

## Former General Counsel Cautions Real Estate Developers Returning to Building Projects

Brooklyn, NY, December 12, 2012 — Hurricane Sandy has created legal problems for builders who are now facing precedent-setting challenges. “In the wake of Hurricane Sandy, it is not business-as-usual for the real estate industry,” states Christian Hylton, formerly acting General Counsel of the New York City Council and recently-named partner at the law firm of Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara & Einiger LLP.

Last month, before Sandy even appeared on the weather map, the firm had launched a practice area focusing on legal matters pertaining to land use and zoning at its new Brooklyn MetroTech Center office.

“This is a challenging time for our city and as attorneys we have the responsibility to make sure that the real estate community regroups and moves forward and Christian Hylton and his team are working around-the-clock to provide legal counsel.”

— Frank Carone, Abrams Fensterman, LLP partner and commissioner of the NYC Taxi & Limousine Commission

Hylton cautions developers that there are building compliance issues that must be addressed before continuing any project that was underway prior to Sandy.

“Where indicated by The NYC Buildings Department a complete assessment maybe necessary to insure the safety of a structure,” said Hylton. “There may be variations in zoning as to what previously existed and what can be built now. How much of the previous structure still exists can determine what gets rebuilt. The Buildings Department is working proactively with with property owners, waiving fees for permits for repair work due to Hurricane Sandy. A working group has been convened to examine the myriad of issues that has arisen from the storm. Expect additional actions by the administration over the coming months, possibly fast tracking some re-zonings, in order to meet the housing demands caused by Super Storm Sandy.”

Christian Hylton joined Abrams Fensterman, LLP the week prior to Hurricane Sandy. He has a comprehensive understanding where property ownership lies within the context of new zoning laws that have affected approximately half of New York City over a decade. Many of the legal issues raised by the storm are new ones for individual builders, but not for Hylton. As Counsel for the Land Division of the New York City Council, Mr. Hylton oversaw all activities regarding land use related applications requiring City Council approval. His work included zoning applications, text amendments, school sitings, authorizing resolutions, designation of landmarks/historic districts, dispositions of public property and acquisition of property for public use.

Recently, there has been rapid growth in downtown Brooklyn and a revitalization of the real estate market throughout New York City, which came to a standstill in the aftermath of the storm. Howard Fensterman, Managing Partner of Abrams Fensterman notes, “As New York City regains its pre-storm momentum,

we're glad that Christian Hylton is on board with the expertise to help builders return to their projects.”