methods used to determine such values. The secret	
(a) Every cable television company proposing to install cable television upon good cause shown, permit the filing of supplemental information	at any time
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. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the landlord for just compensation sh	all be
of such notice, and the form and content of such notice, which shall include, served upon the cable television company making the installation and	
but need not be limited to: () the news and address of the achieve transition assumes the following of the second	ocated.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;§898.8 Responses(iii) the approximate date of the installation; andResponses to the application, if any, shall be served on all parties and	on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application.	
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of	
facilities were placed prior to the effective date of this Part. television facilities as described in the application may be in excess of shall conduct a hearing pursuant to section 216(3) of the Public Service	
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the com	
(a) A cable television company shall have the right to enter property of the order which sets compensation at one dollar or less, file a written requ	lest for a
landlord for the purpose of making surveys or other investigations preparatory hearing. Upon timely receipt of such request, the commission shall compare the surveys of th	
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Cha	pter I,
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 (c) If after the filing of an application, the cable television company and	1 the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the comm	
damages caused by such entry but such damages shall not duplicate approves such amount, the commission shall not be required to condu	
damages paid by the cable television company pursuant to section on the issue.	5
228(1)(a)(3) of the Public Service Law.	

Property No. 7065319-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065319-1 Canaan Baptist Housing Development Fund Corp. 160 West 116th Street New York, NY 10026-2505

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 164 W 116, New York 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 **164 W 116**, **New York 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 164 W 116, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

PUBLIC SERVICE LAW §228. Landlord-tenant relationship	(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 potition verified by an
1. No landlord shall (a) interfere with the installation of cable television	cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	(4) musef of commission of a motion of intervent to install achieve the talk vision commission was the
(1) that the installation of cable television facilities conform to such reasonable conditions are necessary to protect the safety, functioning and	 proof of service of a notice of intent to install cable television service upon the landlord;
appearance of the premises, and the convenience and well being of other	(2) the specific location of the real property;
tenants; (2) that the cable television company or the tenant or a combination thereof	(3) the resident address of the landlord, if known;(4) a description of the facilities and equipment to be installed upon the property,
bear the entire cost of the installation, operation or removal of such facilities;	including the type and method of installation, the anticipated costs thereof, and
and	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.	(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 a statement of the state sta
(b) demand or accept payment from any tenant, in any form, in exchange for	any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;
permitting cable television service on or within his property or premises, or	(7) a statement that the installation shall be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be	rights of the landlord to just compensation in accordance with section 898.2 of this Part;
reasonable; or	(8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.	(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. Rental agreements and leases executed prior to January first, nineteen	Participation by the landlord is not mandatory, however, if no appearance by the
hundred seventy-three may be enforced notwithstanding this section.	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
3. No cable television company may enter into any agreement with the	entry which order shall constitute a ruling that the petitioning cable television
owners, lessees or persons controlling or managing buildings served by a	company has complied with requirements of section 228 of the Public Service
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	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
tenant or other occupant of such building to use or avail himself of master or	which to reply to said answer. The commission may grant or deny the petition,
individual antenna equipment.	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
NEW YORK CODES RULES AND REGULATIONS - PART 898 -	Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)	§898.5 Application for just compensation
Law 9220(1)	A landlord may file with the commission an application for just compensation
§898.1 Prohibition	within four months following the service by the cable television company of the
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	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.
permitting cable television service or facilities on or within said landlord's	
property or premises.	§898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relevant to the
§898.2 Just Compensation	determination of just compensation. Such facts relevant to the determination of
Every landlord shall be entitled to the payment of just compensation for	just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be	showing of: (a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(b) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and
§898.3 Notice of installation	(d) the method or methods used to determine such values. The secretary may,
(a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said	upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	
days prior to the commencement of such installation.	§898.7 Service of Application
(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,	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
but need not be limited to:	chief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company;	\$909 9 Besperson
(ii) the name and address of the landlord;(iii) the approximate date of the installation; and	§898.8 Responses Responses to the application, if any, shall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the	commission within twenty days from the service of the application.
commission's rules.	\$808.0 Hearing and determination
(c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or	§898.9 Hearing and determination (a) If the commission finds that just compensation for the installation of cable
facilities were placed prior to the effective date of this Part.	television facilities as described in the application may be in excess of one dollar it
§898.4 Right of Entry	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
(a) A cable television company shall have the right to enter property of the	order which sets compensation at one dollar or less, file a written request for a
landlord for the purpose of making surveys or other investigations preparatory	hearing. Upon timely receipt of such request, the commission shall conduct a
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	hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.
date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any	applicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section	approves such amount, the commission shall not be required to conduct a hearing on the issue.
228(1)(a)(3) of the Public Service Law.	

Property No. 7065329-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065329-1 Dennis Ovalle Manhattan North Management Co., Inc. 107-129 East 126th Street New York, NY 10035-1606

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 235 Central Park North, New York 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 **235 Central Park North**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 235 Central Park North, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

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

Property No. 7065408-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065408-1 Samy Brahimy IBEC Building Corp. 55 Broad Street, 16th Floor New York, NY 10004-3704

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 2170 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **2170 Fred Douglass Blvd**, **New York 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 2170 Fred Douglass Blvd, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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.

 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) where the installation of cable television company agree to indemnify the landlord for permitting cable television service on or within his property or premises, or from any cable television service on or within his property or premises, or amount which the Commission shall, by regulation, determine to be 	art, the ied by an ce upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 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 	e upon the e property, reof, and illation; illation; andlord for f of ce to the 898.2 of this
 (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 (1) proof of service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of intent to install cable television service of a notice of the real property; (2) the specific location of the real property; (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 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 shall, by regulation, determine to be (a) that the Commission shall, by regulation, determine to be (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 shall, by regulation, determine to be (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 shall, by regulation, determine to be (c) the specific location of the real property; (d) the specific location of the real property; (e) the specific location of the real property; (f) the measures to be taken to minimize the aesthetic impact of the installation, including proof insurance or other evidence of ability to indemnify the landlord; (f) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	e property, reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (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 including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 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 (3) the resident address of the landlord, if known; (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of 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 	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (2) that the cable television company or the tenant or a combination thereof (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation, operation or removal of such facilities. (b) demand or accept payment from any tenant, in any form, in exchange for many cable television service on or within his property or premises, or from any cable television shall, by regulation, determine to be (4) a description of the facilities and equipment to be installed upon the including the type and method of installation, the anticipated costs the the measures to be taken to minimize the aesthetic impact of the installation of the installation of the industry of the installation of the installation, including the type and method of installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	reof, and Illation; Illation; andlord for f of ce to the 898.2 of this
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 and (3) that the cable television company agree to indemnify the landlord for any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part;	Illation; Illation; andlord for f of ce to the 898.2 of this
 (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 (c) the name of the individual or officer responsible for the actual instances of the individual or officer responsible for the actual instances. (b) demand or accept payment from any tenant, in any form, in exchange for permitting cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) the name of the individual or officer responsible for the actual instances. (c) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	Illation; andlord for f of ce to the 898.2 of this
 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 (6) a statement that the cable television company shall indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	andlord for f of ce to the 898.2 of this
 (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 any damage caused in connection with the installation, including proo insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	f of ce to the 898.2 of this
 (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 (b) demand or accept payment from any tenant, in any form, in exchange for insurance or other evidence of ability to indemnify the landlord; (7) a statement that the installation shall be conducted without prejudi rights of the landlord to just compensation in accordance with section Part; 	ce to the 898.2 of this
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be rights of the landlord to just compensation in accordance with section Part;	898.2 of this
amount which the Commission shall, by regulation, determine to be Part;	
	v of the
reasonable; or (8) a summary of efforts by the cable television company to effect entit	V OL IDA
property for installation; and	y of the
(c) Discriminate in rental charges or otherwise, between tenants who receive (9) a statement that the landlord is afforded the opportunity to answer	the petition
cable television service and those who do not. within 20 days from the receipt thereof which answer must be response	
petition and may set forth any additional matter not contained in the p	
2. Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section. Participation by the landlord is not mandatory, however, if no appeara landlord is made in the proceeding or no answer filed within the time participation by the landlord is not mandatory.	
the commission may grant to the petitioning cable television company	
3. No cable television company may enter into any agreement with the entry which order shall constitute a ruling that the petitioning cable television	
owners, lessees or persons controlling or managing buildings served by a company has complied with requirements of section 228 of the Public	
cable television company, or do or permit any act, that would have the effect, Law and the regulations contained in this Part. If the landlord files a v	
directly or indirectly of diminishing or interfering with existing rights of any answer to the petition, the cable television company shall have 10 day tenant or other petition.	
tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the schedule an administrative hearing on any factual issues presented th	
direct such other procedures as may be consistent with the installation	•
television service or facilities in accordance with Section 228 of the Pu	
NEW YORK CODES RULES AND REGULATIONS – PART 898 – Law.	
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	
Law §228(1) §898.5 Application for just compensation A landlord may file with the commission an application for just compen-	eation
§898.1 Prohibition within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within four months following the service by the cable television compared within televi	
Except as provided in section 898.2 of this Part, no landlord shall demand or notice described in section 898.3 of this Part or within four months foll	
accept any payment from any cable television company in exchange for completion of the installation of the cable television facilities, whichever	r is later.
permitting cable television service or facilities on or within said landlord's	
property or premises. §898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relev	ant to the
§898.2 Just Compensation Such facts relevant to the determination of just compensation. Such facts relevant to the determination	
Every landlord shall be entitled to the payment of just compensation for just compensation. Such facts should include, but need not be limited	
property taken by a cable television company for the installation of cable showing of:	
television service or facilities. The amount of just compensation shall be (a) the location and amount of space occupied by the installation;	
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 (c) the value of the applicant's property before the installation of cable	television
of this Part.	
cable television facilities; and	
§898.3 Notice of installation (d) the method or methods used to determine such values. The secret	
(a) Every cable television company proposing to install cable television upon good cause shown, permit the filing of supplemental information	at any time
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. §898.7 Service of Application	
(b) The secretary of the commission shall prescribe the procedure for service A copy of the application filed by the landlord for just compensation sh	all be
of such notice, and the form and content of such notice, which shall include, served upon the cable television company making the installation and	
but need not be limited to: () the news and address of the achieve transition assumes the following of the second	ocated.
(i) the name and address of the cable television company;	
(ii) the name and address of the landlord;§898.8 Responses(iii) the approximate date of the installation; andResponses to the application, if any, shall be served on all parties and	on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application.	
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at §898.9 Hearing and determination	
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of	
facilities were placed prior to the effective date of this Part. television facilities as described in the application may be in excess of shall conduct a hearing pursuant to section 216(3) of the Public Service	
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the com	
(a) A cable television company shall have the right to enter property of the order which sets compensation at one dollar or less, file a written requ	lest for a
landlord for the purpose of making surveys or other investigations preparatory hearing. Upon timely receipt of such request, the commission shall compare the surveys of th	
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Cha	pter I,
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 (c) If after the filing of an application, the cable television company and	1 the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the comm	
damages caused by such entry but such damages shall not duplicate approves such amount, the commission shall not be required to condu	
damages paid by the cable television company pursuant to section on the issue.	5
228(1)(a)(3) of the Public Service Law.	

Property No. 7065578-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065578-1 Florence Edelstein 145 Grand Realty LLC 2207 Coney Island Avenue Brooklyn, NY 11223-3331

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 20 Cooper, New York 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 **20 Cooper, New York 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 20 Cooper, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

