

Hearing Date and Time:

January 15, 2026 @ 10:00 a.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

BROADWAY REALTY I CO., LLC., *et al.*,

Debtors.

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Chapter 11

Case No. 25-11050 (DSJ)

(Jointly Administered)

**DECLARATION IN SUPPORT OF RESTATED
SUPPLEMENTAL OBJECTION TO CONFIRMATION OF
PLAN AND TO SALE OF PROPERTIES**

BRENT MELTZER declares and says as follows:

1. I am the Chief of the Housing Protection Unit in the Office of the New York State Attorney General (“OAG”).
2. The OAG is New York State’s chief law enforcement agency. The Attorney General serves the public interest of all New Yorkers in matters affecting their daily lives, enforcing laws to protect consumers, tenants, patients, workers, investors, and charitable donors. The office coordinates statewide civil and criminal investigations and promote economic and social justice. In 2019, OAG created the Housing Protection Unit to focus specifically on protecting tenants and encouraging the preservation of affordable housing.
3. I submit this declaration in support of the City of New York’s objection to confirmation of the Plan and to the sale of the debtor’s properties to Summit Gold Inc. As the chief law enforcement agency in New York State, the OAG has an interest in enforcing the laws of New York State and protecting the rights of its residents.

4. The OAG has significant concerns about Summit Gold Inc. and its ability to manage the buildings due to its track record as owner of poorly maintained and dangerous residential buildings in New York evidenced by its buildings having thousands of Housing Maintenance Code violations for hazardous conditions.

5. By way of this declaration, the OAG seeks to provide the Court with information relevant to whether to grant the City's request.

A. Summit's History in the New York Residential Market

6. Upon information and belief, Summit Gold Inc. is a holding company for Summit Properties USA. *See* ECF No. [946](#). Summit Properties USA is a real estate investment company led by Zohar Levy, who is identified as the managing director. *See* <https://www.summit-properties.com/company.html> (last checked Jan. 11, 2026). Summit Properties USA is a subsidiary and holding company of Summit Properties Ltd (collectively identified as "Summit"). *Id.*

7. Prior to 2021, Summit had no experience owning or managing New York City residential rental properties. *See* Summit Properties Ltd, Annual Report and Accounts 2024, available at https://www.summit-properties.com/downloads/2025-04-24_SPL_FS_2024.pdf, at 29, Note 5C. In 2021, Summit decided to break into the New York City residential rental market and had a business plan to partner with a local New York City real estate company to jointly acquire properties in New York City through special purpose entity LLCs ("SPE"). *Id.* Summit funded 85-95% of the capital while the local partner contributed the remaining capital. *Id.* The local partner was responsible for the ongoing operation of the properties and the SPEs. *Id.*

8. Summit reports purchasing 90 residential properties in New York City in 2021 and 2022 comprising approximately 3000 housing units. *Id.* As will be discussed below, these properties have an inordinate number of Housing Maintenance Code violations and are associated with

Chestnut Holdings of New York, Inc and Joel Wiener, who the OAG sued for violation of the lead paint prevention laws.

B. Summit's Relationship to Denali Management, Chestnut Holdings, and Joel Wiener and The High Violation Count Found in Their Buildings

9. Deed and Mortgage records show that Summit's local partner is Denali Management ("Denali"). Upon information and belief, Denali is owned by Jonathan Wiener, who also owns Chestnut Holdings of New York, Inc. ("Chestnut").¹ *See* Exhibit A (Certificate of Incorporation of Chestnut Holdings of New York, Inc.).

10. Landlords and their property managing agents are required to file Multiple Dwelling Registrations with the New York City Department of Housing Preservation and Development ("HPD"). *See* New York State Multiple Dwelling Law § 325. For Summit buildings, the owners registered David Tennenbaum as an officer of the individual SPE. They also registered either Tennenbaum or Denali as the property managing agent. Tennenbaum and Denali registered their address as either 20 South Broadway, Suite 300, Yonkers or 49 West 27th Street, New York each of which are in buildings owned by Chestnut Commercial, which, upon information and belief, is owned by Jonathan Wiener. *See* <https://chestnutcommercial.com/our-properties/> ((last checked Jan. 11, 2026)).

