

BOARD OF TRUSTEES

VILLAGE OF SALTAIRE

**RESOLUTION AUTHORIZING ACTION BY THE VILLAGE OF SALTAIRE
TO REMEDY HAZARDOUS AND UNSAFE CONDITIONS
AT 208 ATLANTIC WALK, VILLAGE OF SALTAIRE**

WHEREAS the property 208 Atlantic Walk (the “Premises”), is located in the Village of Saltaire and within the jurisdiction of the Village; and

WHEREAS the property 208 Atlantic Walk on information available to the Village of Saltaire is owned by the entity JAA1 Properties Corp, with a last known address of 111-43 127th Street, Ozone Park, New York 11420 that address being the address listed on the records of the Village of Saltaire for tax billing and assessment purposes; and

WHEREAS based on information provided to the Village the Building Inspectors of the Village of Saltaire on September 22, 2025 performed an inspection of the property 208 Atlantic Walk pursuant to Section 107.1 and 107.3 of the 2025 Property Maintenance Code of the State of New York, and Section 18-20 of the Saltaire Village Code; and

WHEREAS based on the inspection conducted on September 22, 2025 the Building Inspectors on September 24, 2025 issued a Report of Inspection wherein based on the inspection of the Premises dated September 22, 2025 it was found by the Building Inspectors that the Premises was in an unsafe and unsanitary condition, in that:

“The following defects have been observed and deemed unsafe of dangerous;

A. Structure has heavy mold and mildew condition throughout, lack of lighting and ventilation with proper air; and

B. Structure has observable indication of structural compromise of floors and walls.”

and

WHEREAS based on the inspection and findings the Building Inspectors Ordered the owner JAA1 Properties Corp, to:

“A. Vacate premises immediately.

B. Cease occupancy of structure and premises pending cleaning, sanitization and restoration under the supervision and control of the Building Department only; and which Compliance Order and Notice to Cease and Desist required actions by the Owner to correct and remove the unsafe and hazardous condition, and achieve compliance; and which Report of Inspection and Compliance Order were duly served on the defendant; and

WHEREAS the owner JAA1 Properties Corp. has failed to take any action to correct or remove the hazardous and unsafe condition since the issuance and service of that Order and Notice; and

WHEREAS pursuant to the records of the New York State Court Electronic Filing System a foreclosure proceeding was commenced against the owner JAA1 Properties Corp. to enforce a mortgage lien on the Premises and that foreclosure proceeding is presently being prosecuted by the entity MCLP ASSET COMPANY, INC., with addresses of 200 West Street, New York, New York 10282 and c/o NewRez LLC d/b/a Shellpoint Mortgage Services, 75 Beattie Place, #300, Greenville, SC 29601; and

WHEREAS the Notice of Inspection and Compliance Order were served on MCLP Asset Company, Inc. were served by Certified Mail to that address to which there has not been any response; and

WHEREAS it has been determined that a principal of the owner, Ansar Mussaleen maintains an alternate address of 212 North Long Beach Avenue, Freeport, New York 11520; and

WHEREAS upon inspection the property 208 Atlantic Avenue remains in the hazardous and unsafe condition described in the September, 2025 Notice of Inspection and Compliance Order; and

WHEREAS the common law of the State of New York and more specifically the Code of the Village of Saltaire allows and provides for the Village of Saltaire upon the finding of an unsafe and hazardous condition, that the Village may take action to cure the condition and or the Village Attorney may commence an action to cause the condition to be corrected or cured by the Village and to then assess the costs thereof to the owner of the premises, as stated on Section 18-20 of the Saltaire Village Code; as

“§ 18-20. Assurance of building safety.

A. All buildings or structures which are not provided with adequate egress or are structurally unsafe, unsanitary or otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment are, severally, for the purpose of this section, unsafe buildings. All such unsafe buildings are hereby declared to be illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the procedure of this section.

B. The Building Inspector shall examine or cause to be examined every building reported as unsafe or damaged and shall make a written record of such examination. Upon the showing of proper credentials and in the discharge of his duties he may enter any building, structure or premises at any reasonable hour, and no person shall interfere with or prevent such entry.

C. Whenever the Building Inspector shall find any building, structure or portion thereof to be an unsafe building as defined in this section, he shall, in the same manner as provided for the service of stop-work orders in § 18-12 of this Chapter, give to the owner, agent or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner within a stated time either to complete specified repairs or improvements, or to demolish and remove the building, structure or portion thereof.

D. If the Building Inspector finds that there is actual and immediate danger of collapse so as to endanger life, such notice shall also require the building, structure or portion thereof to be vacated forthwith and not reoccupied until the specified repairs and improvements are completed, inspected and approved by the Building Inspector. The Building Inspector shall cause to be posted at each entrance to such building a notice stating "This Building Is Unsafe and Its Use or Occupancy Has Been Prohibited by the Building Inspector." Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person to remove such notice without written permission of the Building Inspector, or for any person to enter the building except for the purpose of making the required repairs or of demolishing same.

E. In case the owner, agent or other person in control cannot be located, or if such owner, agent or person in control shall fail, neglect or refuse to comply with a notice to repair, rehabilitate or to demolish and remove said building, structure or portion thereof, the Village Attorney shall be advised of all the facts in the case and shall institute an appropriate action in the courts to compel compliance.

F. In cases of emergency which in the opinion of the Building Inspector involve immediate danger to human life or health, he shall promptly cause such building, structure or portion thereof to be vacated, made safe or removed. For this purpose, he may at once enter such structure or land on which it stands, or abutting land or structure, with such assistance and at such cost as may be necessary. He may vacate adjacent structures and protect the public by appropriate barricades or such other means as may be necessary, and for this purpose may close a village or private way.

G. Costs incurred under subsections E and F of this section shall be paid out of the Village treasury on certificate of the Building Inspector. Such costs shall be charged to the owner of the premises involved and shall be collected in the manner provided by law"; and

IT IS THEREFORE

RESOLVED that the Board of Trustees hereby authorizes the Village and the Village Attorney to commence an action in the Supreme Court of the State of New York, Suffolk County, to make application to that Court for an order authorizing and granting the Village of Saltaire authority on ten days written notice to the satisfaction of the Court to the Owner JAAI Properties Corp., the believed principal of the owner Ansar Mussaleen, and the mortgagee MCLP Asset Company, Inc. to:

1. Enter the property 208 Atlantic Walk, Saltaire for the purpose of correcting and remedying the hazardous and unsafe condition and take such action reasonably necessary to render the premises herein safe; and
2. To have the Building Inspectors certify the costs incurred by the Village in the action necessary to cure or remove the unsafe condition and render the Premises safe; and
3. On notice to the parties identified herein, authorizing and directing the Village Attorney to file a lien on the Premises 208 Atlantic Avenue for the costs incurred by the Village in rendering the Premises safe and in this proceeding; and authorizing the Village Clerk and Treasurer to assess the costs incurred in

rendering the Premises safe and in this proceeding to the property 208 Atlantic Avenue and to add those costs as a Village property tax to be assessed and collected on the next following tax bill for the Premises.

Dated: July , 2026

Board of Trustees

Village of Saltaire