 Landard shard (a) interfere with the installation of code facination of code		
 b. No landard shall (a) interfere with the installation of cable tolevision facilities conform to such reproduce of an otice of intent to install cable tolevision company or the install and/ord may require. (1) that the installation, or cable is conform to a combination to accurate the such reproduces are necessary to protect the such regrossing of the install cable tolevision company or the install cable tolevision company agrees to hardword the real property. (3) that the installation, operation or removal of such facilities. (b) demand or accept payment from any tennan, in any form, in exchange for participant to be installation shall be conducted without property or premises. (c) Discriminate in renal charges or otherwise, between tennans who receive the landord to just company stall indemnify the landord. (c) Discriminate in renal charges or otherwise, between tenans who receive the landord to just company stall indemnify the landord. (c) Discriminate in renal charges or otherwise, between tenans who receive able television company agrees to balance the subscription on the including to just company. The installation, final and the exception of the including to just company states in the state is devision company agrees to the state intervision company is exchange therefore in excess of any adment that the state is devision company is exchange therefore in excess of any adment that the induricit is afforded the opporting to install cable television company agrees to the state intervision company agrees on the installation, and in the protocoding of the installation, and any additional matter net al charges or prevision. Contingent on the protecoding cable television company agrees in the installation of addition and any additional matter net al charges or prevision. Contingent on the protecoding cable television company agrees on the installation of additions and equipment. (b) Prevince use of prevision additions of additions and equipm	PUBLIC SERVICE LAW §228. Landlord-tenant relationship	
 facilities upon his projective or premises, except that a landlocd may require (1) that the individe devision necessary to protect the safety, functioning and generates of the installation or accordination there of the installation. (i) that the cable television company or the tenant or a combination there of the safety and or installation. (i) that the cable television company agree to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (ii) that the cable television company agree to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (iii) that cable television company agrees to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (iii) company cascing taywers throw any tennen, in any form, in exchange therefore in excess all fully to indemnify the landlocd for any amount which the Commission shall, by regulation, the mathematication the and the safety to indemnify the landlocd for any amount which the Commission shall, by regulation, the mathematication the and the safety to indemnify the landlocd for any amount which the Commission shall, by regulation, the installation, the analytic of any amount which the Commission shall, by regulation, the installation or the analytic and the installation or the installation or the analytic and the installation or the installation or the installati	1. No landlord shall (a) interfere with the installation of cable television	
 resionable conditions are necessary to protect the safety, functioning and spearance of the premises, and the convenience and well being of other spearance of the landord fies and supports. (2) The the cable television company or the transmission building the specific location of the read property. (3) That the cable television company agrees to indemnity the landord for any damage caused in concentions with the installation, including property and the installation. (3) That the cable television company agrees to indemnity the landord for any damage caused in concention with the installation, including property in secondary of the installation. (b) demand or accept agrees the invest or a combined to the specific location of the read television company shall indemnity the landord for any damage caused in concention with the installation, including proof of macrosca of the installation, including proof of macrosca of any extent in any form, in sechange for a manuary which the Commission shall, by regulation, determine to be reasonable; or accordance with sector any extent in any form, in sechange for a manuary which the Commission shall, by regulation, determine to be reasonable; or accordance with sector any additional matter not contained in the reasonable; or accordance with sector any additional matter not contained in the petitoning cable television company and the damage agrees to the actual anternot contained in the petitoning cable television company and the installation; addition and may set forth any additional matter not contained in the preduction contained in the stall addition and any set contained in the stall addition and any additional matter not contained in the petitoning cable television company. If any matter not contained in the stallation of cable television company and the stall addition and addition and addition of cable television company and the stall addition and addition and addition and addition of cable television company. If addition add	facilities upon his property or premises, except that a landlord may require:	
appearance of the premises, and the convenience and well being of them (2) that the cable idevision company or the tenant or a combination thereof (3) hat the cable idevision company appee to indemnify the landlord (4) a description of the facilities and exponents to be inadiced, if movem (3) hat the cable idevision company appee to indemnify the landlord (4) a description of the facilities and exponents to be inadiced for many clanse caused by the installation, operation or removal of such facilities (b) demand or accept payment from any tenant, in any form, in exchange therefore in excess of permitting cable idevision company in exchange therefore in excess of reasonable; or (c) Description any cable idevision company to effect entry of the reasonable; or (c) Description in rental charges or otherwise, between tenants who reaching landlord in surface and bases exceuded in the form aging building served by a case on the relation company in exchange therefore and reasonable; or (c) Description company may enter into any agreement with the called is allows in the contraction with second the vibility of installation, and (c) Description company may enter into any agreement with the called is second 228 of the Public Sevel building allows on the requirement of the called registron the received in company is allows of the addition of allows (c) Description company or on or well and and the second difference in the public, building is second. 1. No cable idevision company may enter into any agreement with the called of site and addition and may set fort any additional the public Sevel 1. No cable idevision company or on or well and and the installation of allows 1. No cable idevision company or on or well and and the installation of allows in the public Sevel 1. No cable idevision company or the installation of cable idevision company is allows or the addition 1. No cable idevision company or on or well missed of maximum of 2. Readitin the proceeding or on answer the pare interimed in the pu		(1) proof of service of a notice of intent to install cable television service upon the
 (a) that is cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities and ydamage caused by the installation, operation or removal of such facilities and ydamage caused by the installation, operation or removal of such facilities and ydamage caused the the installation, the anticipated cost thereof, an ydamage caused the installation, incompany grate to line installation (b) demand or accept payment from any tenant, in any form, in exchange for from any cable television company in exchange therefore in excess of an amount wich the Commission shall, by regulation, determine to be reasonable, or (c) biscriminate in rental changes or otherwise, between tenants who receiv cable television company may enter into any agreement with the patienting cable service and those who do not. 2. Rental agreements and leases excueted prior to January first, intered hundred serving there may be entired in dividing this section. 3. No cable television company, may enter into any agreement with the order of and the section desces. 3. No cable television company, or do or permit may act, that would have the effect individual anterna aquignent. 3. Nee WY ORK CODES RULES AND REGULTIONS – PART 88 – LNNLORD-TENNIT RELATIONSHIP (Statuory authority: Public Service property taken by a cable television company for the installation of cable server to the poticion. 388.2 Just Compensation Except as provided in section 88.2 of this Part, no landlord shall demand or space or facilities and accuration with the installation of cable television and company. The installation of cable television company for the installation of cable television company in the champer sec		
 (2) that the cable tabelesion company on the tenant or a combination thereof is bart the entire cost of the installation, operation or removal of such facilities. The anticipated costs thereof, and the cable tabelesion company agree to indemnify the landlord for any famara, it any form, in exchange therefore in excess of a second the installation. Company costs of such facilities and the analyce table costs of the installation. Company costs of such facilities and the analyce table costs of the installation. Company is also indemnify the landlor of a statement that the cable tabelesion company to the period of a statement that the installation and the installation. Company to any second the except symmet from any cable tabelesion company to a statement that the installation conducted without projudice to the property for installation, the period is a flortded the opportunity to answer the pathers and those who do not. (a) backministrate in rental charges or otherwise, between tenants who receive cable tabelesion company to effect mere the contrained in the period is a flortded the opportunity to answer the pathers and those who do not. (b) backministrate in rental charges or otherwise, between tenants who receive cable tabelesion company or and those who do not. (c) biscriminate in rental charges or otherwise, between tenants who receive is addition and the entroper on answer file within the importing or analysing building served by a cable tabelesion company or and these who do not. (b) biscriminate in rental charges or persons contraining or maniging building served by a cable tabelesion company or and reset method in stallation. The period is a set of the system or answer file within the interperiod is a set of the application or part or any set of the application or part or any set of the application or part or any set of the system or any cable tabelesion company is a set of the application or part or the set of the system or any cable tabele		
 and (3) that the cable television company agree to indemnify the landford for any damage caused by the installation, operation or removal of such facilities. (b) demand or secole payment from any tennel, in any form, in exchange for more average television company is exchange therefore in excess a longer or the installation. (c) bactminate in rental charges or otherwise, between tenants who receive cable television service and those who do not. 2. Rental agreements and teases executed prior to January first, indetern hundred seventy-three may be enforced notwiths the installation, and 3. No cable television company may enter into any agreement with the averising dividual and the enforced mice within the setting of maximum of a directive setting or manage in the proceeding or no answer filed within the time permitting cable television company or do or permit any add, have the effect or directive of diminishing or interfing with existing diffus for any payment from any cable television company or do or permit any add, have the effect or directive of diminishing or interfing with existing diffus for any add, have the effect or directive of diminishing or interfing with existing diffus for any add, have the effect any payment from any cable television company or do or permit any add, have the effect or directive of diminishing or interfing with the setting compassion for y and the petitioning cable television company is a setting to the setting compassion for y associated with equivalence and the setting of addition of abet television company is the long of days with the compassion for y and the petitioning cable television company is a setting to discover the petitioning cable television company is a setting to discover the petitioning cable television company is a setting to discover the petitioning cable television company is a setting to discover the setting to the petitoning cable television company is a setting to discovere to the eptitoning cable televisi		(4) a description of the facilities and equipment to be installed upon the property,
 (a) that the cable television company space to indemnify the landlord for surv damage caused by the installation, encluding proof of inservice and the cable television company shall have cable television company shall have cable television company shall have to the second cable to the installation. (b) demand or accept payment from any tenant, in any form, in exchange for measure or dhere veduce of ability to indemnify the landlord; may damage caused in connected without prejudies to the installation and insection 82.2 (a) the television company to the installation. (c) Discriminate in rental charges or otherwise, between tenants who receive able television service and those who do not. 2. Rental agreements and leases executed prior to January first, nineteen functional service and those who do not. 3. No cable television company or any anoten indo any agreement within the service to the service or division company any agreement with effect in the cable television company or the pretition. 3. No cable television company or any agreement with effect in the cable television company and in the appearance by landlord in the pretition. The commission may grant to the pretition and may set fort han a submitter to the pretition company and in the section 22.8 of the Public Service any payment form any cable television company or the installation of cable television company or the installation of the payment of just compensation for proof within the time payment of a submitter to television company or the installation of the service is tate adversion service or facilities on any application for y the commission in application of y the television company or to installation of cable television company or to installation of the service is the predice in the installation of the service is the predice in the installation of the predice is the predice in the installation of the service is the predice in the installation or the installation or the i		including the type and method of installation, the anticipated costs thereof, and
 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 form any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or (c) bickrimination in rental charges or cherwise, between tonants who receive (cable television company may net print) acable television company may net prints of the landlord is affordad the coportunity to answer the public on any agreement with the cable television company may net print or January first, inferent hundred seven/three may be inforced notivitanding this science of acable television company may enter into any agreement with the commission shall esses executed prior to January first, inferent hundred seven/three may be inforced notivitanding this science of acable television company may enter into any agreement with the commission small costs that and and or any agreement with the commission science of participate. The work to property or installation, cloud is made in the pretition addition and any science of acable television company. I do a permit any sci. I the landlord is and/ford is may find the pretitioning cable television company in advertise and the pretition addition science of acable television company of the printipate science of acable television company in advertise and the pretition addition and may science of acable television company of the pretitic science of acable television company of th		
 (c) demand <i>c</i> accept payment from any tenant, in any form, in exchange of permitting cable television service on ar within his property or premises, or 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. Rortia agroentis and leases executed prior to January first, nineteen under the landlord is and month of a safet det the landlord is and month the analytic able television company to effect entry of the regulation; and under the served prior to analytic sectors. 3. No cable television company may enter into any agreement with the ommission and grant to the petitioning cable television company, or do or permit any act, that would have the effect individual anter the sectors of sectors. 3. No cable television company, or do or permit any act, that would have the effect individual anter accept and ysament from any cable television active or avail times of or permits. 3. No cable television company, or do or permit any act, that would have the effect individual anter accept and ysament from any cable television accept and parameters and ysame and address of the park in the installation of a specific facts relevant to the determination of ysac compars of a scelent 280 of the Public Service I application by the landlord pursuant to section 389. A prioribition 3. No calle television accept and ysament from any calle television accept		
 (b) demaid or accept payment from any tenant, in any form, in exchange for many 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 reaches a statistic and the statistic and the activity of the rights of the landford to just compensation in accordance with section 889.2 a fraction and many of efforts by the cable television company to effect entry of the rights of the landford to just compensation and company to effect entry of the rights of the landford to just compensation and company to effect entry of the rights of the landford to just compensation. 2. Rental agreements and leases executed prior to January first, infereen hundred sevently-three may be enforced notwithstanding this section and mays of torth any additional matter not contained in the patition. 3. No cable television company, or do right section company, or do right section company, or do right section company, and entering with existing rights of any their and to right contained in the patition. No cable television company, or do right section company, and entering or interfering with existing rights of any their and to right contained in the patition. New YORK CODES RULES AND REGULATIONS – PART 886 – NANDLORD-TENNT RELATIONSHIP (Statutory authority: Public Service Law years) and a section 883.2 of this Part. Sege 2. Just Compensation Age and the section company of the installation of the section sease or parent in the installation of the installation of the se		
 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or inghts of the landlord to just compensation in accordance with section 888.2 of the landlord to just compensation in accordance with section 888.2 of the public Service and the sevence of aclitics in accordance with section 888.2 of the sevence of aclitics on or within said landlord 5. Nex Cable television company, of on opermit any action to any agreement with the form many on the rino any agreement with the form and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal matter and the set in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal matter adarget in the periconal matter and may set	(b) demand or accept payment from any tenant, in any form, in exchange for	
amount which the Commission shall, by regulation, determine to be reasonable; or 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, nineten 3. No cable television company may enter into any agreement with the owners, leasees or persons controlling or managing buildings served by a cable television company or on permit any adjutioning cable television company and thin the time permitting cable television company and the petition and may actioning cable television company and the petition and may actioning cable television company and the petition and may action and were the during that the petitioning cable television company and the petition and may action the petitioning cable television company and the petition and may action and were the during that the petitioning cable television company and the petition and may action and were the during that the petitioning cable television company and the petition and may action and were the during that the petitioning cable television company and the petition and may action and were television company and the during that the petition and may action and were the during the the petition and may action and were the during the petition and may action and were television company and the during the petition action and second and were television company and the during the petition action and second and were television company and the during the petition action action and accordance with section 228 of the Public Service and balle benefities and the value of the cable television company of the installation of cable television for just compensation for just compensation for just compensation and application for just compensation and accordance with section 228 of the Public Service articles and the sective of the applicant of paper sective by the callet television company to the installation of cable television company t		(7) a statement that the installation shall be conducted without prejudice to the
 reasonable; or (a) a summary of efforts by the cable television company to effect entry of the cable television company to affect entry of the cable television company to effect entry of the company cable entry entry in exchange for entry of the installation of eather entry in a content of such nations on the except any payment of use company and effects by the cable television for just compensation for just compensation for accept any payment of use company and effects with the installation of eather entry of the installation of eather entry of the installation of eather entry of the commission and pay early enter the entry of the installation of eather entry of the company in a content of such nation. (b) The servetary of the company proposing to instal cable television eather entry of the installation. (c) The servetary of the company proposing to instal cable television eather entry of the eather elevision entry of the installation. (d) The eather entry of the company many entry in a cable television eather entry of the eather elevision eather entry of the installation. (e) The servetary of the company proposing to instal cable television eather entry of the eather elevision eather entry of the instal		
 (c) Discriminate in rental charges or otherwise, between tenants who rocaive cable television service and those who do not. (c) Discriminate in rental argements and leases executed prior to January first, nineteen cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a 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 repertil any act, that would have the effect. (a) a statement that the landford is and may set of the adult of a sub- ternant or other occupant of such building to use or avait himself of master of individual antenna equipment. (b) WORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law \$228(1) (c) Notice that installation of cable television company in exchange for property taken by a cable television company in exchange for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company for the installation of cable television for just compensation ferver jandford shall be entiled to the payment of just compensation for just compensation for property taken by a cable television company for the installation of cable television company in exchanges for property taken by a cable television company for the installation of cable television for just compensation for property taken by a cable television company for the installation of cable television for just compensation. Such facts should induce, but the edition and indic diver more and content of such installation. (b) The careen and address of the cable television company; (c) the name and address of the cable television company; (c) the name and address		
 cable television service and those who do not. 2. Rental agreements and leases executed prior to January first, intered my loss of the patient and may set forth any additional matter not contained in the pettion. 3. No cable television company, may enter into any agreement with the commission company, may enter into any agreement with the formers, lessees or persons controlling or managing buildings served by a cable television company and the service of the patient, may be consistent of the landlord field within the time permitted the commission any grant or deny cable television company and the petitioning cable television company and the petitioning cable television company and the service of the patient, may be consistent of the landlord field within the time permitted the commission any grant or deny the petition is cable television company in the service of facilities in accordance with the installation of the patient of the patient. NEW YORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law g228(1) §98.1 Prohibition Except as provided in section 882.2 of this Part, no landlord shall demand or caper and by a cable television company in the installation of the installation of the installation of the cable television company of the installation of cable television capital set for the specific facts relevant to the determination purposer y facilities upon the porcey of a landlord shall demand or fuel with the commission. §98.3 Abuice of installation §98.4 Prohibition Every table television company of the installation of cable television capital with section 228 of the specific facts relevant to the determination purposer y facilities upon the porcey table service on the installation of cable television capital with the installation of the scale television facilities, and (1) the and and cortex of the installation. (b) the caroines and address of the cable tele		
 2. Rental agreements and leases executed prior to January first, ininetem hundred seventy-three may be enforced notwithstanding this section. 3. No cable television company may enter into any agreement with the new company. or do or permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect. NEW YORK CODES NULES AND REGULATIONS – PART 898 – LANDLORO-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1) Steapt as provided in section 898.2 of this Part, no landlord shall demand or capet any payment from any cable television company in exchange for permitting cable television company in exchange for perperty dark the commission in accordance with secion 228 (1(b)) of the installation of cable television company in exchange for perperty and the commission in accordance with secion 228 (1(b)) of the installation of cable television company in exchange for perperty of a landlord by the individent perperitory is a sp		(9) a statement that the landlord is afforded the opportunity to answer the petition
 2. Rental agreements and leases executed prior to January first, inneteen hundred seventy-three may be enforced notwithstanding this section. 3. No cable television company, may enter into any agreement with the ocomission may grant to the petitioning cable television company any and, directly or indirectly of diminishing or interforing with existing rights of any ach tak would have the effect. Law Sate to do or permit any act, that would have the effect. Law Sate to devision company, and section 228 of the Public Service Law and the regulations contained in this Part. If the landlord lifes a written individual antenna equipment. New YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §282.1) §88.1 Prohibition Seyse 2 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. §898.5 Contents of application for just compensation for the cable television facts relevant to the determination of just compensation for the installation of cable television facts relevant to the determination of part company for the installation of cable television facts relevant to the determination of part company for the installation of cable television facts relevant to the determination of part company for the installation of cable television fact relevision company proposing to install cable television resonany. (i) the commission shall prescribe the procedures of the sanditation; (b) the name and address of the cable television company; (ii) the approximate date of the installation; addied or installation of section 228 of the Public Service Law and Part 898 of the (in) the and ord; (jii) the approximate date of the installation; addiedmination is query cable television company proposing to	cable television service and those who do not.	
 hundred seventy-three may be enforced notwithstanding this section. Nex cable television company may enter into any agreement with the response or persons controlling or manaign buildings served by a cable television company and the public Service and the regulations contained in this Part. If the landlord flies a written answer to the petition, the cable television company shall have 10 days written answer to the petition accordance with Section 288 of the Public Service Law g228(1) SWORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law g228(1) SY88.1 Prohibition SY88.1 Prohibition SY88.2 Just Compensation Sy88.2 Just Compensation Sy88.2 Just Compensation in accordance with section 228 of the Public Active to the procedure for just compensation for just compensation for just compensation facts relevant to the leavision company for the installation of cable television company of the ordination of cable television company of the notice decable discustion company for the installation of cable television company of the notice decable discustion company for the installation of cable television company of the notice decable discustion is accordance with section 228 (1(b)) of the cable television company of the notice decable discustion is accordance with section 228 (1(b)) of the cable television company of the notice decable discustion is accordance with section 228 (1(b)) of the installation of cable television company of the notice decable discustion is accordance with section 228 (1(b)) of the installation of cable television company and the service of facilities and dores of the cable television company in exchange for property dist and and during the service of facilities and address of the cable television company in exchange for property and and shall be service on the stallation of cable television company in exchange for property and and addres of the cable television compan	2 Pontal agreements and leases executed prior to January first pineteen	
 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 of dominishing 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 authonty: Public Service taw, pagement form any cable television company is an oddition service or facilities in accordance with Section 228 of the Public Service Law §228(1) Sever Lary Syz28(1) Sever Lary sparment from any cable television company in exchange for prometting cable television company in the installation of cable television company in the installation of cable television company in a content of just compensation fail the section 228 of the Public Service or facilities. The amount of just compensation fail the continsion in accordance with section 228 (1)(b) of the Public Service or facilities. The amount of just compensation shall be entitled to the payment of just compensation failed in section 898.3 of this Part. Sever Law Subte commission in accordance with section 228 (1)(b) of the Public Service or facilities. The amount of just compensation failers, whichever is late facilities and the value of the applicant sproperty before the installation of cable television company proposing to instal cable television company shall be served and address of the cable television company shall be served and the regulations company and the regulations company and the regulations company and the regulations company and provide in section 898.3 of this Part. Sever Land Viet application for just compensation shall be application or just compensation shall be continuation or just compensation shall be form secore and there sproperty before the installation (a) (b) the method or sub- notice, which shall include, just compe		
 3. No cable television company may enter into any agreement with the owners, lesses or persons cortolling or managing buildings served by a cable television company, or do or permit any act, that would have the effect, directly or indirectly 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 §282.1) §98.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall demand or scorepanses any merit for any cable television company in exchange for permiting cable television company in exchange for permiting cable television company of the installation of cable television service or facilities on or within said landlord's property or premises. §98.3 Law Compensation Every landlord shall be entitled to the payment for any cable television scoremany of the installation of cable television accurate with section 228 (1)(b) of the Public Service or facilities. The amount of just compensation for property taken by a cable television company in the installation of cable television accurate with section 228 (1)(b) of the Public Service or facilities and the value of the application for just compensation shall be face within the installation of cable television service or facilities and the value of the application for just compensation shall be face value of the application of public service of active the installation of cable television accurate with section 228 (1)(b) of the Public Service or facilities and the value of the application for just compensation shall be installation of cable television accurate with section 228 (1)(b) of the Public Service or facilities and the value of the applicatin for just compensation any proposing to install cabl		the commission may grant to the petitioning cable television company an order of
 Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law ADDRD-TENANT RELATIONS HIP (Statutory authority: Public Service as symp the consistent with the installation of cable table vision company more scale table vision company and the tot constrained in this Part. Stattory apprent from any cable table vision company for the installation of cable table vision service or facilities on or within said landlord's property or premises. Stattory and the regulations contained in this Part. The commission an application for just compensation for just compensation for just compensation for just compensation of the cost termination of just compensation. Stattory and the regulation service or facilities on or within said landlord's property or premises. Stattory and the regulation service or facilities on or within said landlord's property or premises. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation. Stattory and the regulation service or facilities and there of a landlord shall be entitled to the procedure or service of such notice, which shall include, whith ment and address of the cable tabevision company in propo		entry which order shall constitute a ruling that the petitioning cable television
 directly or indirectly or indirectly or 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. answer to the petition, the cable television commany shall have 10 days within to renot some some some some some some any grant or deny the petition schedule an administrative hearing on any factual issues presented thereby of direct such other procedures as may be consistent with the installation of cab television service or facilities in accordance with Section 228 of the Public Service Law §228(1) Sys8.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall leandlord's property or premises. §898.2 Just Compensation Every landlord shall be entitled to the payment of just compensation for property take television company for the installation of cable television service or facilities. The amount of just compensation shall be determinated 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 And the value of the application for just compensation for just compensation. Such facts relevant to the determination just compensation. Such facts relevant to the determination of just compensation shall be fort specific facts relevant to the determination of just compensation shall be factilities; and the value of the application for such rapplication or property televison company proposing to install cable television company reposing to install cable television company; (i) the name and address of the landlord; (i) the name and address of the landlord; (ii) the ame and address of the landlard; (ii) the ame and address of the landlard; (ii) the ame and address of the landlard; (iii) the approximate date of the installation; and indived som whose property cable television company; (iii) the approximate dat		company has complied with requirements of section 228 of the Public Service
 tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the petition schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or direct such other procedures as may be consistent with the installation of cabie television company for the installation of pust compensation for just compensation for 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 scharts of application for just compensation. Such facts relevant to the determination just compensation for an application by the landlord pursuant to section 886.3 Other proved with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 886.3 Other present of such installation. (b) The secretary of the commission all prescribe the procedure for service of final determination by the commission. Such facts relevant to final content thereof at leavision final serve upon application for just compensation. Such facts relevant to the installation; (b) The secretary of the commission fall prescribe the procedure for service of final determination gaves or facilities; whichever is later schewing of the installation. (c) The secretary of the commission fall prescribe the procedure for service of schewing from and d		
 individual antenna equipment. individual a		
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)television service or facilities in accordance with Section 228 of the Public Ser Law.§898.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall search or parmiting cable television company of the installation of cable television service or facilities on or within said landlord's property or premises.\$898.5 Application for just compensation for just compensation for 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 edtermined by the commission in accordance with section 228 (1)(b) of the service or facilities. The amount of just compensation for property taken by a cable television company for the installation of cable television service a wupon application by the landlord pursuant to section 898.3 of this Part.Server cable television company for the installation of cable television service or facilities up to 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 commenent of such installation.Service of Application for just compensation shall be television service or facilities up to the stallation of such 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 cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (iii) th		schedule an administrative hearing on any factual issues presented thereby or
NEW YORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law \$226(1) Law. §898.1 Prohibition \$898.1 Prohibition \$898.1 Prohibition Except as provided in section 898.2 of this Part, no landord 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. \$898.6 Contents of application for just compensation facilities, whichever is late \$898.6 Contents of application for just compensation An application for 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 determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application for stall cable television service of 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 to just compensation shall be served contacilities, and (a) Every cable television company proposing to install cable television service of facilities upon the property of a landlord shall serve upons aid landlord or an authorized agent, written notice, which shall include, (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; (ii) the name and address of the cable service Law and Part 898 of the commission's rules. (c) Notice that installation, of equipment has been completed may be served and (w) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules. (c) Notice that		direct such other procedures as may be consistent with the installation of cable
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)§898.5 Application for just compensation (\$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 company in exchange for permitting cable television service or facilities on or within said landlord's property tor premises.§898.5 Application for just compensation Alandlord may file with the commission an application for just compensation for unoths 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 service or facilities. The amount of just compensation for property tandlord shall be entitled to the payment of just compensation for cable television service are upon application by the landlord or 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 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 cable television company; (iii) the name and address of the landlord; (iii) the approximate date of the installation; (b) nearcitation of sequipment has been completed may be service or (iii) the approximate date of the installation; (b) The secretary of sequipment has been completed may be service or (iii) the approximate date of the unstallation; (b) the application of sequipment has been completed may be service or (iii) the approximate date of the installation; (b) a critation of sequipment has		television service or facilities in accordance with Section 228 of the 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 Excey 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 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. (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 installation. (b) The secretary of the commencement of such installation. (c) Notice, and the form and content of such installation. (d) the name and address of the cable television company; (iii) the angenoximate date of the installation; and (c) Notice that installation of equipment has been completed may be served or any time on landlord's upon whose property cable television service or any time on landlords upon whose property cable television service or (i) the that installation of equipment has been completed may be served or (ii) the caminesion in fact stallation; (a) Choice that installation of equipment has been completed may be served or (b) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served or (a) If the commission finds that just compensation for the installation of cable Served upon the complexice of the application. (b) The acretary of the complication		Law.
 Å landlord may file with the commission an application for just company of the file within four months following the service by the cable television company in exchange for permitting cable television company for the installation of put compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination (d) the previous use of such space; (b) the pare and address of the cable television company; (ii) the name		\$898.5 Application for just compensation
 §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 company property taken by a cable television company for the installation of cable television company property cable television company property taken by a cable television company for the installation of cable television company property taken by a cable television company for the installation of cable television company property 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 commensement of such installation. (b) The secretary of the commission shall perscribe the procedure for service of Application field by the landlord for just compensation shall be served on the limited to: (i) The ame and address of the cable television company; (ii) the approximate date of the installation; and (iv) a citation of secuto 228 of the Public Service Law and Part 898 of the commission finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation. 		
 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. completion of the installation of the cable television facilities, whichever is late \$898.6 Contents of application for just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation and upon the property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation for 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) Every cable television company proposing to install cable television service or facilities; and the value of the applicant's property before the installation of cable television facilities; and determination of such notice, and the form and content of such notice, which shall include, but need not be limited to: (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 or an and off supplication for due tor which supplication service or (a) Every cable television facilities; and (b) The secretary of the Public Service Law and Part 898 of the commission's rules. (c) Notice that installation of equipment has been completed may be service or (d) Notice that installation of equipment has been completed may	§898.1 Prohibition	within four months following the service by the cable television company of the
 permitting cable television service or facilities on or within said landord'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 commension shall leet to: (b) The secretary of the commense of such installation. (b) The secretary of the commense of the cable television company; (ii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the landlord; (iii) the approximate date of the installation; and (iv) a citation of sequipment has been completed may be served at any time on landlords upon whose property cable television service or or the application for application file day the stallation of the installation and upon the commission and equipment has been completed may be served any of the commission for the installation of cable television service or the application, fany, shall be served on all parties and on the commission for the installation of cable television service or the application for the installation of cable television service or the application for the installation of cable television service or the application for the installa		•
property or premises.§898.6 Contents of application for just compensation.§898.2 Just CompensationAn application for just compensation shall set forth specific facts relevant to the determination of just compensation.Every landlord shall be entitled to the payment of just compensation of property taken by a cable television company for the installation of cableSeven cable television company for the installation of cabletelevision service or facilities. The mount of just compensation shall be(a) Every cable television company proposing to install cable television(b) the previous use of such space;§898.3 Notice of installation(a) Every cable television company proposing to install cable television(b) the previous use of such space;§898.3 Notice of installation(d) the method or methods used to determine such values. The secretary mation good cause shown, permit the filing of supplemental information at any prior to final determination by the commission.§898.7 Service of ApplicationA copy of the application filed by the landlord for just compensation. Such facts relevant to the determination property before the installation of eupiment has been completed may be served at of the installation; and(ii) the name and address of the cable television company;§898.7 Service of Application(iii) the approximate date of the installation; and(a) Every cable television company and prescribe the procedure for service of fice roct the application, and address of the landlord;(iii) the approximate date of the installation; and§898.8 Responses(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission sinules.(c) Notice that installation of equipment has been completed may be served an an		completion of the installation of the cable television facilities, whichever is later.
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 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 bubsequent to the installation of cable television facilities and the value of the applicant's property subsequent to the installation of an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation. (b) The secretary of the commencement of such installation. (c) Notice that installation 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 an any time on landlords upon whose property cable television service or facilities upon the installation of authorized may time on landlords upon whose property cable television service or facilities and the stallation of all the commission is a cord and and the served on all parties and on the commission within twenty days from the service of the application. (a) If the commission finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable file operior.		\$898.6 Contents of application for just compensation
 Évery 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; and §898.3 Notice of 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 matupant of such notice, and the form and content 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 cable television company; (iii) the name and address of the cable television company; (iii) 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 any the commission finds that just compensation for the installation of cable television for the installation of cable television for the installation of cable television for the installation and upon the commission 's rules. (c) Notice that installation of equipment has been completed may be served any the commission finds that just compensation for the installation of cable television for the installation of cable television for the ins		An application for just compensation shall set forth specific facts relevant to the
property taken by a cable television company for the installation of cable television service of 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 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 an any time on landlords upon whose property cable television service or		determination of just compensation. Such facts relevant to the determination of
 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 (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 all 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 upor good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon to file the television company making the installation and upon the chief executive officer of the municipality in which the real property is located. (i) the name and address of the cable television company; (ii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable televis		
 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. (b) the previous use of such space; (c) the value of the applicant's property before the installation of cable televisis facilities and the value of the applicant's property subsequent to the 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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 		
 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 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 approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 		
 \$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 cable television company; (iii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
 §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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (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 upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any to a such the television company making the installation and upon the cable television company making the installation and upon the chief executive officer of the municipality in w	of this Part.	facilities and the value of the applicant's property subsequent to the installation of
 (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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	8898 3 Notice of installation	
 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 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 		
 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 cable television company; (iii) 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 		
 (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 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 cable television company; (ii) the name and address of the landlord; (iii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	landlord or an authorized agent, written notice of intent thereof at least 15	
 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 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'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 	, ,	
but need not be limited to: (i) the name and address of the cable television company; (ii) the name and address of the landlord; (ii) 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 (i) the name and address of the cable television company; (ii) 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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served or (c) Notice that installation of the installation of cable		
 (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 (i) the name and address of the cable television company; (ii) 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 (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application. (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable 		
 (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 §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 		sine, excedute enteer of the municipality in which the real property is located.
 (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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	()	
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 (a) If the commission finds that just compensation for the installation of cable		Responses to the application, if any, shall be served on all parties and on the
(c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable		commission within twenty days from the service of the application.
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable		\$898.9 Hearing and determination
	facilities were placed prior to the effective date of this Part.	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.		
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the commission	§898.4 Right of Entry	(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
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Chapter I,		
notice upon the landlord, or an authorized agent which notice shall contain the Subchapter A of this Title.		
date of entry and all other information described in section 893.3(b) of this (c) If after the filing of an application, the cable television company and the	date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the commission		
damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section on the issue.		approves such amount, the commission shall not be required to conduct a hearing on the issue
228(1)(a)(3) of the Public Service Law.		

