



**TESTIMONY OF THE MAYOR'S OFFICE OF HOUSING RECOVERY
OPERATIONS BEFORE THE NEW YORK CITY COUNCIL
COMMITTEES ON RECOVERY AND RESILIENCE, HOUSING AND
BUILDINGS, AND ENVIRONMENTAL PROTECTION**

Monday, March 31, 2014

Introduction

Good morning Chairperson Treyger, Chairperson Williams, Chairperson Richards, and the members of the Committees on Recovery and Resilience, Housing and Buildings, and Environmental Protection. My name is Amy Peterson and I am the Director of the Mayor's Office of Housing Recovery Operations, or HRO. Mayor de Blasio appointed me to this position on March 29th—just two days ago—and my first official act of business is to testify before you today.

I am grateful to begin my tenure with you this morning. These committees have played a crucial role in the City's recovery from Hurricane Sandy over the past year and a half—from passing building codes that will make homes stronger and more resilient to keeping a watchful eye on City programs that are intended to help families and restore neighborhoods. Unfortunately, we are here today in part because too many people still feel the impacts of Hurricane Sandy on a daily basis. I share your sense of urgency to help these people and am eager to listen to your recommendations.

This morning I am joined by several colleagues who have been instrumental since the beginning of the de Blasio's Administration in refashioning the City's aid programs so that they can deliver results more quickly and more broadly: Thaddeus Hackworth, General Counsel of HRO; Calvin Johnson, Assistant Director at the Office of Management and Budget (OMB); and Anne-Marie Hendrickson, Deputy Commissioner of the Office of Asset and Property Management at the Department of Housing Preservation and Development (HPD).

My testimony this morning will focus on the NYC Build it Back program, a federally-funded and City-administered effort to assist residents whose primary homes were

damaged or destroyed by the storm. My goal is to provide you with a clear assessment of the program's challenges and outcomes to date. In particular, I will address your concerns—which are shared widely among impacted communities and the general public—about the unacceptable length of time it has taken the City to help those in need.

I will describe to the best of my understanding how early missteps, unrealistic assumptions, and overly complicated processes have hindered rebuilding and made it more difficult for residents to resume normal life. I will then describe the de Blasio Administration's efforts over the past 90 days to remedy the program's deficiencies. I will conclude by echoing Mayor de Blasio's remarks from this past weekend, in which he declared several major changes to the program—and alluded to more on the way—that will enable the City to make good on the program's commitment to provide “a permanent, safe, and sustainable housing solution” to those who are most in need.

Background

I would like to begin by describing the City's efforts immediately following Hurricane Sandy, which made landfall on October 29, 2012. Mayor Bloomberg created the Housing Recovery Office within a week after the storm to work with City, State and Federal partners to coordinate efforts to return residents to their homes quickly. These efforts included: creating a program known as Rapid Repairs, which enlisted contractors to help restore basic services in homes that were damaged but habitable; establishing an online Housing Portal to help families find temporary housing; and working with philanthropic and nonprofit partners to offer many other forms of assistance, including mold training and remediation.

Short-term Recovery

Let me highlight one of those efforts, the Rapid Repairs Program. Within two weeks of the storm—on November 13, 2012—the City launched Rapid Repairs, a first-of-its-kind emergency sheltering program to provide free repairs to thousands of homeowners left without heat, power and hot water following Hurricane Sandy. The Program was created in collaboration with FEMA and was designed to allow homeowners to use their own homes as shelter in the storm's immediate aftermath.

In less than 100 days, Rapid Repairs restored heat, power and hot water service to over 11,700 buildings—which included over 20,000 units—and addressed the needs of approximately 54,000 New Yorkers. The total cost of the program is estimated at

approximately \$640 million, over \$604 million of which has already been paid out for direct construction costs and indirect program costs.

FEMA has authorized reimbursement of approximately \$228 million to the City. The maximum reimbursement amount expected for the City, which is based on the 90/10 FEMA/City cost-share of eligible items under Rapid Repairs, is \$533 million. The City is applying for CDBG funding to cover additional costs not covered by FEMA.

Longer-term Recovery

Although Rapid Repairs helped significantly to restore order in affected neighborhoods, the recovery process had only begun, and it was clear that the City would need extensive help from the Federal government to fund the rebuilding of homes and communities. This help has come primarily through the Federal government's Community Development Block Grant Disaster Recovery grant, or CDBG-DR for short, which is administered by the U.S Department of Housing and Urban Development (HUD). It is worth taking a few minutes to describe how the CDBG-DR is structured and the resources that the City has received to date.

CDBG-DR grants are sources allocated to help areas recover from Presidentially-declared disasters. They are subject to the availability of supplemental appropriations. In mid-January 2013, nearly three months after the storm—and after a protracted battle over the federal budget—Congress passed the Disaster Relief Appropriations Act, which was the legislative vehicle for distributing CDBG-DR grants to areas impacted by Hurricane Sandy. It is important to note that the funds were designated not only for Sandy relief but also to cover any other federally-declared disaster that occurred in 2011, 2012 or 2013.

So far, the City has been granted \$3.22 billion in CDBG-DR money, which is currently being distributed through two separate allocations, which the federal government refers to as “tranches” of funding. Of that amount, \$1.695 billion is directed toward the City's housing efforts, with \$1.45 billion specifically for the NYC Build it Back Program, which serves homeowners, owners of rental buildings and very low-income renters. The remainder in housing funds will go toward improvements to the public housing infrastructure that is managed by the New York City Housing Authority and was damaged by the storm.

The City's other CDBG-DR dollars cover programs that will address the storm's impact on our businesses, repair critical infrastructure systems, and make investments in resiliency measures across New York City so that we are able to better withstand future

weather events. Funds are also dedicated to covering the City's post-storm administrative costs.

Although the City will receive a substantial amount through its CDBG-DR grant, we do not have enough funding to serve all individuals who were impacted by the storm and have applied to the Build it Back program. We currently estimate that the City would need an additional \$1 billion dedicated to housing to meet the needs of everyone who is an active registrant of the program. We anticipate receiving additional funds through a third tranche but we do not yet know how much will be allocated to the City. Thus there are significant uncertainties about the City's ability to serve all applicants to the program. I will return to this point later in my testimony.

Before moving on, it is important to point out that utilizing this particular funding source involves significant complexities that have influenced the design and operations of the Build it Back's program. Specifically, the City is required to administer its CDBG-DR funds in accordance with a plethora of federal laws, regulations, guidelines and objectives, all of which have grown overtime and do not always match prior disaster recovery requirements. There are three issues I'd like to highlight in this regard:

National Objective

First, the City is required by law to expend at least 51% of its CDBG-DR funds on low- and moderate-income (LMI) populations, which are households that are at or below 80% of the Area Median Income (AMI) for the New York City region, a metric that is defined by HUD. This translates, for example, into a family of 4 with an income of \$67,100 or less; and a family of 3 that earns no more than \$60,400. Helping those who are most in need is a primary responsibility of government, and this provision is intended to advance this goal. However, the rigidity of this requirement, which applies to all money granted to the City including business and infrastructure recovery efforts, has led to inefficiencies and suboptimal outcomes.

Since the Build it Back program is one of the only City programs that directly serves households, it bears responsibility for ensuring LMI compliance for almost the entire CDBG-DR grant and mitigating the risk of the Federal Government refusing to reimburse the City for its recovery expenditures. In practice, this has meant that the Build it Back program has almost exclusively focused on serving LMI customers, regardless of the amount of work they need done. Ensuring compliance has also necessitated a time-consuming process to collect and verify income information for all applicants, including homeowners and tenants who live in buildings that have registered.

Duplication of Benefits

CDBG-DR funding, is intended to supplement—and not duplicate—other resources made available to disaster victims. Before the City spends federal funding on a customer, we are obligated by law, specifically, the Stafford Act, to make sure that we are not spending federal money to cover a need for which funding has already been provided by another source, including awards from FEMA, loans from SBA, or insurance payouts, among others.

To make sure we are not duplicating benefits, the Program is required by law to collect information from our customers and spend time reconciling any previous disaster recovery assistance they have received with expenditures they've made from those awards. In practice, this means that customers have to fill out paperwork that explains how much money they've gotten from other resources and how they spent it. We are also required to vet and verify that information. It can be a cumbersome and confusing process for both the City and the public. And it's one that often requires multiple interactions with our Program staff.

Environmental Requirements

Third, our Program must meet federally-mandated environmental requirements. This includes lead mitigation and necessary documentation for environmental clearance. In practice, this means that we must perform a time-intensive and complicated environmental review, including an on-site review, of each property that comes through Build it Back.

I highlight these items not to imply that the federal restrictions have been the sole cause of Build it Back's delays, but to explain some of the ways in which federal rules have impacted the development of the program. CDBG-DR funding is—in some ways—flexible. But it is not a blank check.

That said, the City has worked with our federal partners, including the Hurricane Sandy Rebuilding Task Force that was launched as an interagency effort in December 2012, HUD, FEMA, and the SBA, to streamline our City's recovery and to use the funding in ways not possible for prior CDBG-DR grantees.

Program Overview

The Build it Back was not designed to be a traditional, check-writing CDBG-DR program. In those cases, customers do their own construction management and must then

prove that the repairs were done according to federal standards. If they cannot meet those complex standards, they may be forced to repay the funds back to the government, potentially leaving them in a worse position than when they started.

The Build it Back program was designed to avoid these and other challenges experienced by cities in post-disaster situations, especially New Orleans and much of the Gulf Coast following Hurricane Katrina. Many residents in those areas experienced contractor fraud, received poor construction services, or simply used grant funds on other ineligible purposes. As a result, despite the level of Federal investment in these areas, many communities were still marked with extensive damage and erratic rebuilding years following the storm.

In designing the Build it Back program, the Bloomberg Administration decided to take a different approach based on these lessons and also the unique complexities of building in New York City. The goal of the program was to have the City administer all construction activities, ranging from relatively simple repairs to much more expensive and time consuming home elevations and reconstruction. Admittedly, the City-managed construction process would take longer to set up on the front end. But the intent was for clients of the program to feel assured that construction would be done correctly, to the resilient building standards, and that they would bear no risk that funds would be reclaimed or extorted.

Single Family Program

The award options under the Build it Back Single Family program include Repair, Repair with Elevation, Rebuild, Reimbursement, and Acquisition for Redevelopment. Under the Repair and Repair with Elevation options, the Program will complete any remaining repairs of storm damage to a customer's home using either the Program's own contractor or a customer-selected contractor. If the customer's home was substantially damaged by the storm, the Program will also elevate the home to above base flood elevation.

Under the Rebuild option, the Program will build a new, elevated home for customers whose home was demolished, completely destroyed, or damaged beyond repair by the storm, using either a Program developer or one of the customer's choosing.

Under the Reimbursement option, the Program reimburses customers for out-of-pocket expenses they already incurred repairing storm damage to their homes. And under the Acquisition option, customers with destroyed or demolished homes may be eligible to be referred to an acquisition program the City runs jointly with the State, under which the

State purchases such properties with the goal of redeveloping them into more resilient homes.

Multifamily Program

The Multifamily Program focuses on properties with five or more apartments, including rentals, condominiums, and cooperatives. This program is also run by HPD and includes individual owners of condo and coop units as well as building owners. Financial assistance will be provided as a forgivable loan to cover unmet need for rehabilitation of buildings that sustained damage as a result of Hurricane Sandy. In addition, the City intends to strengthen housing infrastructure by identifying opportunities to increase resiliency against future events.

Temporary Disaster Assistance Program (TDAP)

The Temporary Disaster Assistance Program, or TDAP, serves very low-income renter households who were displaced from their homes as a result of Hurricane Sandy. As background, immediately following the storm, there was hope that a federal rental assistance program would be activated. Ultimately, HUD and FEMA established the Disaster Housing Assistance Program, or DHAP, but the eligibility criteria for this program, which was run by the State, were restrictive. The City was concerned that it would not meet the needs of the highest needs displaced tenants.

In response, the City allocated a portion of its CDBG-DR funding to create a separate rental assistance program, TDAP. The City was granted a necessary regulatory waiver from HUD, and the program was included in the City's first Action Plan.

TDAP is modeled after Section 8 and is a two-year rental assistance program for very-low income residents, those whose income is less than 50% AMI. TDAP rental subsidy is limited to two years and must be used within New York City. Households are required to pay 30% of their income toward rent.

PROGRAM DELAYS

What, then, about the delays? Managing federal funds and their accompanying rules certainly added a layer of complexity to our Program development and implementation. But, the Program also struggled with issues on a more local level. When Build it Back began accepting registrations on June 1, 2013—and processing applications on July 8—the Program had challenges finalizing and implementing policies and procedures to move customers through the process. This included: handling customer expectations and

communications, changing required Program documents after registration opened, and difficulty managing vendor contracts across multiple City agencies.

For example, Build it Back opened without a dedicated customer service team in place. That was a mistake. It took several months--until late October of 2013--to bring online the needed resources to provide applicants the attention and service that they deserved. During those early months, we struggled to communicate effectively with our customers, particularly those with limited English proficiency. We also experienced difficulty in collecting documentation from customers, including instances where we were unclear about what was needed, and instances where we failed to track customer's documentation through our system. Since that point, however, our customer service team has responded to approximately 5,400 customer inquiries. Today, any customer with questions about the program can reach a dedicated Build it Back customer service representative at (212) 615-8329.

We also recognize inefficiencies in the process we developed to shepherd customers from registration through to benefits offerings. This process includes multiple different steps in which customers interface with a variety of different contractors and specialists. From a process standpoint, the continued passing of responsibility from one contractor to another has had the effect of diminishing accountability. And from a customer service perspective, we understand that it be confusing to deal with a revolving door of specialists.

The City's program was also designed before we gained a full understanding of the impact of transfer payments on our customers. For example, our policy was to request transfer payments from our customers prior to the detailed scoping and design consultation process, which presented them with a difficult choice to make without the benefit of the full information they needed to make it.

Finally, internal City process has also been problematic. The Housing Recovery Office, which was established quickly to respond to the needs of New Yorkers, did not have all of the resources and capabilities it needed at first. For example, they lacked the infrastructure needed to hold and manage contracts, which meant that the contracts being let for Build-It-Back vendors were being managed by other City agencies.

Beyond this, the City needs to do better at clearing away the bureaucratic hurdles that stand in the way of construction starts, such as DOB permit issues.

As a result of some of these early issues, the Program did not begin presenting customers with offerings until November and closed out 2013 with about 500 offerings made.

In short: while some of the delays were the result of complex federal requirements, some were also self-inflicted. Missteps were made.

I will discuss some of the ways that we are addressing these problems later on in the testimony.

Outcomes to Date

Note that I speak of the above issues in the past tense. Since January 1, the Program has made a series of improvements to serve New Yorkers more effectively and compassionately, prioritizing the fast and efficient delivery of relief. I will now provide a brief description of outcomes to date and recent progress.

TDAP

The City has reached out to all 2,306 applicants that registered for TDAP. Eighty percent of that number could not be reached, did not meet basic program criteria, or declined assistance. Of the 483 active TDAP applicants, 232 coupons have been issued and 83 of those applicants have signed leases utilizing this benefit.

HPD, which is running TDAP, is expanding its eligibility requirements for this Program to meet recently emerging needs of renters, who had originally found housing right after Sandy but are now experiencing a significant rent hardship. HPD will reach back out to those initially deemed ineligible upon approval by HUD of Amendment 5 of the New York City Action Plan.

Multifamily

Intake has been completed for over 80% of about 700 active registrants and the rest are being actively completed at this time. These applicants are working directly with project managers in the program—from intake to closing and through the end of construction. About 60% of applicants represent buildings containing varying numbers of units, and are serving tenants across the City. This Program is prioritizing funds for buildings that serve more low-income tenants.

The Multifamily Program has already closed on 3 loans, with construction underway, and we estimate 50 additional closings by June. The City has also dedicated a limited pool of

Building Mitigation Funds to address resiliency efforts within high-need projects. With no existing federal guidelines or standards for multifamily residential resiliency work, an interagency team has worked extensively—including engaging external stakeholders—to develop a program to implement these funds.

Single Family

Over the last three months, the Administration has made significant progress to accelerate the Single Family program and expand program offerings to better suit the needs of applicants. This began with removing red tape and streamlining the intake and project development process. To date, the following progress was made:

- Completed nearly 10,000 damage assessments, 7,000 alone since January.
- Conducted intake for over 13,700 customers;
- Conducted income verification for 5,100 Priority 1 customers, insurance verification for 11,600 customers, and other benefits verification for over 6,000 customers. This is an important part of the duplication of benefits analysis I described above;
- Completed calls to 5,000 unresponsive customers, which has yielded an additional 1,200 customers interested in program re-entry.

