

Ameritania Hotel Illegal LED Sign Evidence Package



West 50s Neighborhood Association, 501(c)(3)

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1. SUMMARY OF THE ISSUE

The Ameritania Hotel at 230 W 54th Street operates a 793-square-foot illuminated LED advertising sign on its building wall (see Figure 1). The sign projects intense light into adjacent residential buildings, violating NYC Zoning Resolution §32-64, which explicitly prohibits illuminated signs from projecting or reflecting light into residences so as to "interfere with the reasonable use and enjoyment thereof."



Figure 1. The Ameritania Hotel LED sign, viewed from the corner of Broadway and 56th Street. The sign operates 24/7 with commercial advertising content, as documented in resident testimony.

DOB has closed six of seven complaints under disposition code I2, including a daytime inspection of a nighttime complaint in 2018 that became the pattern-defining case. Details in Section 7.

Despite this pattern, three Class 1 (Immediately Hazardous) ECB violations issued in October 2017, direct intervention by Assembly Member Linda Rosenthal correcting DOB on the applicable law, and a 2023 Department of City Planning confirmation that §32-64 applies, the sign continues to operate. The sign's light intrusion affects buildings containing over 1,300 residential apartments across 200 W 54th, 205 W 54th, 241-245 W 54th, 230 W 55th, 235 W 56th, and 211 W 56th. An estimated 180 of these units have direct line-of-sight exposure to the sign, including the most valuable high-floor apartments whose views and habitability are degraded by the sign's 24/7 illumination.

We are requesting that DOB enforce the record-based violations catalogued in Section 4 and conduct a nighttime re-inspection under §32-64.

2. PROPERTY DETAILS

Address	230 W 54th St (aka 1701-1707 Broadway)
BIN	1024839
Block/Lot	1025/44
Zoning District	C6-7 (General Central Commercial)
Special District	MiD (Special Midtown District)
Community Board	Manhattan CB5
Building Owner	Bryant Associates, LLC
Hotel Operator	Ameritania 54th Associates, LLC
Sign Permit	Job #122707400 (filed 3/9/2016, signed off 9/6/2018)
Sign Size	793 sq ft, illuminated LED, changeable copy, advertising
Ad Operator (Original)	New Tradition Outdoor LLC (584 Broadway Ste 801, NYC), a third-party company that operated ad content on the sign
Current Sign Owner	BTO Nitro Buyer LLC (Blackstone Tactical Opportunities). Acquired sign rights from New Tradition Holdings LLC June 8, 2023 for \$3,664,558.60. Full ownership chain at Section 4B.
OAC Registration	#1111, EXPIRED 12/07/2023 (New Tradition Outdoor LLC). The registered OAC entity sold its advertising interest to BTO Nitro Buyer LLC 6 months before the registration expired. The current sign owner (Blackstone/BTO Nitro) has no DOB authorization to operate this sign. BTO Nitro Buyer LLC has never registered as an OAC.
Annual Sign Permit	#15726, EXPIRED 06/30/2022 (Permit code: MAILRETURN, renewal bill returned undeliverable)
Prior Sign at Location	Job #122383884 (2015), 35 sq ft accessory business sign (22x increase to current). Historical DOB illuminated sign record (Seq 0011) shows a 245 sq ft "HOTEL BRYANT" sign at this location, the sign residents actually saw replaced. 245 → 793 sq ft = 3.2x increase, confirmed by resident testimony.

3. ZONING ANALYSIS: OUTSIDE THE TIMES SQUARE DISTRICT

This property does not benefit from Times Square's permissive signage rules.

NYC Zoning Resolution §81-732 (Special Times Square Signage Requirements) applies only to zoning lots "between 43rd and 50th Streets with street frontage on Seventh Avenue and/or Broadway." The Ameritania Hotel sits at 54th Street, four blocks north of the boundary.

The property falls within the Special Midtown District (MiD) under general C6-7 zoning. The standard illumination restrictions of §32-64 apply in full. There is no special district overlay permitting large-format advertising signage at this location.

4. INDEPENDENTLY VERIFIABLE VIOLATIONS: ENFORCEABLE FROM DOB'S OWN RECORDS

The following violations fall into two categories. The first are violations DOB can enforce today from its own records, requiring no inspection, no site visit, and no subjective judgment. The second are violations that require investigation but, once investigated, are readily verifiable. DOB has the authority and the obligation to act on both.