Property No. 7065656-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065656-1 James Estreich A & E Real Estate Holdings LLC 1065 Avenue of the Americas, 31st Floor New York, NY 10018-0385

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 64 Hillside 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **64 Hillside Avenue**, **New York 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 64 Hillside Avenue, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

PUBLIC SERVICE LAW §228. Landlord-tenant relationship	(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
1. No landlord shall (a) interfere with the installation of cable television	authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
(1) that the installation of cable television facilities conform to such	(1) proof of service of a notice of intent to install cable television service upon the
reasonable conditions are necessary to protect the safety, functioning and appearance of the premises, and the convenience and well being of other	landlord; (2) the specific location of the real property;
tenants;	(3) the resident address of the landlord, if known;
(2) that the cable television company or the tenant or a combination thereof	(4) a description of the facilities and equipment to be installed upon the property,
bear the entire cost of the installation, operation or removal of such facilities;	including the type and method of installation, the anticipated costs thereof, and
and (2) that the early talevisian company, area to independent the longland for	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.	(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
(b) demand or accept payment from any tenant, in any form, in exchange for	insurance or other evidence of ability to indemnify the landlord;
permitting cable television service on or within his property or premises, or	(7) a statement that the installation shall be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any	rights of the landlord to just compensation in accordance with section 898.2 of this
amount which the Commission shall, by regulation, determine to be reasonable; or	Part; (8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive	(9) a statement that the landlord is afforded the opportunity to answer the petition
cable television service and those who do not.	within 20 days from the receipt thereof which answer must be responsive to the
0. Dentel anno esta and la construction to la single la second	petition and may set forth any additional matter not contained in the petition.
Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.	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,
nundred seventy-three may be emoreed notwithstanding this section.	the commission may grant to the petitioning cable television company an order of
3. No cable television company may enter into any agreement with the	entry which order shall constitute a ruling that the petitioning cable television
owners, lessees or persons controlling or managing buildings served by a	company has complied with requirements of section 228 of the Public Service
cable television company, or do or permit any act, that would have the effect,	Law and the regulations contained in this Part. If the landlord files a written
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	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,
individual antenna equipment.	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
NEW YORK CODES RULES AND REGULATIONS – PART 898 –	Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)	§898.5 Application for just compensation
Law 9220(1)	A landlord may file with the commission an application for just compensation
§898.1 Prohibition	within four months following the service by the cable television company of the
Except as provided in section 898.2 of this Part, no landlord shall demand or	notice described in section 898.3 of this Part or within four months following the
accept any payment from any cable television company in exchange for	completion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's property or premises.	§898.6 Contents of application for just compensation
	An application for just compensation shall set forth specific facts relevant to the
§898.2 Just Compensation	determination of just compensation. Such facts relevant to the determination of
Every landlord shall be entitled to the payment of just compensation for	just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be	showing of: (a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(a) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of
SPOR 2 Nation of installation	cable television facilities; and
§898.3 Notice of installation (a) Every cable television company proposing to install cable television	(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
service or facilities upon the property of a landlord shall serve upon said	prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	· · · · · · · · · · · · · · · · · · ·
days prior to the commencement of such installation.	§898.7 Service of Application
(b) The secretary of the commission shall prescribe the procedure for service	A copy of the application filed by the landlord for just compensation shall be
of such notice, and the form and content of such notice, which shall include, but need not be limited to:	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.
(i) the name and address of the cable television company;	shield excounted on our of the municipality in which the real property is located.
(ii) the name and address of the landlord;	§898.8 Responses
(iii) the approximate date of the installation; and	Responses to the application, if any, shall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the	commission within twenty days from the service of the application.
commission's rules. (c) Notice that installation of equipment has been completed may be served at	§898.9 Hearing and determination
any time on landlords upon whose property cable television service or	(a) If the commission finds that just compensation for the installation of cable
facilities were placed prior to the effective date of this Part.	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.
§898.4 Right of Entry	(b) An applicant may, within 20 days from the release date of the commission
(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	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
to the installation. Before such entry, the cable television company shall serve	hearing pursuant to section 216(3) of the Public Service Law and Chapter I,
notice upon the landlord, or an authorized agent which notice shall contain the	Subchapter A of this Title.
date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any damages caused by such entry but such damages shall not duplicate	applicant agree upon the amount of just compensation and the commission
Uningues unacu un such chien dui such uningues stigli nut uudiicate	
	approves such amount, the commission shall not be required to conduct a hearing on the issue.
damages paid by the cable television company pursuant to section 228(1)(a)(3) of the Public Service Law.	on the issue.

Property No. 7065757-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 7065757-1 Rubin Pikus Margis Realty Co., LLC 42 Bayview Avenue Manhasset, NY 11030-1806

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 1332 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 the difficulty Verizon has encountered in attempting to install and/or attach its FiOS facilities at **1332 St Nicholas Av, New York 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 1332 St Nicholas Av, New York NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