Now that Program operations are ramped up, Build it Back has presented over 3,000 customers with award pathways. Over 600 have accepted offerings and are now in the first stages of their award paths. Included in that number are about 70 repair customers who have moved to the next stage and are in the process of having their scope of work prepared, over 40 homes with elevation design process underway, and another 40 whose homes will be rebuilt and who are working with developers on the designs for their new homes. Construction began last week and the first reimbursement checks have been mailed to homeowners.

More meetings are now being scheduled and completed every day. The estimated total value of awards that have been accepted is about \$40 million. The total value of awards that have been offered at this point to homeowners, but which have not yet all been accepted, is estimated to be over \$312 million.

Since January, the Administration has also designed and operationalized a first-of-its-kind program to provide reimbursements to applicants who have already completed work. The City worked closely with State and Federal partners to make this reimbursement option available for the first time as part of a CDBG-DR program. The Program has

completed grant agreements with customers totaling almost \$135,000 in reimbursements and/or repair work. The first checks were mailed last week.

Build it Back has also made major improvements to its public engagement and customer service efforts. In January of this year, Build it Back opened a new center in Far Rockaway to make sure the Program's services are accessible to all impacted communities. The Program increased the presence of City staff at its Centers to provide direction and oversight and increased communication with customers to identify what documents they need to move through the process and explain their next steps. Build it Back has also translated all required forms and documents into the top languages most common for customers and hired additional foreign language-speaking staff. And, this week, an applicant guidebook will be posted online so that our Program's policies are clear and accessible to applicants.

The Program has also engaged in extensive outreach in all communities impacted the storm, meeting with residents, elected officials, and community groups to provide Build it Back updates, answer status questions, and get feedback in person.

Other Efforts

Transparency

And the program moves forward, we intend to keep our City partners—and the public—aware of our progress and how the Program is spending its funding. To the effect, Build it Back has assisted in the creation of a publicly accessible database to monitor, track and ensure full transparency around the expenditure of funds and our progress in connection with Hurricane Sandy recovery efforts.

The Sandy Funding Tracker database provides public access to all City contracts for the allocation and expenditure of federal disaster relief funds, including contract vendor information. Currently, the website provides the number of customers registered and processed by a variety of geographies, including Council District, the Program milestones, and details of executed city procurement contracts for NYC Build it Back.

Over the coming months the City will post even more detailed information on contracts, grants and loans funded with federal recovery dollars, both via CDBG-DR and the FEMA Public Assistance program. The information will include details like: funding totals, amounts expended to date, the start end and estimated dates of projects, and the location of construction projects.

Workforce Development and Local Jobs

The City also intends to make available information on estimated jobs created by the Program via the Sandy Funding Tracker. Note that it is the policy of the Build it Back to create—to the greatest extent feasible—employment and business opportunities for residents of projects that occur in their communities. The City, and HRO specifically, has developed a Section 3 Plan consistent with the federal requirement that recipients of certain HUD funds, like the CDBG-DR grant, provide job training, employment, and contract opportunities—to the greatest extent possible—for low- or very-low income residents in connection with projects in their neighborhoods. Build it Back is working with its contractors and other City agencies, including NYCHA and OMB, to ensure that the Section 3 plan is implemented.

Next Steps

This recent progress is just the beginning. Over the weekend, Mayor de Blasio spoke at the recently reopened Seaside Library in the Rockaways and outlined some major changes to the program better, faster, and able to serve more New Yorkers. The Mayor began by introducing a new leadership team and accountability structure. This included the appointment of Bill Goldstein—formerly the Executive Vice President at MTA Capital Construction—to serve as Senior Advisor to the Mayor for Recovery, Resiliency, and Infrastructure, and myself to oversee the Housing Recovery Office, including the Build it Back Program.

The Mayor then announced plans to reallocate an additional \$100 million in CDBG-DR funds from other inefficient programs toward the City's housing recovery. With this additional money, we will be able rebuild every home that was destroyed by the storm and has registered for NYC Build it Back, regardless of income level. Other actions include:

- Immediately increasing HRO staff by 35%, bringing skilled personnel from other agencies into HRO
- Accelerating the design process for home repairs and rebuilds by moving design consultation to immediately after an offer is given to a homeowner;
- Allowing homeowners to set aside their transfer amounts for temporary relocation expenses if they have to move during reconstruction;

- Eliminating permit and procedural bottlenecks that are slowing repairs and rebuilds – for example, clearing outstanding DOB permits that have prevented some rebuilds and repairs from moving forward (of which we have already made a dramatic dent in the last few weeks);
- Ensuring customers with missing documents turn them in within two weeks of opening an application, and that select, or formally challenge, the results of Options Review Meeting within two weeks of that meeting;
- And, just last week, the City announced a coordinated effort that has FEMA contributing more than \$100 million to replace destroyed and damaged boilers in over 100 public housing buildings.

These changes will further streamline the process and accelerate the speed of our recovery efforts.

Conclusion

In conclusion, I would like to reiterate the following:

- HRO is committed to serving New York City residents so they can repair and rebuild safer and stronger.
- The process has been far from seamless. We are taking proactive steps to address the communications gaps and delays that have impacted our ability to provide meaningful relief—quickly—to New York City residents.
- Finally, Build it Back is now operational and making progress. I've detailed many of the major improvements implemented since January – including the dramatic progress that has allowed us to get checks out the door and the first rebuilds and repairs started last week. And as the Mayor announced on Saturday, other major steps are being taken – such as reallocating \$100 million to ensure that **every single home** that was destroyed will be rebuilt, regardless of income or prioritization.

In the coming weeks and months, we will continue to work with the Administration and the Council to improve our Program so that it meets the needs of all New Yorkers impacted by the storm.

Please know that this office is working tirelessly to make the Program work better and faster. But we recognize we cannot do this alone. We value your input, your insight, and your advocacy on behalf of your constituents.

Thank you again for your attention. We would be happy to answer your questions.

Testimony of Legal Services NYC

before the New York City Council
Committee on Recovery and Resiliency, Committee on Environmental Protection
and Committee on Housing and Buildings

Oversight Hearing: Housing Recovery Post-Sandy
The Status of the Build-It-Back Program.
March 31, 2014

Thank you for this opportunity to testify about the Build It Back program. My name is Margaret Becker. I'm the Director of the Disaster Recovery Unit at Staten Island Legal Services, an office of Legal Services NYC.

Legal Services NYC (LSNYC) fights poverty and seeks justice for low-income New Yorkers. For more than 40 years, we have challenged systemic injustice and helped clients meet basic needs for housing, high-quality education, health care, family stability, and economic security. LSNYC is the largest civil legal services provider in the country, with deep roots in all of the communities we serve. Our neighborhood-based offices and outreach sites across all five boroughs help more than 60,000 New Yorkers annually.

Since November 2012, our services have expanded to include Hurricane Sandy recovery work, specifically legal assistance on FEMA benefits, insurance claims, Sandy-related mortgage problems, contractor fraud, tenant rights and benefits, access to Build It Back assistance, and other legal needs associated with New Yorkers' long, slow recovery. To date LSNYC has assisted 4,424 Sandy-affected households.

While we recognize that designing and implementing a program like Build It Back is not simple, we are concerned that the current Build It Back program has adopted policies which cause long delays for homeowners with little commensurate benefit to the program, and will lead to piecemeal, often short-lived help for the struggling homeowners, tenants, and small landlords in New York City's flood hazard zones. As discussed below, the State's New York Rising model of assistance to homeowners offers a better template for helping individuals and communities to reach a lasting recovery.

Some of Legal Services NYC's recommendations involve simple changes to current program rules. For example, the current bar on assistance to anyone with a foreclosure notice of pendency ("*lis pendens*") on his or her property is wasteful and unwarranted. This policy can and should be lifted immediately. Some of our recommendations require significant restructuring of the City's CDBG-DR Action Plan. For example, the Build It Back program profoundly fails to adequately address the issue of dramatically increasing flood insurance premiums for those in high flood risk areas. Many of our clients are already seeing increases beyond what they can afford, and these rates will go much, much higher over the course of the coming years. Recent federal legislation delaying the implementation of the 2012 Biggert-Waters Act, gives us much needed time to address this problem, but it still must be addressed. The coming expansion of New York City's high flood hazard area doubles the scope of this problem. When our region's preliminary Flood Insurance Rate Maps (FIRM) are adopted in 2015, New York City's high risk flood zone, Zone A, will roughly double in size, sweeping in thousands of properties that previously did not require flood insurance. As discussed below, New York City can and must help current and future Zone A homeowners mitigate their flood hazard to preserve the stability and affordability of our coastal neighborhoods. Build it Back must be redesigned to offer elevation assistance to more people.

Equally critical among our concerns is the neglect of the needs of tenants under the current Build It Back program. Tenants and small landlords are as much in need of recovery help as New York City's homeowners.

One aspect of Build It Back that hampers its effectiveness is its focus on individual, household-based assistance. Decisions about how to allocate scarce resources, particularly when it comes to acquisition and elevation, must be made strategically and at the neighborhood level, not the individual household level. For example, elevation of attached homes, or their acquisition for redevelopment, can not be done without the involvement of both affected homeowners. If one homeowner falls in Priority 1, but the other falls in Priority 2, their recovery will be needlessly hindered. Similarly, the current policy of offering acquisition only to homeowners who sustained substantial damage will lead to inefficient and, perhaps, ineffective redevelopment in these communities.

The proposals we make envision not only better use of current resources but also an expansion of resources committed to neighborhood resiliency. This can be addressed in part by better coordination with the New York State rebuilding program, New York Rising. We urge the City to negotiate with the State to secure greater allocation of the New York State CDBG-DR funding to New York City. We also urge the City to adopt policies similar to those of New York Rising, to ensure that residents of all New York's counties share in an equitable recovery. Difficult decisions must be made given limited funds. However, those decisions cannot wisely be made when, for example, elevation needs are ignored and renters are largely excluded. Based on these concerns, we recommend the following revisions to the Build It Back program.

Lift the foreclosure bar to assistance or, at minimum, narrow its scope

Build It Back should remove this bar to assistance: the policy causes unwarranted delay for homeowners and significant administrative waste, the cost of which far outweighs any benefit the policy may have. At minimum, Build It Back should significantly narrow the policy's scope to encompass only homes that will likely revert to bank ownership in a foreclosure.

Currently, the Build It Back program places on hold the application of any homeowner with a *lis pendens*—the initial stage of a foreclosure—filed against his or her property. In order to remove this hold, the homeowner must demonstrate that the *lis pendens* has been resolved or will imminently be

resolved. The rationale that Build It Back offers for this *lis pendens* hold is that the City does not want to rebuild properties for the banks. This policy is unduly harsh and short sighted, causes unnecessary delay for homeowners, and squanders resources of Build It Back personnel and non-profit Counseling partners.

Most homeowners in foreclosure will not lose their homes to auction. A study by the Furman Center has shown that less than 20 percent of *lis pendens* filings result in a foreclosure auction or the property becoming bank-owned.* Many of these homeowners will retain their homes through loan modifications, or by becoming current once their temporary, often Sandy-induced financial hardship, has passed. Securing a loan modification can take months or even years. It does not make sense for Build It Back to delay helping the 80% of homeowners who will *not* lose their homes to foreclosure, simply to insure that homes are not “rebuilt for the banks” in 20% of those cases. Build It Back’s *lis pendens* bar can easily be modified to more accurately approximate only that 20% of cases: the bar could apply only to homes on which a judgment of foreclosure has been entered, which occurs near the end of the foreclosure process.

In addition to being grossly over-inclusive, the Build It Back *lis pendens* bar causes unwarranted delay for homeowners, and wastes administrative and counseling resources. A significant number of the *lis pendens* that appear in our property records are out of date: mortgage banks frequently fail to remove *lis pendens* filings after the foreclosure is prevented (through loan modification or payment of the arrears owed). Therefore, homeowners whose properties may have been in foreclosure years ago, even under previous owners, are being held up for weeks or months in the Build It Back process. Clearing these obsolete *lis pendens* wastes the time of both Build It Back staff and of the non-profit legal and housing counselors to which these cases are referred. Any value that this policy may have in preventing “rebuilding for the banks” is far outweighed by the cost to the recovery in wasted administrative time and money and in unwarranted delay for homeowners. Build It Back should continue to refer homeowners in foreclosure to legal and housing counselors for foreclosure prevention help, but the homeowners should be allowed to continue with the Build It Back program unimpeded.

By denying these homeowners aid or delaying their aid to the point where it has little value, Build It Back is dooming properties to foreclosure that would not otherwise be lost. Even for those properties that will eventually be sold at auction or revert to bank ownership, refusing to allow their repair and elevation means that these properties will be unmarketable; many will sit vacant and unrepaired for years if not decades. The current *lis pendens* bar to Build It Back benefits is harmful to communities as well as homeowners. This policy should be eliminated entirely, since it is impossible to predict which homes with current *lis pendens* will be foreclosed upon. Alternatively the *lis-pendens* bar should be more finely tailored to only include properties on which a judgment of foreclosure has already been entered.

Offer elevation assistance to all applicants in or entering Zone A

Due to existing regulations of the National Flood Insurance Program and changes enacted in the Biggert-Waters Act of 2012, the cost of flood insurance for homes and businesses in a flood hazard zone is increasing exponentially. Recent federal legislation has delayed implementation of the Biggert Waters Act, but eventually the flood insurance premiums must be made consistent with the actual risk. Rates will likely climb to \$10,000 annually or even much higher for un-elevated homes. With the adoption of the preliminary FIRM anticipated in 2015, thousands more homes will fall within the flood

* *Foreclosed Properties in NYC: A Look at the Last 15 Years*, Furman Center for Real Estate & Urban Policy, New York University, January 2010, p. 4.

hazard zone, and those homes already in Zone A will require even higher elevations. This means that thousands of homes will become not only unaffordable to their current owners, they will also become unmarketable, thereby prohibiting homeowners from selling their homes to avoid foreclosure or using the proceeds from a sale to secure other housing.

Without significantly greater assistance, these dramatically increased rates will result in widespread foreclosures and, ironically, leave our coastal communities unprepared for future disasters. Homeowners without mortgages, primarily senior citizens on fixed incomes, will have no choice but to forgo flood insurance, leaving them unprotected and vulnerable. They will be barred from all future FEMA assistance, and will have no insurance against future storms. For homeowners with mortgages who cannot afford the cost of elevation, the premium increases will inevitably lead to foreclosure: their mortgage lender will require that they purchase a flood insurance policy, but doing so will render their monthly mortgage payment unaffordable. These homeowners will not be able to escape foreclosure by selling their properties, even at a reduced price equivalent to the balance owed on the mortgage. (For example, homes in Midland Beach, Staten Island, with pre-storm values of \$250,000-\$300,000 are now selling for \$50,000-\$60,000.) Once these mortgages are foreclosed and the properties revert to bank ownership, the banks, likewise, will be unable to sell the properties. The city's failure to plan for this crisis will mean not only widespread, unnecessary displacement of low- and moderate-income homeowners, but also vacant and abandoned properties, likely numbering in the thousands, along New York City's coasts.

The Build It Back program to date has largely ignored this looming catastrophe. Under the current Build It Back program, only homes that were substantially damaged (meaning the cost to repair exceeds 50% the value of the structure) will be offered home elevation assistance. According to Build It Back's February 2014 report, only about 30% of Priority 1 applicants fall in this category (2,910 homes). For Priority 2 and 3, the figures are 23% and 22% respectively. In total, only 5,233 applicants out of 19,800 applicants (26%) are eligible for elevation assistance. Since Build It Back may not ultimately offer assistance to anyone in Priority 2 and 3, the numbers of homes that Build It Back will elevate may be limited to simply the 2,901 in Priority 1, meaning that only about 15% of applicants will receive elevation assistance. It does not make sense for Build It Back to help 85% of its applicants with only repairs or reimbursements, while ignoring the problem of long-term affordability of the very homes it repairs.

The lack of elevation assistance will have devastating effects on not only middle- and lower-income coastal homeowners but on entire communities, which will be riddled with vacant, abandoned, and bank-owned properties. *Investment in elevation of homes now will prevent the loss of thousands of affordable homes and rental apartments in New York City.* Low- and middle-income homeowners in our coastal communities who face this looming crisis see no way out. To date, the majority of Build It Back repair offers have not been accepted by homeowners. Based on our experience talking with homeowners, this is due in significant part to their concerns about the future affordability of their homes. Many homeowners are delaying accepting repair help without elevation, because they are waiting to see whether acquisition is offered to them, which many see as *their only long-term option*.^{*} Yet many of these homeowners want to stay in their communities and would stay if they had help to elevate their homes.

^{*} Since Build It Back eligibility for elevation and acquisition are identical—based on the substantial damage measure—no one offered only repair help will be offered acquisition.