Part 1: Record-Based Violations (DOB Can Enforce Today)

A. Expired Annual Illuminated Sign Permit (§28-105.1)

Annual illuminated sign permit #15726 expired 06/30/2022, nearly three years ago. The permit code is MAILRETURN, meaning DOB mailed the renewal bill but it was returned undeliverable. DOB last billed \$594.75 on 03/06/2025. The agency is still trying to collect, but the permit remains expired. Under NYC Admin Code §28-105.1, operating an illuminated sign without a current annual permit is illegal regardless of any other zoning issues. This is in DOB's own Illuminated Signs database for BIN 1024839, sequence 0013.

B. Expired OAC Registration (§28-502.3)

OAC #1111: New Tradition Outdoor LLC (584 Broadway Suite 801, NYC). Registration expired 12/07/2023, over two years ago. Under NYC Admin Code §28-502.3, operating as an outdoor advertising company without active registration carries fines of up to \$25,000 per day. This is verifiable from DOB's published Active OAC Registration List.

Critically, the members of New Tradition Holdings LLC transferred their interests in this sign and 30 other NYC advertising properties to BTO Nitro Buyer LLC, a Blackstone Tactical Opportunities acquisition vehicle at 345 Park Avenue, on June 8, 2023 (ACRIS CRFN 2024000230113, total consideration \$3,664,558.60 across all 31 parcels). The Ameritania sign parcel is explicitly enumerated in the RPTT filing as Manhattan Block 1025, Lot 44, partial lot, 1701 Broadway. This portfolio assignment occurred within a larger Blackstone Tactical Opportunities majority investment in New Tradition Media, announced publicly in June 2023. The OAC registration that was authorized on the sign permit is both expired and belongs to an entity that no longer owns the advertising rights. The current sign owner (Blackstone/BTO Nitro) has no DOB authorization to operate outdoor advertising at this location. BTO Nitro Buyer LLC has never registered as an OAC.

This is not a quality-of-life complaint against a neighborhood hotel. The sign is now a financial asset of a multi-billion-dollar private equity firm, disconnected from the

hotel's identity, operated with expired permits and an expired OAC registration belonging to an entity that sold its stake. Follow the money: a PE firm is running an illegal LED sign with expired permits into residential apartments, and DOB has failed to act for seven years.

C. Probable False Certification on 2017 ECB Violations (§28-211.1)

All three Class 1 violations issued in October 2017 (35295204K, 35295205M, 35295206Y) required the remedy "REMOVE ILLEGAL SIGN." First Certificates of Correction were submitted and REJECTED by DOB on 08/02/2018. Second certificates were submitted and accepted on the same day (06/05/2019) with no on-site verification. The sign was never removed. It has operated continuously from 2017 to the present, larger and brighter than ever. This constitutes probable false certification under NYC Admin Code §28-211.1, exposing the filer to criminal and civil penalties.

An anticipated defense is that the 9/6/2018 sign-off of Job #122707400, which occurred between the 8/2/2018 rejection and the 6/5/2019 acceptance of the second certificates, rendered the "remove illegal sign" remedy moot by legalizing the sign. This defense fails on two grounds. First, the 2017 violations cited three distinct conditions: operating without permit (35295204K), covering windows (35295205M), and property owner acting as OAC without registration (35295206Y). A subsequent sign-off of the permit condition does not cure the window-covering condition or the OAC registration condition, both of which persist in DOB's own records today. Second, the certificates of correction attest affirmatively that the illegal sign was removed. They do not state that the sign was legalized by a new permit. Certifying removal of a sign that was not removed is the false statement at issue, regardless of any intervening permit action.

D. Size Escalation: 22x From Permits, 3x Confirmed by Resident Testimony and DOB Records

DOB records show two sign permits at this location:

- Job #122383884 (filed 06/11/2015): 35 sq ft accessory business sign, filed by George Dfouni / Britannia 54th Hotel Corp
- Job #122707400 (filed 03/09/2016): 793 sq ft advertising sign, filed by Steven Goldman / Ameritania Hotel

Permit-to-permit, this is a 22x increase in size (35 sq ft to 793 sq ft, 22.66x precise). But the sign residents actually saw replaced was larger than the 35 sq ft blade sign. DOB's historical illuminated sign database (BIS sequence 0011) records a 245 sq ft "HOTEL BRYANT" sign at this property, the large static panel that was rebranded as "AMERITANIA at Times Square" after the 2008 operator change. This is the sign that Brent Waligory, resident of 205 W 54th St Apt 10B and the primary documented complainant on this sign since 2018, described as the "original" that was "replaced with one 3x the size."

Waligory's testimony is now confirmed by DOB data: 245 sq ft tripled is approximately 793 sq ft (3.24x precise). His statement was precise and backed by records. The sign tripled from what residents actually lived with, and increased 22x from the only other modern permit on file.

The 2016 permit was also amended (Section 24 comment: "FILING HEREWITH PW1 TO CHANGE JOB DESCRIPTION AND SECTION 23"), meaning the sign specs may have been enlarged after initial filing.

