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## Virtual in the City: SoHo AIRpocalypse 2011 Continues...

Old SoHo vs New SoHo – Game on.

I attended the SoHo/NoHo Action Committee Meeting last night to discuss the repeal of the "Artist in Residence" (AIR) Regulations that exist in about 200 buildings in the SoHo/NoHo neighborhood.

From the moment I walked in, I felt the tension in the AIR – highly charged political tension that is. I quickly realized this was not going to be a routine, go-through-the-motions meeting. It was getting hot in here.

The Scene: A balmy Tuesday night, 6:29 p.m. to be exact. When I first walked into the stuffy auditorium, a long table greeted me where I could sign petitions to repeal the AIR Regulations. I then looked up to the front of the room and made contact with the SoHo/NoHo Action Committee panel facing the sea of chairs already filled to capacity; it is standing room only. Two of the panelists were [Margaret Baisley](#) (Real Estate Attorney) and [Susan Meisel](#) (Real Estate Broker). And if you wanted to speak or ask a question, you signed up and got your turn at the microphone. But first some words from the committee. I sat down as Margaret Baisley stood up to address the crowd.

Margaret started out the meeting with a quick introduction of the [issue](#). She said that she "can count about 7 certified artists living in the 50 buildings" that she represents in SoHo. The current law on the books is out of sync with the reality of SoHo. There are also clients of hers that are unable to do bathroom renovations because to get a permit they need to show an AIR certificate and of course, they don't have one. There are also other AIR holders using their

designations as leverage against neighbors they do not like. Saying things like “I will call 311 and let them know there are no artists living there.” She finished by saying “It's time to live in peace. It is time for a change.”

Susan Meisel also spoke and made a profound point. She asked “how can anyone actually 'certify' someone as an artist. It is crazy.” And I agree with that. No one, let alone the government, has a clue on how to define and designate a person as an artist. It is selective enforcement in my opinion. Doesn't sound much like equality to me? Makes me wonder about the legal implications.

I listened to personal stories from both sides and the middle, from building managers being unable to obtain Certificates of Occupancy, to banks refusing to lend to lofts that did not have AIR certificates on file, from sellers being unable to find an AIR buyer, to an apartment owner being denied permits to renovate her kitchen, from renters being saved from eviction because they had AIR status, to a non AIR holding artist being sued by an AIR holding artist (both in the room might I add).... and on and on. It got ugly.

As the meeting snowballed on, it was clear to me a very vocal group of AIR holders were in attendance and saw this repeal as wealth usurpation. This group is clinging to the memory of Old SoHo where artists lived in a tight knit community and SoHo was not a tourist hotspot. But we all know Old SoHo is long gone.

Bottom Line: there aren't enough AIR holders to create a pool of buyers for the SoHo loft inventory. And we need to separate the rental inventory from the sale inventory. They have different sets of rules. This was very frustrating to me during the meeting. A renter's context is much different from a buyer's. My thought for a possible solution is to keep the AIR certification for renters, but to waive the AIR regulations for purchase transactions. Maybe this is the New SoHo.

When the clock hit 8:30 p.m., the meeting was concluded. The next meeting will be held in the fall. And the committee reinforced the message that this is “a very preliminary step.”