 Landard shard (a) interfere with the installation of code facination of code		
 b. No landard shall (a) interfere with the installation of cable tolevision facilities conform to such reproduce of an otice of intent to install cable tolevision company or the install and/ord may require. (1) that the installation, or cable is conform to a combination to accurate the such reproduces are necessary to protect the such regrossing of the install cable tolevision company or the install cable tolevision company agrees to hardword the real property. (3) that the installation, operation or removal of such facilities. (b) demand or accept payment from any tennan, in any form, in exchange for participant to be installation shall be conducted without property or premises. (c) Discriminate in renal charges or otherwise, between tennans who receive the landord to just company stall indemnify the landord. (c) Discriminate in renal charges or otherwise, between tenans who receive the landord to just company stall indemnify the landord. (c) Discriminate in renal charges or otherwise, between tenans who receive able television company agrees to balance the subscription on the including to just company. The installation, final and the exception of the including to just company states in the state is devision company agrees to the state intervision company is exchange therefore in excess of any adment that the state is devision company is exchange therefore in excess of any adment that the induricit is afforded the opporting to install cable television company agrees to the state intervision company agrees on the installation, and in the protocoding of the installation, and any additional matter net al charges or prevision. Contingent on the protecoding cable television company agrees in the installation of addition and any additional matter net al charges or prevision. Contingent on the protecoding cable television company agrees on the installation of additions and equipment. (b) Prevince use of prevision additions of additions and equipm	PUBLIC SERVICE LAW §228. Landlord-tenant relationship	
 facilities upon his projective or premises, except that a landlocd may require (1) that the individe devision necessary to protect the safety, functioning and generates of the installation or accordination there of the installation. (i) that the cable television company or the tenant or a combination there of the safety and or installation. (i) that the cable television company agree to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (ii) that the cable television company agree to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (iii) that cable television company agrees to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (iii) company cascing taywers throw any tennen, in any form, in exchange therefore in excess all fully to indemnify the landlocd for any amount which the Commission shall, by regulation, the mathematication the and the safety to indemnify the landlocd for any amount which the Commission shall, by regulation, the mathematication the and the safety to indemnify the landlocd for any amount which the Commission shall, by regulation, the installation, the analytic of any amount which the Commission shall, by regulation, the installation or the analytic and the installation or the installation or the analytic and the installation or the installation or the installati	1. No landlord shall (a) interfere with the installation of cable television	
 resionable conditions are necessary to protect the safety, functioning and spearance of the premises, and the convenience and well being of other spearance of the landord fies and supports. (2) The the cable television company or the transmission building the specific location of the read property. (3) That the cable television company agrees to indemnity the landord for any damage caused in concentions with the installation, including property and the installation. (3) That the cable television company agrees to indemnity the landord for any damage caused in concention with the installation, including property in secondary of the installation. (b) demand or accept agrees the invest or a combined to the specific location of the read television company shall indemnity the landord for any damage caused in concention with the installation, including proof of macrosca of the installation, including proof of macrosca of any extent in any form, in sechange for a manuary which the Commission shall, by regulation, determine to be reasonable; or accordance with sector any extent in any form, in sechange for a manuary which the Commission shall, by regulation, determine to be reasonable; or accordance with sector any additional matter not contained in the reasonable; or accordance with sector any additional matter not contained in the petitoning cable television company and the damage agrees to the actual anternot contained in the petitoning cable television company and the installation; addition and may set forth any additional matter not contained in the preduction contained in the stall addition and any set contained in the stall addition and any additional matter not contained in the petitoning cable television company. If any matter not contained in the stallation of cable television company and the stall addition and addition and addition of cable television company and the stall addition and addition and addition and addition of cable television company. If addition add	facilities upon his property or premises, except that a landlord may require:	
appearance of the premises, and the convenience and well being of them (2) that the cable idevision company or the tenant or a combination thereof (3) hat the cable idevision company appee to indemnify the landlord (4) a description of the facilities and exponents to be inadiced, if movem (3) hat the cable idevision company appee to indemnify the landlord (4) a description of the facilities and exponents to be inadiced for many clanse caused by the installation, operation or removal of such facilities (b) demand or accept payment from any tenant, in any form, in exchange therefore in excess of permitting cable idevision company in exchange therefore in excess of reasonable; or (c) Description any cable idevision company to effect entry of the reasonable; or (c) Description in rental charges or otherwise, between tenants who reaching landlord in surface and bases exceuded in the form aging building served by a case on the relation company in exchange therefore and reasonable; or (c) Description company may enter into any agreement with the called is allows in the contraction with second the vibility of installation, and (c) Description company may enter into any agreement with the called is second 228 of the Public Sevel building allows on the requirement of the called registron the received in company is allows of the addition of allows (c) Description company or on or well and and the second difference in the public, building is second. 1. No cable idevision company may enter into any agreement with the called of site and addition and may set fort any additional the public Sevel 1. No cable idevision company or on or well and and the installation of allows 1. No cable idevision company or on or well and and the installation of allows in the public Sevel 1. No cable idevision company or the installation of cable idevision company is allows or the addition 1. No cable idevision company or on or well missed of maximum of 2. Readitin the proceeding or on answer the pare interimed in the pu		(1) proof of service of a notice of intent to install cable television service upon the
 (a) that is cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities and ydamage caused by the installation, operation or removal of such facilities and ydamage caused by the installation, operation or removal of such facilities and ydamage caused the the installation, the anticipated cost thereof, an ydamage caused the installation, incompany grate to line installation (b) demand or accept payment from any tenant, in any form, in exchange for from any cable television company in exchange therefore in excess of an amount wich the Commission shall, by regulation, determine to be reasonable, or (c) biscriminate in rental changes or otherwise, between tenants who receiv cable television company may enter into any agreement with the patienting cable service and those who do not. 2. Rental agreements and leases excueted prior to January first, intered hundred serving there may be entired in dividing this section. 3. No cable television company, may enter into any agreement with the order of and the section desces. 3. No cable television company, or do or permit may act, that would have the effect individual anterna aquignent. 3. Nee WY ORK CODES RULES AND REGULTIONS – PART 88 – LNNLORD-TENNIT RELATIONSHIP (Statuory authority: Public Service property taken by a cable television company for the installation of cable server to the poticion. 388.2 Just Compensation Except as provided in section 88.2 of this Part, no landlord shall demand or space or facilities and accuration with the installation of cable television and company. The installation of cable television company for the installation of cable television company in the champer sec		
 (2) that the cable tabelesion company on the tenant or a combination thereof is bart the entire cost of the installation, operation or removal of such facilities. The anticipated costs thereof, and the cable tabelesion company agree to indemnify the landlord for any famara, it any form, in exchange therefore in excess of a second the installation. Company costs of such facilities and the analyce table costs of the installation. Company costs of such facilities and the analyce table costs of the installation. Company is also indemnify the landlor of a statement that the cable tabelesion company to the period of a statement that the installation and the installation. Company to any second the except symmet from any cable tabelesion company to a statement that the installation conducted without projudice to the property for installation, the period is a flortded the opportunity to answer the pathers and those who do not. (a) backministrate in rental charges or otherwise, between tenants who receive cable tabelesion company to effect mere the contrained in the period is a flortded the opportunity to answer the pathers and those who do not. (b) backministrate in rental charges or otherwise, between tenants who receive cable tabelesion company or and those who do not. (c) biscriminate in rental charges or otherwise, between tenants who receive is addition and the entroper on answer file within the importing or analysing building served by a cable tabelesion company or and these who do not. (b) biscriminate in rental charges or persons contraining or maniging building served by a cable tabelesion company or and reset method in stallation. The period is a set of the system or answer file within the interperiod is a set of the application or part or any set of the application or part or any set of the application or part or any set of the system or any cable tabelesion company is a set of the application or part or the set of the system or any cable tabele		
 and (3) that the cable television company agree to indemnify the landford for any damage caused by the installation, operation or removal of such facilities. (b) demand or secole payment from any tennel, in any form, in exchange for more average television company is exchange therefore in excess a longer or the installation. (c) bactminate in rental charges or otherwise, between tenants who receive cable television service and those who do not. 2. Rental agreements and teases executed prior to January first, indetern hundred seventy-three may be enforced notwiths the installation, and 3. No cable television company may enter into any agreement with the averising dividual and the enforced mice within the setting of maximum of a directive setting or manage in the proceeding or no answer filed within the time permitting cable television company or do or permit any add, have the effect or directive of diminishing or interfing with existing diffus for any payment from any cable television company or do or permit any add, have the effect or directive of diminishing or interfing with existing diffus for any add, have the effect or directive of diminishing or interfing with existing diffus for any add, have the effect any payment from any cable television company or do or permit any add, have the effect or directive of diminishing or interfing with the setting compassion for y and the petitioning cable television company is a setting to the setting compassion for y associated with equivalence and the setting of addition of abet television company is the long of days with the compassion for y and the petitioning cable television company is a setting to discover the petitioning cable television company is a setting to discover the petitioning cable television company is a setting to discover the petitioning cable television company is a setting to discover the setting to the petitoning cable television company is a setting to discovere to the eptitoning cable televisi		(4) a description of the facilities and equipment to be installed upon the property,
 (a) that the cable television company space to indemnify the landlord for surv damage caused by the installation, encluding proof of inservice and the cable television company shall have cable television company shall have cable television company shall have to the second cable to the installation. (b) demand or accept payment from any tenant, in any form, in exchange for measure or dhere veduce of ability to indemnify the landlord; may damage caused in connected without prejudies to the installation and insection 82.2 (a) the television company to the installation. (c) Discriminate in rental charges or otherwise, between tenants who receive able television service and those who do not. 2. Rental agreements and leases executed prior to January first, nineteen functional service and those who do not. 3. No cable television company or any anoten indo any agreement within the service to the service or division company any agreement with effect in the cable television company or the pretition. 3. No cable television company or any agreement with effect in the cable television company and in the appearance by landlord in the pretition. The commission may grant to the pretition and may set fort han a submitter to the pretition company and in the section 22.8 of the Public Service any payment form any cable television company or the installation of cable television company or the installation of the payment of just compensation for proof within the time payment of a submitter to television company or the installation of the service is tate adversion service or facilities on any application for y the commission in application of y the television company or to installation of cable television company or to installation of the service is the predice in the installation of the service is the predice in the installation of the predice is the predice in the installation of the service is the predice in the installation or the installation or the i		including the type and method of installation, the anticipated costs thereof, and
 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 form any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or (c) bickrimination in rental charges or cherwise, between tonants who receive (cable television company may net print) acable television company may net prints of the landlord is affordad the coportunity to answer the public on any agreement with the cable television company may net print or January first, inferent hundred seven/three may be inforced notivitanding this science of acable television company may enter into any agreement with the commission shall esses executed prior to January first, inferent hundred seven/three may be inforced notivitanding this science of acable television company may enter into any agreement with the commission small costs that and and or any agreement with the commission science of participate. The work to property or installation, cloud is made in the pretition addition and any science of acable television company. I do a permit any sci. I the landlord is and/ford is may find the pretitioning cable television company in advertise and the pretition addition science of acable television company of the printipate science of acable television company in advertise and the pretition addition and may science of acable television company of the pretitic science of acable television company of th		
 (c) demand <i>c</i> accept payment from any tenant, in any form, in exchange of permitting cable television service on ar within his property or premises, or 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. Rortia agroentis and leases executed prior to January first, nineteen under the landlord is and month of a safet det the landlord is and month the analytic able television company to effect entry of the regulation; and under the served prior to analytic sectors. 3. No cable television company may enter into any agreement with the ommission and grant to the petitioning cable television company, or do or permit any act, that would have the effect individual anter the sectors of sectors. 3. No cable television company, or do or permit any act, that would have the effect individual anter accept and ysament from any cable television active or avail times of or permits. 3. No cable television company, or do or permit any act, that would have the effect individual anter accept and ysament from any cable television accept and parameters and ysame and address of the park in the installation of a specific facts relevant to the determination of ysac compars of a scelent 280 of the Public Service I application by the landlord pursuant to section 389. A prioribition 3. No calle television accept and ysament from any calle television accept		
 (b) demaid or accept payment from any tenant, in any form, in exchange for many 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 reaches a statistic and the statistic and the activity of the rights of the landford to just compensation in accordance with section 889.2 a fraction and many of efforts by the cable television company to effect entry of the rights of the landford to just compensation and company to effect entry of the rights of the landford to just compensation and company to effect entry of the rights of the landford to just compensation. 2. Rental agreements and leases executed prior to January first, infereen hundred sevently-three may be enforced notwithstanding this section and mays of torth any additional matter not contained in the patition. 3. No cable television company, or do right section company, or do right section company, or do right section company, and entering with existing rights of any their and to right contained in the patition. No cable television company, or do right section company, and entering or interfering with existing rights of any their and to right contained in the patition. New YORK CODES RULES AND REGULATIONS – PART 886 – NANDLORD-TENNT RELATIONSHIP (Statutory authority: Public Service Law years) and a section 883.2 of this Part. Sege 2. Just Compensation Age and the section company of the installation of the section sease or parent in the installation of the installation of the se		
 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or inghts of the landlord to just compensation in accordance with section 888.2 of the landlord to just compensation in accordance with section 888.2 of the public Service and the sevence of aclitics in accordance with section 888.2 of the sevence of aclitics on or within said landlord 5. Nex Cable television company, of on opermit any action to any agreement with the form many on the rino any agreement with the form and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal matter and the set in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal matter adarget in the periconal matter and may set	(b) demand or accept payment from any tenant, in any form, in exchange for	
amount which the Commission shall, by regulation, determine to be reasonable; or 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, nineten 3. No cable television company may enter into any agreement with the owners, leasees or persons controlling or managing buildings served by a cable television company or on permit any adjutioning cable television company and within the time permitting cable television company and the petition and may actioning cable television company and the petition and may actioning cable television company and the petitioning cable television company and the petition and may activate the petitioning cable television company and the petition and may activate the petitioning cable television company and the petition and may activate the petitioning cable television company and the tent of the petitioning cable television company and the petition and may activate the petition and may activate there are activated there and the petition and may activate there are activated there ap		(7) a statement that the installation shall be conducted without prejudice to the
 reasonable; or (a) a summary of efforts by the cable television company to effect entry of the cable television company to affect entry of the cable television company to effect entry of the company cable entry entry in exchange for entry of the installation of eather entry in a content of such nations on the except any payment of use company and effects by the cable television for just compensation for just compensation for accept any payment of use company and effects with the installation of eather entry of the installation of eather entry of the installation of eather entry of the commission and pay early enter the entry of the installation of eather entry of the company in a content of such nation. (b) The servetary of the company proposing to instal cable television eather entry of the installation. (c) The servetary of the company proposing to instal cable television eather entry of the eather elevision entry of the installation. (d) The eather entry of the company many entry in a cable television eather entry of the eather elevision eather entry of the installation. (e) The servetary of the company proposing to instal cable television eather entry of the eather elevision eather entry of the instal		
 (c) Discriminate in rental charges or otherwise, between tenants who rocaive cable television service and those who do not. (c) Discriminate in rental argements and leases executed prior to January first, nineteen cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a 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 repertil any act, that would have the effect. (a) a statement that the landford is and in the proceeding or no answer file dual within the trans- tenation of the roccupant of such building to use or avait himself of master of individual antenna equipment. (b) WORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law \$228(1) (c) Notice that installation of cable television company in exchange for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company in exchanges for property taken		
 cable television service and those who do not. 2. Rental agreements and leases executed prior to January first, intered my loss of the patient and may set forth any additional matter not contained in the pettion. 3. No cable television company, may enter into any agreement with the commission company, may enter into any agreement with the formers, lessees or persons controlling or managing buildings served by a cable television company and the setule television company and the petitioning cable television company and the petitioning cable television company and the petitioning cable television company and the setule t		
 2. Rental agreements and leases executed prior to January first, ininetem hundred seventy-three may be enforced notwithstanding this section. 3. No cable television company may enter into any agreement with the new company. or do or permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect. NEW YORK CODES NULES AND REGULATIONS – PART 898 – LANDLORO-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1) Steapt as provided in section 898.2 of this Part, no landlord shall demand or capet any payment from any cable television company in exchange for permitting cable television company in exchange for perperty dark the commission in accordance with secion 228 (1(b)) of the installation of cable television company in exchange for perperty at a static television company in exchange for perperty at a cable television company in exchange for perperty at a stanot of the cable television company in exchange for perior to		(9) a statement that the landlord is afforded the opportunity to answer the petition
 2. Rental agreements and leases executed prior to January first, inneteen hundred seventy-three may be enforced notwithstanding this section. 3. No cable television company, may enter into any agreement with the ocomission may grant to the petitioning cable television company any and, directly or indirectly of diminishing or interforing with existing rights of any ach tak would have the effect. Law Sate to do or permit any act, that would have the effect. Law Sate to devision company, and section 228 of the Public Service Law and the regulations contained in this Part. If the landlord lifes a written individual antenna equipment. New YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §282.1) §88.1 Prohibition Seyse 2 as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company is companiation of pust compensation for just compensation. §98.5 Application for just compensation for just compensation. §98.6 Contents of application for just compensation. §98.7 Subcice of installation (b) the previous used of the cable television company for the installation of cable television faculties, whichever is late to the cable television faculties. §98.6 Contents of application for just compensation. §98.7 Service of Application for the installation; di the commission shall prescribe the procedures or service of the commission. (b) the ane and address of the cable television company; (ii) the approximate date of the installation; ad (or the method or method suesd to determination by the service of the enstillation and upont the installation; di determination by the service of the application. (b) the a	cable television service and those who do not.	
 hundred seventy-three may be enforced notwithstanding this section. Nex cable television company may enter into any agreement with the response or persons controlling or manaign buildings served by a cable television company and the public Service and the regulations contained in this Part. If the landlord flies a written answer to the petition, the cable television company shall have 10 days written answer to the petition accordance with Section 288 of the Public Service Law g228(1) SWORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law g228(1) SY88.1 Prohibition SY88.1 Prohibition SY88.2 Just Compensation Sy88.2 Just Compensation Sy88.2 Just Compensation in accordance with section 228 of the Public Active to the procedure for just compensation for just compensation for just compensation facts relevant to the leavision company for the installation of cable television company of the ordination of cable television company of the notice decable discustion company for the installation of cable television company of the notice decable discustion company for the installation of cable television company of the notice decable discustion is accordance with section 228 (1)(b) of the cable television company of the notice decable discustion is accordance with section 228 (1)(b) of the installation of cable television company of the notice decable discustion is accordance with section 228 (1)(b) of the installation of cable television company of the installation of c	2 Pontal agreements and leases executed prior to January first pineteen	
 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 of dominishing 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 authonty: Public Service taw, page and the regulations concuration of this part. New YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authonty: Public Service taw, page and the regulations concuration of this part. Sever Lang Sez28(1) Sever Lang vagement from any cable television company in exchange for prometting cable television company of the installation of cable television service or facilities. The amount of just compensation shall be for the page in the section 228 (1/16) of the public Service or facilities. The amount of just compensation shall be for the section 898.2 Just Compensation in accordance with section 228 (1/16) of the public Service or facilities. The amount of just compensation shall be for the section 898.3 Notice of installation (cable television company for the installation of cable television company proposing to instal cable television company is and content of just compensation shall be served or allocritic and the property of a landord shall serve upon said and dores of the cable television company is and content of such notice, which shall include, but need not be limited to. (b) the pervious use of such page: which shall include, but need not be limited to: (c) New read and teres of the cable television company is and content of such notice, which shall include, but need not be limited to: (b) the pervious use of such page: which shall include, but need not be limited tor. (c) the value of the applicantin sculation o		
 3. No cable television company may enter into any agreement with the owners, lesses 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 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 §282.1) §98.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall demand or scorepanses any meet from any cable television company in exchange for permiting cable television company of the installation of cable television service or facilities on or within said landlord's property or premises. §98.2 Application for just compensation 588.2 of this Part, no landlord shall demand or property atken by a cable television company in the installation of cable television service or facilities on or within said landlord's property or premises. §98.3 Luc Compensation §98.4 Law Compensation §89.5 Application for just compensation for property taken by a cable television company in the installation of cable television service or facilities on a within said landlord's property taken by a cable television company in the installation of cable television accordance with section 228 (1)(b) of the Public Service or facilities and the upper service of a landlord shall serve upon the coable television company in the installation of cable television accordance with section 228 (1)(b) of the Public Service or facilities and the value of the application for just compensation shall be face value of the application of public Service or facilities and the value of the application for just compensation and upont take section 228 (1)(b) of the		the commission may grant to the petitioning cable television company an order of
 Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law ADDRD-TENANT RELATIONS HIP (Statutory authority: Public Service as symp the consistent with the installation of cable table vision company more scale table vision company and the tot constrained in this Part. Stattory apprent from any cable table vision company for the installation of cable table vision service or facilities on or within said landlord's property or premises. Stattory and the regulations contained in this Part. The commission an application for just compensation for just compensation for just compensation for just compensation of the cost termination of just compensation. Stattory and the regulation service or facilities on or within said landlord's property or premises. Stattory and the regulation service or facilities on or within said landlord's property or premises. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation. Stattory and the regulation service or facilities and there of a landlord shall be entitled to the procedure or service of such notice, which shall include, whith ment and address of the cable tabevision company in propo		entry which order shall constitute a ruling that the petitioning cable television
 directly or indirectly or indirectly or 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. answer to the petition, the cable television commany shall have 10 days within to renot some some some some some some any grant or deny the petition schedule an administrative hearing on any factual issues presented thereby of direct such other procedures as may be consistent with the installation of cab television service or facilities in accordance with Section 228 of the Public Service Law §228(1) Sys8.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall leandlord 's property or premises. §898.2 Just Compensation Every landlord shall be entitled to the payment of just compensation for property take television company for the installation of cable television service or facilities. The amount of just compensation shall be determinated 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 And the value of the application for just compensation for just compensation. Such facts relevant to the determination just compensation. Such facts relevant to the determination of just compensation shall be fort specific facts relevant to the determination of just compensation shall be fact television company for the installation of cable television company proposing to install cable television service or facilities; and the value of the application (led the primeting and thereor at least 15 days prior to the commission shall be limited to: §898.3 Notice of installation (a) Every cable television company proposing to install cable television company meritiles; and the value of the application. (b) The secretary of the commission shall be served upon the cable television company meriting able television company; (i) the nam		company has complied with requirements of section 228 of the Public Service
 tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the petition schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or direct such other procedures as may be consistent with the installation of cabie television company for the installation of pust compensation for just compensation for 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 scharts of application for just compensation. Such facts relevant to the determination just compensation for an application by the landlord pursuant to section 886.3 Other proved with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 886.3 Other present of such installation. (b) The secretary of the commission all prescribe the procedure for service of final determination by the commission. Such facts relevant to final content thereof at leavision final serve upon application for just compensation. Such facts relevant to the installation; (b) The secretary of the commission fall prescribe the procedure for service of final determination gaves or facilities; whichever is later schewing of the installation. (c) The secretary of the commission fall prescribe the procedure for service of schewing from and d		
 individual antenna equipment. individual a		
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)television service or facilities in accordance with Section 228 of the Public Ser Law.§898.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall search or parmiting cable television company of the installation of cable television service or facilities on or within said landlord's property or premises.\$898.5 Application for just compensation for just compensation for 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 edtermined by the commission in accordance with section 228 (1)(b) of the service or facilities. The amount of just compensation for property taken by a cable television company for the installation of cable television service a wupon application by the landlord pursuant to section 898.3 of this Part.Server cable television company for the installation of cable television service or facilities up to 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 commenent of such installation.Service of Application for just compensation shall be television service or facilities up to the stallation of such 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 cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (iii) th		schedule an administrative hearing on any factual issues presented thereby or
NEW YORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law \$226(1) Law. §898.1 Prohibition \$898.1 Prohibition \$898.1 Prohibition Except as provided in section 898.2 of this Part, no landord 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. \$898.6 Contents of application for just compensation facilities, whichever is late \$898.6 Contents of application for just compensation An application for 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 determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application for stall cable television service of 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 to just compensation shall be served contacilities, and (a) Every cable television company proposing to install cable television service of facilities upon the property of a landlord shall serve upons aid landlord or an authorized agent, written notice, which shall include, (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; (ii) the name and address of the cable service Law and Part 898 of the commission's rules. (c) Notice that installation, of equipment has been completed may be served and (w) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules. (c) Notice that		direct such other procedures as may be consistent with the installation of cable
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)§898.5 Application for just compensation (\$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 company in exchange for permitting cable television service or facilities on or within said landlord's property tor premises.§898.5 Application for just compensation Alandlord may file with the commission an application for just compensation for unoths 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 service or facilities. The amount of just compensation for property tandlord shall be entitled to the payment of just compensation for cable television service are upon application by the landlord or 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 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 cable television company; (iii) the name and address of the landlord; (iii) the approximate date of the installation; (b) nearcitation of sequipment has been completed may be service or (iii) the approximate date of the installation; (b) The secretary of sequipment has been completed may be service or (iii) the approximate date of the unstallation; (b) the application of sequipment has been completed may be service or (iii) the approximate date of the installation; (b) a critation of sequipment has		television service or facilities in accordance with Section 228 of the 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 Excey 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 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. (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 installation. (b) The secretary of the commencement of such installation. (c) Notice, and the form and content of such installation. (d) the name and address of the cable television company; (iii) the angenoximate date of the installation; and (c) Notice that installation of equipment has been completed may be served or any time on landlord's upon whose property cable television service or any time on landlords upon whose property cable television service or (i) the that installation of equipment has been completed may be served or (ii) the caminesion in fact stallation; (a) Choice that installation of equipment has been completed may be served or (b) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served or (a) If the commission finds that just compensation for the installation of cable Served upon the complexice of the application. (b) The acretary of the complication		Law.
 Å landlord may file with the commission an application for just company of the file within four months following the service by the cable television company in exchange for permitting cable television company for the installation of put compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination (d) the previous use of such space; (b) the pare and address of the cable television company; (ii) the name		\$898.5 Application for just compensation
 §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 company property taken by a cable television company for the installation of cable television company property cable television company property taken by a cable television company for the installation of cable television company property taken by a cable television company for the installation of cable television company property 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 commensement of such installation. (b) The secretary of the commission shall perscribe the procedure for service of Application field by the landlord for just compensation shall be served on the limited to: (i) The ame and address of the cable television company; (ii) the approximate date of the installation; and (iv) a citation of secuto 228 of the Public Service Law and Part 898 of the commission finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation. 		
 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. completion of the installation of the cable television facilities, whichever is late \$898.6 Contents of application for just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation and upon the property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation for 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) Every cable television company proposing to install cable television service or facilities; and the value of the applicant's property before the installation of cable television facilities; and determination of such notice, and the form and content of such notice, which shall include, but need not be limited to: (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 or an and off supplication for due tor which supplication service or (a) Every cable television facilities; and (b) The secretary of the Public Service Law and Part 898 of the commission's rules. (c) Notice that installation of equipment has been completed may be service or (d) Notice that installation of equipment has been completed may	§898.1 Prohibition	within four months following the service by the cable television company of the
 permitting cable television service or facilities on or within said landord'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 commension shall leet to: (b) The secretary of the commense of such installation. (b) The secretary of the commense of the cable television company; (ii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the landlord; (iii) the approximate date of the installation; and (iv) a citation of sequipment has been completed may be served at any time on landlords upon whose property cable television service or or the application for application file day the stallation of the installation and upon the commission and equipment has been completed may be served any of the commission for the installation of cable television service or the application, fany, shall be served on all parties and on the commission for the installation of cable television service or the application for the installation of cable television service or the application for the installation of cable television service or the application for the installa		•
property or premises.§898.6 Contents of application for just compensation.§898.2 Just CompensationAn application for just compensation shall set forth specific facts relevant to the determination of just compensation.Every landlord shall be entitled to the payment of just compensation of property taken by a cable television company for the installation of cableSeven cable television company for the installation of cabletelevision service or facilities. The mount of just compensation shall be(a) Every cable television company proposing to install cable television(b) the previous use of such space;§898.3 Notice of installation(a) Every cable television company proposing to install cable television(b) the previous use of such space;§898.3 Notice of installation(d) the method or methods used to determine such values. The secretary mation good cause shown, permit the filing of supplemental information at any prior to final determination by the commission.§898.7 Service of ApplicationA copy of the application filed by the landlord for just compensation. Such facts relevant to the determination property before the installation of eupiment has been completed may be served at of the installation; and(ii) the name and address of the cable television company;§898.7 Service of Application(iii) the approximate date of the installation; and(a) Every cable television company and prescribe the procedure for service of fice roct the application, and address of the landlord;(iii) the approximate date of the installation; and§898.8 Responses(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission sinules.(c) Notice that installation of equipment has been completed may be served an an		completion of the installation of the cable television facilities, whichever is later.
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 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 bubsequent to the installation of cable television facilities and the value of the applicant's property subsequent to the installation of an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation. (b) The secretary of the commencement of such installation. (c) Notice that installation 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 an any time on landlords upon whose property cable television service or facilities upon the installation of authorized may time on landlords upon whose property cable television service or facilities and the stallation of all the commission is a cord and and the served on all parties and on the commission within twenty days from the service of the application. (a) If the commission finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable file operior.		\$898.6 Contents of application for just compensation
 Évery 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 approximate date of the iandlord; (ii) the name and address of the cable television company; (ii) 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 an any time on landlords upon whose property cable television service or 		An application for just compensation shall set forth specific facts relevant to the
property taken by a cable television company for the installation of cable television service of 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 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 an any time on landlords upon whose property cable television service or		determination of just compensation. Such facts relevant to the determination of
 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 (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 all 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 upor good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon to file the television company making the installation and upon the chief executive officer of the municipality in which the real property is located. (i) the name and address of the cable television company; (ii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable televis		
 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. (b) the previous use of such space; (c) the value of the applicant's property before the installation of cable televisis facilities and the value of the applicant's property subsequent to the 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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 		
 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 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 approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 		
 \$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 cable television company; (iii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
 §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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (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 upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any to a such the television company making the installation and upon the cable television company making the installation and upon the chief executive officer of the municipality in w	of this Part.	facilities and the value of the applicant's property subsequent to the installation of
 (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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	8898 3 Notice of installation	
 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 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 		
 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 cable television company; (iii) 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 		
 (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 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 cable television company; (ii) the name and address of the landlord; (iii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	landlord or an authorized agent, written notice of intent thereof at least 15	
 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 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'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 	, ,	
but need not be limited to: (i) the name and address of the cable television company; (ii) the name and address of the landlord; (ii) 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 (i) the name and address of the cable television company; (ii) 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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of the installation of cable (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that i		
 (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 (i) the name and address of the cable television company; (ii) 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 (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application. (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable 		
 (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 §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 		sine, excedute enteer of the municipality in which the real property is located.
 (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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	()	
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 (a) If the commission finds that just compensation for the installation of cable		Responses to the application, if any, shall be served on all parties and on the
(c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable		commission within twenty days from the service of the application.
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable		\$898.9 Hearing and determination
	facilities were placed prior to the effective date of this Part.	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.		
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the commission	§898.4 Right of Entry	(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
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Chapter I,		
notice upon the landlord, or an authorized agent which notice shall contain the Subchapter A of this Title.		
date of entry and all other information described in section 893.3(b) of this (c) If after the filing of an application, the cable television company and the	date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the commission		
damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section on the issue.		approves such amount, the commission shall not be required to conduct a hearing on the issue
228(1)(a)(3) of the Public Service Law.		

Property No. 7066689-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7066689-1 Luis DeLaCruz Ollie Associates LLC 200 West 16th Street, 1st Floor New York, NY 10011-6165

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 3524 Hull Av, Bronx 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 **3524 Hull Av, Bronx 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 3524 Hull Av, Bronx NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

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.

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.

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,

Property No. 7066701-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 20, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 7066701-1 Hassan Osmani B & A Brokers Corp. 15 Kimball Avenue Yonkers, NY 10704-4003

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 3464 Knox PI, Bronx 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 **3464 Knox PI, Bronx 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 3464 Knox PI, Bronx NY. The inspection will be performed on or about November 20, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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 20, 2014

PUBLIC SERVICE LAW	(b) where the installation of cable television service or facilities is not effected
§228. Landlord-tenant relationship	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
1. No landlord shall (a) interfere with the installation of cable television	authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require: (1) that the installation of cable television facilities conform to such	(1) proof of service of a notice of intent to install cable television service upon the
reasonable conditions are necessary to protect the safety, functioning and	landlord:
appearance of the premises, and the convenience and well being of other	(2) the specific location of the real property;
tenants;	(3) the resident address of the landlord, if known;
(2) that the cable television company or the tenant or a combination thereof	(4) a description of the facilities and equipment to be installed upon the property,
bear the entire cost of the installation, operation or removal of such facilities;	including the type and method of installation, the anticipated costs thereof, and
and	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for	(5) the name of the individual or officer responsible for the actual installation;
any damage caused by the installation, operation or removal of such facilities.	(6) a statement that the cable television company shall indemnify the landlord for
(b) demand as accept neumant from any tangent in any form in avalance for	any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;
(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	(7) a statement that the installation shall be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any	rights of the landlord to just compensation in accordance with section 898.2 of this
amount which the Commission shall, by regulation, determine to be	Part;
reasonable; or	(8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive	(9) a statement that the landlord is afforded the opportunity to answer the petition
cable television service and those who do not.	within 20 days from the receipt thereof which answer must be responsive to the
2. Dontal agreements and leases succeited wins to leave first winst	petition and may set forth any additional matter not contained in the petition.
Rental agreements and leases executed prior to January first, nineteen hundred seventy-three may be enforced notwithstanding this section.	Participation by the landlord is not mandatory, however, if no appearance by the landlord is made in the proceeding or no approximated within the time permitted
nunureu seventy-triee may de eniordeu notwithstanung this section.	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
3. No cable television company may enter into any agreement with the	entry which order shall constitute a ruling that the petitioning cable television company an order of
owners, lessees or persons controlling or managing buildings served by a	company has complied with requirements of section 228 of the Public Service
cable television company, or do or permit any act, that would have the effect,	Law and the regulations contained in this Part. If the landlord files a written
directly or indirectly of diminishing or interfering with existing rights of any	answer to the petition, the cable television company shall have 10 days within
tenant or other occupant of such building to use or avail himself of master or	which to reply to said answer. The commission may grant or deny the petition,
individual antenna equipment.	schedule an administrative hearing on any factual issues presented thereby or
	direct such other procedures as may be consistent with the installation of cable
NEW YORK CODES RULES AND REGULATIONS – PART 898 –	television service or facilities in accordance with Section 228 of the Public Service Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	Law.
Law §228(1)	§898.5 Application for just compensation
	A landlord may file with the commission an application for just compensation
§898.1 Prohibition	within four months following the service by the cable television company of the
Except as provided in section 898.2 of this Part, no landlord shall demand or	notice described in section 898.3 of this Part or within four months following the
accept any payment from any cable television company in exchange for	completion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	6000 C. Oratanta of analization for just communication
property or premises.	§898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relevant to the
§898.2 Just Compensation	determination of just compensation. Such facts relevant to the determination of
Every landlord shall be entitled to the payment of just compensation for	just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable	showing of:
television service or facilities. The amount of just compensation shall be	(a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(b) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of
§898.3 Notice of installation	cable television facilities; and (d) the method or methods used to determine such values. The secretary may,
(a) Every cable television company proposing to install cable television	upon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said	prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	
days prior to the commencement of such installation.	§898.7 Service of Application
(b) The secretary of the commission shall prescribe the procedure for service	A copy of the application filed by the landlord for just compensation shall be
of such notice, and the form and content of such notice, which shall include,	served upon the cable television company making the installation and upon the
but need not be limited to:	chief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company;	§898.8 Responses
(ii) the name and address of the landlord;(iii) the approximate date of the installation; and	Responses to the application, if any, shall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the	commission within twenty days from the service of the application.
commission's rules.	
(c) Notice that installation of equipment has been completed may be served at	§898.9 Hearing and determination
any time on landlords upon whose property cable television service or	(a) If the commission finds that just compensation for the installation of cable
facilities were placed prior to the effective date of this Part.	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.
§898.4 Right of Entry	(b) An applicant may, within 20 days from the release date of the commission
(a) A cable television company shall have the right to enter property of the	order which sets compensation at one dollar or less, file a written request for a
landlord for the purpose of making surveys or other investigations preparatory to the installation. Before such entry, the cable television company shall serve	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,
notice upon the landlord, or an authorized agent which notice shall contain the	Subchapter A of this Title.
date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
	· · · · · · · · · · · · · · · · · · ·

on the issue.

applicant agree upon the amount of just compensation and the commission approves such amount, the commission shall not be required to conduct a hearing

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.