11. David Tennenbaum identifies himself on LinkedIn as Senior Legal Coordinator at Chestnut Holdings. *See* <https://www.linkedin.com/in/david-tennenbaum-a3a55a17/> (last checked Jan. 11, 2026).

12. Other employees of Chestnut have also worked on behalf of the SPE and Denali. For instance, 776 Crown Street is a 53 unit building in Brooklyn that Summit lists as part of its portfolio. *See* <https://www.summit-us.com/properties/776-crown-street> (last checked Jan. 11,

¹ Upon information and belief, Jonathan Wiener is the brother of the principal of the Debtor, Joel Wiener.

2026). According to HPD online records, the building has 258 open Housing Maintenance Code violations, 95 of which are immediately hazardous.²

13. The deed for 776 Crown Street identifies the owner of the property as 776 C LLC with an address of c/o Denali Management Inc, 20 South Broadway, Suite 300, Yonkers. *See* Exhibit B (776 Crown Street Deed). As discussed previously, the Yonkers building is owned by Chestnut Commercial.

14. An individual named Ben Rieder signed the mortgage on behalf of 776 C LLC as the Chief Operating Officer. *See* Exhibit C (776 Crown Street Mortgage). At the time Rieder signed the mortgage, he was also the Chief Operating Officer of Chestnut and “responsible for providing exclusive, full-time services to [Chestnut]” *See* Exhibit D (Rieder Lawsuit) at ¶¶ 13-14).

15. Jonathan Wiener has also signed mortgages on behalf of Summit entities and those buildings also have a high violation count.

16. For instance, 2390 Creston Avenue is a 21 unit building in the Bronx that Summit lists as part of its portfolio. *See* <https://www.summit-us.com/properties/2390-creston-avenue> (last checked Jan. 11, 2026). According to HPD online records, the building has 193 open Housing Maintenance Code violations, 94 of which are immediately hazardous.

17. The deed for 2390 Creston Avenue identifies 2390 C LLC as the owner and lists its address c/o Denali at the Yonkers address. *See* Exhibit E (2390 Creston Avenue Deed). Jonathan

² These violations and the Multiple Dwelling Registration information are prima facie evidence of the data and conditions therein. New York Multiple Dwelling Law § 328(3) allows New York City Housing Court to take judicial notice of HPD online records as if they were certified true under the seal and signature of HPD.

Wiener signed the mortgage on behalf of the SPE owner.³ *See* Exhibit F (2390 Creston Avenue Mortgage).

18. Similarly, 1025 Longwood Avenue aka 801 Southern Blvd is a 20 unit building in the Bronx that Summit lists as part of its portfolio. *See* <https://www.summit-us.com/properties/801-southern-boulevard> (last checked Jan. 11, 2026). According to HPD Online records, the building has 139 open Housing Maintenance Code violations, 47 of which are immediately hazardous. The deed for 1025 Longwood again lists the owner with an address c/o Denali at the same Yonkers address and Jonathan Wiener signed the mortgage. *See* Exhibit G (1025 Longwood Avenue Deed); Exhibit H (1025 Longwood Avenue Mortgage).

19. The building at 344 East 209th Street is a 32 unit building in the Bronx that Summit lists as part of its portfolio. *See* <https://www.summit-us.com/properties/344-east-209th-street> (last checked Jan. 11, 2026). HPD's online records show there are 173 open Housing Maintenance Code violations, 76 of which are immediately hazardous. The deed again lists the owner with an address c/o Denali at the Yonkers address and the mortgage is signed by Jonathan Wiener. *See* Exhibit I (344 East 209th Street Deed); Exhibit J (344 East 209th Street Mortgage).

20. The building at 2961 Marion Avenue is a 79 unit building in the Bronx that Summit lists as part of its portfolio. *See* <https://www.summit-us.com/properties/344-east-209th-street> (last checked Jan. 11, 2026). HPD's online records show that there are 229 open Housing Maintenance Code violations at the building, of which 67 are immediately hazardous. The deed again lists the owner with an address c/o Denali at the Yonkers address and the mortgage was signed by Jonathan Wiener. *See* Exhibit K (2961 Marion Avenue Deed), Exhibit L (2961 Marion Avenue Mortgage).

³ Technically, Wiener signed as the managing member of 2390 C S 36 LLC, which in turn is identified as the managing member of 2390 C Holding LLC, and which is identified as the sole member of the SPE owner.