The State's New York Rising program offers an example of how New York City can use its CDBG-DR funds to not just rebuild, but to protect and sustain our vibrant coastal communities. Under New York Rising, *all* applicants are eligible for elevation assistance, subject to a \$300,000 benefit cap. Properties that were substantially damaged or whose owners are lower and moderate income are eligible for a \$50,000 increase in the benefit cap to use toward elevation costs. A program of this design offers residents lasting solutions to the affordability crisis. New York City must try to approximate the New York Rising program model.

We recognize that elevation of homes is costly, and that New York City's current Build It Back program faces financial constraints that New York Rising does not. However, New York City does have options:

- The City could devote more of its CDBG-DR funds to housing. The State allocated 51% of its \$3.8 billion CDBG-DR funding to housing, but New York City allocated only 36.5% of its \$3.17 billion. If the City mirrored the States percentage allocation, \$930 million would be available to help with housing recovery. This amount would more than cover the cost of elevation for all Priority 1 applicants, leaving significant funds to cover a portion of elevation costs for Priorities 2 and 3.
- The City should partner with the State to expand the elevation component of Build It Back, similar to the partnership for the acquisition program (under which State CDBG-DR funds will be used to fund the acquisitions). A partnership of this sort could bring more of the State's funds into New York City, making for a more equitable recovery for all state residents.
- The City should be receiving a portion of the State's FEMA Hazard Mitigation Grant Program (HMGP) funds. New York City should devote those funds to home elevation.
- The City could adopt and expand on the fundraising recommendations in the report of the City's Special Initiative for Rebuilding and Resilience to try to close the funding gap.

Surely other options exist as well. We cannot continue to ignore the coming affordability crisis, and we should not continue to spend limited CDBG-DR funds on repairs that offer only short-term help, while putting coastal communities at risk of another foreclosure crisis and leaving them unprotected against future storms.

Coordinate help offered to attached properties

The prevalence of attached properties in New York City presents significant, as yet unresolved, challenges to recovery efforts, particularly acquisition and elevation. Rather than impede the recovery of one household because its neighbor has not registered for Build It Back or falls in a different priority, the City should work with both affected property owners, and potentially entire neighborhoods.

Remove Sandy-affected homes from the Department of Finance's annual tax and water lien sale.

Build It Back should work with the New York City Department of Finance (DOF) to ensure that all Sandy-affected one- to four-family homes are removed from DOF's annual tax and water lien sale, which is currently scheduled for May 16, 2014. Pursuant to this sale, DOF places a lien on properties with delinquent property taxes or water bills, and transfers ownership of this lien to a for-profit third-party trust, which then files for foreclosure of the home. Under Build It Back's current policies, the sale of these liens will result in aid being delayed or denied to these homes due to the filing of the *lis pendens* in these cases, despite the fact that the lien amount for one- to four-family homes is almost always quite low, and even if the homeowner has been unable to make their payments because of a Sandy-related hardship. More importantly, even if the *lis pendens* bar was lifted, it does not make sense for DOF and Build It Back to be working at cross purposes. Once the lien is sold, 9% interest and substantial fees accrue quickly, making it more difficult to satisfy the debt and providing yet another obstacle for

struggling homeowners who are trying to determine how to repair or rebuild their properties in an affordable manner. Rather than subjecting homeowners to the aggressive enforcement of these liens, New York City should exempt all Sandy-affected properties from the 2014 lien sale.

Provide temporary housing assistance to those who must vacate their homes during rebuilding

Under the current Build It Back program, homeowners and tenants who must vacate the home while it is being restored will not be given any assistance with their temporary housing costs during this dislocation. For homeowners who must make mortgage payments while they pay for temporary rental housing, the lack of temporary housing assistance could put them into mortgage default. Likewise, tenants may lose their leases, and small landlords face financial hardship, if funds are not made available to defray temporary housing costs. The State's New York Rising program recognizes this problem and has allocated funds for this purpose. We urge the Build It Back program to likewise provide temporary housing assistance to those who need it.

Expand the definition of "forced mortgage payoff"

As mentioned above, Build It Back requires applicants to pay to the city any insurance funds, FEMA funds, or SBA funds that have not already been spent on "allowable activities." One of the allowable activities is "forced mortgage payoff," which Build It Back defines narrowly to mean only when the mortgage bank forcibly and unilaterally takes all the homeowner's insurance funds to pay down the mortgage balance. The bank can legally do this only when repairing or rebuilding the home is not possible. In all our years at Legal Services NYC representing homeowners in mortgage distress, and in the year and a half that we have been helping Sandy victims, we have *never* seen a forced mortgage payoff of this type. It is exceedingly rare. Build It Back should expand the definition of "forced mortgage payoff" to include payment of insurance proceeds to the mortgage company under threat of foreclosure, which is a real circumstance that several of our clients have faced.

Many Sandy-affected homeowners were unable to make their monthly mortgage payments after the hurricane. They fell into arrears on their mortgages. Some mortgage banks offered homeowners forbearances—temporary periods of 3, 6, or 12 months when no mortgage payment was due. But most mortgage banks then required payment of all the missed payments in one lump sum at the end of the 3-, 6-, or 12-month forbearance period. Whether the homeowner was offered a temporary forbearance or not, many mortgage companies threatened to foreclose if the homeowners did not pay the full mortgage arrears immediately. In response, homeowners frequently used their insurance funds to pay the mortgage arrears rather than fall into foreclosure. This is not an "allowable" use of their insurance funds under current Build It Back policy. Build It Back should expand its definition of "forced mortgage payoff" to include payment of mortgage arrears under threat of foreclosure as an "allowable" use of insurance funds, which would remove that portion of the insurance funds from the homeowner's required "transfer" payment.

Permit the transfer of bank-held insurance proceeds in installments

Build it Back requires homeowners to transfer to the City all their insurance proceeds prior to commencement of the repair work. This puts homeowners with mortgages in a predicament. Most mortgage contracts permit the mortgage company to hold insurance proceeds, releasing them in installments—usually one-third at a time—as work is completed. Mortgage companies are legally entitled to hold insurance funds in this manner, and may be unwilling to deviate from their standard procedures for individual homeowners. At best, this policy causes unnecessary delay of rebuilding. At worst, it could permanently prevent many homeowners from receiving Build It Back help. The City is currently working on solutions to resolve this issue, and we applaud those efforts. We urge the City to allow homeowners to *assign* their insurance proceeds to the Build It Back program as an alternative,

rather than putting the onus on homeowners to convince their mortgage banks to release all insurance funds up front.

Reserve “relocation allowance” for homeowners with underwater mortgages in the acquisition program

Under the Build It Back acquisition program, homeowners will be offered the post-storm value of their homes as the purchase price, plus a relocation benefit. Some homeowners who would like acquisition have “underwater” mortgages, meaning that the mortgage debt exceeds the value of the property. For these homeowners, a short sale must be negotiated with the mortgage bank. Normally, the short sale price is the current (post-storm) value of the property. *We urge the city to hold to this standard model in negotiating short sales under the acquisition program.* Any relocation allowance above the current property value should be reserved for the homeowner, to help him or her make a new start. Offering this relocation allowance to the mortgage bank would constitute a windfall to the bank, giving it a greater payment on the mortgage than it would receive if it foreclosed on the property. We should not use public CDBG-DR funds to pay windfalls to mortgage banks.

Commit to redevelop acquired property as housing affordable to those who lived there before Sandy

New York City will be acquiring properties under the Build It Back Acquisition for Redevelopment program. According to the Build It Back’s February 2014 Monthly Progress Report, 2,910 properties in Priority 1 are eligible. Because Build It Back prioritizes lower-income households, the bulk of the properties acquired will come from the City’s affordable housing stock. How these properties will be redeveloped has not been determined. At the same time rising housing costs are driving decent housing out of the reach of low- and middle-income New Yorkers. We have an opportunity now to address both these problems through a coherent plan for redevelopment of the acquired property.

The communities where these properties are located have a stake in how they are developed. The City’s decisions on the disposition of these properties will determine whether the redevelopment further disrupts these communities or strengthens them. We urge the city foremost to allow local communities to have decision-making power in how and which properties are redeveloped. For those properties that are appropriate for redevelopment as housing, the City should ensure that the new housing is affordable to those who currently live there, based on the median income of that local community, rather than the broader metropolitan area. The City should consider creating a “right of return” for those that Storm Sandy has displaced, by giving displaced residents first option on the new homes. A program of this type would make it possible for people to come home to the neighborhoods where their roots are, the neighborhoods they know and love.

In addition, the Build It Back program should not limit its acquisition program just to current Build It Back applicants. There are many abandoned properties in these neighborhoods, and we can assume that many of the owners of these properties did not apply for Build It Back. We urge the city to conduct a vacant property survey in Sandy-affected neighborhoods to identify abandoned properties (bearing in mind that some of these properties may be vacant but not abandoned, as many Sandy victims are still in temporary housing). Once the abandoned properties have been identified, the current owners should be contacted and allowed to apply for acquisition. Bank-owned (REO) properties could be acquired at post-storm value.

Another critical element is a non-profit Land Bank to hold the acquired properties while decisions are made about the properties’ ultimate disposition. Land Banks allow flexibility to address diverse housing

issues and community needs. In addition, priority should be given to non-profit, community-led institutions to redevelop the properties, and, if the property is to be developed as housing, it should be housing that is permanently affordable.

Community land trusts offer a model of homeownership that creates lasting affordability, and this ownership model should be prioritized in disposition of acquired property. Under the community land trust structure, the ownership of the land is separated from the ownership of the structure on the land (a home or a commercial structure). The community, in the form of the land trust board, retains ownership of the property. The increase in the value of the land accrues to the community. The homeowner owns the home, can bequeath it to heirs, and can sell it. While the homeowner normally receives some appreciation in value at the time of sale, it is not the full appreciation of the land. Because of this divided ownership structure, the housing remains affordable potentially in perpetuity. The homeowner largely gives up the ability to use homeownership as a vehicle to build equity and wealth, but in return gains lasting affordability, and a variety of other supports that the community land trust offers, including foreclosure prevention. This model stems the price inflation that is driving homeownership farther out of reach for low- and middle-income New Yorkers.

Protect affordability of restored rental housing

Build It Back currently gives priority to homeowners, but help for small landlords has yet to begin. To ensure the recovery of affordable rental housing, Build It Back should include small landlords among those prioritized to receive assistance now. The Build It Back program wisely intends to give priority to landlords whose tenants are primarily low- and moderate-income, however it requires those landlords to commit to affordable rents for only one year. In exchange for public rebuilding funds, these landlords should be asked to commit to a far longer period of affordability. Build It Back aid to landlords should require that all units repaired or rebuilt with public funds as rental property must be rented at affordable rates, based on the median income of that local community, for a minimum of 10 years.

Reopen registration for the Build it Back program

Many homeowners and renters, especially non-English speakers, were unaware of the Build It Back program and did not register. Others tried to apply but were unable to. For example, one Spanish-speaking family called 311 multiple times attempting to register for Build it Back as renters but was continuously referred to Catholic Charity's food-stamp program. Some renters reported calling 311 and being told that the program was only applicable to homeowners. We urge New York City to not only reopen Build It Back registration but to keep registration open until all the funds are spent. This will promote fair and equitable access to essential recovery support.

Publicly release general needs assessment data and conduct additional needs assessments

Funding allocations in Sections VII and VIII of the Action Plan are based upon data from needs assessments conducted by the City, as well as FEMA registration and Census data. Since this data forms the basis for understanding continued unmet need and justifying program allocations, we request greater transparency on how these allocations were determined. For example, the Action Plan states on page 30 that the "Low-income households disproportionately are in need of immediate relocation assistance; the housing team is working with approximately 1,300 displaced families who are at or below 50% of Area Median Income. To the extent possible these households will be placed in NYCHA public housing units or provided HPD Section 8 vouchers, but the City anticipates that approximately 600 households will not be served by these options." This projection forms the basis of the funding allocated to the Temporary Disaster Assistance Program (TDAP). Because low-income renters compose a high percentage of Sandy-impacted residents still facing tremendous hardship, projections of this sort warrant further review and detail.

Allocate additional funding to the Temporary Disaster Assistance Program (TDAP)

55,449 low-income renters affected by Sandy registered for FEMA. This is a low estimate of those affected by Sandy because renters register at lower rates than homeowners and undocumented immigrants could not register. A recent survey conducted by Make the Road New York in Staten Island revealed that many renters are experiencing significant rent increases as a result of Sandy, and others remain displaced. The majority of households affected by the storm were renters, and renters affected by Sandy are more likely to be low-income and people of color than Sandy-impacted homeowners, yet renters are not being served proportionally to their homeowner counterparts. This may violate HUD regulations which require that the City, in its use of recovery funds, create affordable housing and ensure that the recovery does not discriminate against low-income people or people of color. The \$19 million allocated for TDAP rental vouchers for those under 50 percent of the area median income does not come close to meeting the needs of Sandy-impacted renters. In our experience working with this population, we have found that many families have inadequate shelter or are unable to afford basic necessities as a result of increased rent. An expanded TDAP program would alleviate the continued suffering of numerous low-income households still struggling to find basic stability post-Sandy.

Improve access to TDAP assistance

Many eligible renters have been unable to take advantage of the TDAP program due to language barriers and geographic barriers. We recommend that the Build it Back program translate TDAP application materials into the languages spoken in the disaster-impacted areas and ensure that interpreters are available for non-English speakers. In addition renters should be given the same geographic access to Build It Back as homeowners currently have. Build it Back has offices in Brooklyn, Queens and Staten Island where homeowners may go to meet with a Build it Back representative, but renters who wish to participate in the TDAP program must travel to the HPD office in Manhattan to submit their paperwork. The City should allow TDAP applicants to complete their applications and meet with Build It Back representatives on their individual cases at the local Build it Back offices.

Sandy rebuilding money should create good local jobs

In addition to the long-term effects of the storm on housing, many New Yorkers lost their jobs because of Sandy. Some of these jobs have still not returned, leaving many families continuing to struggle to meet their basic needs. These federal funds present an opportunity for the City to invest in good jobs, and career pathways for New Yorkers. All large scale projects, be it rebuilding a boardwalk or upgrading a sewer system, should create good, family-sustaining jobs for low-income New Yorkers and Sandy survivors.

Create a plan for the City to engage community members, Long Term Recovery Groups, and other community-based organizations more deeply in decision-making processes

In crafting a plan for the most effective use of CDBG-DR funding, community members and community based Sandy-relief coalitions such as Long Term Recovery Groups can offer the City an essential on-the-ground perspective. Had there been greater community input thus far, critically important issues – such as the need for elevation help— likely would have received greater consideration. As the City works to make this new program fairer and more efficient, Sandy relief workers and impacted residents should be engaged in this process. This engagement must transcend public meetings and comment periods. The local knowledge in Sandy-affected communities and of Sandy recovery workers should be valued and drawn upon at all stages of decision-making.

In conclusion, the federal CDBG-DR funding offers New York City an opportunity to help make our coastal homeowners, renters, and communities truly resilient against future storms through the home

rebuilding program. Without changes to the Build It Back program, this transformative opportunity will be lost, and many of the Disaster Recovery funds will be wasted.

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Staten Island Interfaith & Community Long Term Recovery Organization

Testimony of the Staten Island Long Term Recovery Organization

**Before the New York City Council
Committee on Recovery and Resiliency, Committee on Environmental Protection
and Committee on Housing and Buildings**

**Oversight Hearing: Housing Recovery Post-Sandy
The Status of the Build-it-Back Program
March 31, 2014**

This testimony is submitted by the Staten Island Community and Interfaith Long Term Recovery Organization, a coalition of over ninety disaster recovery organizations active on Staten Island. It is the mission of the Staten Island Community and Interfaith Long Term Recovery Organization to harness and justly distribute the resources of donors and supporters here in Staten Island and across the nation to foster an effective long term recovery of Staten Island in response to Super Storm Sandy as well as provide a vehicle for disaster preparedness and future emergency response. With fourteen working committees and a board of directors composed primarily of Sandy impacted residents, the "LTRO" has worked diligently to communicate available resources to Sandy survivors, provide essential recovery services, and to engage the broader Staten Island community in contributing to Sandy recovery and future disaster preparedness on Staten Island.

The LTRO commends the City of New York for the creation of the Build it Back program and for recognizing the significant and continuous needs of New York city residents as we enter into the long-term recovery process following Superstorm Sandy. We value the opportunity to have a voice, through this City Council oversight hearing, in the allocation and disbursement of CDBG-DR funding for individual assistance and mitigation. From our perspective as on-the-ground recovery workers, representing homeowners and renters seeking assistance through the Build it Back program, we offer the following recommendations:

Offer elevation assistance to all applicants in or entering Zone A.