Property No. 8072035-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 8072035-1 Xikis John 32-55 Steinway Street Astoria, NY 11103-3540

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 25-98 36, Queens 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 **25-98 36, Queens 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 25-98 36, Queens NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

 Landard shard (a) interfere with the installation of code facination of code		
 b. No landard shall (a) interfere with the installation of cable tolevision facilities conform to such reproduce of an otice of intent to install cable tolevision company or the install and/ord may require. (1) that the installation, or cable is conform to a combination to accurate the such reproduces are necessary to protect the such regrossing of the install cable tolevision company or the install cable tolevision company agrees to hardword the real property. (3) that the installation, operation or removal of such facilities. (b) demand or accept payment from any tennan, in any form, in exchange for participant to be installation shall be conducted without property or premises. (c) Discriminate in renal charges or otherwise, between tennans who receive the landord to just company stall indemnify the landord. (c) Discriminate in renal charges or otherwise, between tenans who receive the landord to just company stall indemnify the landord. (c) Discriminate in renal charges or otherwise, between tenans who receive able television company agrees to balance the subscription on the including to just company. The installation, final and the exception of the including to just company states in the state is devision company agrees to the state intervision company is exchange therefore in excess of any adment that the state is devision company is exchange therefore in excess of any adment that the induricit is afforded the opporting to install cable television company agrees to the state intervision company agrees on the installation, and in the protocoding of the installation, and any additional matter net al charges or prevision. Contingent on the protecoding cable television company agrees in the installation of addition and any additional matter net al charges or prevision. Contingent on the protecoding cable television company agrees on the installation of additions and equipment. (b) Prevince use of prevision additions of additions and equipm	PUBLIC SERVICE LAW §228. Landlord-tenant relationship	
 facilities upon his projective or premises, except that a landlocd may require (1) that the individe devision necessary to protect the safety, functioning and generates of the installation or accordination there of the installation. (i) that the cable television company or the tenant or a combination there of the safety and or installation. (i) that the cable television company agree to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (ii) that the cable television company agree to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (iii) that cable television company agrees to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (iii) company cascing taywers throw any tennen, in any form, in exchange therefore in excess all fully to indemnify the landlocd for all address or other wide cause or the and the cable television company and technical section. (iii) the analysis of the address of the installation, the analysis of any family the landlocd for all the address of the add	1. No landlord shall (a) interfere with the installation of cable television	
 resionable conditions are necessary to protect the safety, functioning and spearance of the premises, and the convenience and well being of other spearance of the landord fies and supports. (2) The the cable television company or the transmission building the specific location of the read property. (3) That the cable television company agrees to indemnity the landord for any damage caused in concentions with the installation, including property in statement that the cable television company shall indemnity the landord for any damage caused in concention with the installation, including property in statement that the cable television company shall indemnity the landord for any damage caused in concention with the installation, including proof of macrosci and maximum et the cable television company shall indemnity the landord for any damage caused in concention with the installation, including proof of macrosci and maximum et and contents of the landord for just compensation in accordance with section and may test for any resonable. (a) Bacchinetis and result charges or otherwise, between tenants who receive contradies in the landord for just compensation in accordance with section and may set forth any additional matter not contained in the petitoning cable television company and the landord for section section and may set forth any additional matter not contained in the petitoning cable television company and the installation of cable television company and the installation and any set forth any additional matter not contained in the petitoning cable television company and the installation of cable television company and the installation of cable television company and the installation of cable television company. In the installation of cable television company and the installation of cable television company. In the installation o	facilities upon his property or premises, except that a landlord may require:	
appearance of the premises, and the convenience and well being of them (2) that the cable idevision company or the tenant or a combination thereof (3) hat the cable idevision company appee to indemnify the landlord (4) a description of the facilities and exponents to be inadiced, if movem (3) hat the cable idevision company appee to indemnify the landlord (4) a description of the facilities and exponents to be inadiced for many clanse caused by the installation, operation or removal of such facilities (b) demand or accept payment from any tenant, in any form, in exchange therefore in excess of permitting cable idevision company in exchange therefore in excess of reasonable; or (c) Description any cable idevision company to effect entry of the reasonable; or (c) Description in rental charges or otherwise, between tenants who reaching landlord in surface and bases exceuded in the form aging building served by a case on the relation company in exchange therefore and reasonable; or (c) Description company may enter into any agreement with the called is allows in the contraction with second the vibility of allows and may great to the payment from any classes and the installation and into the operation company is allows of the requirements and may set forth any additional matter on contained in the pathon. (b) a statement that the inadical is afforded the opportunity to answer the pathon and may set forth any additional matter on contained in the pathon. (c) a statement that the inadical is afforded the opportunity to answer the pathon and may set forth any additional matter on contained in the pathon. (c) a statement that the inadical is afforded the opportunity to answer the pathon and may set forth any additional matter on contained in the pathon. (c) a statement that the inadical is afforded the opportunity to answer the pathon and may set forth any additional matter on contained in the pathon. (c) a statement that the inadical is afforded the opportunity to answer the pathon and may s		(1) proof of service of a notice of intent to install cable television service upon the
 (a) that is cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities and ydamage caused by the installation, operation or removal of such facilities and ydamage caused by the installation, operation or removal of such facilities and ydamage caused the the installation, the anticipated cost thereof, an ydamage caused the installation, incompany grate to line installation (b) demand or accept payment from any tenant, in any form, in exchange for from any cable television company in exchange therefore in excess of an amount wich the Commission shall, by regulation, determine to be reasonable, or (c) biscriminate in rental changes or otherwise, between tenants who receiv cable television company may enter into any agreement with the patienting cable service and those who do not. 2. Rental agreements and leases excueted prior to January first, intered hundred serving there may be entired in dividing this section. 3. No cable television company, may enter into any agreement with the order of and the section desces. 3. No cable television company, or do or permit may act, that would have the effect individual anterna aquignent. 3. Nee WY ORK CODES RULES AND REGULTIONS – PART 88 – LNNLORD-TENNIT RELATIONSHIP (Statuory authority: Public Service property taken by a cable television company for the installation of cable server to the poticion. 388.2 Just Compensation Except as provided in section 88.2 of this Part, no landiord shall demand or space or facilities and accuration by the cable television company of the installation of cable television company may on the installation of cable television company for the installation of cable telev		
 (2) that the cable tabelesion company on the tenant or a combination thereof is bart the entire cost of the installation, operation or removal of such facilities. The anticipated costs thereof, and the cable tabelesion company agree to indemnify the landlord for any famara, it any form, in exchange therefore in excess of a second the installation. Company costs of such facilities and the analyce table tabelesion company to the perform any cable tabelesion service on or within his property or premises, or more and there table tabelesion company is exchange therefore in excess of the installation, and the individual or afforts by the cable tabelesion company to the perform any cable tabelesion company to a service and those who do not. (a) bacteriminate in rental charges or otherwise, between tenants who receive cable tabelesion company is and integer to any service the pathements and leases executed prior to January first, indeteen hundred seventy-three may be enforced notwithstanding this section. 3. No cable tabelesion company, and or permit any agreement with the section table indevision company is and index of an installation, and the enforced notwithstanding this section. Ne VYORK CODES RULES AND REGULATIONS – PART 889 – LANDLORD-TENNAT RELATIONSHIP (Staturory authority: Public Service Law yoad in section 898.2 of this Part, no landlord shall endored is an excertain service or facilities. The amount of just compensation for pust company to pust the proceeding or any post of the public Service Law yoad in section 898.2 of this Part, no landlord shall endored the serve is table tabelesion company in a company to a fact any other material service or the public Service Law yoad in section 898.2 of this Part, no landlord shall endored the serve is table tabelesion company in a condition of the installation of the cable tabelesion company in a company to a fact any entry in t		
 and (3) that the cable television company agree to indemnify the landford for any damage caused by the installation, operation or removal of such facilities. (b) demand or secole payment from any tennel, in any form, in exchange for more average television company is exchange therefore in excess a longer or the installation. (c) bactminate 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, indeteen hundred seventy-three may be enforced notwiths the installation, and 3. No cable television company may enter into any agreement with the averising dividual and the enforced mice which answer must be responsive to the pattion. 3. No cable television company, or do or permit any adt, that would have the effect of enterset of diminishing or interfing which also the existing dividual and mays at locational to the pattion. 3. No cable television company, or do or permit any adtiding to use or avait himsel of anator to the pattion. 3. No cable television company, or do or permit any adtiding to use or avait himsel of anator to the pattion in accordance with section 288 of the pattion company and the pattion in accordance with section 288 of the Public Service Law y22(1) 3. More after to diminishing or interfing which also the devision company is an application for just compensation a cordane with section 280 of the Public Service Law y22(1) 3. More after the exist television company is a television company or do a permit may adthe television company is an application of public Service Law y22(1) 3. More after television company is the section 280 (the public Service Law y22(1) 3. More after television service or facilities on or with in satillation of cable television company is a second public second with a second television company is an application for just compensation and public Serv		(4) a description of the facilities and equipment to be installed upon the property,
 (a) that the cable television company space to indemnify the landlord for surv damage caused by the installation, encluding proof of inservice and the cable television company shall have cable television company shall have cable television company shall have to the second cable to the installation. (b) demand or accept payment from any tenant, in any form, in exchange for measure or dhere veduce of ability to indemnify the landlord; may damage caused in connected without prejudies to the installation and insection 82.2 (a) the television company to the installation. (c) Discriminate in rental charges or otherwise, between tenants who receive able television service and those who do not. 2. Rental agreements and leases executed prior to January first, nineteen functional service and those who do not. 3. No cable television company or any anoten indo any agreement within the service to the service or division company any agreement with effect in the cable television company or the pretition. 3. No cable television company or any agreement with effect in the cable television company and in the appearance by landlord in the pretition. The commission may grant to the pretition and may set fort han a submitter to the pretition company and in the section 22.8 of the Public Service any payment form any cable television company or the installation of cable television company or the installation of the payment of just compensation for proof wards and advisors on the proof the service and the proof the service and there and the service and the service a		including the type and method of installation, the anticipated costs thereof, and
 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 form any cable television company in in schange for 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) bickrimination in rental charges or charwise, between tonants who receive cable television company many to effect entry of the rapits of the landiord is affordad the coportunity of assessment of efforts by the cable television company to effect entry of the rapits of the landiord is affordad the coportunity of assessment of efforts by the cable television company to effect entry of the rapits of the landiord is affordad the coportunity of assessment of efforts by the cable television company and effect entry of the rapits of the landiord is affordad the coportunity of the rapits of the patient of column and may agreement with the commission may grant of except any spans. Such assess are persona controlling or managing buildings served by a cable television company, and or permit any ext. In the valid cells assessment the rapit television company and effect the valid cells assessment the rapit television company and effect the valid cells assessment the rapit call constitute a ruling transment of effect assessment the rapit television company and effect the valid cells assessment the rapit call constitute a ruling transment of addice structure and the preceding or no answer file division service of facilities on any grant of days the petiticing cable television company of the petiticing cable television company of the restallation of cable television company of the petiticing cable television company of the petiticing cable television company of the restallation of cable television company of th		
 (c) demand <i>c</i> accept payment from any tenant, in any form, in exchange of permitting cable television service on ar within his property or premises, or 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. Rortia agroentis and leases executed prior to January first, nineteen under the landlord is and month of a safet det the landlord is and month the analytic able television company to effect entry of the regulation; and under the served prior to analytic sectors. 3. No cable television company may enter into any agreement with the ommission and grant to the petitioning cable television company, or do or permit any act, that would have the effect individual anter the sectors of sectors. 3. No cable television company, or do or permit any act, that would have the effect individual anter accept and ysament from any cable television active or avail times of or permits. 3. No cable television company, or do or permit any act, that would have the effect individual anter accept and ysament from any cable television accept and parameters and ysame and address of the park in the installation of a specific facts relevant to the determination of ysac compars of a scelent 280 of the Public Service I application by the landlord pursuant to section 389. A prioribition 3. No calle television accept and ysament from any calle television accept		
 (b) demaid or accept payment from any tenant, in any form, in exchange for many 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 reaches a statistication and upper the cable television company to effect entry of the rights of the landlord to just compensation in accordance with section 889.2 a Part; (d) Discriminate in rental charges or otherwise, between tenants who reaches a statistication and mays of efforts by the cable television company to effect entry of the rights of the landlord to just compensation and mays of tort any additional matter not contained in the patient. (e) Discriminate in rental charges or otherwise, between tenants who reaches a secure de prior to January first, infereen hundred seventh or y data affordation. (f) Discriminating the secure of the commission ready and the securities of the patient or other coupant of such cords not while handlord is made in the proteconding or no answer filed within the time permitting cable television company. If or opermit any exit, that would have the referet with the commission rang agring to the patiens on company, and there secure and the save to be patient or other coupant of such torage and hundred to any the rest of the rought. Service Law gath in section 889.2 of this Part. Not landlord is made in the patiencing on analysis of the rought service and the regulations on any patient or the rest of the service and the service or facilities. The anount of just compensation for just compensation for just compensation for patient or by a cable television company or the installation of the installation of the save trans a support with the installation of the save trans a support with the installation of the save trans any be consistent with the installation of the sevision service or facilities and the save tor support servis t		
 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or inghts of the landlord to just compensation in accordance with section 888.2 of the landlord to just compensation in accordance with section 888.2 of the public Service and the sevence of aclitics in accordance with section 888.2 of the sevence of aclitics on or within said landlord 5. Nex Cable television company, of on opermit any action to any agreement with the form many on the rino any agreement with the form and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal matter and the set in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal matter and may and the addition of a data set of matter and may withe not additional matter and contained in the periconal matter and additional matter a	(b) demand or accept payment from any tenant, in any form, in exchange for	
amount which the Commission shall, by regulation, determine to be reasonable; or 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, nineten 3. No cable television company may enter into any agreement with the owners, leasees or persons controlling or managing buildings served by a cable television company or on permit any adjutioning cable television company and within the time permitting cable television company and the petition and may actioning cable television company and the petition and may actioning cable television company and the petition and may action the petitioning cable television company and the petition and may action this Part. If the adjute the petitioning cable television company and the petition and may action this Part. If the adjute television company is accomplied with the sentilation of cable television company and the petitioning cable television company and the petition and may actional is accordance with Section 228 of the Public Section law size (1) and the petition and may action the petitioning cable television company is accomplied with the installation of cable leavison service or facilities in accordance with Section 228 of the Public Section spreperty or premises. NEW YORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service spreperty or premises). Says 1. Prohibilion Except as provided in section 898.2 of this Part, no landord shall demand or accord any payment from any cable television company in exchange for property taken by a cable television company for the installation of cable television for just compensation sprey pay cable television company for the installation of cable television for just compensation sprey pay the service or facilities, whichever is lat saturd or managing building the service or facilities, whichever is lat sprey tor previse		(7) a statement that the installation shall be conducted without prejudice to the
 reasonable; or (a) a summary of efforts by the cable television company to effect entry of the cable television company to affect entry of the cable television company to effect entry of the company cable entry entry in exchange for entry of the installation of eather entry in a content of such nations on the except any payment of use company and effects by the cable television for just compensation for just compensation for accept any payment of use company and effects with the installation of eather entry of the installation of eather entry of the installation of eather entry of the commission and pay early enter the entry of the installation of eather entry of the company in a content of such nation. (b) The servetary of the company proposing to instal cable television eather entry of the installation. (c) The servetary of the company proposing to instal cable television eather entry of the eather elevision entry of the installation. (d) The eather entry of the company many entry in a cable television eather entry of the eather elevision entry in a cable television entry in		
 (c) Discriminate in rental charges or otherwise, between tenants who rocaive cable television service and those who do not. (c) Discriminate in rental argements and leases executed prior to January first, nineteen cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a 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 repertil any act, that would have the effect. (a) a statement that the landford is and in the proceeding or no answer file allow of the epittioning cable television company and charle diversion company. and the petitioning cable allow of the petitioning cable allow of the epittioning cable allow of an endition. Net WYORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law \$228(1) Systa 1 Prohibition Stexept as provided in section 388.2 of this Part, no landford shall demand or accept any payment from any cable television company in exchange for property taken by a cable television company in exchanges for property taken by a cable television company to risk tompany in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company for the installation of cable television service or facilities. Systa 2. Just Compensation Stevy landford shall beentiled to the payment of just compensation for just compensation. Such facts should include, but need not be limited to, a showing of: a the cloation and automized agent, written notice of installation. Systa 3. Notice of installation (b) The neare and address of the cable television company; (c) the name and address of the landlord files with service in facilities, and (c) the reation and address of the landlord files with service or and address of		
 cable television service and those who do not. 2. Rental agreements and leases executed prior to January first, intered my loss of the patient and may set forth any additional matter not contained in the pettion. 3. No cable television company, may enter into any agreement with the commission company, or do or permit any act, that would have the effect, directly or indirectly of diminishing or interfering with existing rights of any the near or other occupant of such building to use or avail himself of master or individual antenna equipment. NEW YORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law g228(1) §98.1 Prohibition Except as provided in section 888.2 of this Part, no landlord shall demand or cacept any payment from any cable television company in exit of such orders shall consistion any apticual issues presented thereby (a complexion by a cable television company in the installation of the installation of the installation of a cable television company of the installation of cable television caceptance with section 228 of this Part, no landlord shall demand or cable television company of the installation of cable television caceptance by a cable television company in the installation of the installation of the installation of the installation of the installation; §98.3 Subtice of installation §98.4 Subtice of installation §98.5 Application for just compensation just compensation for just		
 2. Rental agreements and leases executed prior to January first, ininetem hundred seventy-three may be enforced notwithstanding this section. 3. No cable television company may enter into any agreement with the new company. or do or permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect. NEW YORK CODES NULES AND REGULATIONS – PART 898 – LANDLORO-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1) Steapt as provided in section 898.2 of this Part, no landlord shall demand or capet any payment from any cable television company in exchange for permitting cable television company in exchange for perperty dark the commission in accordance with secion 228 (1(b)) of the installation of cable television company in exchange for perperty and the commission in accordance with secion 228 (1(b)) of the installation of cable television company in exchange for perperty of a landlord by the individent perperitory is a sp		(9) a statement that the landlord is afforded the opportunity to answer the petition
 2. Rental agreements and leases executed prior to January first, inneteen hundred seventy-three may be enforced notwithstanding this section. 3. No cable television company, may enter into any agreement with the ocomission may grant to the petitioning cable television company any and, directly or indirectly of diminishing or interforing with existing rights of any ach tak would have the effect. Law Sate to do or permit any act, that would have the effect. Law Sate to devision company, and section 228 of the Public Service Law and the regulations contained in this Part. If the landlord lifes a written individual antenna equipment. New YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §282.1) §88.1 Prohibition Seyse 2 as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company is companiation of pust compensation for just compensation. §89.5 Application for just compensation for just compensation. §89.6 Contents of application for just compensation. §89.8 Contents of application for just compensation.	cable television service and those who do not.	
 hundred seventy-three may be enforced notwithstanding this section. Nex cable television company may enter into any agreement with the response or persons controlling or manaign buildings served by a cable television company and the public Service and the regulations contained in this Part. If the landlord flies a written answer to the petition, the cable television company shall have 10 days written answer to the petition accordance with Section 288 of the Public Service Law g228(1) SWORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law g228(1) SY88.1 Prohibition SY88.1 Prohibition SY88.2 Just Compensation Sy88.2 Just Compensation Sy88.2 Just Compensation in accordance with section 228 of the Public Active to the procedure for just compensation for just compensation for just compensation facts relevant to the leavision company for the installation of cable television company of the ordination of cable television company of the notice decable discustion company for the installation of cable television company of the notice decable discustion company for the installation of cable television company of the notice decable discustion is accordance with section 228 (1(b)) of the cable television company of the notice decable discustion is accordance with section 228 (1(b)) of the cable television company of the notice decable discustion is accordance with section 228 (1(b)) of the installation of cable television company of the notice decable discustion is accordance with section 228 (1(b)) of the installation of cable television company and the service of facilities and dores of the cable television company in exchange for property dist and and during the service of facilities and address of the cable television company in exchange for property and and shall be service on section for just compensation for just compensation for just compensation for just compensation for just compensa	2 Pontal agreements and leases executed prior to January first pineteen	
 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. An off or person any cable television company and that the petitioning cable television company and the regulations contained in this Part. If the landlord flies a written answer to the petition, the cable television company is not draw the regulations contained in this part. NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authonty: Public Service or facilities and the service or facilities and the service or facilities. Writhever is late taw other provider is section 898.2 of this Part, no landlord shall demand accept any payment from any cable television company in exchange for prometting calle television company for the installation of cable television excine a section 228 (1/lb) of the provide or facilities. The amount of just compensation shall be formission. Sy898.2 Notice of installation (a) Every called television company is and formation and any prior to fine commission in accordance with section 228 (1/lb) of the provide or devision facilities. The amount of space cocupied by the installation of cable television company may and the regulation of cable television company is and formation and application for just compensation shall be se		
 3. No cable television company may enter into any agreement with the owners, lesses 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 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 §282.1) §98.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall demand or scorepanses any meet from any cable television company in exchange for permiting cable television company of the installation of cable television service or facilities on or within said landlord's property or premises. §98.2 Application for just compensation 588.2 of this Part, no landlord shall demand or property atken by a cable television company in the installation of cable television service or facilities on or within said landlord's property or premises. §98.3 Luc Compensation §98.4 Law Compensation §89.5 Application for just compensation for property taken by a cable television company in the installation of cable television service or facilities on any proposing to install cable television service or facilities and the upper tervice of acable television company proposing to install cable television service or facilities and there of a ulasat 15 days prior to the commension shall be served upon the coable television company; (i) he name and address of the landlord; (ii) the approximate date of the installation, and (ii) the approximate date of the installation, and (ii) the approximate date of the installation, and (ii) the commission file diversion reaction the installation, and (iii) the approximate date of the installation, and (ii		the commission may grant to the petitioning cable television company an order of
 Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law ADDRD-TENANT RELATIONS HIP (Statutory authority: Public Service as symp the consistent with the installation of cable table vision company more scale table vision company and the tot constrained in this Part. Stattory apprent from any cable table vision company for the installation of cable table vision service or facilities on or within said landlord's property or premises. Stattory and the regulations contained in this Part. The commission an application for just compensation for just compensation for just compensation for just compensation of the cost termination of just compensation. Stattory and the regulation service or facilities on or within said landlord's property or premises. Stattory and the regulation service or facilities on or within said landlord's property or premises. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation for just compensation. Stattory and the regulation service or facilities. The amount of just compensation for just compensation for just compensation. Stattory and the regulation service or facilities and there of a landlord shall be entitled to the procedure or service of such notice, which shall include, whith ment and address of the cable tabevision company in propo		entry which order shall constitute a ruling that the petitioning cable television
 directly or indirectly or indirectly or 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. answer to the petition, the cable television commany shall have 10 days within to renot some some some some some some any grant or deny the petition schedule an administrative hearing on any factual issues presented thereby of direct such other procedures as may be consistent with the installation of cab television service or facilities in accordance with Section 228 of the Public Service Law §228(1) Sys8.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall leandlord's property or premises. §898.2 Just Compensation Every landlord shall be entitled to the payment of just compensation for property take television company for the installation of cable television service or facilities. The amount of just compensation shall be determinated 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 Application for just compensation. Such facts relevant to the determination for just compensation shall be leterivision company for the installation of cable television company proposing to install cable television company proposing to install cable television company mere the installation. (a) Every cable television company proposing to install cable television company mere to the application file of the application (lead property ub for antisor). (b) The secretary of the commission shall be served upon the cable television company mere to the application. (c) Notice that installation; eduipment and address of the landlord; (ii) the name and address of the landlord; (ii) the name and address of the landlation; eduipment table served upon the service of the application. (b) The secretary of the commission sh		company has complied with requirements of section 228 of the Public Service
 tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the petition schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or direct such other procedures as may be consistent with the installation of cabie television company for the installation of pust compensation for just compensation for 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 scharts of application for just compensation. Such facts relevant to the determination just compensation for an application by the landlord pursuant to section 886.3 Other proved with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 886.3 Other present of such installation. (b) The secretary of the commission all prescribe the procedure for service of final determination by the commission. Such facts relevant to final content thereof at leavision final serve upon application for just compensation. Such facts relevant to the installation; (b) The secretary of the commission fall prescribe the procedure for service of final determination gaves or facilities; whichever is later schewing of the installation. (c) The secretary of the commission fall prescribe the procedure for service of schewing from and d		
 individual antenna equipment. individual a		
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)television service or facilities in accordance with Section 228 of the Public Ser Law.§898.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall send 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 permises.Seen as provided in section 898.3 of this Part or within four months following th service or facilities on or within said landlord's property or permises.Seen as provided in section 898.3 of this Part devision company of the installation of cable television service or facilities. The amount 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 editermination 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 for property taken by a cable television company for the installation of cable television service or facilities up on 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 commensem 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, (ii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable cable television service or <b< td=""><td></td><td>schedule an administrative hearing on any factual issues presented thereby or</td></b<>		schedule an administrative hearing on any factual issues presented thereby or
NEW YORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law \$226(1) Law. §898.1 Prohibition \$898.1 Prohibition \$898.1 Prohibition Except as provided in section 898.2 of this Part, no landord 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. \$898.6 Contents of application for just compensation facilities, whichever is late \$898.6 Contents of application for just compensation An application for 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 determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application for stall cable television service of 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 to just compensation shall be served contacilities, and (a) Every cable television company proposing to install cable television service of facilities upon the property of a landlord shall serve upons aid landlord or an authorized agent, written notice, which shall include, (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; (ii) the name and address of the cable service Law and Part 898 of the commission's rules. (c) Notice that installation, of equipment has been completed may be served and (w) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules. (c) Notice that		direct such other procedures as may be consistent with the installation of cable
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)§898.5 Application for just compensation (\$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 company in exchange for permitting cable television service or facilities on or within said landlord's property tor premises.§898.5 Application for just compensation Alandlord may file with the commission an application for just compensation for unorths 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 service or facilities. The amount of just compensation for property tandlord shall be entitled to the payment of just compensation for cable television service are upon application by the landlord pursuant to section 228 (1)(b) of the service are facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice of install cable television service or facilities upon the property of a landlord shall serve upon said landlord or an authorized agent, written notice, which shall include, but need not be limited to. (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) to ename and address of the landlord; (ii) the name and address of the landlord; (iii) the name and address of the landlord; (iii) the approximate date of the installation, if any, shall be served on all parties and on the commission 's rules. (c) Notice that installation of sequipment has been completed may be service or (iii) the approximate date of the enstallation; (b) The secretary of sequipment has been completed may be servi		television service or facilities in accordance with Section 228 of the 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 Excey 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 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. (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 installation. (b) The secretary of the commencement of such installation. (c) Notice, and the form and content of such installation. (d) the name and address of the cable television company; (iii) the angenoximate date of the installation; and (c) Notice that installation of equipment has been completed may be served or any time on landlord's upon whose property cable television service or any time on landlords upon whose property cable television service or (i) the that installation of equipment has been completed may be served or (ii) the caminesion in fact stallation; (a) Choice that installation of equipment has been completed may be served or (b) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served or (a) If the commission finds that just compensation for the installation of cable Served upon the complexice of the application. (b) The acretary of the complication		Law.
 Å landlord may file with the commission an application for just company of the file within four months following the service by the cable television company in exchange for permitting cable television company for the installation of put compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination (d) the previous use of such space; (b) the pare and address of the cable television company; (ii) the name		\$898.5 Application for just compensation
 §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 company property taken by a cable television company for the installation of cable television company property cable television company property taken by a cable television company for the installation of cable television company property taken by a cable television company for the installation of cable television company property 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 commensement of such installation. (b) The secretary of the commission shall perscribe the procedure for service of Application field by the landlord for just compensation shall be served on the limited to: (i) The ame and address of the cable television company; (ii) the approximate date of the installation; and (iv) a citation of secuto 228 of the Public Service Law and Part 898 of the commission finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation. 		
 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. completion of the installation of the cable television facilities, whichever is late \$898.6 Contents of application for just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation and upon the property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation for 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) Every cable television company proposing to install cable television service or facilities; and the value of the applicant's property before the installation of cable television facilities; and determination of such notice, and the form and content of such notice, which shall include, but need not be limited to: (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 or an and off supplication for due tor which supplication service or (a) Every cable television facilities; and (b) The secretary of the Public Service Law and Part 898 of the commission's rules. (c) Notice that installation of equipment has been completed may be service or (d) Notice that installation of equipment has been completed may	§898.1 Prohibition	within four months following the service by the cable television company of the
 permitting cable television service or facilities on or within said landord'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 commension shall leet to: (b) The secretary of the commense of such installation. (b) The secretary of the commense of the cable television company; (ii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the landlord; (iii) the approximate date of the installation; and (iv) a citation of sequipment has been completed may be served at any time on landlords upon whose property cable television service or or the application for application file day the stallation of the installation and upon the commission and equipment has been completed may be served any of the commission for the installation of cable television service or the application, fany, shall be served on all parties and on the commission for the installation of cable television service or the application for the installation of cable television service or the application for the installation of cable television service or the application for the installa		•
property or premises.§898.6 Contents of application for just compensation.§898.2 Just CompensationAn application for just compensation shall set forth specific facts relevant to the determination of just compensation.Every landlord shall be entitled to the payment of just compensation of property taken by a cable television company for the installation of cableSeven cable television company for the installation of cabletelevision service or facilities. The mount of just compensation shall be(a) Every cable television company proposing to install cable television(b) the previous use of such space;§898.3 Notice of installation(a) Every cable television company proposing to install cable television(b) the previous use of such space;§898.3 Notice of installation(d) the method or methods used to determine such values. The secretary mation good cause shown, permit the filing of supplemental information at any prior to final determination by the commission.§898.7 Service of ApplicationA copy of the application filed by the landlord for just compensation. Such facts relevant to the determination property before the installation of eupiment has been completed may be served at of the installation; and(ii) the name and address of the cable television company;§898.7 Service of Application(iii) the approximate date of the installation; and(a) Every cable television company and prescribe the procedure for service of fice roct the application, and address of the landlord;(iii) the approximate date of the installation; and§898.8 Responses(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission sinules.(c) Notice that installation of equipment has been completed may be served an an		completion of the installation of the cable television facilities, whichever is later.
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 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 bubsequent to the installation of cable television facilities and the value of the applicant's property subsequent to the installation of an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation. (b) The secretary of the commencement of such installation. (c) Notice that installation 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 an any function finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable		\$898.6 Contents of application for just compensation
 Èvery 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 commencement of such installation. (c) The secretary of the commencement of such notice, which shall include, but need not be limited to: (i) the name and address of the cable television company; (ii) 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 or an uthorized supon the service or face application find determination and upon the commission is rules. (c) Notice that installation of equipment has been completed may be served or any the commission finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation for the installation of cable 		An application for just compensation shall set forth specific facts relevant to the
property taken by a cable television company for the installation of cable television service of 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 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 an any time on landlords upon whose property cable television service or		determination of just compensation. Such facts relevant to the determination of
 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 (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 all 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 upor good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon to file the television company making the installation and upon the chief executive officer of the municipality in which the real property is located. (i) the name and address of the cable television company; (ii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable televis		
 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. (b) the previous use of such space; (c) the value of the applicant's property before the installation of cable televisis facilities and the value of the applicant's property subsequent to the 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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 		
 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 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 approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 		
 \$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 cable television company; (iii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
 §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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (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 upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any to a such the television company making the installation and upon the cable television company making the installation and upon the chief executive officer of the municipality in w	of this Part.	facilities and the value of the applicant's property subsequent to the installation of
 (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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	8898 3 Notice of installation	
 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 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 		
 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 cable television company; (iii) 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 		
 (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 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 cable television company; (ii) the name and address of the landlord; (iii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	landlord or an authorized agent, written notice of intent thereof at least 15	
 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 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'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 	, ,	
but need not be limited to: (i) the name and address of the cable television company; (ii) the name and address of the landlord; (ii) 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 (i) the name and address of the cable television company; (ii) 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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of the installation of cable (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served at (c) Notice that i		
 (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 (i) the name and address of the cable television company; (ii) 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 (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application. (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable 		
 (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 §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 		sine, excedute enteer of the municipality in which the real property is located.
 (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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	()	
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 (a) If the commission finds that just compensation for the installation of cable		Responses to the application, if any, shall be served on all parties and on the
(c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable		commission within twenty days from the service of the application.
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable		\$898.9 Hearing and determination
	facilities were placed prior to the effective date of this Part.	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.		
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the commission	§898.4 Right of Entry	(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
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Chapter I,		
notice upon the landlord, or an authorized agent which notice shall contain the Subchapter A of this Title.		
date of entry and all other information described in section 893.3(b) of this (c) If after the filing of an application, the cable television company and the	date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the commission		
damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section on the issue.		approves such amount, the commission shall not be required to conduct a hearing on the issue
228(1)(a)(3) of the Public Service Law.		