E. Commercial Operation Before Final Sign-Off (§28-105.1)

The LED sign operated commercially for 6 to 7 months before receiving final DOB sign-off:

- **March 22, 2017:** Plans approved (plan examination complete)
- **October 2017:** Three ECB violations issued. All three (35295204K, 35295205M, 35295206Y) explicitly cited "Daily Mail TV" advertising content, proving the sign was displaying paid third-party commercial ads
- **September 6, 2018:** Final sign-off (Job #122707400)

Under NYC Admin Code §28-105.1, work cannot be occupied or used before the Commissioner issues a final sign-off. The sign was generating advertising revenue from commercial clients before DOB verified the installation met the approved plans. This is a separate violation from the expired permit and expired OAC. The sign was illegally operated from the moment it was turned on.

F. Aggravating Fact: DOB Bills Expired Permits Without Enforcement

DOB's own billing system shows \$1,178.50 billed annually across thirteen sign sequences at BIN 1024839. Every single sequence shows MAILRETURN status, meaning every renewal bill is returned undeliverable. Annual permit #15726 for the 793 sq ft LED alone is billed \$594.75 per year and was last billed March 6, 2025, nearly three years after the permit expired June 30, 2022. DOB knows the signs exist because it bills for them. DOB knows the bills are not reaching the operator because they return undeliverable. DOB has taken no enforcement action. This is administrative abdication captured in DOB's own records.

Part 2: Violations Requiring Investigation

G. Unapproved "Flashing" Illumination

The sign permit (Job #122707400, Section 23) approved "Direct" illumination only. The checkbox for "Flashing" was explicitly NOT checked. Multiple resident complaints and DOB records document flashing, strobing, and rapidly changing color effects that constitute "flashing" illumination, which was not approved. If the sign operates in a flashing mode, it exceeds the scope of the approved permit.

These findings change the nature of our request. We are no longer asking DOB only to conduct a subjective nighttime assessment. We are asking DOB to enforce violations that exist in its own records today, and to investigate the remaining conditions that require inspection to confirm. Both paths lead to the same obligation: act.

5. THE §32-64 VIOLATION

NYC Zoning Resolution §32-64 (Surface Area and Illumination Restrictions) states:

*"No illuminated sign shall have a degree or method of illumination which exceeds standards established by the Department of Buildings by rule... Such standards shall ensure that **illumination on any illuminated sign does not project or reflect on residences ... so as to interfere with the reasonable use and enjoyment thereof.**"*

Multiple complaints document exactly the condition §32-64 prohibits: the Ameritania sign's light shining directly through the windows of adjacent residential units. Light intrusion occurs not only via direct projection but through reflection off adjacent commercial facades (Dream Hotel, Hilton Garden Inn), creating multi-directional intrusion that residents cannot mitigate.

Assembly Member Linda Rosenthal documented in writing on June 11, 2019 that DOB was citing the wrong statute and urged re-inspection under the correct one. Full letter and verbatim quote at Section 8 and Figure 3.

DCP Confirmation (May 2, 2023): The NYC Department of City Planning officially confirmed that "Section 32-64 applies. While there are no specific size or height restrictions for C6-7 in zoning, the degree or method of illumination of any illuminated signs must comply with the standards established by DOB (through CAPA) per Section 32-64." DCP further confirmed the matter "falls entirely under DOB." This is an agency-level confirmation that the statute applies, and that DOB is the sole responsible enforcement body. This confirmation was provided by DCP Zoning staff to Council District 3 liaison Laurie Hardjowirogo on May 2, 2023, and relayed to affected resident Brent Waligory the same day. The original correspondence is available upon request.

DOB's Stated Defense: "Legal Interpretation of Reflection": On April 13, 2023, DOB official Chintan Desai met with resident Brent Waligory at a DOB Owner's Night. Desai told Waligory that the issue was DOB's "legal interpretation of 'reflection'", suggesting DOB interprets §32-64 as not covering reflected/bounced light. Approximately one month later, DOB notified Waligory the Ameritania was "up to code" with no violations. This interpretation contradicts the plain language of §32-64, which explicitly uses the words "project or reflect."