Due to existing regulations of the National Flood Insurance Program and changes enacted in the Biggert-Waters Act of 2012, the cost of flood insurance for homes and businesses in a flood hazard zone is increasing exponentially. These increases are already hitting homeowners on renewal of their premiums. For example, the premium of one Staten Island homeowner jumped this January from \$1,300 per year to \$7,500 per year, and this is only the first increase he will see. Rates will likely climb to \$10,000 annually or even much higher for un-elevated homes.

With the adoption of the new preliminary FIRM anticipated in 2015, New York's flood hazard zone will double: more homes will be included, and those homes already in Zone A will require even higher elevations. Grandfathering and preferred rate premiums will be eliminated for some and gradually phased out for others. This means that thousands of homes will become not only unaffordable to their current owners; they will also become unmarketable. Homeowners without mortgages, primarily senior citizens on fixed incomes, will have no choice but to forgo flood insurance, leaving them unprotected and vulnerable. They will be barred from all future FEMA assistance, and will have no insurance against future storms. For homeowners with mortgages who cannot afford the cost of elevation, the premium increases will inevitably lead to foreclosure. These homeowners will not be able to escape foreclosure by selling their properties, even at a reduced price equivalent to the balance owed on the mortgage. Homes in Midland Beach valued at \$200,000-\$300,000 are now selling for \$50,000-\$60,000. Once these mortgages are foreclosed and the properties revert to bank ownership, the banks, likewise, will be unable to sell the properties. The result of the city's failure to plan for this crisis will be vacant and abandoned properties, likely numbering in the thousands, along New York City's coasts.

The Build It Back program to date has largely ignored this looming catastrophe. Under the current Build It Back program, only properties with substantial damage are eligible to receive elevation assistance, and, at this point, likely only homeowners whose incomes fall below 165% of area median income. These properties constitute only a small portion of Build It Back registrants. Estimates are that the elevation-eligible properties number in the high hundreds, or low thousands at best. Anyone whose property sustained less than substantial damage will be offered only repair or reimbursement. This short-sighted policy will have devastating effects on not only middle- and lower-income coastal homeowners but on entire communities, which will be riddled with vacant, abandoned, and bank-owned properties. Homeowners in Midland Beach, New Dorp Beach, South Beach and other communities along Staten Island's coast see this disaster looming. They understand what is coming, but they see no options to stop this train wreck under currently available assistance. To date, the majority of Build It Back repair-only offers have not been accepted by homeowners, due in significant part to homeowners' concerns about the future affordability of their homes, since flood insurance is required as a condition of receiving Build It Back help. Many homeowners are delaying accepting repair-only help because they are waiting to see whether acquisition is offered to them, which many see as their only long-term option. But many of these homeowners want to stay in their communities and would stay if they had help to elevate their homes.

The State's New York Rising program offers an example of how New York City can use its CDBG-DR funds to not just rebuild, but to sustain our vibrant coastal communities. Under New York Rising, *all* applicants are eligible for elevation assistance, subject to a \$300,000 benefit cap. Properties that were substantially damaged or are lower and moderate income are eligible for a \$50,000 increase in the benefit cap to use toward elevation costs. A program of this design offers residents lasting solutions to the affordability crisis.

We recognize that elevation of homes is costly. Given that New York State will be devoting more of its CDBG-DR resources to downstate communities, including New York City, the City will have greater resources to invest in helping coastal homeowners live safely and affordably. We, therefore, urge the City to explore cost-saving measures and use economies of scale to bring

costs down. Through the New York Rising committee on Staten Island, a proposal was submitted by local leaders for the City to use CDBG-DR funds in the creation of a non-profit that could elevate homes. This is just one example of innovative ways to approach this problem. We cannot continue to ignore the coming affordability crisis, and we should not continue to spend limited CDBG-DR funds on repairs that offer only short-term help.

Lift the "lis pendens" bar to Build It Back assistance.

Currently, the Build It Back program puts on hold the application of any homeowner with a *lis pendens*—the initial foreclosure document—filed against his or her property. In order to remove this hold, the homeowner must demonstrate that the *lis pendens* has been resolved or will imminently be resolved. The rationale that Build It Back offers for this *lis pendens* hold is that the City does not want to rebuild properties for the banks. This policy is unnecessarily harsh and short sighted. A study by the Furman Center has shown that less than 20 percent of *lis pendens* filings resulted in a foreclosure auction or the property becoming bank-owned.* Many of these homeowners will retain their homes through loan modifications, or by becoming current once their temporary, often Sandy-induced hardship has passed. By denying these homeowners aid or delaying their aid to the point where it has little value, the Build It Back program is dooming properties to foreclosure that would not otherwise be lost. Even for those properties that will eventually be sold at auction or revert to bank ownership, refusing to allow their repair means that these properties will be unmarketable, and, most likely, sit vacant and unrepaired for years if not decades. The current *lis pendens* bar to Build It Back benefits is overly broad and harmful to homeowners and communities. This policy should be eliminated, or more finely tailored to, for example, only include properties on which a judgment of foreclosure has been entered.

Provide temporary housing assistance to those who must vacate their homes during rebuilding.

Under the current Build It Back program, homeowners and tenants whose homes were so badly damaged that they must vacate the structure while it is being restored will not be given any assistance with their temporary housing costs. For homeowners who must make mortgage payments while they pay for temporary rental housing, the lack of temporary housing assistance could put them into mortgage default. Likewise, tenants may lose their leases, and small landlords face financial hardship, if funds are not made available to defray temporary housing costs. We urge that the Build It Back program provide temporary housing assistance to those who need it.

Permit the transfer of bank-held insurance proceeds in installments.

Build it Back requires homeowners to transfer to the City all their insurance proceeds prior to commencement of the repair work. This puts homeowners with mortgages in a predicament. Most mortgage contracts permit the mortgage company to hold insurance proceeds, releasing them in installments—usually one-third at a time—as work is completed. Mortgage companies are legally entitled to hold insurance funds in this manner, and may be unwilling to deviate from their standard procedures for individual homeowners. At best, this policy causes unnecessary delay of rebuilding. At worst, it could permanently prevent many homeowners from receiving Build It Back help. The City is currently working on solutions to resolve this issue, and we

* *Foreclosed Properties in NYC: A Look at the Last 15 Years*, Furman Center for Real Estate & Urban Policy, New York University, January 2010, p. 4.

applaud those efforts. We urge the City to allow homeowners to *assign* their insurance proceeds to the Build It Back program as an alternative, rather than putting the onus on homeowners to convince their mortgage banks to release all insurance funds up front.

Reserve "relocation allowance" for homeowners with underwater mortgages in the acquisition program.

Under the Build It Back acquisition program, homeowners will be offered the post-storm value of their homes as the purchase price, plus a relocation benefit. Some homeowners who would like acquisition have "underwater" mortgages, meaning that the mortgage debt exceeds the value of the property. For these homeowners, a short sale must be negotiated with the mortgage bank. Normally, the short sale price is the current (post-storm) value of the property. We urge the city to hold to this standard model in negotiating short sales under the acquisition program. Any relocation allowance above the current property value should be reserved for the homeowner, to help them make a new start. Offering this relocation allowance to the mortgage bank would constitute a windfall to the bank, giving them a greater payment on the mortgage than they would receive if they foreclosed on the property. We should not use public CDBG-DR funds to pay windfalls to mortgage banks.

Reopen registration for the Build it Back program.

Several LTRO member organizations have received numerous reports from both home-owners and renters, especially non-English speakers, that they had not registered for Build it Back because they had not heard of the program or were unable to apply. For example, one Spanish-speaking family called 311 multiple times attempting to register for Build it Back but was continuously referred to Catholic Charity's food-stamp program. Some renters reported calling 311 and being told that the program was only applicable to home-owners. Because home-owners and renters must register with Build it Back to be eligible for CDBG-DR-funded rebuild, acquisition, reimbursement, and rental assistance, we recommend an open registration process until all the money is spent. This will promote fair and equitable access to essential recovery support.

Publicly release general needs assessment data and conduct additional needs assessments.

Funding allocations in Sections VII and VIII are based upon data from needs assessments conducted by the City, as well as FEMA registration and Census data. Since this data forms the basis for understanding continued unmet need and justifying program allocations, we request greater transparency concerning how these allocations were determined. For example, on page 30, the action plan states that the "Low-income households disproportionately are in need of immediate relocation assistance; the housing team is working with approximately 1,300 displaced families who are at or below 50% of Area Median Income. To the extent possible these households will be placed in NYCHA public housing units or provided HPD Section 8 vouchers, but the City anticipates that approximately 600 households will not be served by these options." This projection forms the basis of the funding allocated to the Temporary Disaster Assistance Program (TDAP). Because low-income renters compose a high percentage of Sandy-impacted residents still facing tremendous hardship, projections of this sort warrant further detail.

Allocate additional funding to the Temporary Disaster Assistance Program (TDAP) and improve access to TDAP assistance.

55,449 low-income renters affected by Sandy registered for FEMA. This is a low estimate because renters register at lower rates than homeowners and undocumented immigrants could not register. A recent survey conducted by Make the Road New York in Staten Island revealed that many renters are experiencing significant rent increases as a result of Sandy, and others remain displaced. The majority of households affected by the storm were renters, and renters affected by Sandy are more likely to be low-income and people of color than Sandy-impacted homeowners, yet renters are not being served proportionally to their homeowner counterparts. We believe that this could be in violation of HUD regulations which require that the City, in its use of recovery funds, create affordable housing and ensure that the recovery does not discriminate against low-income people or people of color. The \$19 million allocated for TDAP rental vouchers for those under 50% of the area median income does not come close to meeting the needs of Sandy-impacted renters. In our experience working with this population on Staten Island, we have found that many families have inadequate shelter or are unable to afford basic necessities as a result of increased rent. An expanded TDAP program would alleviate the continued suffering of numerous low-income households still struggling to find basic stability post-Sandy.

Few eligible renters on Staten Island have been able to take advantage of the TDAP program due to accessibility issues. We recommend that the Build it Back program translate TDAP application materials into the languages spoken in the disaster-impacted areas and ensure that translation is available for non-English speakers. Build it Back has offices on Staten Island where homeowners may go to meet with a Build it Back representative, but renters who wish to participate in the TDAP program must travel to the HPD office in Manhattan to submit their paperwork. The City should make arrangements to allow TDAP applicants to complete their applications at the local Build it Back offices.

Undocumented immigrants should and can be included in TDAP.

According to the NYC Department of Planning, an estimated 19,818 undocumented immigrants lived in the affected areas. Yet there are currently no mechanisms in place to ensure that undocumented immigrants, or mixed status families, are able to access TDAP. Legal experts in housing and immigration law believe that housing vouchers utilizing federal CDBG funds can and should be made available to immigrants regardless of immigration status. We also believe that, although short-term goals can likely be met in New York City by creating a parallel voucher program utilizing private funds, it is important for the long-term interests of immigrant populations to set a precedent of making publicly-funded vouchers available regardless of status.

Undocumented immigrants should be eligible for the City's CDBG-DR emergency rental assistance program, under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The City's emergency rental assistance program is federally funded, and the rental subsidies would constitute "federal public benefits" as defined under PRWORA.

PRWORA does impose restrictions on the distribution of "federal public benefits" to immigrants who are not "qualified aliens."¹ PRWORA defines "qualified aliens" as (1) lawful permanent residents; (2) refugees, asylees, persons granted withholding of deportation/removal, conditional entry, or paroled into the U.S. for at least one year; (3) Cuban/Haitian entrants; and (4) certain battered immigrant spouses and children.² Importantly, however, PRWORA exempts certain federal public benefits from these immigration restrictions. In particular, "unqualified aliens" are indeed eligible for "short-term, no-cash, in kind emergency disaster relief."³

The City's rental subsidy program will only provide "public benefits" that fall within the disaster relief exception to otherwise applicable "unqualified aliens" restrictions. Unlike the traditional Section 8 model, the City's CDBG-DR rental subsidies will be short-term, as the subsidies will only be available for up to two years. Furthermore, the rental subsidies will be paid directly to the landlords, and thus constitute "no-cash, in-kind" benefits (that is, no cash is received by the relief recipient, but rather relief recipients receive in-kind use and occupancy of the rental premises) for the purposes of disaster relief. Therefore, the program falls squarely within PRWORA's disaster relief exception, and should include all families regardless of immigration status.

Additionally, HUD policy is consistent with the argument that the City is free to and should include undocumented immigrants in the emergency rental assistance program. It is HUD policy to make temporary housing programs available to undocumented immigrants, if the housing assistance program falls within a PRWORA exception to the "unqualified alien" restrictions.⁴ HUD has clarified that "HUD-funded programs that provide emergency shelter and transitional housing for up to two (2) years are to make these services equally available to all needy persons, including aliens who are not 'qualified aliens.'"⁵ Given that the City's emergency rental assistance program is federally funded through HUD, the City should bring its policy in line with that of HUD, and extend this housing assistance program to undocumented immigrants.

It is critical as a matter of public policy, and for the long-term benefit of immigrant communities, that New York help to create a national precedent for the use of public emergency relief funding in a way that is not restricted based on immigration status. While it may be possible to fund a parallel voucher system in New York City with private donations, it would be tragic to let the opportunity pass to create a precedent for use of federal disaster funds to benefit families regardless of immigration status. The above argument gives a clear path for the city to use federal dollars rather than, or mixed with, private funding, without needing to advocate for a change in federal policy or law. Given the prominence of New York City on the national scene, it is highly likely that leaders of the next disaster relief effort in the United States will be

¹ Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), 8 U.S.C. § 16118 U.S.C. § 1611.

² PRWORA at 8 U.S.C. § 1641.

³ 8 U.S.C. § 1611(b).

⁴ Letter from the Secretary of the U.S. Department of Housing and Urban Development to HUD Funds recipient (Jan. 19 2001).

⁵ Letter from the Secretary of the U.S. Department of Housing and Urban Development to HUD Funds recipient (Jan. 19 2001).

following closely what unfolds here in New York. However, in those locations it is highly likely that there will not be sufficient local private support to extend benefits to those not covered by government disaster relief. We therefore would like to argue forcefully for the city to take this opportunity to utilize federal funding in support of families regardless of immigration status, setting a national precedent clearly appropriate under current law.

Plans for long term affordable housing need to be strengthened.

Amendment 5 of the CDBG-DR action plan takes smart steps forward in repairing and rebuilding New York City's housing stock that was damaged by Sandy. However, given the huge increases in rent, decimated housing stock, and the potential for real-estate speculation that will further increase the rents in Sandy affected areas, we believe that the City should allocate more money specifically towards replacing and building affordable housing, and that the City use every possible measure and incentive to restoring the availability of affordable housing in Sandy affected areas.

We also recommend that the City clarify that all properties acquired through the acquisition program be dedicated to housing that is affordable to those who live there now, that landlords be prioritized to receive assistance through the Build it Back program, and that all units that are repaired or rebuilt with public funds are required to be rented at affordable rates for 10 years, and that the city dedicate funds specifically for the development of affordable housing.

Sandy rebuilding money should create good local jobs.

In addition to the long term effects of the storm on housing, many New Yorkers lost their jobs because of Sandy. Some of these jobs have still not returned, leaving many families continuing to struggle to meet their basic needs. These federal funds present an opportunity for the City to invest in good jobs and career pathways for New Yorkers. All large scale projects, be it rebuilding the boardwalk or upgrading the sewer system, should create good, family-sustaining jobs for low-income New Yorkers and Sandy survivors.

Create a plan for the City to engage community members, Long Term Recovery Groups, and other CBO's involved in disaster recovery more deeply in decision-making processes.

In crafting a plan for the most effective use of CDBG-DR funding, community based Sandy-relief coalitions such as Long Term Recovery Groups can offer the City an essential on-the-ground perspective. One of the top criticisms of the Build it Back program from community members is its slow implementation and the difficulty in acquiring the necessary paperwork or navigating the complex dynamics of individual cases. As the City works to make this new program more fair and efficient, Sandy relief workers and impacted residents should be intentionally engaged in this process. This engagement must transcend public meetings and comment periods. The local knowledge of Sandy recovery workers should be valued and drawn upon at all stages of decision-making. The City should also partner with Long Term Recovery Organizations and other CBO's now to designate borough specific disaster recovery centers to provide emergency assistance outside potential disaster areas. This could also be a site for

volunteer housing and deployment, information disbursement, access to services, and should contain adequate communication systems.

