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In a Changed SoHo, Legal Pentimento

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WHEN the city moved decades ago to upgrade SoHo and NoHo from decaying manufacturing areas and to legitimize the covert conversion of lofts there into working and living quarters for artists, one requirement was that prospective residents must be artists and certified as such by a specially appointed board.

Now that the area has been transformed into one of the city's most sophisticated and costly neighborhoods, many artists have long since migrated to less expensive surroundings. But the regulation, written into the zoning code, and a vestigial remnant of the board -- whose membership is kept secret -- remain.

While officials concede that the regulation is rarely enforced, its effects live on. There are still occasionally people who seek certification, as Anthony Gordon, a photographer did five years ago. "The building I was trying to live in, a co-op on Broadway in SoHo, required it and the board wouldn't entertain my package without it," he said.

More commonly, prospective residents are asked to sign legal documents holding building managements blameless if it is proved they are living there illegally.