6. DOB VIOLATION HISTORY

Three Class 1 (Immediately Hazardous) Violations, October 2017

ECB Number	Date	Infraction Codes	Specific Condition	Severity	Remedy	Status
35295204K	10/14/2017	162 (§28-502.6), 160 (§28-105.1)	"SIGN ON DISPLAY W/O PERMIT (DAILY MAIL TV)"	CLASS 1	REMOVE ILLEGAL SIGN	Certificate Accepted 06/05/2019
35295205M	10/14/2017	162 (§28-502.6)	"SIGN COVERING OVER WINDOWS, NOT BLOCKED BY WALL STRUCTURE"	CLASS 1	REMOVE ILLEGAL SIGN	Certificate Accepted 06/05/2019
35295206Y	10/14/2017	162 (§28-502.6)	"PROPERTY OWNER ACTING AS OAC WITHOUT REGISTRATION"	CLASS 1	REMOVE ILLEGAL SIGN	Certificate Accepted 06/05/2019

All three violations were issued by DOB Special Operations (Inspector #2727), all found IN VIOLATION at OATH hearing (06/07/2018), and all classified as Immediately Hazardous. Total penalties imposed: \$15,000 (\$5,000 each), all paid.

The false certification timeline:

1. **08/02/2018:** First Certificates of Correction REJECTED by DOB for all three violations
2. **09/06/2018:** Sign permit Job #122707400 signed off by DOB (between rejection and acceptance)
3. **06/05/2019:** Second certificates submitted and accepted the same day with no on-site verification
4. **2019 to 2026:** Sign continues operating. Same conditions persist. Annual permit expires 2022. OAC registration expires 2023.

The certificates claimed compliance with a remedy that demanded sign removal. The sign was never removed. Today, the same conditions cited in all three violations have effectively reoccurred: the sign still operates without a valid annual permit (35295204K), still covers windows (35295205M), and the OAC registration is again expired (35295206Y).

7. COMPLAINT HISTORY: SYSTEMATIC NON-ENFORCEMENT**Complete DOB Complaint Record (BIN 1024839, Categories 2G & 49)**

Note: DOB complaints and 311 service requests use separate numbering systems. Complaints filed via 311 are routed to DOB and assigned a DOB complaint number. The 311 reference numbers (C1-1- and 311-*) do not appear in DOB's public dataset. The table below uses DOB complaint numbers as the authoritative record.*

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#	DOB Complaint #	Date Filed	Category Description	Disposition	Disposition Meaning	Inspection Date
1	1468929	12/29/2017	Advertising Sign/ Billboard, ILLEGAL	A8	ECB Violation Served	10/14/2017
2	1489082	09/07/2018	Storefront/ Business Sign, ILLEGAL	I2	No Violation Warranted (Inspector Badge #2185: "SIGN HAS JOB#12707400..SIGNOFF AND NO LED LIGHT SHINNING ON ANY WINDOW")	10/16/2018
3	1490620	09/24/2018	Storefront/ Business Sign, ILLEGAL	I2	No Access	02/10/2021
4	1499512	01/17/2019	Storefront/ Business Sign, ILLEGAL	I2	No Access	03/10/2020
5	1631116	03/12/2023	Advertising Sign/ Billboard, ILLEGAL	I2	No Access	06/08/2023
6	1633460	04/06/2023	Storefront/ Business Sign, ILLEGAL	I2	No Access	05/25/2023
7	1704989	09/21/2025	Advertising Sign/ Billboard, ILLEGAL	I2	No Access	12/02/2025

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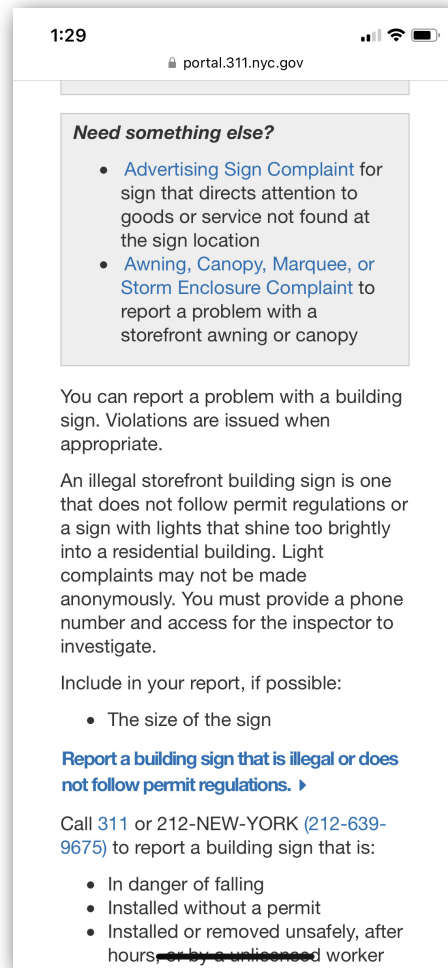


Figure 2. Screenshot of NYC 311 complaint portal. NYC explicitly classifies a sign "with lights that shine too brightly into a residential building" as a reportable violation requiring inspector access. The city built this complaint pathway for exactly this situation. Six of seven complaints at this property have been closed under disposition I2 without inspection of the violating condition.