In Summary, these are the specific requests we are making of the Build it Back program:

- 1) Offer elevation assistance to all applicants in or entering Zone A.
- 2) Lift the "lis pendens" bar to Build It Back assistance.
- 3) Provide temporary housing assistance to those who must vacate their homes during rebuilding.
- 4) Permit the transfer of bank-held insurance proceeds in installments.
- 5) Reserve "relocation allowance" for homeowners with underwater mortgages in the acquisition program.
- 6) Reopen registration for the Build it Back program.
- 7) Publicly release general needs assessment data and conduct additional needs assessments.
- 8) Allocate additional funding to the Temporary Disaster Assistance Program (TDAP) and improve access to TDAP assistance.
- 9) Provide TDAP assistance to undocumented immigrants.
- 10) Strengthen plans for the preservation and creation of long-term affordable housing.
- 11) Use CDBG-DR money to create good local jobs.
- 12) Create a plan for the City to engage community members, Long Term Recovery Groups, and other CBO's involved in disaster recovery more deeply in decision-making processes.

Respectfully,

The Staten Island Long Term Recovery Organization

For further information, please contact:

Rev. Karen Jackson

Disaster Recovery Coordinator

Staten Island LTRO

718-448-1544x166

sisandyhelp.org



103-04 39TH AVENUE #105
CORONA, NY 11368
718-426-6564

Date: Monday, March 31, 2014

To: Honorable members of the New York City Council Housing and Buildings, Environmental Protection, and Recovery and Resiliency Committees

From: Faith in New York

Re: Comments on hearing about post-Sandy housing recovery

Dear Honorable City Council Members:

On behalf of the clergy, faith leaders, and Sandy survivors who are members of Faith in New York, thank you for receiving the comments and written testimony contained in the memo below regarding short-term and long-term housing needs of Sandy survivors and families living in vulnerable communities.

Below are written testimonies from two Sandy survivors, both of whom are homeowners and are still living in substandard, unhealthy conditions 17 months after the storm:

Testimony from Teresa Surillo, 718-318-2766

Neighborhood: Avene, Far Rockaway

Summary: Has completed all phases of the Build it Back application and still has not received a decision and she applied almost a year ago.

"My house was very damaged by Hurricane Sandy with 10 feet of water, our entire first floor was under water and the living room and dining room on our second floor was destroyed. Our insurance company gave us \$46,000 so we were able to fix half, but we weren't able to fix everything, so half of our third floor is undone. We applied immediately to Build it Back to get the rest of our house fixed. My family has gone through all phases of the applications process but now we are just waiting and we do not know if we have been accepted or rejected.

My husband called Build it Back last week and was told that we have to wait because they don't know how they can help us, so we are waiting for an appointment with them. We applied July 26, 2013 and still we are waiting - it is very disappointing. I have asthma and my husband tried to put in insulation so that the cold air doesn't go through the second floor but it still comes through and affects my asthma. I am very tired of waiting for a response. I need my home back."

Testimony from Jean Ferrara-Rodriguez, (347) 200-7603
Neighborhood: Hamilton Beach, Queens

"I think Build it Back is disorganized and they have us come and go in circles. April 29th will be the 18-month anniversary of me waiting for my home to be fixed. Each time I go to the Build it Back office, I am being given the run around. I also have a daughter who hasn't had a home cooked meal in over a year, we eat out of boxes. We have to use a microwave and electric tea kettle and this is difficult on my family. We have no internet or phone wiring so we have to go to friends houses to use the internet which it make it difficult for my daughter to so her school assignments.

I think jobs can be created with the Post-Sandy rebuild I have been unemployed for a long time and I could use a job. It is really time to not just rebuild houses but to rebuild lives."

The Bloomberg administration's response to Sandy focused on making New York City more resilient to climate change through key improvements in the city's physical infrastructure. These improvements are described in the plan for the Special Initiative on Rebuilding and Resiliency released in June 2013. But this vision for recovery failed to address the economic and housing needs of New Yorkers affected by Sandy. A truly equitable recovery will only come through a more comprehensive approach to resiliency: one in which no New Yorker is left behind.

The good news is that the City Council has a big opportunity to alleviate the desperation and despair felt by Sandy survivors. He can leverage substantial public resources to tackle the inequities that were present in New York City long before Sandy hit our shores and strengthen the low-income communities in Queens, Staten Island, and Brooklyn, where residents are struggling the most to rebuild and recover.

The City can make recovery programs more inclusive and accountable in order to help low-income families get back on their feet. The City can also invest incoming federal, state, and private resources in the creation of good family-sustaining jobs, job training opportunities, more affordable housing, and more resilient public housing so that families and communities can withstand future extreme climate events. Mayor de Blasio can chart a new path for New York City, one where investments in physical infrastructure to protect the city from climate change go hand-in-hand with investments in economic opportunity, so that disaster recovery and disaster preparedness also help reduce inequality.

In order to accomplish these big goals, we believe the City Council with Mayor de Blasio should implement the following 3 point plan:

- 1) ENSURE LONG-TERM HOUSING AFFORDABILITY IN SANDY-AFFECTED NEIGHBORHOODS:** The City can direct HRO and HPD to make affordability a prerequisite for landlords accepting federal disaster aid. HRO and HPD must attach affordability requirements if landlords use federal aid for repairs or rehabilitation (for multifamily or rental single-family homes). Without affordability requirements on rental apartments, landlords could take this opportunity to fix up units and drastically increase rents. In fact, this is already happening: a recent AJR survey of

Sandy-affected renters found that the median rent paid by Sandy-affected households has increased \$200 a month since the storm. There's precedent for an affordability requirement; the Road Home program after Hurricane Katrina attached 10-year affordability requirements for landlords receiving aid. **Mayor de Blasio can leverage Sandy funds to create new models for funding the development of new deeply affordable units.** Part of successful recovery means addressing the pre-existing affordable housing crisis and finding creative ways to fund construction of new affordable housing units, particularly in Sandy-affected areas where affordable housing stock was detrimentally impacted. The Mayor must explore the use of CDBG-DR funding as the non-federal contribution for projects and/or activities that can receive funding through other federal agencies as a means to get more federal funds into the City and bolster the recovery and rebuilding efforts.

- 2) **INVESTING IN AND BOLSTERING THE RESILIENCY OF NEW YORK CITY PUBLIC HOUSING: The City can request a clear repair and capital improvements timeline from the New York City Housing Authority (NYCHA).** The Mayor can direct NYCHA to create a timeline and accountability mechanism for public reporting of Superstorm Sandy repair work and rehabilitation as well as capital improvements. NYCHA should ensure that all repair and rehabilitation work is high-quality so that repairs address the root causes of problems. **The City can leverage CDBG-DR funds to access additional funding streams for NYCHA.** New York City Housing Authority buildings' repairs needs are too great to be fully addressed by the current CDBG-DR allocation. But CDBG-DR funds could be used as the 10% local match required for various FEMA funding programs.
- 3) **Use Sandy Rebuilding Funds to Create Family-Sustaining Jobs: City can ensure the use of the highest job standards in all Sandy recovery and rebuilding projects.** The Mayor can direct the Economic Development Corporation (EDC), the Office of Long-Term Planning and Sustainability (OLTPS), HPD, HRO, and any other agencies administering Sandy recovery and rebuilding funds to abide by the highest possible wage standards and other job quality standards for infrastructure projects. He can make this commitment explicit in the city's plan on how to invest CDBG-DR funds. In addition, all agencies can remove requests for information about criminal history on job applications to remove barriers to employment for communities with high rates of formerly incarcerated residents. **City can direct agencies to comply with and expand HUD Section 3 local hire requirements to ensure job opportunities go to New Yorkers.** Agencies can not only comply with, but strengthen current requirements of HUD's Section 3 local hiring provision by increasing the requirement from 30% of "new hires" to 30% of "wages paid" for local workers. "Wages paid" results in higher local hire rates for publicly-funded projects. For example, if a small contracting firm does not need to hire any new people for a project they have fulfilled their Section 3 requirement since 30% of 0 new hires is 0. However, wages paid for completion of the project look at the lifetime of a project and ensures local people work a significant portion of that project. The City's commitment to honoring and expanding Section 3 local hiring provisions wherever already required can be made explicit in its CDBG-DR final action plan. **City can direct agencies to create career pipelines through adopting workforce**

development policies. Low-income New Yorkers need avenues through which to gain skills and experience toward building a life-long career with good wages and benefits. City agencies administering Sandy recovery and rebuilding funds for large infrastructure projects can hire 100% of the workers from contractors who participate in construction apprenticeship program registered with New York State or a construction apprenticeship program registered with the U.S. Department of Labor and having successful graduates. By using successful apprenticeship programs and requiring that apprentices come from Sandy-impacted neighborhoods, the city can help thousands of Sandy survivors gain access to good-paying jobs. This commitment to workforce development must be made explicit in the Final Action Plan for CDBG-DR.

Founded in 2012, Faith in New York is a growing interfaith, multicultural federation of 54 congregations representing 62,000 families in Queens, Brooklyn, Manhattan, and The Bronx. Our mission is to develop grassroots leaders and equip congregations to move public policy change that supports our leaders' vision of New York with excellent public schools, violence-free neighborhoods, good jobs, health care, decent housing, and a place where people of all backgrounds can fully participate in economic and civic life.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph McKellar". The signature is fluid and cursive, with the first name "Joseph" and last name "McKellar" clearly distinguishable.

Joseph McKellar
Executive Director

joseph@faithinnewyork.org

(718) 440-2992



Testimony of Habitat for Humanity New York City

**To the New York City Council Committees on Recovery & Resiliency,
Environmental Protection, and Housing & Buildings**

**Joint Oversight Hearing on Housing Recovery Post-Sandy:
The Status of the Build-It-Back Program**

March 31, 2014

Testimony respectfully submitted by:
Matthew Dunbar, Associate Director -
Government Relations & Advocacy
Habitat for Humanity New York City

Good afternoon. My name is Matthew Dunbar, Associate Director of Government Relations and Advocacy for Habitat for Humanity New York City. I want to begin by thanking Chairs Treyger, Richards, and Williams and the full Committees on Recovery & Resiliency, Environmental Protection, and Housing & Buildings for this opportunity to testify today on the important topic of housing recovery after Super Storm Sandy.

For nearly 30 years, our mission to transform lives and our city by building quality homes for families in need and by uniting all New Yorkers around the cause of affordable housing has led Habitat NYC to serve more than 400 families in need in all five boroughs. Our work brings volunteers from all walks of life together to build quality, green, affordable homes alongside hard-working families striving to accomplish the dream of homeownership that continues to elude so many New Yorkers today. And through the partnerships Habitat forges between donors and community boards, campus chapters and corporations, elected officials and communities of faith, we are able to provide the opportunity for low-income families to achieve this dream through their own sweat and perseverance.

When Super Storm Sandy struck the coastlines of our City, Habitat NYC responded by mobilizing volunteers to muck and gut homes damaged in Staten Island and began raising funds to launch a Critical Home Repair Program to aid in the long-term recovery. With a limited budget, all raised through the generosity of individuals, corporations, faith-based institutions, and community groups, Habitat NYC hired a project manager and within two and a half months launched our Sandy Recovery program on Staten Island in May of 2013. Since then, with a project staff of three, a handful of AmeriCorps Service Members, and more than 2000 both skilled and unskilled volunteers, we've managed to assist with muck out s and repairs for more than 93 homes in 10 months. These homes varied from minor to major repairs with minor repairs requiring approximately \$5,000 of material support and major repairs requiring up to \$50,000 after FEMA and insurance payment exhaustion. Habitat NYC's efforts even resulted in 5 families being able to move out of the motels they had been occupying more than a year after the storm.

The City and recent news articles have acknowledged the lack of results and achievements of the Build-It-Back program to date, and we are thrilled to see the Mayor's recent steps to re-staff and re-structure the effort. Bbut we want to highlight a couple areas that could help enhance the program moving forward.

It is clear that non-profit volunteer rebuilding organizations have been good stewards of the resources they could raise for Sandy victims, organizing effective repair programs and mobilizing good-hearted citizens to achieve positive results. One year ago there were at least 16 organizations seeking to become part of a consortium of non-profit builders to serve those in greatest need. Now there are only 4 remaining groups in this consortium, the others having shut their doors in part due to lack of funding. And yet none of the federal funding designated for Sandy has reached their impactful programs.

Our first recommendation remains today the same as it did a year ago when we submitted comment to the City's proposed long term recovery plan. The City should set

aside at least \$10 million to support the operations of not-for-profit homebuilders. These organizations have a proven track-record of success in mobilizing volunteers and leveraging public resources to achieve positive results. Access to these funds would allow Habitat NYC to double or triple our efforts and would likely have similar effects for other organizations.

However, even more detrimental than funds not flowing in a timely and effective way, is that much of the rebuilding efforts of individual homeowners has been stalled due to their undetermined status within the proposed "Build it Back " program. Having not been included in the programs plans, Habitat NYC is unable to serve families whose Build-It-Back status remains unknown. So by leaving these families in bureaucratic limbo, they are both unable to receive support from other groups or know what they can do on their own.

Our second recommendation is that the Build-It-Back program move to actually accept or reject applicants so that homeowners would know where they stand and be able to act accordingly. Those that are accepted should receive the funds and services they deserve, and those that are rejected will be freed up to seek solutions on their own and through alternative programs.

Habitat NYC has always worked to provide safe, affordable homes for low-income families in New York City. In the face of skyrocketing housing costs and the slow recovery from Super Storm Sandy, Habitat's work is more needed than ever before. The City of New York must continue to strive forward to meet these challenges and we hope the new administration will support and build upon the efforts of non-profit builders, which have to date been the standard for success post-Sandy, to ensure the resiliency and longevity of our communities during these challenging times.

The investment in rebuilding homes is in itself an investment in affordable housing for low-income families and could be life changing. Unfortunately, the failure to act and invest in programs that work has also been life-changing for so many families and communities that continue to struggle to put their lives back together. We very much look forward to working in partnership with the Mayor's office and City Council to move forward and serve families as they so greatly deserve. With your support we can continue to rebuild New York City, as we work together to give families and their communities a chance for a better future.

Thank you for the opportunity to testify today. We hope the City will continue to take actions to put the Build-It-Back program on a track that will result in hammers being swung and lives being rebuilt.



PHILLIP GOLDFEDER
Assemblyman 23rd District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

FOR THE RECORD

COMMITTEES
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Corporations, Authorities &
Commissions
Economic Development, Job Creation,
Commerce and Industry
Governmental Employees
Mental Health and
Developmental Disabilities
Racing & Wagering

March 31, 2014

Committee on Recovery and Resiliency
City Hall
260 Broadway
New York, NY 10007

Re: Testimony by Assemblyman Phil Goldfeder

My name is Assemblyman Phil Goldfeder and I represent the 23rd Assembly District which includes the Queens neighborhoods of Ozone Park, Howard Beach, Lindenwood, Broad Channel, Hamilton Beach and Rockaway. I am also a lifelong resident of the Rockaways and am raising my two young children there with my wife.

First, I would like to acknowledge the New York City Council and the Committee on Recovery and Resiliency for its efforts on Sandy recovery and particularly for holding this oversight hearing on the Build it Back program. I would like to especially recognize Chairman Mark Treyger and my colleagues Council Members Eric Ulrich and Donovan Richards for their tireless advocacy in the City Council on behalf of those affected.

As you may know, my district includes some of the areas in New York City that were hardest hit by Superstorm Sandy. Roughly eighty-five percent of the homes in my Queens district were destroyed by either flood or fire during Sandy, including my own home. On October 29, 2012, we witnessed the greatest natural disaster to befall our city in recorded history. No one can forget the images of homes burned down to their foundations in Breezy Point and Belle Harbor; flood waters engulfing Cross Bay Boulevard in Broad Channel and lapping at the Belt Parkway in Howard Beach; the narrow streets of Hamilton Beach plunged into darkness; or the twisted and broken sections of the Boardwalk thrust onto residents' cars and homes. These were the images broadcast around the world that broke our hearts and inspired our greatest heroes to action.

Today, seventeen months have passed since that day in October of 2012 and the constituents of my district continue to face the challenges of rebuilding their homes and their lives. While some still wrestle with their insurance company or work to appeal the amount FEMA did or did not provide, for many in my district the Build it Back program is the last major source of assistance that will give them their lives back and allow them to completely recover.

In total, my district has seen nearly seven thousand households apply for the Build it Back program. This accounts for over forty percent of the program's total number of applicants city-wide. To date, not even a single resident has received the assistance they so desperately need and deserve. Any program of this scope is bound to experience delays in implementation but this is unacceptable. The Build it Back program as it currently exists has been ineffectual in providing needed assistance to my constituents and this problem must be addressed immediately.