Property No. 8072459-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8072459-1 Vincent Febre Kings & Queens Residental LLC 97-77 Queens Blvd, Suite 1210 Rego Park, NY 11374-3317

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 97-05 Hor Harding Ep Sr N, Queens 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 **97-05 Hor Harding Ep Sr N**, **Queens 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 97-05 Hor Harding Ep Sr N, Queens NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

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.

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.

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,

Property No. 8072473-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8072473-1 Peter Ferrera Estates NY Real Estate Serivecs LLC 97-77 Queens Blvd, Suite 1210 Rego Park, NY 11374-3335

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 98-38 57 Av, Queens 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 **98-38 57 Av, Queens 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 98-38 57 Av, Queens NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

§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.

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.

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,

Property No. 8072474-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8072474-1 Peter Ferrera Estates NY Real Estate Service 97-77 Queens Blvd , Suite 1210 Rego Park, NY 11374-3335

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 98-40 57 Av, Queens 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 **98-40 57 Av, Queens 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 98-40 57 Av, Queens NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

§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.

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.

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,

Property No. 8072506-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 8072506-1 102 40 67th Drive Owners Corp. 42-14 Astoria Boulevard Astoria, NY 11103-2504

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 102-40 67 Dr, Queens 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 **102-40 67 Dr, Queens 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 102-40 67 Dr, Queens NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