The I2 Pattern: Seven Years of Non-Enforcement

DOB enforced once, in October 2017, when complaint #1468929 led to the three Class 1 ECB violations documented in Section 6. After that single enforcement action:

Every subsequent complaint (6 of 6, spanning September 2018 to September 2025) was closed under disposition code I2. For complaint #1489082, the disposition was "No Violation Warranted at Time of Inspection," not "No Access." Inspector Badge #2185 visited on October 16, 2018, wrote "SIGN HAS JOB#12707400..SIGNOFF AND NO LED LIGHT SHINNING ON ANY WINDOW," and closed it. This was a daytime visit to evaluate a nighttime complaint. The inspector checked paperwork, not illumination impact.

Inspector #2185 wrote: "SIGN HAS JOB#12707400..SIGNOFF AND NO LED LIGHT SHINNING ON ANY WINDOW" (October 16, 2018, daytime inspection).

This is not a coincidence. It is a structural enforcement failure:

- DOB conducts inspections during business hours when the sign's residential impact is minimal or invisible
- The sign's light intrusion occurs at night, exactly when DOB does not inspect
- Without nighttime access, inspectors cannot observe the violating condition
- The complaint is closed, and the cycle repeats

The most recent complaint (#1704989, filed September 2025, inspected December 2025) confirms this pattern is ongoing and current. Seven years after the original violations were issued, DOB still cannot, or will not, conduct an inspection under conditions where the violation would be observable.

Additional Complaint References from Resident Records

Brent Waligory's email archive contains complaint descriptions filed via 311 that correspond to the DOB complaints above:

- *"8 STORY SIGN; 40 FT WIDE; SINCE FRIDAY A LIGHTNING SEQUENCE SHINES THRU 5 WINDOWS OFF EVERY WALL IN THE 700 SQ FT APARTMENT"*
- *"There is an 8 story led flashing sign... 2 days ago they began running a solid white ad shines through all 5 of our windows reflecting from other buildings"*
- *"Giant sign is shinning extremely bright from hotel sign... Affecting customer's property adjacent from hotel."*
- *"There is a hotel... that has a 90 foot LED sign that shines so brightly into a residential building. Tenants of that building have to live with their blinds and curtains"*

City lacks measurement capability: Residents report that the city does not possess equipment to independently measure sign illumination levels. Enforcement relies entirely on the sign operator's self-reported claims, claims that have been repeatedly contradicted by resident testimony.

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8. THE ROSENTHAL LETTER (June 11, 2019): EXHIBIT A