The most significant issue that I would like to bring to the Committee's attention is the classification of priority categories currently used by Build it Back. Many of my working and middle class constituents have reached out to my office to say that their household income is considered too high to be considered as a Priority One. Often, these are families where the husband is a firefighter and the wife is a teacher; or in which an elderly parent just barely making ends meet on Social Security and a small pension lives with her adult daughter earning enough to maintain the both of them. These households are families of firefighters, police officers, hospital workers, municipal workers,

and other public servants who are classed out of seeing any assistance in the coming months because they earn "too much" to be in the Priority One category. Meanwhile these families shoulder crushing debt as they wait to see Build it Back help them rebuild.

As you know, the use of priority categories is intended to meet federal guidelines established by the U.S. Department of Housing and Urban Development that prioritize lower income families based on the calculated Area Median Income, or AMI. I understand the need to first assist those neediest families but on behalf of all of my constituents, I urge the City Council and the Mayor to ensure that the Build it Back program is fully-funded and that all households affected by Sandy see assistance from the program.

The announcement made by Mayor de Blasio this past weekend in Rockaway that the city will commit additional funds to help fund rebuilding and reimbursements to second and third priority category applicants is a step in the right direction. I applaud the Mayor and pledge my support and assistance in any way so that these funds reach families in need, regardless of income. Further, I commend Senator Schumer for securing the federal funding necessary for the city to assist our families.

The system of providing assistance by priority category recalls another problem with the the Build it Back program that I would like to see addressed and that problem is the need for urgency.

When the program began accepting applications in early summer of last year, applicants were told that they had until September 30th, 2013 to apply for Build it Back. My office worked tirelessly to get the word out, making calls to constituents and sending out mailers reminding people to apply. I even went door-to-door in certain neighborhoods urging affected residents to apply before the deadline. Then, the deadline was moved back to October 31st, after the first anniversary of Sandy and applicants in the Priority One category were told to expect progress in the beginning of 2014.

As of mid-March of this year, according to Build it Back, only two percent of the applicants in my district have finally selected their provided option for rebuilding or reimbursement. After seventeen months, we need to see the applications move forward. No one currently waiting on Build it Back should have to see another Sandy anniversary pass before they finally get the help that they need. I strongly urge the City to expedite the process and see to it that those who need assistance receive it without any further delay.

Lastly, I would like to speak on the importance of communicating with members of the community. My district is blessed with countless civic associations, clubs, non-profits, religious groups and many other active organizations. Their desire to make their respective communities the best possible place to live, work and raise a family is truly admirable and I am fortunate to work closely with these groups. Often I hear these groups tell me that they feel the city does not listen to them, especially regarding Build it Back. I have been told by civic groups and individuals alike that in dealing with the two Build it Back intake centers in my district or in calling the Build it Back hotline, many applicants' concerns are not addressed or their questions are not answered with accurate information. Other constituents have informed me that they have waited months to hear back from the program only to be told that they were missing some form that they should have submitted months ago.

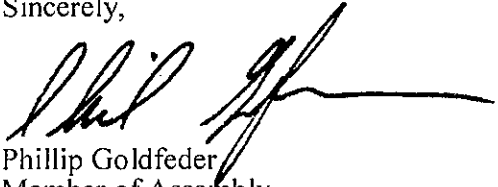
Recovering from Sandy has been a difficult process for its victims, but it should not be made worse by bureaucracy and misinformation. The applicants to the Build it Back program should be able to speak to a live person who will understand their concerns and provide them accurate information--in a timely manner. As I previously stated, the families waiting for assistance from Build it Back are working and middle class families. For them, recovery from Sandy has been a full time job. It should not be like this and it does not have to be. I urge the City and the Office of Housing Recovery to take the necessary steps to cut the red tape strangling our families dealing with the Build it Back program. I also recommend that the program continue its work in reaching out to local civic organizations to provide accurate information and to take to heart the concerns they address.

The recovery from Superstorm Sandy has been a long process involving the work of many organizations both public and private. I am thankful for all of the help that we have received during this past year and a half. We have come a

long way. Homes are being rebuilt in every neighborhood in southern Queens and across Rockaway. Beach 116th Street; and Rockaway Beach Boulevard as well as Cross Bay Boulevard are once again thriving residential and commercial areas in Rockaway Howard Beach and Broad Channel. Although the Boardwalk hasn't yet been built (subject for another hearing), our beaches last summer were once again teeming with bathers from all parts of the city and beyond. This summer we expect even more.

There is much work left to be done and I have submitted this testimony today at the City Council Oversight Hearing to provide, on behalf of my constituents, some of the concerns and recommendations that I believe will ensure that we continue to recover and that our communities come back stronger than ever.

Sincerely,

A handwritten signature in black ink, appearing to read 'Phil Goldfeder', with a long horizontal flourish extending to the right.

Phillip Goldfeder
Member of Assembly
23rd District

**Testimony of The Legal Aid Society Before the New York City Council Committee on
Recovery and Resiliency, Committee on Housing and Buildings and Committee on
Environmental Protection regarding the Status of the Build it Back Program**

March 31, 2014

Thank you Chairperson Treyger, Chairperson Williams, Chairperson Richards, members of the Recovery and Resiliency Committee, Housing and Buildings Committee and Environmental Protection Committee for the opportunity to provide testimony today.

The Legal Aid Society and Hurricane Sandy

The Legal Aid Society is the oldest and largest legal services provider for low income families and individuals in the United States. Annually, the Society handles more than 300,000 cases and legal matters for low-income New Yorkers with civil, criminal and juvenile rights problems, including more than 44,000 individual civil matters as well as law reform cases which benefit about two million low-income families and individuals.

Through a network of sixteen neighborhood and courthouse-based offices in all five boroughs and 22 city-wide and special projects, the Society's Civil Practice provides direct legal assistance to low-income individuals. In addition to individual assistance, The Legal Aid Society represents clients in law reform litigation, advocacy and neighborhood initiatives, and provides extensive back up support and technical assistance for community organizations. In the immediate aftermath of Sandy, Legal Aid staff members helped hundreds of Sandy victims in areas such as Coney Island, Red Hook, Far Rockaway and Staten Island. In order to provide comprehensive disaster relief assistance, Legal Aid staff was on site at disaster centers, provided assistance through Legal Aid's disaster relief hotline to connect with clients and in order to reach families in isolated communities, and utilized our Mobile Justice Unit vehicle to

conduct outreach and intake. Since the storm, requests for our civil legal aid has increased and this need has not subsided even one year after the storm. As of March 2014, Legal Aid has directly assisted more than 5,800 families affected by the storm. Despite billions of dollars in public and private emergency aid, many of our clients - who include senior citizens, persons with disabilities, undocumented immigrants, small business owners, low-income renters and low-income homeowners - remain homeless, displaced or on the verge of foreclosure. We are here today to urge that these individuals should not be left behind in recovery efforts.

Introduction

The City's "Build it Back" program was introduced in Spring 2013 and was intended to provide relief to low-income homeowners, low-income renters and landlords impacted by Sandy. To date, the City has allocated \$648 million in federal funds to this program and only \$9.7 million (about 1.5 %) has been spent.¹ These funds have been made available through the Community Development Block Grant Disaster Recovery (CDBG-DR) program, funded by the U.S. Department of Housing & Urban Development (HUD). Registration for the program began in July 2013 and over 25,000 residents have applied. However, fewer than 180 individuals have received a rebuilding determination and of these none of these projects has started construction.

Program applicants are divided into three priority levels, determined by income and level of damage. Priority 1 consists of homeowners with significant damage and an income that is lower than the City's median (According to the City, 50 percent of applicants are Priority 1; 30 percent of applicants are Priority 2; 20 percent are Priority 3).² It is our understanding that the City can only guarantee funds for those listed as Priority 1 and the exact timing of the assistance

¹ Sandy Funding Tracker (2014). Retrieved March 21, 2014, from <http://www1.nyc.gov/sandytracker/#1>

² Katie Honan, No Single-Family Homes Fixed with Build It Back Funds Since Sandy, DNAInfo New York (Feb. 24, 2014), <http://www.dnainfo.com/new-york/20140224/far-rockaway/despite-millions-funds-program-fails-repair-any-sandy-damaged-homes>

is unknown. This concerns us, since there will be many New Yorkers who may not qualify under Priority 1 and therefore will be left without recourse and the ability to rebuild.

The Legal Aid Society strongly urges the Committees to examine the current Build it Back program and incorporate concrete recommendations presented from organizations that are working directly with affected individuals. In our testimony today, we will describe the experiences of our clients and client communities in the aftermath of Sandy to explain why the Build it Back program is vital to their recovery needs. Additionally, we have several recommendations to improve the program.

Problems with Build it Back

Through our work in affected communities, it is clear that there have been major problems with the Build it Back program. Legal Aid would like to highlight five major areas of concern:

1. **Registration and Outreach in Underserved Communities:** The first round of Build it Back registration missed significant numbers of low-income renters, since outreach efforts were vague and did not adequately mention that they were eligible for the program or they were mistakenly turned away from registration by program intake workers. Additionally, the City has indicated that it has been unable to reach or assist many applicants who have begun the process. It is precisely individuals in these underserved communities that the program was meant to assist. It is our understanding that HUD has instructed the City to work with community organizations with close ties to these underserved populations in order to increase their participation in the program.

2. **Affordable Housing and Landlords:** Those hardest hit by the storm were very low-income renters who made on average \$18,000 per year.³ According to FEMA, this group comprised 55 percent of the surge victims, the majority of whom were housed in public housing units along the coasts of Coney Island, Red Hook, Alphabet City, and the Rockaways.⁴ The current Build it Back Program has no affordable housing requirements for landlords who receive aid for repairs and rehabilitation. Therefore, landlords could take federal aid to repair rental units, drastically increase the rent and force low-income residents out of their communities. We have already noticed that rent prices in refurbished apartments in the Rockaway peninsula have increased twofold.
3. **Program Administration:** Under the Bloomberg Administration, the Build it Back Program was highly decentralized and inefficient. Applicants were asked to endure a confusing application process that consisted of separate application and option meetings. Applicants were instructed to work with housing specialists who were often not equipped with sufficient expertise and experience to lead applicants through the process. Many of our clients were told that housing specialists were not caseworkers and that they should not expect advice from them during their meetings. The sole role of the housing specialists was to assist in collecting and filling out forms. Further, many of our clients have become extremely frustrated when trying to communicate with representatives from the Program. The City only set up one customer service line; therefore, many of our clients are unable to ask questions throughout the process. It still takes weeks for our clients to receive a response from Program representatives.

³ FURMAN CENTER FOR REAL ESTATE AND URBAN POLICY, SANDY'S EFFECTS ON HOUSING IN NEW YORK CITY (March 2013), <http://furmancenter.org/files/publications/SandysEffectsOnHousingInNYC.pdf>.

⁴ Jonathan Mahler, How the Coastline became a Place to Keep the Poor, N.Y. TIMES (Dec. 12, 2012), http://www.nytimes.com/2012/12/04/nyregion/how-new-york-citys-coastline-became-home-to-the-poor.html?pagewanted=2&smid=tw-nytimes&partner=rss&emc=rss&_r=1&pagewanted=all&.

4. **Extremely Slow Release of Funds:** City officials have indicated that the document-heavy process for receiving federal funds from HUD has contributed to the slow release of funds. However, the state's New York Rising program, which is focused on rebuilding in Long Island, has announced that 6,388 homeowners have been issued checks for a total of over \$280 million for home rebuilding. Additionally, the State has made offers totaling over \$293 million to purchase the homes of 709 homeowners whose homes were destroyed.⁵ Although that program is structured differently than the Build it Back Program, it is funded by the same federal funds. Clearly, funds can and should be disbursed expeditiously.
5. **Temporary Rental Assistance:** Many homeowners have been displaced from their uninhabitable or destroyed homes and are currently paying rent on an apartment in addition to their mortgage and/or maintenance payments. This additional rent burden strains the finances of already burdened Sandy victims. Moreover, the current Build it Back program does not provide temporary financial assistance to homeowners even though it requires these homeowners to vacate their home in order for construction to begin. Some of our clients are considering selling their homes since they cannot afford an additional rent burden.

Client Story

Client X is a 70 year old retired New York City public school teacher who owns a HDHC low-income cooperative apartment in the Rockaway Peninsula. He purchased the cooperative apartment in 2001 for \$92,000. After Sandy, the thirteen ground-floor units in his building were completely destroyed due to the proximity of the building to the water. Client X was one of the ground-floor tenants and had to immediately evacuate after Sandy. He soon found out that his

⁵ NY Rising Housing Recovery Program Announces 6,388 Homeowners Have Been Issued Checks for Over \$280 Million for Home Rebuilding (Mar. 11, 2014), Retrieved March 23, 2014, from http://www.stormrecovery.ny.gov/sites/default/files/uploads/03-11-14_gosr_ny_rising_housing_program_application_deadline_release_final.pdf14_gosr_ny_rising_housing_program_application_deadline_release_final.pdf

cooperative apartment building did not maintain adequate insurance, so it was unable to make repairs to the building. And because Client X was a tenant in a cooperative apartment complex, he was unable to receive an insurance settlement through his homeowner's insurance company. It has been over one and a half years and Client X is still displaced and is on the verge of losing his investment. He is unable to pay both his monthly maintenance and rent for his temporary apartment. He fears that his unit will be foreclosed upon, like several of the other ground floor tenants who were unable to pay their mortgage, increased cooperative assessments, maintenance and temporary apartment rent.

Client X has been in contact with the Build it Back Program. Since he owns a cooperative apartment, he is unable to apply individually. Representatives from the Program have said that they plan to assist in rebuilding his cooperative apartment building, but Client X says he does not believe them. According to Client X, he has spoken to many Program representatives and they continually provide him with incorrect and contradictory information. As of today, Program representatives have said that repairs may start in Summer 2014, but they are unsure. Client X, who served New York City for over thirty years as a public school teacher, fears that he will lose his investment, become displaced and will have to leave New York City.

Legal Aid's Recommendations to Increase the Efficacy of the Build it Back Program

The Legal Aid Society would like to offer the following recommendations to increase the efficacy of the program.

1. **Re-open registration:** The Program should re-open registration in order to target more Priority 1 households. The focus should be on low-income renters who did not know that they were eligible for this Program. In order to do this, the Program should appoint a community liaison who can cull representatives from community organizations that work

with these vulnerable and under-served populations on a daily basis in order to coordinate outreach efforts.

2. **Create a provision that landlords maintain affordable housing:** The City should require that landlords who receive federal funds for repairs through this Program maintain affordable housing units for fifteen years. Additionally, homeowners who receive federal funds for repairs through this Program should be allowed to rebuild rental units in two and three family homes as long as these units are rented to low and moderate income households for fifteen years.
3. **Streamline administration:** Service delivery should be streamlined so that the Program creates geographic teams that solely focus on a set number of households in a targeted geographic area. These program teams would be in charge of all phases of each applicant's process (i.e., counseling, development, eligibility in other programs).
4. **Release funds:** The new Program Director should be required to create a work-plan that is presented to the public. This work-plan should have concrete timelines for the release of funds and should be posted on the Sandy Funding Tracker Website.
5. **Provide temporary rental assistance to homeowners during repair and rebuilding:** The City should assist low-income homeowners pay for temporary housing during the construction of their home. Ideally, this could be accomplished by re-invigorating the Temporary Disaster Assistance Program (TDAP) program that is administered through the NYC Department of Housing and Preservation & Development (HPD).
6. **Provide temporary rental assistance to low-income renters immediately:** Low-income renters who have been affected by Sandy should be provided with a TDAP voucher immediately, in order to ascertain that they are not displaced. We are very concerned that out

of the thousands who applied for TDAP, only 456 were found eligible and only a small percentage of this group have actually used the voucher to move into an apartment.

7. **Create an appeals process:** The Legal Aid Society represented hundreds of Sandy victims who were placed into the City's hotel shelter program. During this time, many of our hotel clients were denied TDAP Vouchers for incorrect assessments. It took weeks for the Society to work with HPD to streamline an appeals process that would allow us to advocate for this vulnerable population. We recommend that the Build it Back Program create a strong appeals process at this juncture, before it denies applicants of Program benefits. If not, the Program could be mired in legal action that could be prevented with an adequate appeals process.

Conclusion

Thank you for the opportunity to testify before the New York City Council today on this incredibly important issue. The Legal Aid Society strongly supports strong leadership and oversight of the Build it Back Program and urges the City to release funds as soon as possible in order for low and mid-income New Yorkers, who have been disproportionately victimized in the aftermath of Sandy, to rebuild and stay in their communities. We look forward to working with all Council Members on these issues.

Respectfully submitted,

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Home owner
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Rockaway Beach, NY

As we all know Hurricane Sandy devastated NYC's coastal communities.

Many of us felt isolated and forgotten in the impacted areas during the first few days. Then like a miracle, Sanitation, The NYPD, FDNY, many city agencies and hundreds of volunteers converged on our Sandy ravaged neighborhoods. People of every age, race, color and creed reached out to help clean up our homes, businesses and building lobbies. In too many cases though many homes were totally gone from flood or fire!