 Landard shard (a) interfere with the installation of code facination of code		
 b. No landard shall (a) interfere with the installation of cable tolevision facilities conform to such reproduce of an otice of intent to install cable tolevision company or the install and/ord may require. (1) that the installation, or cable is conform to a combination to accurate the such reproduces are necessary to protect the such regrossing of the install cable tolevision company or the install cable tolevision company agrees to hardword the real property. (3) that the installation, operation or removal of such facilities. (b) demand or accept payment from any tennan, in any form, in exchange for participant to be installation shall be conducted without property or premises. (c) Discriminate in renal charges or otherwise, between tennans who receive the landord to just company stall indemnify the landord. (c) Discriminate in renal charges or otherwise, between tenans who receive the landord to just company stall indemnify the landord. (c) Discriminate in renal charges or otherwise, between tenans who receive able television company agrees to balance the subscription on the including to just company. The installation, final and the exception of the including to just company states in the state is devision company agrees to the state intervision company is exchange therefore in excess of any adment that the state is devision company is exchange therefore in excess of any adment that the induricit is afforded the opporting to install cable television company agrees to the state intervision company agrees on the installation, and in the protocoding of the installation, and any additional matter net al charges or prevision. Contingent on the protecoding cable television company agrees in the installation of addition and any additional matter net al charges or prevision. Contingent on the protecoding cable television company agrees on the installation of additions and equipment. (b) Prevince use of prevision additions of additions and equipm	PUBLIC SERVICE LAW §228. Landlord-tenant relationship	
 facilities upon his projective or premises, except that a landlocd may require (1) that the individe devision necessary to protect the safety, functioning and generates of the installation or accordination there of the installation. (i) that the cable television company or the tenant or a combination there of the safety and or installation. (i) that the cable television company agree to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (ii) that the cable television company agree to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (iii) that cable television company agrees to indemnity the landlocd for any damage caused by the installation, operation or removal of such facilities. (iii) company cascing taywers throw any tennen, in any form, in exchange therefore in excess all fully to indemnify the landlocd for any amount which the Commission shall, by regulation, the mathematication the and the safety to indemnify the landlocd for any amount which the Commission shall, by regulation, the mathematication the and the safety to indemnify the landlocd for any amount which the Commission shall, by regulation, the installation, the analytic of any amount which the Commission shall, by regulation, the installation or the analytic and the installation or the installation or the analytic and the installation or the installation or the installati	1. No landlord shall (a) interfere with the installation of cable television	
 resionable conditions are necessary to protect the safety, functioning and spearance of the premises, and the convenience and well being of other spearance of the landord fies and supports. (2) The the cable television company or the transmission building the specific location of the read property. (3) That the cable television company agrees to indemnity the landord for any damage caused in concentions with the installation, including property and the installation. (3) That the cable television company agrees to indemnity the landord for any damage caused in concention with the installation, including property in secondary of the installation including property in secondary of a specific presense for the actual influence of a bill to the installation, including property in secondary of a specific presense for the actual influence of a bill to the installation, including proof of the actual information in become property in secondary of a bill the specific presense for the actual influence of a bill to the installation, including proof of the actual information in become provide in a specific presense for the actual influence of a bill to the installation, including proof of the actual influence of a bill to the installation and any actual influence of a bill to the installation and any action in accordance on the real property in resistallation and any action in accordance on the real property in resistal charges or otherwise, between tenants who receive provide in a specific prevent for actual influence of a bill to prevent the actual the cable television company and to a specific prevent for actual influence of a bill to prevent the specific prevent for actual influence of a bill to prevent the specific prevent for actual influence of a bill to prevent the specific prevent for actual influence of a bill to prevent the specific prevent for actual influence of a bill to prevent the specific prevent for actual influence of a bindividual area on a specific prevent fore actual	facilities upon his property or premises, except that a landlord may require:	
appearance of the premises, and the convenience and well being of them (2) that the cable idevision company or the tenant or a combination thereof (3) hat the cable idevision company appee to indemnify the landlord (4) a description of the facilities and equipment to be inatiliation, the anticipated costs thereof, and many damage caused by the installation, operation or removal of such facilities (b) demand or accept payment from any tenant, in any form, in exchange the premises, or from any cable idevision company tenant, in any form, in exchange the previous (c) demand or accept payment from any tenant, in any form, in exchange the previous (c) demand or accept payment from any tenant, in any form, in exchange the previous (c) demand or accept payment from any tenant, in any form, in exchange the previous (c) demand or accept payment from any tenant, in any form, in exchange the previous (c) demand or accept payment from any tenant, in any form, in exchange the previous (c) demand or accept payment from any tenant, in any form, in exchange the previous (c) demand or accept payment from any tenant, in any form, in exchange the previous (c) demand a cacept payment from any tenant, in any form, in exchange the previous (c) demand a cacept payment from any classics, between tenants who reacion (c) description of the facilities, and except payment from any classics that by regulation the previous (c) description of the stallation, facilities and except payment from any classics and the system (c) description of the stallation and		(1) proof of service of a notice of intent to install cable television service upon the
 (a) that is cable television company or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities and ydamage caused by the installation, operation or removal of such facilities and ydamage caused by the installation, operation or removal of such facilities and ydamage caused the the installation, the anticipated cost thereof, an ydamage caused the installation, incompany grate to line installation (b) demand or accept payment from any tenant, in any form, in exchange for from any cable television company in exchange therefore in excess of an amount wich the Commission shall, by regulation, determine to be reasonable, or (c) biscriminate in rental changes or otherwise, between tenants who receiv cable television company may enter into any agreement with the patienting cable service and those who do not. 2. Rental agreements and leases excueted prior to January first, intered hundred serving there may be entired in dividing this section. 3. No cable television company, may enter into any agreement with the order of and the section desces. 3. No cable television company, or do or permit may act, that would have the effect individual anterna aquignent. 3. Nee WY ORK CODES RULES AND REGULTIONS – PART 88 – LNNLORD-TENNIT RELATIONSHIP (Statuory authority: Public Service property taken by a cable television company for the installation of cable service of rabilities in accordance with Section 283 of the Public Service property taken by a cable television company for the installation of cable service of the installation. 3888.2 Dusicion for just compensation Except as provided in section 883.2 of this Part, no landiord shall demand or property taken by a cable television company in the installation of cable service of rabilities and conting to install cable felevision company to the cable television company in the installation of property taken by a cable television company in exchange for property taken by		
 (2) that the cable tabelesion company on the tenant or a combination thereof is bart the entire cost of the installation, operation or removal of such facilities. The anticipated costs thereof, and the cable tabelesion company agree to indemnify the landlord for any famara, it any form, in exchange therefore in excess of a second the installation. Company costs of such facilities and the analyce table costs of the installation. Company costs of such facilities and the analyce table costs of the installation. Company is also indemnify the landlor of a statement that the cable tabelesion company to the period of a statement that the installation and the installation. Company to the period is a statement that the installation is all those with the installation of the installation. Contact of without projudice to the property for installation, the installation of the period is allored the installation company to all the period is allored the period is allored the apportunity to answer the period is allored the apportunity to answer the period is allored the and the set of the period is allored in the period is allored is allored the period is allored is allored the apportunity to answer the period is allored is allored the apportunity to answer the period is allored is allored the apportunity to answer the period is allored is allored in the period is allored is a allored is allored in the period is allored is allored in the period is allored is allored in the period is allored is allored is allored is allored in the period is allored is allored is allored is allored is allored in the period is allored is allo		
 and (3) that the cable television company agree to indemnify the landford for any damage caused by the installation, operation or removal of such facilities. (b) demand or secole payment from any tennel, in any form, in exchange for more average television company is exchange therefore in excess a longer or the installation. (c) bactminate 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, indetern hundred seventy-three may be enforced notwiths the installation, and 3. No cable television company may enter into any agreement with the averising dividual and the enforced mice which answer must be responsive to the pattion. 3. No cable television company, or do or permit any adt, that would have the effect of encreticity of diminishing or interfing which are exclusing from the cable television company and the pattioning cable television company and to the pattioning cable television company and the pattioning cable television company and to the pattioning cable television company and the commission may grant to the pattioning cable television company and the pattioning cable television company and the commission and patternet of the cable television company and the pattioning cable television company and the patternet cable television		(4) a description of the facilities and equipment to be installed upon the property,
 (a) that the cable television company space to indemnify the landlord for surv damage caused by the installation, encluding proof of inservice and the cable television company shall have cable television company shall have cable television company shall have to the second cable to the installation. (b) demand or accept payment from any tenant, in any form, in exchange for measure or dhere veduce of ability to indemnify the landlord; may damage caused in connected without prejudies to the installation and insection 82.2 (a) the television company to the installation. (c) Discriminate in rental charges or otherwise, between tenants who receive able television service and those who do not. 2. Rental agreements and leases executed prior to January first, nineteen functional service and those who do not. 3. No cable television company or any anoten indo any agreement within the service to the service or division company any agreement with effect in the cable television company or the pretition. 3. No cable television company or any agreement with effect in the cable television company and in the appearance by landlord in the pretition. The commission may grant to the pretition and may set fort han a submitter to the pretition company and in the section 22.8 of the Public Service any payment form any cable television company or the installation of cable television company or the installation of the payment of just compensation for proof wards and advisors on the proof the service and the proof the service and there and the service and the service a		including the type and method of installation, the anticipated costs thereof, and
 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 form any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or (c) bickrimination in rental charges or cherwise, between tonants who receive (cable television company may net print) acable television company may net print (cable television company may net print). a. Rental agreements and lease secuted prior to January first, infereen hundred seven/lythree may be enforced notivitisating in this section 228 (c) bickrimination in the proceeding or no amaxer filed within to any agreement with the commission shall excess expersions controlling or managing buildings served by a cable television company, and enter not contained in the print). b. No cable television company may enter into any agreement with the commission shall excess or payming buildings served by a cable television company, and experiment. c. New YORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TRUNT RELATIONSHIP (Statutory authotty: Public Service Law gard) for the payment for may calculated service or facilities on any agreement for the installation. g. Segs 3. Apricibilon g. Segs 3. Apricibilon is envice or facilities on application for just compensation for property agreements in the application for just compensation for the cable television company of the installation. g. Segs 3. Apricibi		
 (c) demand <i>c</i> accept payment from any tenant, in any form, in exchange of permitting cable television service on ar within his property or premises, or 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. Rortia agroentis and leases executed prior to January first, nineteen under the landlord is and month of a safet det the landlord is and month the analytic able television company to effect entry of the regulation; and under the served prior to analytic sectors. 3. No cable television company may enter into any agreement with the ommission and grant to the petitioning cable television company, or do or permit any act, that would have the effect individual anter the sectors of sectors. 3. No cable television company, or do or permit any act, that would have the effect individual anter accept and ysament from any cable television active or avail times of or permits. 3. No cable television company, or do or permit any act, that would have the effect individual anter accept and ysament from any cable television accept and particular is set of the paperine from any cable television accept and ysament from any cable television accept and particular is set of the paperica. Such accept any part or the peritoring accept and particular is set of the paperica from any accept and particular is set of the paperica from any accept and particular is set of the paperica from any accept and particular is set of the paperica from and accept and ysament from any caccept and particulare is a		
 (b) demaid or accept payment from any tenant, in any form, in exchange for many 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 reaches a statistic and the statistic and the activity of the rights of the landford to just compensation in accordance with section 889.2 a fraction and many of efforts by the cable television company to effect entry of the rights of the landford to just compensation and company to effect entry of the rights of the landford to just compensation and company of the cable television company to effect entry of the rights of the landford to just compensation. 2. Rental agreements and leases executed prior to January first, infereen hundred sevently three may be enforced notwithstanding this section and mays of toth any additional matter net contained in the patition. 3. No cable television company, or do rpermit any exit, that would have the refetch directly or inflinksting or interfeng with existing rights of any their and context or divition company is a statement that the pretioning cable television company and existing and the right direct such of the Public Service Law gath in section 889.2 of this Part. No landford shall demand a caceful any spinent from any cable television company of the riskillation of the installation of the service area facilities. The anount of just compensation for party to premise. 898.3 Prohibition 898.4 Prohibition 898.4 Compensation 898.5 Compensation any cable television company of the installation of the installation of the savita section 889.3 of this Part. 898.5 Audication for just compensation for just compen		
 from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be reasonable; or inghts of the landlord to just compensation in accordance with section 888.2 of the landlord to just compensation in accordance with section 888.2 of the public Service and the sevence of aclitics in accordance with section 888.2 of the sevence of aclitics on or within said landlord 5. Nex Cable television company, of on opermit any action to any agreement with the form many on the rino any agreement with the form and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal matter and the set in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal and may set forth any additional matter not contained in the periconal matter and may and the addition of a data set of matter and may withe not additional matter and contained in the periconal matter and may additional matter and contained in the periconal matter and may additional matter and may additional matter additional matter	(b) demand or accept payment from any tenant, in any form, in exchange for	
amount which the Commission shall, by regulation, determine to be reasonable; or 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, nineten 3. No cable television company may enter into any agreement with the owners, leasees or persons controlling or managing buildings served by a cable television company or on permit any adjutioning cable television company and within the time permitting cable television company and the petition and may actioning cable television company and the petition and may actioning cable television company and the petition and may action the petitioning cable television company and the petition and may action this Part. If the adjute the petitioning cable television company and the petition and may action this Part. If the adjute television company is a complied with the service and thereby or individual antemne equipment. Law size(1) is provided in section 898.2 of this Part, no landord shall demand or accept any payment from any cable television company in exchange for permitting cable television service or facilities on existin and there data to exist and the space in section 898.3 of this Part, no landord shall demand or accept any payment from any cable television company to the installation of cable television for just compensation server jandrok shall be entited to the payment of just compensation for just compensation for just compensation server just television company proposing to instal cable television company. I the installation, if any, shall be served on all parties and on the installation of cable television company may the installation, if any, shall be errored to be initiated to apport to final defermine sub- property size apprecision for just compensation accept any payment from any cable television company. I the installation of cable television company is the installation of cable television company		(7) a statement that the installation shall be conducted without prejudice to the
 reasonable; or (a) a summary of efforts by the cable television company to effect entry of the cable television company to affect entry of the cable television company to effect entry of the company cable entry entry in exchange for entry of the installation of eather entry in a content of such nations on the except any payment of use company and effects by the cable television for just compensation for just compensation for accept any payment of use company and effects with the installation of eather entry of the installation of eather entry of the installation of eather entry of the commission and pay early enter the entry of the installation of eather entry of the company in a content of such nation. (b) The servetary of the company proposing to instal cable television eather entry of the installation. (c) The servetary of the company proposing to instal cable television eather entry of the eather elevision entry of the installation. (d) The eather entry of the company many entry in a cable television eather entry of the eather elevision eather entry of the installation. (e) The servetary of the company proposing to instal cable television eather entry of the eather elevision eather entry of the instal		
 (c) Discriminate in rental charges or otherwise, between tenants who rocaive cable television service and those who do not. (c) Discriminate in rental argements and leases executed prior to January first, nineteen cable television company may enter into any agreement with the owners, lessees or persons controlling or managing buildings served by a 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 repertil any act, that would have the effect. (a) a statement that the landford is and in the proceeding or no answer file allow of the epittioning cable television company and charle diversion company. and the petitioning cable allow of the petitioning cable allow of the petitioning cable allow of an endition. Net WYORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law \$228(1) Systa 1 Prohibition Stexept as provided in section 388.2 of this Part, no landford shall demand or accept any payment from any cable television company in exchange for property taken by a cable television company in exchanges for property taken by a cable television company to risk tompany in exchanges for property taken by a cable television company in exchanges for property taken by a cable television company for the installation of cable television service or facilities. Systa 2. Just Compensation Stevy landford shall beentiled to the payment of just compensation for just compensation. Such facts should include, but need not be limited to, a showing of: a the cloation and automized agent, written notice of installation. Systa 3. Notice of installation (b) The neare and address of the cable television company; (c) the name and address of the landlord files with service in facilities, and (c) the reation and address of the landlord files with service or and address of		
 cable television service and those who do not. 2. Rental agreements and leases executed prior to January first, intered my loss of the patient and may set forth any additional matter not contained in the pettion. 3. No cable television company, may enter into any agreement with the commission company, may enter into any agreement with the formers, lessees or persons controlling or managing buildings served by a cable television company and the setule television company and the petitioning cable television company and the petitioning cable television company and the petitioning cable television company and the setule t		
 2. Rental agreements and leases executed prior to January first, ininetem hundred seventy-three may be enforced notwithstanding this section. 3. No cable television company may enter into any agreement with the new company. or do or permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect, indicated your of our permit any act, that would have the effect. NEW YORK CODES NULES AND REGULATIONS – PART 898 – LANDLORO-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1) Steapt as provided in section 898.2 of this Part, no landlord shall demand or capet any payment from any cable television company in exchange for permitting cable television company in exchange for perperty dark the commission in accordance with secion 228 (1(b)) of the installation of cable television company in exchange for perperty at a secilities. The amount of just compensation for a second benit se		(9) a statement that the landlord is afforded the opportunity to answer the petition
 2. Rental agreements and leases executed prior to January first, inneteen hundred seventy-three may be enforced notwithstanding this section. 3. No cable television company, may enter into any agreement with the ocomission may grant to the petitioning cable television company any and, directly or indirectly of diminishing or interforing with existing rights of any ach tak would have the effect. Law Sate to do or permit any act, that would have the effect. Law Sate to devision company, and section 228 of the Public Service Law and the regulations contained in this Part. If the landlord lifes a written individual antenna equipment. New YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §282.1) §88.1 Prohibition Seyse 2 as provided in section 898.2 of this Part, no landlord shall demand or accept any payment from any cable television company is companiation of pust compensation for just compensation. §89.5 Application for just compensation for just compensation. §89.6 Contents of application for just compensation. §89.8 Contents of application for just compensation.	cable television service and those who do not.	
 hundred seventy-three may be enforced notwithstanding this section. Nex cable television company may enter into any agreement with the response or persons controlling or manaign buildings served by a cable television company and the public Service and the regulations contained in this Part. If the landlord flies a written answer to the petition, the cable television company shall have 10 days written answer to the petition accordance with Section 288 of the Public Service Law g228(1) SWORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law g228(1) SY88.1 Prohibition SY88.1 Prohibition SY88.2 Just Compensation Sy88.2 Just Compensation Sy88.2 Just Compensation in accordance with section 228 of the Public Active to the procedure for just compensation for just compensation for just compensation facts relevant to the leavision company for the installation of cable television company of the ordination of cable television company of the notice decable discustion company for the installation of cable television company of the notice decable discustion company for the installation of cable television company of the notice decable discustion is accordance with section 228 (1)(b) of the cable television company of the notice decable discustion is accordance with section 228 (1)(b) of the installation of cable television company of the notice decable discustion is accordance with section 228 (1)(b) of the installation of cable television company of the installation of c	2 Pontal agreements and leases executed prior to January first pineteen	
 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 of dominishing 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 authonty: Public Service taw, page and the regulations concuration of this part. New YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authonty: Public Service taw, page and the regulations concuration of this part. Sever Lang Sez28(1) Sever Lang vagement from any cable television company in exchange for prometting cable television company of the installation of cable television service or facilities. The amount of just compensation shall be for the page in the section 228 (1/16) of the public Service or facilities. The amount of just compensation shall be for the section 898.2 Just Compensation in accordance with section 228 (1/16) of the Public Service or facilities. The amount of just compensation shall be for the section 898.3 Notice of installation (cable television company for the installation of cable television company proposing to instal cable television company is and dorem and doress of the cable television company shall be served on all cardiors of an address of the cable television company is and doret in section 228 of the Public Service or facilities and the regulations company and partice is and doret shall condication for subs. (b) the mame and address of the cable television company: (c) the amean address of the cable television company: (c) the amean address of the cable television company: (c) the amean address of the cable television service or service trans and address of the saplication, and (v) a catation of section 228 of t		
 3. No cable television company may enter into any agreement with the owners, lesses 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 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 §282.1) §98.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall demand or scorepanses any meet from any cable television company in exchange for permiting cable television company of the installation of cable television service or facilities on or within said landlord's property or premises. §98.2 Application for just compensation 588.2 of this Part, no landlord shall demand or property atken by a cable television company in the installation of cable television service or facilities on or within said landlord's property or premises. §98.3 Luc Compensation §98.4 Law Compensation §89.5 Application for just compensation for property taken by a cable television company in the installation of cable television service or facilities on any proposing to install cable television service or facilities and the upper tervice of acable television company proposing to install cable television service or facilities and there of a ulasat 15 days prior to the commension shall be served upon the coable television company; (i) he name and address of the landlord; (ii) the approximate date of the installation, and (ii) the approximate date of the installation, and (ii) the approximate date of the installation, and (ii) the commission file diversion reaction the installation, and (iii) the approximate date of the installation, and (ii		the commission may grant to the petitioning cable television company an order of
 Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law and the regulations contained in this Part. If the landlord files a written individual antenna equipment. Law ADDRD-TENANT RELATIONS HIP (Statutory authority: Public Service as symp the consistent with the installation of cable table vision company more scale table vision company and the tot constrained in this Part. Stattory apprent from any cable table vision company for the installation of cable table vision service or facilities on or within said landlord's property or premises. Stattory and the regulations contained in this Part. The commission an application for just compensation for just compensation for just compensation for just compensation of the cost termination of just compensation. Stattory and the regulations contained in this Part. The cable table vision company of the installation for cable table vision company for the installation for just compensation for just compensation. Stattory and the form and content of such notice of install cable table vision company proposing to install cable table vision company more submission shall be form and content of such notice of install threefor at least 15 days prior to the commission and address of the landlord; Stattory and the form and content of such notice of install threefor at least 15 days prior to the commension address of the landlord; Stattory and the form and content of such notice of install threefor at least 15 days prior to the commission address of the landlord; Stattory and taddress of the land		entry which order shall constitute a ruling that the petitioning cable television
 directly or indirectly or indirectly or 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. answer to the petition, the cable television commany shall have 10 days within to renot some some some some some some any grant or deny the petition schedule an administrative hearing on any factual issues presented thereby of direct such other procedures as may be consistent with the installation of cab television service or facilities in accordance with Section 228 of the Public Service Law §228(1) Sys8.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall leandlord's property or premises. §898.2 Just Compensation Every landlord shall be entitled to the payment of just compensation for property take television company for the installation of cable television service or facilities. The amount of just compensation shall be determinated 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 And the value of the application for just compensation for such facts relevant to the determination just compensation. Such facts relevant to the determination of just compensation shall be fact the publics of installation. §898.3 Notice of installation (a) Every cable television company proposing to install cable television company merits the filing of supplemental information at any prior to final determination by the commission. §898.3 Notice of installation. (b) The secretary of the contexistor of the procedure for service of the andlord shall serve upon said inaldord or an authorized agent, witten notice of intent thereof at least 15 days prior to the domension radius even upon said inaldord or installation. (b) The secretary of the commission shall be served upon the cable television company merits rules. The s		company has complied with requirements of section 228 of the Public Service
 tenant or other occupant of such building to use or avail himself of master or individual antenna equipment. which to reply to said answer. The commission may grant or deny the petition schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or schedule an administrative hearing on any factual issues presented threeby or direct such other procedures as may be consistent with the installation of cabie television company for the installation of pust compensation for just compensation for 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 scharts of application for just compensation. Such facts relevant to the determination just compensation for an application by the landlord pursuant to section 886.3 Other proved with section 228 (1)(b) of the Public Service Law upon application by the landlord pursuant to section 886.3 Other present of such installation. (b) The secretary of the commission all prescribe the procedure for service of final determination by the commission. Such facts relevant to final content thereof at leavision final serve upon application for just compensation. Such facts relevant to the installation; (b) The secretary of the commission fall prescribe the procedure for service of final determination gaves or facilities; whichever is later schewing of the installation. (c) The secretary of the commission fall prescribe the procedure for service of schewing from and d		
 individual antenna equipment. individual a		
NEW YORK CODES RULES AND REGULATIONS – PART 898 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)television service or facilities in accordance with Section 228 of the Public Ser Law.§898.1 Prohibition Except as provided in section 898.2 of this Part, no landlord shall search or parmiting cable television company of the installation of cable television service or facilities on or within said landlord's property or premises.\$898.5 Application for just compensation for just compensation for 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 edtermined by the commission in accordance with section 228 (1)(b) of the service or facilities. The amount of just compensation for property taken by a cable television company for the installation of cable television service a wupon application by the landlord pursuant to section 898.3 of this Part.Server cable television company for the installation of cable television service or facilities up to 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 commenent of such installation.Service of Application for just compensation shall be television service or facilities up to the stallation of such 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 cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (ii) the name and address of the cable television company; (iii) th		schedule an administrative hearing on any factual issues presented thereby or
NEW YORK CODES RULES AND REGULATIONS – PART 888 – LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law \$226(1) Law. §898.1 Prohibition \$898.1 Prohibition \$898.1 Prohibition Except as provided in section 898.2 of this Part, no landord 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. \$898.6 Contents of application for just compensation facilities, whichever is late \$898.6 Contents of application for just compensation An application for 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 determined by the commission in accordance with section 228 (1)(b) of the Public Service Law upon application for stall cable television service of 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 to just compensation shall be served contacilities, and (a) Every cable television company proposing to install cable television service of facilities upon the property of a landlord shall serve upons aid landlord or an authorized agent, written notice, which shall include, (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; (ii) the name and address of the cable service Law and Part 898 of the commission's rules. (c) Notice that installation, of equipment has been completed may be served and (w) a citation of section 228 of the Public Service Law and Part 898 of the commission's rules. (c) Notice that		direct such other procedures as may be consistent with the installation of cable
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)§898.5 Application for just compensation (\$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 company in exchange for permitting cable television service or facilities on or within said landlord's property tor premises.§898.5 Application for just compensation Alandlord may file with the commission an application for just compensation for unoths 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 service or facilities. The amount of just compensation for property tandlord shall be entitled to the payment of just compensation for cable television service are upon application by the landlord or 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 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 cable television company; (iii) the name and address of the landlord; (iii) the approximate date of the installation; (b) nearcitation of sequipment has been completed may be service or (iii) the approximate date of the installation; (b) The secretary of sequipment has been completed may be service or (iii) the approximate date of the installation; (b) the installation of secretion 286 of the public Service Law and Part 898 of the commission's rules. (c) Notice that installation of sequipment has b		television service or facilities in accordance with Section 228 of the 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 Excey 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 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. (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 installation. (b) The secretary of the commencement of such installation. (c) Notice, and the form and content of such installation. (d) the name and address of the cable television company; (iii) the angenomismic and accent of such installation; (b) a cation for just compensation for just compensation service of facilities upon the property of a landlord shall serve upon said landlord or a authorized agent, written notice, which shall include, but need not be limited to: (i) the name and address of the cable television company; (iii) the angenomistic as the table of the installation; and (c) Notice that installation of equipment has been completed may be served or any time on landlords upon whose property cable television service or (a) Every cable television of equipment has been completed may be served or (b) A citation of such of equipment has been completed may be served or (a) If the commission finds that just compensation for the installation ind (b) The		Law.
 Å landlord may file with the commission an application for just company of the file within four months following the service by the cable television company in exchange for permitting cable television company for the installation of put compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination of just compensation. Such facts relevant to the determination (d) the previous use of such space; (b) the pare and address of the cable television company; (ii) the name		\$898.5 Application for just compensation
 §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 company property taken by a cable television company for the installation of cable television company property cable television company property taken by a cable television company for the installation of cable television company property taken by a cable television company for the installation of cable television company property 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 commensement of such installation. (b) The secretary of the commission shall perscribe the procedure for service of Application field by the landlord for just compensation shall be served on the limited to: (i) The ame and address of the cable television company; (ii) the approximate date of the installation; and (iv) a citation of secuto 228 of the Public Service Law and Part 898 of the commission finds that just compensation for the installation of cable television finds that just compensation for the installation of cable television finds that just compensation. 		
 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. completion of the installation of the cable television facilities, whichever is late \$898.6 Contents of application for just compensation for property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation and upon the property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation for 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) Every cable television company proposing to install cable television service or facilities; and the value of the applicant's property before the installation of cable television facilities; and determination of such notice, and the form and content of such notice, which shall include, but need not be limited to: (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 or an and off supplication for due tor which supplication service or (a) Every cable television facilities; and (b) The secretary of the Public Service Law and Part 898 of the commission's rules. (c) Notice that installation of equipment has been completed may be service or (d) Notice that installation of equipment has been completed may	§898.1 Prohibition	within four months following the service by the cable television company of the
 permitting cable television service or facilities on or within said landord'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 commension shall leet to: (b) The secretary of the commense of such installation. (b) The secretary of the commense of the cable television company; (ii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the cable television company; (iii) the name and address of the landlord; (iii) the approximate date of the installation; and (iv) a citation of sequipment has been completed may be served at any time on landlords upon whose property cable television service or or the application for service or the application, for any time on landlords upon whose property cable television service or or the installation of cable television for service or the application for service or the application filed by the service of the application, for any time on landlords upon whose property cable television service or the application, fany, shall be served on all parties and on the commission function and application for the installation of cable television for the installation of cable televi		•
property or premises.§898.6 Contents of application for just compensation.§898.2 Just CompensationAn application for just compensation shall set forth specific facts relevant to the determination of just compensation.Every landlord shall be entitled to the payment of just compensation of property taken by a cable television company for the installation of cableSeven cable television company for the installation of cabletelevision service or facilities. The mount of just compensation shall be(a) Every cable television company proposing to install cable television(b) the previous use of such space;§898.3 Notice of installation(a) Every cable television company proposing to install cable television(b) the previous use of such space;§898.3 Notice of installation(d) the method or methods used to determine such values. The secretary mation good cause shown, permit the filing of supplemental information at any prior to final determination by the commission.§898.7 Service of ApplicationA copy of the application filed by the landlord for just compensation. Such facts relevant to the determination property before the installation of eupiment has been completed may be served at of the installation; and(ii) the name and address of the cable television company;§898.7 Service of Application(iii) the approximate date of the installation; and(a) Every cable television company and prescribe the procedure for service of fice roct the application, and address of the landlord;(iii) the approximate date of the installation; and§898.8 Responses(iv) a citation of section 228 of the Public Service Law and Part 898 of the commission sinules.(c) Notice that installation of equipment has been completed may be served an an		completion of the installation of the cable television facilities, whichever is later.
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 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 bubsequent to the installation of cable television facilities and the value of the applicant's property subsequent to the installation of an authorized agent, written notice of intent thereof at least 15 days prior to the commencement of such installation. (b) The secretary of the commencement of such installation. (c) Notice that installation 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 an any time on landlords upon whose property cable television service or facilities upon the installation of authorized may time on landlords upon whose property cable television service or facilities and the stallation of all the commission is a cord and and the served on all parties and on the commission within twenty days from the service of the application. (a) If the commission finds that just compensation for the installation of cable served on all parties and on the commission within twenty days from the service of the application.		\$898.6 Contents of application for just compensation
 Évery 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; and §898.3 Notice of 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 matupant of such notice, and the form and content 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 cable television company; (iii) the name and address of the cable television company; (iii) 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 any the commission finds that just compensation for the installation of cable television for the installation of cable television for the installation of cable television for the installation and upon the commission 's rules. (c) Notice that installation of equipment has been completed may be served any the commission finds that just compensation for the installation of cable television for the installation of cable television for the ins		An application for just compensation shall set forth specific facts relevant to the
property taken by a cable television company for the installation of cable television service of 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 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 an any time on landlords upon whose property cable television service or		determination of just compensation. Such facts relevant to the determination of
 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 (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 all 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 upor good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon to file the television company making the installation and upon the chief executive officer of the municipality in which the real property is located. (i) the name and address of the cable television company; (ii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable televis		
 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. (b) the previous use of such space; (c) the value of the applicant's property before the installation of cable televisis facilities and the value of the applicant's property subsequent to the 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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 		
 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 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 approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 		
 \$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 cable television company; (iii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
 §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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (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 upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any upon good cause shown, permit the filing of supplemental information at any to a such the television company making the installation and upon the cable television company making the installation and upon the chief executive officer of the municipality in w	of this Part.	facilities and the value of the applicant's property subsequent to the installation of
 (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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	8898 3 Notice of installation	
 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 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 		
 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 cable television company; (iii) 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 		
 (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 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 cable television company; (ii) the name and address of the landlord; (iii) the approximate date of the installation; and (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	landlord or an authorized agent, written notice of intent thereof at least 15	
 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 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'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 	, ,	
but need not be limited to: (i) the name and address of the cable television company; (ii) the name and address of the landlord; (ii) 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 (i) the name and address of the cable television company; (ii) 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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at (c) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served or (c) Notice that installation of equipment has been completed may be served or (c) Notice that installation of the installation of cable		
 (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 (i) the name and address of the cable television company; (ii) 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 (iv) a citation of section 228 of the Public Service Law and Part 898 of the commission within twenty days from the service of the application. (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable 		
 (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 §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 		sine, excedute enteer of the municipality in which the real property is located.
 (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 (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or 	()	
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 (a) If the commission finds that just compensation for the installation of cable		Responses to the application, if any, shall be served on all parties and on the
(c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable		commission within twenty days from the service of the application.
any time on landlords upon whose property cable television service or (a) If the commission finds that just compensation for the installation of cable		\$898.9 Hearing and determination
	facilities were placed prior to the effective date of this Part.	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.		
§898.4 Right of Entry (b) An applicant may, within 20 days from the release date of the commission	§898.4 Right of Entry	(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
to the installation. Before such entry, the cable television company shall serve hearing pursuant to section 216(3) of the Public Service Law and Chapter I,		
notice upon the landlord, or an authorized agent which notice shall contain the Subchapter A of this Title.		
date of entry and all other information described in section 893.3(b) of this (c) If after the filing of an application, the cable television company and the	date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any applicant agree upon the amount of just compensation and the commission		
damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section on the issue.		approves such amount, the commission shall not be required to conduct a hearing on the issue
228(1)(a)(3) of the Public Service Law.		