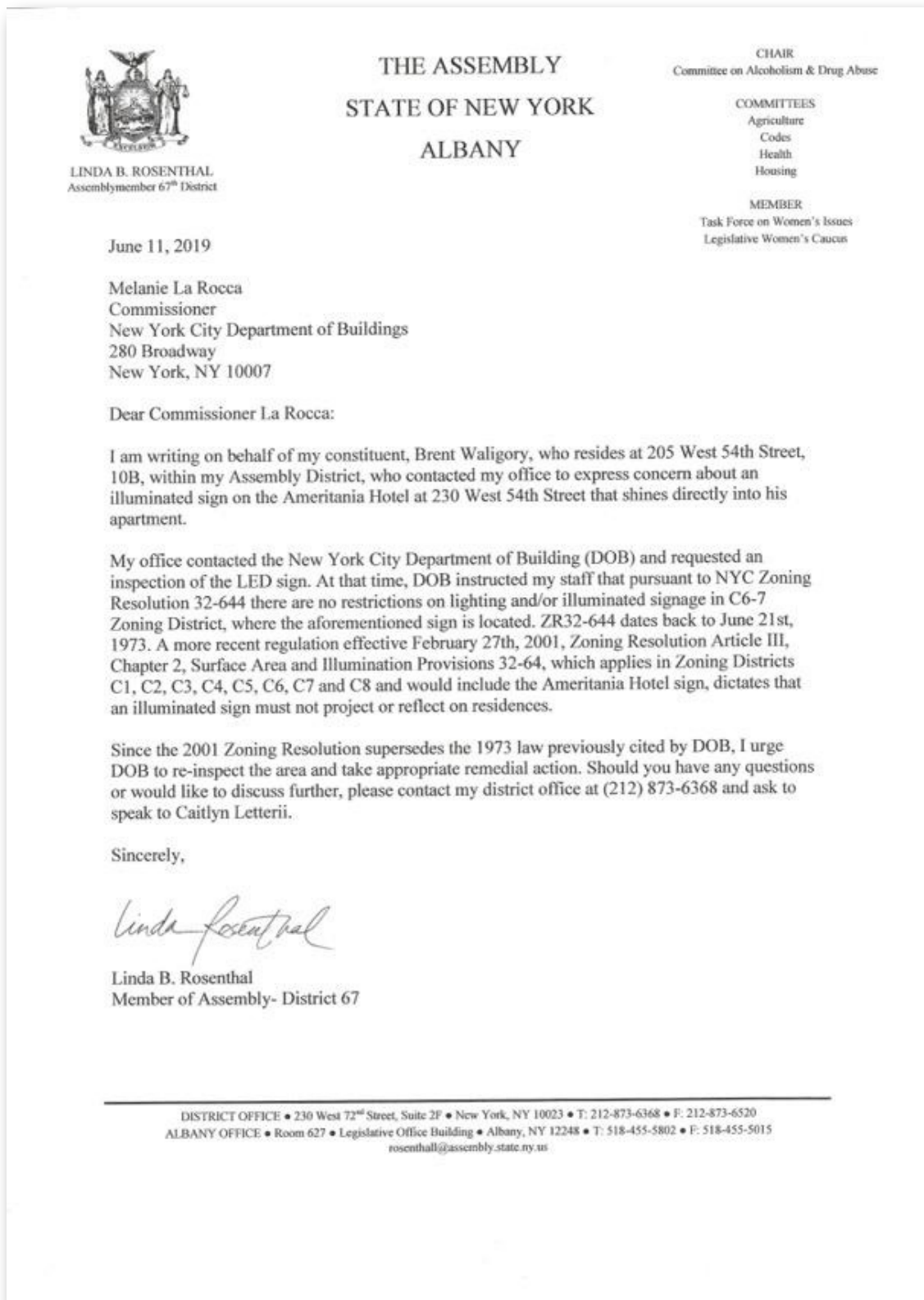


Figure 3. Letter from Assembly Member Linda Rosenthal to DOB Commissioner Melanie La Rocca, June 11, 2019, identifying §32-64 as the correct statute and urging re-inspection. Seven years later, DOB has still not enforced the correct statute.

NYS Assembly Member Linda Rosenthal (AD-67), now Chair of the Assembly Committee on Housing, wrote to DOB Commissioner Melanie La Rocca on behalf of affected resident Brent Waligory (205 W 54th St, Apt 10B). This is a sitting Assembly Member, now in a senior institutional role on housing, who documented in writing in 2019 that DOB was citing the wrong statute. The campaign is asking DOB seven years later to enforce the correct one.

Operative paragraph (verbatim):

"My office contacted the New York City Department of Building (DOB) and requested an inspection of the LED sign. At that time, DOB instructed my staff that pursuant to NYC Zoning Resolution 32-644 there are no restrictions on lighting and/or illuminated signage in C6-7 Zoning District, where the aforementioned sign is located. ZR32-644 dates back to June 21st, 1973. A more recent regulation effective February 27th, 2001, Zoning Resolution Article III, Chapter 2, Surface Area and Illumination Provisions 32-64, which applies in Zoning Districts C1, C2, C3, C4, C5, C6, C7 and C8 and would include the Ameritania Hotel sign, dictates that an illuminated sign must not project or reflect on residences. Since the 2001 Zoning Resolution supersedes the 1973 law previously cited by DOB, I urge DOB to re-inspect the area and take appropriate remedial action."

In her letter, Rosenthal:

- Documented the severe light intrusion affecting Mr. Waligory's apartment
- Identified that DOB had been applying the wrong statute (§32-644, enacted 1973)
- Argued that §32-64 (enacted 2001) supersedes §32-644 and provides stronger residential protections
- Urged DOB to re-inspect the sign under the correct legal standard

Despite this legislative intervention correcting DOB's legal analysis, there is no evidence DOB conducted a re-inspection or took any corrective action.

9. AFFECTED RESIDENT TESTIMONY

Waligory documented light intrusion into every room of his apartment over eight years. Figures 4 through 7 document the conditions he and his wife lived with. Construction of 1710 Broadway has recently blocked his direct line of sight to the sign, providing temporary relief for this one household. The sign continues to affect residents in front-facing units at 205 W 54th, 241-245 W 54th, 211 W 56th, and other surrounding buildings.

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Figure 4. Living room of apartment at 205 W 54th Street, showing TV and LED light intrusion. Light from the Ameritania sign floods the living space, rendering the room unusable for normal evening activity. Photograph provided by resident Brent Waligory.



Figure 5. Window view from the same apartment, showing silhouette against sign illumination. The sign's direct output eliminates the ability to see out of or sleep near the window without blackout measures.