The outpouring of love and unconditional help was the kind of thing we only saw on the news in some other town somewhere in the world or in Hollywood movie! Never was I, or any of my neighbors prepared for any of it. It was truly AWESOME! At the same time, The City of NY and the Bloomberg administration boldly forged forward with the most innovative plan ever to be implemented in the aftermath of a natural disaster by "Sheltering in place," with a program called Rapid repair. The City of NY repaired the heating and electrical systems of anyone who asked who were affected by Hurricane Sandy, NO QUESTIONS ASKED!!!!

Another example of The Sandy recovery early successes are from my own my neighborhood of Rockaway Beach, NYC Parks was able to repair, 2 years worth of damage in under 4 months to prepare for upcoming beach season!

Months after Hurricane Sandy, with our hopes high and most

clean-ups and muck-outs behind us, our focus naturally turned to the realization that it was time to build back our homes. With insurance companies giving out twenty-five cents on the dollar for Sandy related damage and FEMA grants barely covering the costs of materials to rebuild, It became apparent to our elected officials that we STILL needed help, A LOT OF HELP!!! AND FAST!!!

This time Government stepped up to the plate to help us by setting up, The "Build it Back" program. Representatives from Build it Back came to our communities with great fan fair and promises to help us financially with grants to help us repair our homes and in many cases, where needed, rebuild them from the ground up.

Now that brings us to why we are here today!

I'm sure every Council member is aware of how the Build it Back program was SUPPOSED to work!

And, I'm also sure, many of you in the City Council have heard what a complete, utter, bureaucratic catastrophe Build it Back has morphed into since its inception over the past year!!

I am here to tell you first hand that it is all true! IT IS A MESS!! Since applying for Build it Back, my personal information has been lost, I have been told on 6 occasions that my application was complete, only to find out on my own that I was missing a new a document. New forms are added without any communication to the applicant. The application asks to list any tenant's salary. The tenant's salary is then unfairly added to the applicants annual income.

In November 2013, I was told my application was sent onto the next phase to have my home inspected for Sandy damage. Build it Back informed me my home would be evaluated by

early January of 2014. But mid January I never heard from Build it Back, so I traveled back up to the Build it back center only to be informed that another document had been added. I can go on and on, But I'm very sure you get the picture.

Now, I am very aware of the Mayor's Press conference on Saturday in The Rockaway's, where he announced a shuffling of One Hundred Million Dollars of , CDBG funding. What was disappointing was the word SHUFFLING.! At 25000 applicants the Shuffling of one hundred million dollars funding is a mere drop in the bucket, compared to the 1.6 billion originally said to be allocated at the onset of the build it back program. Over the past year we've seen build it back funding go from 1.6 billion then to 1.3 billion and the most recently reported number was 800 million. Now today we hear the number one hundred million being tossed around like crumbs to peasants. If you do the math at 25000 applicants, One hundred million gives each applicant \$4000, but at 1.6 billion each applicant receives almost \$64000 to help repair their home.

My number one question is, where is the other 1.5 billion dollars for build it back?

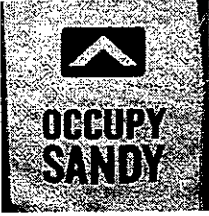
My second question is, Where did NYC's Sense of urgency and compassion disappear to?

YOU WERE DOING SOOOO GOOD!!!!

Build it Back ALREADY!!!!!!!!!!!!

John Cori

Friends of Rockaway Beach



***Occupy Sandy Staten Island
Testimony on the Status of Build it Back
March 31st 2014***

Good afternoon Chairperson Treyger, Chairperson Williams, Chairperson Richards, and members of the Recovery and Resiliency Committee, Housing and Buildings Committee, and Environmental Protection Committee. Thank you for the opportunity to provide testimony today. My name is Ilya Geller, and I am a voluntary coordinator of Occupy Sandy Staten Island, as well as a resident of Midland Beach, Staten Island.

Occupy Sandy is a non-hierarchical community-driven grassroots relief network, that for the past 18 months has worked with Sandy affected communities to attain much needed material resources, hands-on relief work, and assistance with connecting individuals to limited, often fleeting and painstakingly difficult to access government aid.

While we understand the difficulties associated with inheriting a program and accompanying apparatus with flaws the size of Build it Back, we are concerned with the lack of aid distributed by this program. Since the programs inauguration in May of 2013, there have been a total of zero homes rebuilt, no citywide solution for addressing the risk of homeowner gentrification inevitably confronting us through the overhaul of the National Flood Insurance Program, and no attempt to address the housing crisis faced by a sizable portion of the 55,000 plus renters that lived throughout the Sandy affected areas.

Though the task at hand may seem untenable in size, we would like to kindly offer the following recommendations:

- 1. Reopen program registration, carry out targeted outreach to “Hard to Reach” populations and keep registration open until all CDBG-DR funds are spent.**

Initial registration was plagued with problems and had predictably underperformed. Despite the fact that renters make up the majority of those affected by Hurricane Sandy, they are greatly underrepresented in number of registrants. 155,297 households registered for FEMA in NYC while only 25,699 registered for Build It Back. At the time that registration had closed the Deputy Mayor of Health and Human Services had reported that over 20,000 households were still displaced. Though there was no shortage of fliers at the time of outreach, the outreach materials were void of relevant information and had entirely excluded the mention of any aid to renters.

Many homeowners were wrongly led to believe that they would not qualify, while renters failed to register because they were never informed there was aid out there for them to apply for.

The City should re-open Build it Back registration. By creating a comprehensive outreach strategy with community-based organizations that have deep roots in the community, the City can ensure that vulnerable populations gain access to this vital program. This is true for both those who missed registration last year and those who have yet to complete an application. The outreach should target renters, immigrants, households in semi-attached row homes, Sandy-impacted areas facing tax/water liens-related debt sales in May 2014, and other vulnerable populations.

Furthermore, because of the high volume of affected residents and the amount of time lapsed since the storm, we recommend a rolling registration period that would take every measure to keep the door open for the most vulnerable populations. Many of the most vulnerable individuals have been forced to leave their neighborhoods and have not been able to return. Last week an 80 year old man with a severe pulmonary condition had come to a Staten Island clinic who had not received any aid outside of his initial FEMA grant because he had relocated to a relative's house in Pennsylvania. Despite having his home completely destroyed he had not registered for Build it Back and is currently in a position where he can not receive any further help with his recovery. It is imperative that we keep registration open for as long as possible because the populations most difficult to reach are also the ones in need of aid the most. As a point of reference NYS NY Rising Housing Recovery Assistance opened registration in April of 2013 and has had rolling registration - due to end April 11th of this year.

2. Reformat Build it Back to coordinate blocks of neighbors

Currently build it back treats individual household's as in a vacuum, instead of contingent on surrounding structures. Many households' structures share interior walls and lots, or are bunched together so close that any alteration to one would inevitably affect another, such as in the cases of semi-attached and row houses. In many cases the Build it Back priority and status of one home affects the ability to conduct work on another. Rather than impede the recovery of one household because its neighbor has not registered for Build It Back or falls in a different priority, the City should work with both affected property owners, and potentially entire neighborhoods to put together comprehensive plans for recovery and to sequence construction.

3. Offer elevation to all applicants & work with NYS to develop a resilient rehabilitation plan

Although the Homeowner Flood Insurance Affordability Act of 2014 delays the exorbitant rates of unsubsidized flood insurance, ultimately the price of true flooding risk would be out of reach for most. According to the associated press "a 1999 [study] estimated that 550,000 homes across the country would see premiums top \$6,800 per year if they were required to pay premiums based on the true flooding risk." Those numbers today are much higher. Likewise a premium of \$700, increasing gradually at this latest bill's cap of 18% per year would top \$3600 within a decade. With the ever increasing frequency of climate events, the days of subsidized flood insurance is over. In the wake stand entire communities that need to be lifted to new Base Flood Elevations or run the risk of being both unaffordable to the current

homeowners and unmarketable to any potential buyers, leaving people unable to pay their mortgages or sell their homes, leading to mass foreclosure and more warehoused bank owned properties. To date, the majority of Build It Back repair offers have not been accepted by homeowners, due in significant part to homeowners' concerns about the future affordability of their homes. In most cases requiring elevation as part of any repair or rehabilitation offer would be the only way to return the household to a place of sustainable housing.

While we understand that elevating homes is costly, we believe that additional funding as well as best practices can be garnished by building on the successes of the NY Rising. For example in addition to having a rolling registration, the state program has *all* applicants eligible for elevation assistance, subject to a \$300,000 benefit cap, with properties that were substantially damaged or with lower and moderate income homeowners eligible for a \$50,000 increase in the benefit cap to use toward elevation costs.

While we have been unable to get out any of our funds, NY Rising has distributed over \$280 Million to over 6000 homeowners across Long Island, with every homeowner that registered by January 20th receiving a check for home reconstruction. The second tranche of allocations came with a federal notice dedicating 80% of NYS CDBG funding to downstate communities including the five boroughs. With that in mind we recommend that city works with the state to create an additional Memorandum of Understanding for elevation. We believe such an MOU would provide for a more equitable recovery.

4. Remove hold on applicants with a “*Lis Pendens*,” and work with homeowners nearing foreclosure or facing a tax and water lien sale & other incurred debt

Build it Back places applicants on hold who have the initial foreclosure document (*lis pendens*) filed against their property. In order to remove this hold, the homeowner must demonstrate that the *lis pendens* has been resolved or will imminently be resolved. The rationale given by Build it Back staff is that the City does not want to rebuild properties for the banks.

Of course the best way to not do that would be to clear hold-ups and work with homeowners to address mortgage problems, so that homeowners can remain in their homes. The alternative would be to hastily discount individuals already strained by additional financial burden of having to pay for a wide array of disaster related expenses, and therefore lead to unfinished bank owned properties, that will likely remain vacant for decades to come.

A recent study by the Furman Center has shown that less than 20 percent of *lis pendens* filings resulted in a foreclosure auction or the property becoming bank-owned. Many of these homeowners will retain their homes through loan modifications, or by becoming current once their temporary, often Sandy-induced, hardship has passed. In other instances many of the *lis pendens* filings are bogus, filed years ago and never removed by mortgage banks despite the issue being resolved through modification or payment of arrears.

The process to clear *lis pendens* that would otherwise amount to nothing is time-consuming and wasteful, holding up homeowners to the point where aid has little value and wasting the time of both administrators and mortgage counselors.

Furthermore, failure to provide aid to individuals nearing foreclosure or confronted by rising debt and liens, not only harms the homeowner unduly, putting them at risk of losing their home, but also harms

the community by taking the risk of leaving the property in a state of disrepair and therefore making it unmarketable.

As an example NY Rising has allocated \$74 million to an interim mortgage and housing assistance program to deal with this problem statewide.

5. Provide temporary housing assistance to those who must vacate their homes during rebuilding

While we commend Mayor de Blasio for his announcement, allowing individuals to set aside transfer funds for temporary housing, we believe that the administration should build on this, by finding additional funding for individuals that need to vacate their homes during construction.

Many homeowners have been living in unrepaired or semi-repaired homes since the storm; others have been displaced due to their homes being uninhabitable or destroyed, and have been paying rent on an apartment in addition to their mortgage payments. These costs have placed them into financially vulnerable situations.

Low-income homeowners, do not think they can afford to rent another unit, or continue to do so, while their homes are being rebuilt or repaired. Some are considering short-selling their homes because they can not afford to incur the additional expense of rent on top of their mortgage payments. Likewise many homeowners that wish to remain in their communities have held off from choosing a repair option because of the lack of funds for temporary relocation.

The City should find additional funding, and explore alternative housing options, to help homeowners pay for temporary housing while construction on their homes is being completed to ensure low-income homeowners are not inadvertently pushed out of their homes.

6. Reserve “relocation allowance” for homeowners with underwater mortgages in the acquisition program

Under the Build It Back acquisition program, homeowners will be offered the post-storm value of their homes as the purchase price, plus a relocation benefit. Some homeowners who would like acquisition have “underwater” mortgages, meaning that the mortgage debt exceeds the value of the property. For these homeowners, a short sale must be negotiated with the mortgage bank. Normally, the short sale price is the current (post-storm) value of the property. We urge the city to hold to this standard model in negotiating short sales under the acquisition program. Any relocation allowance above the current property value should be reserved for the homeowner, to help them make a new start. Offering this relocation allowance to the mortgage bank would constitute a windfall to the bank, giving them a greater payment on the mortgage than they would receive if they foreclosed on the property. We should not use public CDBG-DR funds to pay windfalls to banks.

7. Revamp the Temporary Disaster Assistance Program, improve accessibility and include undocumented residents

55,449 low-income renters registered for FEMA, of that only a small portion was given enough notice to register for Build it Back, and of that only a tiny fraction of the original number would be eligible for the estimated 600 rental vouchers that will be made available through the \$19 Million dollars allocated for Temporary Disaster Assistance Program. Although renters make up the vast majority of Sandy

affected residents they are vastly underrepresented in all data throughout the recovery process. Part of this has to do with a lack of outreach and accessibility.

Most Build it Back materials were geared towards homeowners and many renters were discouraged from registering during their initial intakes. Simply put many renters were unaware that they were eligible for assistance while others found it difficult to access when they were. Yet this demographic often faces the most challenges. Comprised of a higher percentage of low and very low income earners and immigrants with English as a second language, many Sandy affected renters have been living in inadequate shelter or have been unable to afford basic necessities as a result of increased rent. For these reasons we advocate for re-opening TDAP registration and providing additional program funding.

In addition, a huge barrier to TDAP has been accessibility. While homeowners are able to address questions and bring paperwork to Build it Back centers in the borough they live, all renters are required to travel to Manhattan for appointments, inquiries and paperwork. The city should make arrangements for residents to apply for TDAP, and make inquiries at their local Build it Back office. Along with this, every effort should be made that all materials be translated to, and all centers be equipped with translators for the languages spoken in the Sandy affected communities.

Finally, we recommend that undocumented residents of Sandy affected areas be eligible for these vouchers. There are over 19,000 residents within these areas that for one reason or another have ended up without the documentation that many wrongheadedly require to be considered a human being in this country. The majority of these residents have lived and worked in these neighborhoods for many years, providing services that generally uphold the quality of life, all while receiving very low wages in exchange. Generally speaking the undocumented populations are no less vital members of the community, and no less lost their homes and possessions, and deserve aid no less than any other individual. Furthermore their quality of life, marked by severe rent burdens and sacrifice of basic necessities, leaves them needing aid that much more!

8. Commit to redevelop all acquired properties as deeply affordable housing with a guaranteed “right of return”

New York City will be acquiring properties through the Build It Back. According to Build It Back's February Progress Report, 2,910 properties in Priority 1 are eligible. Because Build It Back prioritizes lower-income households, the bulk of the properties acquired will come from the City's affordable housing stock. How these properties will be redeveloped has not been determined. At the same time rising housing costs are driving decent housing out of the reach for low- and middle-income New Yorkers. We have an opportunity now to address both these problems through a coherent plan for redevelopment of the acquired property.

The communities where these properties are located have a stake, and should be engaged as a driving force in deciding how and which properties are developed. The City's disposition on these properties will determine whether the redevelopment further disrupts these communities or strengthens them. For the properties that are appropriate for redevelopment as housing, the City should ensure that all new housing is affordable to those who currently live there, based on the median income of that local community, rather than the broader metropolitan area. The City should guarantee a “right of return” for residents that were displaced by Hurricane Sandy, by giving them the first option on new homes. By ensuring a community-driven program,

that guarantees a "right of return," that city will strengthen communities through an empowered rebuild that would maintain community nuclei.

In addition, Build It Back should consider doing an extensive vacant lot and building count and acquire abandoned or disused properties as part of the acquisition for redevelopment program. While there are many abandoned lots in the Sandy affected neighborhoods, there are also some that stand vacant but are owned by displaced residents that have either been unable to start repairs or have not started in hopes of an acquisition. The city should make every effort to find and contact the owners in order to acquire these properties as part of the acquisition for redevelopment program.

Furthermore, priority should be given to non-profit, community-led institutions to redevelop properties, with stipulation that the property would remain permanently affordable. Community land trusts offer such a model. Under the community land trust structure, the ownership of the land is separated from the ownership of the structure on the land (a home or a commercial structure). The community, in the form of the land trust board, retains ownership of the property. The increase in the value of the land accrues to the community. The homeowner owns the home and can pass it on as inheritance, as well as sell it. While the homeowner can receive appreciation to the value of the home at the time of sale he typically can not sell for the full price of the land or accrue a profit above inflation. In this way the homeowner gives up the ability to use homeownership as a vehicle to build equity and wealth, but in return gains lasting affordability, and a variety of other supports that the community land trust offers, including foreclosure prevention. Because of this divided ownership structure, the housing remains affordable potentially in perpetuity.