Property No. 8072509-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 8072509-1 Joe Doren Metro Management Dev. 42-25 21st Street Long Island City, NY 11101-4906

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 103-10 Queens Blvd, Queens 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 **103-10 Queens Blvd**, **Queens 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 103-10 Queens Blvd, Queens NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

§228. Landlord-tenant relationship pu	b) where the installation of cable television service or facilities is not effected ursuant to a notice served in accordance with section 898.3 of this Part, the
	able television company may file with the commission a petition verified by an
	uthorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
	1) proof of service of a notice of intent to install cable television service upon the
	andlord; 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,
	ncluding the type and method of installation, the anticipated costs thereof, and
	he 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
, , , , , , , , , , , , , , , , , , ,	iny damage caused in connection with the installation, including proof of
	nsurance or other evidence of ability to indemnify the landlord;
	7) a statement that the installation shall be conducted without prejudice to the
	ghts of the landlord to just compensation in accordance with section 898.2 of this
	Part; B) a summary of efforts by the cable television company to effect entry of the
	roperty for installation; and
	9) a statement that the landlord is afforded the opportunity to answer the petition
	vithin 20 days from the receipt thereof which answer must be responsive to the
	etition 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
, , ,	andlord is made in the proceeding or no answer filed within the time permitted, he commission may grant to the petitioning cable television company an order of
	ntry which order shall constitute a ruling that the petitioning cable television
	ompany has complied with requirements of section 228 of the Public Service
	aw and the regulations contained in this Part. If the landlord files a written
	inswer 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, chedule an administrative hearing on any factual issues presented thereby or
	lirect such other procedures as may be consistent with the installation of cable
	elevision service or facilities in accordance with Section 228 of the Public Service
	aw.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	2000 E Anglia time for instances and the
	898.5 Application for just compensation
	vithin four months following the service by the cable television company of the
	otice described in section 898.3 of this Part or within four months following the
	ompletion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	2000 C. Orantzarta of emplies that for instruments of the
	898.6 Contents of application for just compensation
	etermination of just compensation. Such facts relevant to the determination of
	ust compensation. Such facts should include, but need not be limited to, a
	howing 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
	acilities and the value of the applicant's property subsequent to the installation of
	able television facilities; and
	d) the method or methods used to determine such values. The secretary may,
	pon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said pri landlord or an authorized agent, written notice of intent thereof at least 15	rior to final determination by the commission.
	898.7 Service of Application
	copy of the application filed by the landlord for just compensation shall be
	erved upon the cable television company making the installation and upon the
	hief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company; (ii) the name and address of the landlerd:	898.8 Responses
	Responses to the application, if any, shall be served on all parties and on the
	ommission within twenty days from the service of the application.
commission's rules.	· · · · · · · · · · · · · · · · · · ·
	898.9 Hearing and determination
	a) If the commission finds that just compensation for the installation of cable alevision facilities as described in the application may be in excess of one dollar it
	elevision facilities as described in the application may be in excess of one dollar it hall conduct a hearing pursuant to section 216(3) of the Public Service Law.
§898.4 Right of Entry (b)	b) An applicant may, within 20 days from the release date of the commission
(a) A cable television company shall have the right to enter property of the ord	rder which sets compensation at one dollar or less, file a written request for a
	earing. Upon timely receipt of such request, the commission shall conduct a
	earing 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
	pplicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate ap	pproves such amount, the commission shall not be required to conduct a hearing
	n the issue.
228(1)(a)(3) of the Public Service Law.	

Property No. 8072578-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 8072578-1 Ronald Katz Sussex Realty of New York LLC 45-17 Marathan Parkway Little Neck, NY 11362-1253

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 112-41 72 Rd, Queens 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 **112-41 72 Rd, Queens 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 112-41 72 Rd, Queens NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

PUBLIC SERVICE LAW §228. Landlord-tenant relationship	(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 potition verified by an
1. No landlord shall (a) interfere with the installation of cable television	cable television company may file with the commission a petition verified by an authorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	(4) musef of commission of a motion of intervent to install achieve the talk vision commission was the
(1) that the installation of cable television facilities conform to such reasonable conditions are necessary to protect the safety, functioning and	 proof of service of a notice of intent to install cable television service upon the landlord;
appearance of the premises, and the convenience and well being of other	(2) the specific location of the real property;
tenants; (2) that the cable television company or the tenant or a combination thereof	(3) the resident address of the landlord, if known;(4) a description of the facilities and equipment to be installed upon the property,
bear the entire cost of the installation, operation or removal of such facilities;	including the type and method of installation, the anticipated costs thereof, and
and	the measures to be taken to minimize the aesthetic impact of the installation;
(3) that the cable television company agree to indemnify the landlord for any damage caused by the installation, operation or removal of such facilities.	(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 a statement discussion in the statement is actual to a statement of the stateme
(b) demand or accept payment from any tenant, in any form, in exchange for	any damage caused in connection with the installation, including proof of insurance or other evidence of ability to indemnify the landlord;
permitting cable television service on or within his property or premises, or	(7) a statement that the installation shall be conducted without prejudice to the
from any cable television company in exchange therefore in excess of any amount which the Commission shall, by regulation, determine to be	rights of the landlord to just compensation in accordance with section 898.2 of this Part;
reasonable; or	(8) a summary of efforts by the cable television company to effect entry of the
	property for installation; and
(c) Discriminate in rental charges or otherwise, between tenants who receive cable television service and those who do not.	(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. Rental agreements and leases executed prior to January first, nineteen	Participation by the landlord is not mandatory, however, if no appearance by the
hundred seventy-three may be enforced notwithstanding this section.	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
3. No cable television company may enter into any agreement with the	entry which order shall constitute a ruling that the petitioning cable television
owners, lessees or persons controlling or managing buildings served by a	company has complied with requirements of section 228 of the Public Service
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	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
tenant or other occupant of such building to use or avail himself of master or	which to reply to said answer. The commission may grant or deny the petition,
individual antenna equipment.	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
NEW YORK CODES RULES AND REGULATIONS - PART 898 -	Law.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service Law §228(1)	§898.5 Application for just compensation
Law 9220(1)	A landlord may file with the commission an application for just compensation
§898.1 Prohibition	within four months following the service by the cable television company of the
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	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.
permitting cable television service or facilities on or within said landlord's	
property or premises.	§898.6 Contents of application for just compensation An application for just compensation shall set forth specific facts relevant to the
§898.2 Just Compensation	determination of just compensation. Such facts relevant to the determination of
Every landlord shall be entitled to the payment of just compensation for	just compensation. Such facts should include, but need not be limited to, a
property taken by a cable television company for the installation of cable television service or facilities. The amount of just compensation shall be	showing of: (a) the location and amount of space occupied by the installation;
determined by the commission in accordance with section 228 (1)(b) of the	(b) the previous use of such space;
Public Service Law upon application by the landlord pursuant to section 898.5	(c) the value of the applicant's property before the installation of cable television
of this Part.	facilities and the value of the applicant's property subsequent to the installation of cable television facilities; and
§898.3 Notice of installation	(d) the method or methods used to determine such values. The secretary may,
(a) Every cable television company proposing to install cable television service or facilities upon the property of a landlord shall serve upon said	upon good cause shown, permit the filing of supplemental information at any time prior to final determination by the commission.
landlord or an authorized agent, written notice of intent thereof at least 15	
days prior to the commencement of such installation.	§898.7 Service of Application
(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,	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
but need not be limited to:	chief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company;	\$909 9 Besperson
(ii) the name and address of the landlord;(iii) the approximate date of the installation; and	§898.8 Responses Responses to the application, if any, shall be served on all parties and on the
(iv) a citation of section 228 of the Public Service Law and Part 898 of the	commission within twenty days from the service of the application.
commission's rules.	\$808.0 Hearing and determination
(c) Notice that installation of equipment has been completed may be served at any time on landlords upon whose property cable television service or	§898.9 Hearing and determination (a) If the commission finds that just compensation for the installation of cable
facilities were placed prior to the effective date of this Part.	television facilities as described in the application may be in excess of one dollar it
§898.4 Right of Entry	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
(a) A cable television company shall have the right to enter property of the	order which sets compensation at one dollar or less, file a written request for a
landlord for the purpose of making surveys or other investigations preparatory	hearing. Upon timely receipt of such request, the commission shall conduct a
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	hearing pursuant to section 216(3) of the Public Service Law and Chapter I, Subchapter A of this Title.
date of entry and all other information described in section 893.3(b) of this	(c) If after the filing of an application, the cable television company and the
Part. The cable television company shall be liable to the landlord for any	applicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate damages paid by the cable television company pursuant to section	approves such amount, the commission shall not be required to conduct a hearing on the issue.
228(1)(a)(3) of the Public Service Law.	

Property No. 8072625-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 14, 2014

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Property ID: 8072625-1 Gary Flamenbaum Kings & Queens Residential LLC 97-77 Queens Boulevard, Suite #1210 Rego Park, NY 11374-3317

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 62-60 108, Queens 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 **62-60 108**, **Queens 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.

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.

alupon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 62-60 108, Queens NY. The inspection will be performed on or about November 14, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 14, 2014</u>

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

§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.

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.

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,

Property No. 8072629-1



140 West Street, Room 1105 New York, NY 10007 Phone: (888) 364–3467 NYCFiOS@verizon.com

October 2, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND FIRST CLASS MAIL

Property ID: 8072629-1 Lefrak Organization 40 West 57th Street, 23rd Floor New York, NY 10019-4001

RE: Notice of Intention to Install/Upgrade Cable Television Facilities and Service - Inspection and Survey at: 63-10 108, Queens 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 **63-10 108**, **Queens 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.

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.

allipon M. Scipal

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

PURSUANT to Public Service Law §228, and 16 NYCRR Part 898, Verizon New York Inc. has the right to enter and inspect your property in order to prepare drawings, plans and designs in preparation for the installation/upgrade of cable television facilities and service upon your property located at 63-10 108, Queens NY. The inspection will be performed on or about November 3, 2014. In the event of any damage to your property, Verizon New York Inc. will be responsible. After having prepared the plans and designs, Verizon New York Inc. will make plans for the facilities available for your information, review and consideration. More specifically, Verizon New York Inc.'s installation/upgrade plan involves the following:

An inspection / survey to determine a plan for the building of pathway from street to building and/or building to building basement(s), core drilling and placing vertical pathway, fiber hubs, terminals, and installing a horizontal molding or flexible duct system as required. Within these pathways fiber optic cable will be placed and spliced.

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

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

This Notice may be served, among other ways, by certified mail return receipt requested. If you have any questions, you may write or call the company's representative; or write or call the Secretary to the New York State Public Service Commission at <u>secretary@dps.ny.gov</u> 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: <u>October 2, 2014</u>

§228. Landlord-tenant relationship pu	b) where the installation of cable television service or facilities is not effected ursuant to a notice served in accordance with section 898.3 of this Part, the
	able television company may file with the commission a petition verified by an
	uthorized officer of the cable television company setting forth:
facilities upon his property or premises, except that a landlord may require:	
	1) proof of service of a notice of intent to install cable television service upon the
	andlord; 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,
	ncluding the type and method of installation, the anticipated costs thereof, and
	he 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
, , , , , , , , , , , , , , , , , , ,	iny damage caused in connection with the installation, including proof of
	nsurance or other evidence of ability to indemnify the landlord;
	7) a statement that the installation shall be conducted without prejudice to the
	ghts of the landlord to just compensation in accordance with section 898.2 of this
	Part; B) a summary of efforts by the cable television company to effect entry of the
	roperty for installation; and
	9) a statement that the landlord is afforded the opportunity to answer the petition
	vithin 20 days from the receipt thereof which answer must be responsive to the
	etition 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
, , ,	andlord is made in the proceeding or no answer filed within the time permitted, he commission may grant to the petitioning cable television company an order of
	ntry which order shall constitute a ruling that the petitioning cable television
	ompany has complied with requirements of section 228 of the Public Service
	aw and the regulations contained in this Part. If the landlord files a written
	inswer 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, chedule an administrative hearing on any factual issues presented thereby or
	lirect such other procedures as may be consistent with the installation of cable
	elevision service or facilities in accordance with Section 228 of the Public Service
	aw.
LANDLORD-TENANT RELATIONSHIP (Statutory authority: Public Service	2000 E Anglia time for instances and the
	898.5 Application for just compensation
	vithin four months following the service by the cable television company of the
	otice described in section 898.3 of this Part or within four months following the
	ompletion of the installation of the cable television facilities, whichever is later.
permitting cable television service or facilities on or within said landlord's	2000 C. Orantzarta of emplies that for instruments of the
	898.6 Contents of application for just compensation
	etermination of just compensation. Such facts relevant to the determination of
	ust compensation. Such facts should include, but need not be limited to, a
	howing 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
	acilities and the value of the applicant's property subsequent to the installation of
	able television facilities; and
	d) the method or methods used to determine such values. The secretary may,
	pon good cause shown, permit the filing of supplemental information at any time
service or facilities upon the property of a landlord shall serve upon said pri landlord or an authorized agent, written notice of intent thereof at least 15	rior to final determination by the commission.
	898.7 Service of Application
	copy of the application filed by the landlord for just compensation shall be
	erved upon the cable television company making the installation and upon the
	hief executive officer of the municipality in which the real property is located.
(i) the name and address of the cable television company; (ii) the name and address of the landlerd:	898.8 Responses
	Responses to the application, if any, shall be served on all parties and on the
	ommission within twenty days from the service of the application.
commission's rules.	· · · · · · · · · · · · · · · · · · ·
	898.9 Hearing and determination
	a) If the commission finds that just compensation for the installation of cable alevision facilities as described in the application may be in excess of one dollar it
	elevision facilities as described in the application may be in excess of one dollar it hall conduct a hearing pursuant to section 216(3) of the Public Service Law.
§898.4 Right of Entry (b)	b) An applicant may, within 20 days from the release date of the commission
(a) A cable television company shall have the right to enter property of the ord	rder which sets compensation at one dollar or less, file a written request for a
	earing. Upon timely receipt of such request, the commission shall conduct a
	earing 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
	pplicant agree upon the amount of just compensation and the commission
damages caused by such entry but such damages shall not duplicate ap	pproves such amount, the commission shall not be required to conduct a hearing
	n the issue.
228(1)(a)(3) of the Public Service Law.	