Figure 6. Bathroom of the same apartment, showing blue light intrusion. Light intrusion affects every room with a line of sight to the sign, not only the window-facing living areas.



Figure 7. Living room from different angle, same apartment, showing light beam on wall. Confirms that the 2018 brightness-reduction commitment is not being observed nearly eight years after the sign was installed.

Complaint records document residents whose quality of life has been severely impacted:

- "A lightning sequence shines through 5 windows off every wall in the 700 sq ft apartment", a resident describing the sign as inescapable within their own home
- "Solid white ad shines through all 5 of our windows reflecting from other buildings", light intrusion occurring not only directly but via reflection off adjacent facades
- "Tenants of that building have to live with their blinds and curtains", residents forced to permanently block natural light to mitigate the sign's impact

Acknowledged Harm: In December 2018, the sign operator (Albert Faks, afaks@finance36.com) offered Waligory and his wife \$600 to purchase blackout curtains and blinds, an implicit acknowledgment that the sign causes harm requiring mitigation. Faks also agreed to reduce illumination by 50 to 60% and run only dark-colored advertisements. Both commitments were violated within weeks (see Figure 8). Bright white ads (H&M, delivery.com, Fortnite) resumed immediately, and residents reported no observable reduction in illumination. This pattern of broken agreements has repeated at every stage of the dispute.



Figure 8. John Oliver/HBO Max bright white exterior advertising, example of content that violates the operator's 2018 commitment to "dark-colored ads only." The commitment was violated within weeks and bright white ads continue to run regularly.

Sign was turned off for two weeks in late December 2018 (reason unknown), proving the operator has the technical capability to shut the sign down entirely.

10. OPERATOR PATTERN

The Ameritania is operated by Hank Freid's Impulsive Group. In February 2022, Freid paid approximately \$2 million in settlements covering three other Manhattan hotels he operated: \$1.1 million for Royal Park Hotel (258 W 97th) alone, covering 333 violations; \$521,500 for Broadway Hotel (230 W 101st); and \$274,000 for Marrakech (2686-2690 Broadway). All three properties were subsequently sold or demolished. The settlements covered illegal conversion of permanent housing to transient hotel use.

The Ameritania is the same operator following the same pattern: accumulate violations, ignore enforcement, continue operating until forced to stop.

Stuart and Jay Podolsky, earlier operators of the Ameritania through Ameritania 54th Associates LLC, were named as individual defendants in the 2017 federal wage lawsuit *Bechar v. Ameritania 54th Associates LLC* (SDNY 1:17-cv-00718) under the Fair Labor Standards

Act's employer-liability standard (29 U.S.C. § 203(d)), which requires showing direct operational control over the business. The hotel is currently operated by Hank Freid's Impulsive Group.

11. CURRENT DOB LEADERSHIP

Ahmed Tigani took office as the 27th Commissioner of the NYC Department of Buildings in January 2026, appointed by Mayor Zohran Mamdani. He came to DOB most recently from HPD, where he served as Acting Commissioner. Earlier in his career, Tigani served at DOB as Chief of Staff to Commissioner Melanie La Rocca, the same Commissioner to whom Assembly Member Rosenthal addressed her 2019 letter regarding this sign. He is well positioned to revisit a file that has sat unresolved across multiple administrations. Constadino Sirakis, PE is the current Deputy Commissioner for Development and Technical Affairs and the current technical authority on DOB's interpretation of §32-64. Chintan Desai, who gave the 'legal interpretation of reflection' answer at the April 13, 2023 Owner's Night meeting, is now Bronx Borough Commissioner. This matter lands on a Commissioner with no prior role in the file and a clear opportunity to correct the record.

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12. WHAT WE ARE REQUESTING

The record documented in this package shows DOB has failed to enforce on its own for seven years. DOB has billed expired permits without acting, accepted certifications attesting to sign removal while the sign continued to operate, and closed six of seven complaints under "no access" disposition. Direct legislative intervention in 2019 was ignored. The enforcement actions below are what DOB is required to perform. We are asking elected officials to compel that enforcement.

What DOB Is Required to Do Under Existing Law

Immediate enforcement actions requiring no inspection:

1. Under NYC Admin Code §28-105.1, DOB must enforce the expired annual illuminated sign permit (#15726, expired 06/30/2022). Verifiable from DOB's own database, no site visit required.
2. Under NYC Admin Code §28-502.3, DOB must enforce the expired OAC registration (#1111, New Tradition Outdoor LLC, expired 12/07/2023). Verifiable from DOB's published Active OAC Registration List.
3. DOB AEU must re-open the three 2017 ECB violations (35295204K, 35295205M, 35295206Y) for probable false certification under §28-211.1. The remedy demanded sign removal. The sign was never removed.