21. OAG's Research and Analytics Division has compiled a list of properties owned by Summit using HPD Multiple Dwelling Registration data. *See* Exhibit M (List of Properties). A non-exhaustive review of the deeds for these properties show that almost all listed the SPE with an address of C/O Denali Management, 20 S. Broadway, Suite 300, Yonkers, NY 10701 and the mortgages were signed either by Jonathan Wiener or Ben Rieder. The list of properties also shows that the portfolio has an incredibly high violation count which is evidence of neglect, disrepair and failure to comply with housing law and habitability requirements.

22. The high violation count in these buildings is in line with facts developed in a separate OAG enforcement action against Summit's partner Jonathan Wiener and Chestnut. In February 2020, the OAG sued Chestnut for failing to comply with provisions of New York City's lead poisoning prevention law. *See* OAG Chestnut Complaint available at https://ag.ny.gov/sites/default/files/22837_2020e_the_people_of_the_stat_v_the_people_of_the_stat_summons_complaint_1.pdf. The suit alleged that Chestnut had put the health of its tenants at risk by repeatedly violating the New York City Childhood Lead Poisoning Prevention Act, which requires property owners to take several critical measures to prevent children under six from being exposed to lead paint. After a year and a half of litigation, Chestnut settled with the OAG. *See* OAG Chestnut Consent Order and Judgment available at https://ag.ny.gov/sites/default/files/22837_2020e_the_people_of_the_stat_v_the_people_of_the_stat_judgment_to_court_24-1.pdf

23. The OAG is concerned that Summit, through its partnership with Jonathan Wiener and Chestnut, allowed such a high violation count to accumulate in their buildings. Summit has owned its portfolio since 2021 and yet still has over 4000 open violations in a portfolio of 3000 units in 90 buildings.

24. To provide context for the high violation count in the portfolio, the Court should be aware of comparable enforcement actions by the OAG against other landlords in the real estate market. The OAG recently settled a case with Lilmor Management along with the US Attorney's Office for the Southern District of New York for \$6.5 million in restitution and penalties. *See* OAG Lilmor Consent Decree available at <https://ag.ny.gov/sites/default/files/court-filings/lilmor-combined-consent-decree-complaint.pdf>. At the time of settlement, Lilmor's portfolio had 880 open violations in a portfolio of 2500 units in 49 buildings.

25. Summit claims it will "retain new residential management firms to be responsible for day-to-day property operations" without identifying who these firms will be or whether they have the capacity to manage what would be one of the largest portfolios in New York City.⁴ *See* ECF No. [946](#).

26. The OAG has concerns about Summit independent of its partnership with Jonathan Wiener and Denali. Summit's portfolio has a higher violation count per building than Lilmor Management and yet it is proposing to more than double its portfolio from 3000 units to a total of almost 8000 units. Summit itself has no experience managing residential real estate in New York City and its track record in its existing portfolio is troubling.

27. The OAG agrees with the City that the Bankruptcy court should not confirm a plan to sell the Pinnacle properties to Summit where Summit has provided no indication it will own and manage the Pinnacle buildings any better than its current portfolio. Instead, the City should be given an opportunity to come up with a partner who will be a better steward of these properties. Summit's track record in its current portfolio indicates that it has no capacity to adequately oversee a management company and a sale will result in these properties falling into disrepair

⁴ If it partners with Denali, the OAG strongly objects since Wiener and Denali have allowed the portfolio to accumulate an incredibly high violation count and Wiener has a history of non-compliance with housing laws.

requiring the city and state to expend resources to correct conditions and potentially commence enforcement actions to ensure compliance with habitability laws.

28. Even if the Court is not inclined to outright reject Summit's bid, which the OAG believes is the appropriate course, it should at the least require Summit to provide a much more detailed explanation about how it intends to reverse its history of purchasing buildings that accrue high levels of violations, its plan to address the capital needs of the Pinnacle portfolio, and what management firm will accomplish this on their behalf. To the extent the Court believes a fact-finding hearing is required, the OAG is available to appear to offer its expertise in assessing Summit's true intentions with this portfolio and whether it actually has the capacity to be a good steward for the 5000 families that call these buildings home.

I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

Dated: New York, New York
January 12, 2026



Brent Meltzer
Chief, Housing Protection Unit