Enforcement requiring investigation:

4. DOB must conduct an immediate nighttime re-inspection of the sign at 230 W 54th Street, evaluating compliance with §32-64 (not §32-644) regarding light projection into adjacent residences.
5. DOB must investigate whether the sign is operating in "flashing" mode not approved on the permit. The permit approved "Direct" illumination only.
6. DOB must enforce the illumination restrictions of §32-64 and issue violations as warranted.

What We Are Asking of Elected Officials and Community Board 5

7. Compel DOB to perform the actions enumerated in items 1 through 6 above. Write to Commissioner Ahmed Tigani citing the specific items by number and demanding immediate action.
8. Hold DOB publicly accountable for the seven-year enforcement failure documented in this package.
9. CB5 take up this matter through both the City Services & Quality of Life committee and the Land Use, Housing & Zoning committee, and transmit a formal CB5 position to DOB.

13. EMERGING THREAT: RIU HOTEL LED BILLBOARD, 1710 BROADWAY (54th STREET FACE)

Overview

The RIU Hotel development at 1710 Broadway (Block 1026, Lot 21, BIN 1091844), located immediately adjacent to the Ameritania Hotel, poses an imminent new LED signage threat. Marketing mock-ups for the property show a billboard on the 54th Street face of the building, approximately 4 floors high from street level.

Why This Is Critical

- 1710 Broadway is in the MID (Midtown) special district but the 54th Street face is OUTSIDE the Times Square signage district (§81-732 boundary is 43rd-50th)
- The building directly across 54th Street from the RIU site is 200 W 54th St (The Adlon), a residential co-op. The building adjacent to 200 W 54th has a glass facade. An LED sign at street level on the 1710 Broadway 54th Street face would blast light directly into 200 W 54th residential units and reflect off the adjacent glass facade back into 205 W 54th.
- **Cumulative impact:** Two massive LED signs on the same block (230 W 54th Ameritania + 1710 Broadway/54th face) would create unprecedented light pollution for the residential buildings between them
- If no enforcement precedent is set on the existing Ameritania sign, DOB will likely rubber-stamp the RIU sign using the same "special district, already approved" reasoning

DOB BIS Findings (as of 04/08/2026)

- No new sign permit applications (SG jobs) found beyond a 2006 illuminated sign permit (Job #104327006)
- Property is classified as VACANT with active demolition/construction underway
- 21 OATH/ECB violations on file, 10 currently open, total open penalties ~\$108,780+
- Owner/developer entity: Broadway PT 1710 LLC (defaulted on a \$10,030 violation)
- General contractor: WBC Services Inc (GC License #623336)
- Multiple Class 1 (Immediately Hazardous) crane & construction safety violations from December 2025-March 2026
- Six older sign permits (2004-2005) all state "Not within view/200 ft", the standard ZR §42-55 distance regulation

Resident Testimony

Waligory reports seeing the billboard in RIU marketing materials and warns it will "create a whole other set of headaches" for residents at 200 W 54th St, as well as for his own building at 205 W 54th St due to the adjacent glass facade reflection.

Regulatory Dead End (Lessons from Waligory's Experience)

Waligory's eight-year fight with DOB over the Ameritania sign provides a roadmap of what NOT to do:

1. Community board kicked the signage complaint to DOB ("special district, DOB decides")
2. DOB said "we already approved it, nothing we can do"

3. DOB claims to supersede city council in special district regulatory decisions
4. Waligory met with the DOB commissioner pre-COVID and two additional officials post-COVID, all dead ends
5. DOB only conducts inspections during business hours, when LED sign impact is minimal

Conclusion: Direct DOB engagement on subjective illumination complaints has been futile. Enforcement must be driven by record-based violations DOB can verify from its own database, pressure from elected officials, the formal CB5 complaint process, FOIL requests, and potential legal action.

FOIL Request Filed

FOIL-2026-810-01905 (filed 04/08/2026): Requesting sign permit applications, BSA applications, and pre-application consultations for 1710 Broadway.

Key Contact

Laurie Hardjowirogo retired in early 2026 after eight years on this case across Council District 3 and the Bottcher Senate office. Her full case file was transferred to Senator Erik Bottcher's office (SD47). The Chief of Staff handling this matter is Quentin Heilbron (heilbron@nysenate.gov). Senator Bottcher's office can also be reached at 212-633-8052 or bottcher@nysenate.gov. We are grateful for Laurie's years of work on this matter.

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PREPARED BY

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EVIDENCE AVAILABLE UPON REQUEST

Supporting documentation including full DOB BIS records, ECB violation records, ACRIS ownership records, email correspondence, FOIL responses, and additional photographic and video evidence is available upon request.