9. Extend rehabilitation/elevation assistance to secondary units of small landlords (1-4 units) dependent on them for income.

Landlord assistance is currently only offered to those with four or more units, but many individuals in places like Staten Island and the Rockaways are not only elderly and disabled but are the smallest of landlords, who depend on rent from small structures such as bungalows as their only source of income. These units were some of the most affordable units in New York City and by rehabilitating them we can insure that two of the more vulnerable populations will be able to remain in their communities by keeping rent affordable and the smallest landlords supported.

10. Protect affordability of restored rental housing

The Build It Back program wisely intends to give priority to landlords whose tenants are primarily low- and moderate-income. In exchange for public rebuilding funds, these landlords should be asked to commit for a protracted period of affordability. Build It Back aid to landlords should require that all units repaired or rebuilt with public funds as rental property must be rented out at affordable rates, based on the median income of that local community, for a minimum of 10 years.

11. Publicly release general needs assessment data and other vital information

Funding allocations in Sections VII and VIII of the Action Plan are based upon data from needs assessments conducted by the City, as well as FEMA registration and Census data. Since this

data forms the basis for understanding continued unmet need and justifying program allocations, we request greater transparency on how these allocations were determined. For example, the Action Plan states on page 30 that the “Low-income households disproportionately are in need of immediate relocation assistance; the housing team is working with approximately 1,300 displaced families who are at or below 50% of Area Median Income. To the extent possible these households will be placed in NYCHA public housing units or provided HPD Section 8 vouchers, but the City anticipates that approximately 600 households will not be served by these options.” This projection forms the basis of the funding allocated to the Temporary Disaster Assistance Program (TDAP). Because low-income renters compose a high percentage of Sandy-impacted residents still facing tremendous hardship, projections of this sort warrant further review and detail.

One of the legacies of the Bloomberg administration is a cloak of opacity that hindered advocates and survivors from understanding the City’s process and policies. Mayor de Blasio can show his commitment to transparency and good governance principles by releasing vital information to the public; an example of which are the MOU’s between city and state for acquisitions and buyout programs.

12. Create good local jobs with CDBG funds & include day laborers.

Many New Yorkers lost their jobs because of Sandy. Some of these jobs have still not returned, leaving many families continuing to struggle to meet their basic needs. All CDBG-DR funding includes the Section 3 requirement, which is HUD’s local hiring provision. The City can go above what is required by federal rules to ensure that jobs created are good jobs, going to New Yorkers, particularly Sandy survivors and day laborers already volunteering in our communities. NYC needs to create requirements that encourage the hiring of Sandy survivors and local day laborers under dignified wages and working conditions. Why not put disaster aid funds to work locally by hiring locally?

13. Create a plan for the City to engage community members, Long Term Recovery Groups, and other community-based organizations more deeply in decision-making processes.

In crafting a plan for the most effective use of CDBG-DR funding, community based Sandy-relief coalitions such as Long Term Recovery Groups can offer the City an essential on-the-ground perspective. One of the top criticisms of the Build it Back program from community members is its slow implementation and the difficulty in acquiring the necessary paperwork or navigating the complex dynamics of individual cases. As the City works to make this new program more fair and efficient, Sandy relief workers and impacted residents should be intentionally engaged in this process. This engagement must transcend public meetings and comment periods. The local knowledge of Sandy recovery workers should be valued and drawn upon at all stages of decision-making. The City should also partner with Long Term Recovery Organizations and other CBO’s now to designate borough specific disaster recovery centers to provide emergency assistance, and conduct outreach and neighborhood based needs assessment.

In conclusion, I would like to thank you for the opportunity to present and hope that you will take my recommendations into consideration. But more importantly I hope that you provide the type of aid that will leave communities more empowered, resilient and sustainable, and you do it fast!

Ilya Geller

Site Coordinator - Occupy Sandy Staten Island

occupysandystatenisland@gmail.com

347-201-0670

One City, One Priority!

Good morning, I'd like to thank the members of the Council, particularly Councilmember Ulrich, representative from my district, for this opportunity to speak to you about recovery in the aftermath of Superstorm Sandy.

I was encouraged to see on Saturday, exactly 17 months after the storm, that our City is finally prioritizing recovery efforts for families trying to return to their homes. That the Mayor has recognized the need to address "Priority 3" families whose homes were completely destroyed is a major signal that this administration has heard us and recognizes that working "middle-class" families can no longer pay mortgages in addition to rent and desperately need assistance with recovery as soon as possible.

That the Mayor has changed the "Priority" system within the NYC Build It Back Program ("BiB"), has added additional funds, and has pledged additional personnel in order to move the objectives of the program faster, by no means suggests that stakeholders in this program should step back and not be involved and vocal about the program. Saturday's announcement signaled that Sandy recovery will change significantly but we, the registered stakeholders in the "BiB" program, need to stay involved to keep the City on task and offer our guidance as we identify issues as individuals and issues that occur on the community level.

If I may, I'd like to offer a few suggestions to the new recovery leadership:

Proper Damage Assessments:

Ensure that "BiB" is making the proper determinations on their "Feasibility Determination Reports" and have a streamlined and fair process by which stakeholders are able to appeal them. In my case, the report classifies my house as a "major rehabilitation." A licensed engineer, architect and several builders have all contradicted the City's assessment and stated that my house (Substantially Damaged according to the Department of Buildings "DOB") should be demolished. I plan on submitting their independent reports to "BiB" and the "DOB" for evaluation.

Community/Stakeholder involvement without adding additional bureaucracy:

While too many cooks in the kitchen can spoil the pot, the City should figure out a way to foster more communication between "BiB" and homeowners looking to rebuild.

A possible way to approach this:

- 1) Representatives from each community meet with "BiB" on a regular basis
 - Perhaps Civic Association leaders
 - These leaders should have direct access to "BiB"/Resiliency executive staff

Why this is a good approach:

- 1) Stakeholders in the process now have an advocate to bring concerns to.
 - Local Civic leaders are generally known, trusted and accessible to the local resident
 - Local Civic leaders will be able to observe and report trends to "BiB" personnel

- 2) "BiB" will deal less with individual issues as ideas and concerns are presented by Civic leaders
 - Allows "BiB" to focus on it's mission while community concerns are presented and addressed in batch
 - "BiB" may find community input useful and amend it's objectives as needed
- 3) Each community has unique needs based on geography, types of construction, flood risk, etc.
 - Local Civic leaders know their communities more than anyone else

Bring Back The Notion of Urgency:

As a person paying a mortgage and rent I can assure you that I desperately need to reduce my housing payment to a single payment. So many of us have depleted our savings, have had to take personal and pension loans and max out credit cards to pay for living expenses and are only holding on by a thread financially. There is no mechanism in the housing industry for mortgage forbearance or reprieve so the banks require that they continue be paid despite not being able to occupy a house. Additionally, my children, 7 and 4, constantly ask about returning to their house and are probably tired of dealing with a mother and father now completely consumed with fighting the City so they can just go home. I don't even want to talk about the number of times I've considered giving up and walking away from the house.

Streamline Building Permit Process:

The "DOB" and New York State's Department of Environmental Conservation ("DEC") should be prepared to deal with the increased volume of building permits and be staffed sufficiently to process permits and troubleshoot and resolve permit issues.

In closing, last November I became so frustrated with the "BiB" program that I decided to turn my house on Cross Bay Boulevard into a billboard. It read, "NYC Build It Back, FEMA, HUD & Flood Ins. = FAILURE." I asked that the City "Make Us All A Priority." I have repeatedly invited Mayor de Blasio over to the house to see what "Priority 3" looked like. I plan on removing that sign as soon as I begin to see that the Mayor and his new recovery team are holding true to their promises to bring real recovery to NYC. My invitation for him to visit the house remains open but I'd rather that he come to help me remove the sign that, for my neighborhood, has symbolized the failure of NYC's recovery efforts.

I look forward to a stronger and more resilient New York City and I hope that this testimony and eventually my house contributes to that end. Thank you for your time.

-Michael Del Pino
One City, One Priority!



FOR THE RECORD

Testimony to the New York City Council Committee on Recovery and Resiliency regarding the New York City Build it Back Program

March 31, 2014

Good morning Chairperson Mark Treyger and members of the New York City Council Committee on Recovery and Resiliency. Thank you for the opportunity to provide testimony today. My name is Mario Tapia. I live on Staten Island in the Manor Heights neighborhood. I am a member of Make the Road New York. I know people, including undocumented people, who were impacted by Hurricane Sandy.

I am here to talk about need for affordable housing in the Hurricane Sandy recovery effort.

I live in Manor Heights and in the past year rents have gone up faster than ever for many people, especially those impacted by the hurricane. We need big bold solutions to create affordable housing, otherwise rising rents will ruin our community and force us out of our neighborhoods—as it has many people in the Midland Beach area. The City has an opportunity through the rebuilding to create affordable housing that will let me and my family stay in the neighborhood we call home, and to help thousands of others like us. One solution in particular is to use the land it acquires to build affordable housing. I urge the City to act quickly to ensure that people can afford to return to and stay in their neighborhoods.

I am also here to offer the suggestion that the Build it Back program and all recovery efforts include everyone, including the undocumented. The Hurricane affected everyone regardless of citizenship status.

Thank you.

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FOR THE RECORD



Testimony to the New York City Council Committee on Recovery and Resiliency regarding the New York City Build it Back Program

March 31, 2014

Good morning Chairperson Mark Treyger and members of the New York City Council Committee on Recovery and Resiliency. Thank you for the opportunity to provide testimony today. My name is Nancy Paredo. I live on Staten Island in the Midland Beach neighborhood, I'm a member of Make the Road New York and I was affected by Hurricane Sandy.

I am here to express my experience with Build it Back and to make one key suggestion. I recommend that the Build it Back Program and all the recovery effort include all people, including the undocumented impacted by Hurricane Sandy. Hurricane Sandy affected everyone—documented or not—it did not discriminate. I ask that you not leave us out simply because we are undocumented—the hurricane impacted all of us.

My experience with Build it Back has not been good here is what happened to me: ~~after the storm my family and I moved into a half repaired house that cost \$600 than what we paid before the storm.~~

I hadn't heard about Build it Back until a friend told me about it and I signed up. But then I didn't hear back from them for a very long time—even though other people were getting follow-up calls from Build it Back. I finally found out that my application had been denied because it was thought that I moved back into the same apartment before the hurricane, which I did not.

Based on my experience I think the City needs to do a better job of reaching out to Spanish speakers. Many Spanish speakers missed the Build it Back deadline, and others are confused by the follow-up calls from Build it Back and their applications are being denied because of language barriers. I strongly encourage the City to include all people, including the undocumented in the Build it Back program. The Hurricane impacted all of us and all of our rents have increased. We should be included in the recovery efforts.

My rent increased, and most of the people in the affected areas have experienced rental increases that we simply can't afford, and it does not seem like it will decrease anytime soon. I ask that the recovery includes affordable housing for all of us. One idea that the City should use, is to utilize the land it acquires to build affordable housing so that people affected by Sandy can afford to return to and stay in their neighborhoods.

Thank you.

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JEWISH COMMUNITY HOUSE OF BENSONHURST

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Testimony from the Edith and Carl Marks
Jewish Community House of Bensonhurst

Presented to NY City Council Hurricane Sandy Committee
March 31, 2014

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Alex Budnitsky, *CEO/Executive Director*

My name is Vladimir Vishnevskiy, Immigrant Services Director at the Edith and Carl Marks Jewish Community House of Bensonhurst (Marks JCH). I would like to thank the Chair of the Hurricane Sandy Committee, Mark Treyger, and all the committee members, for the opportunity to testify today.

The Marks JCH open our Hurricane Assistance Center within days of the disaster.

- We have served over 400 clients
- Half of them are homeowners that have been greatly affected
- Renters had to get new apartments and are struggling to pay higher rents

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The Build-It-Back Program urged every person that suffered after Hurricane Sandy to sign up. There were posters, emails, mail and information on TV and radio. People were encouraged to register as soon as possible, because the program promised a smooth transition and lots of support to all the victims. People signed up online, in person and with a case manager at the agency. There was a lot of hope, since people knew that the promised money that the city was awaiting finally arrived.

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Many of our clients started questioning the program and the possible outcome:

- They were constantly bombarded with more and more requests for information to supply, including receipts, other documents, and lots of unnecessary paperwork. Eventually people became frustrated and upset.
- There were no phone calls, no follow ups and no useful information was provided
- The case managers that were assigned to clients were not helpful
- There was no communication between the clients and case managers

People that are still struggling with unresolved problems, are looking for financial assistance, because FEMA and insurance agencies did not cover full losses.

They are looking to receive:

- Reimbursement after renovations have been completed
- Help with completing renovations
- Help Rebuilding their houses
- Attentive and caring case managers that will review their cases and address their issues in a timely manner

At this point, none of the clients from the Hurricane Assistance Center at the Marks JCH had a positive experience with Build-It-Back. Not a single person received any compensation or the attention they deserved.

Thank you very much.

Vladimir Vishnevskiy
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FOR THE RECORD

Good Morning,

My Name is Mohammad Razvi , Executive Director of Council Of Peoples Organization.

We have been servicing the community in Brooklyn after hurricane sandy.

During hurricane Sandy many were devastated, losing everything from their precious memories to their homes and stability. As many New Yorker's who were not prepared for the magnitude of this storm, the devastation was catastrophic. Throughout New York especially in Brooklyn, Far Rockaway and Staten Island a large amount of homes were destroyed, damaged and left without power and water or suitable living condition, forcing many to leave and move into hotels or with family and friends.

In many neighborhoods that were devastated by the storm, the families living in these damaged homes were already on a thin line of financial demise. NYC Build it Back is the City program initiated to assist homeowners, landlords and tenants in the five boroughs whose primary homes were damaged by Hurricane Sandy. The goal of NYC Build it Back is to help affected residents return to safe, sustainable housing by addressing unmet housing recovery needs.

Our agency serviced over 300 clients since the storm and 10% of our clients are still awaiting build it back to step in and begin repairs. Considering it is almost more than a year and half since hurricane Sandy hit NYC the delay of the start of this program has been causing more hardships to our clients. The older populations, who are retired and on a fixed income are suffering due to delays in repairs.

One of our client who is an 80 year old woman, who was residing in Seagate was displaced from her home since the storm and desperately wants to return to the home she shared with her late husband. Due to the delays of the program launching and beginning the repairs she is forced to reside with her daughter and her daughter's husband in a small three bedroom home, this is causing strain on the family. The client is self-sufficient and wants to move home unfortunately it is unsafe until the necessary repairs have been made to her home. She has undergone two inspections by build it back but no further communication has been received, this is the situation with many of the clients in our agency awaiting build it back support.

Thank you,
Mohammad Razvi

FOR THE RECORD

Testimony - March 31, 2014 - Tim Gilman

I am sorry to say that I am unable to attend the public hearing on Build It Back, but I would like to submit a synopsis of our family's situation. We know that each case is unique, but we hope that by sharing the frustrations we have been facing we can help the program find corrective action that will benefit all participants. I would like to go on record to say that in all of our dealings with the personnel of the program we have found them to be personable, respectful and supportive. However, there is a clear lack of definite answers and information that is systemic and pervasive. We do not now nor have we known where we stand, which makes it impossible for us to progress in our ongoing struggle to recover from the storm. As a father of young children I am saddened by the fact that our continued displacement and our de facto status as global climate change refugees will be defining factors in their lives.

First off, I would like to state that our home is a shell and stands empty almost a year and a half after the storm. Our entire savings and insurance payout has gone to repairs and expenses my family of four have had to bear since then. My wife and children have had to leave New York City, and I stay with a neighbor for work during the week, and then commute four hours upstate to see them on the weekends. All work on our house has come to a standstill as Build It Back will essentially penalize us for anything we do before the program funds, months from now at the earliest. All money spent after the anniversary of the storm counts against the total potential grant we receive, and will not be credited as part of our contribution. We want to rebuild, we want to get back into our home of 13 years, and put our children back into school in Brooklyn, but we have little hope of that happening this year.

We applied for the Build It Back Program within the first few days it was open. All of our paperwork was submitted, in person, within that first month, along with a spreadsheet to summarize every expense and repair, the complete damage assessment, and copies of checks to prove the money had been spent. We then had to resend almost every document in the following months as the list of missing documents was sent to us (in error) with different items each time.

After waiting six months for a site inspection, we had an Options Meeting that informed us that all of our repair and damage assessment documentation had been completely ignored. To give a specific example, we had completed over \$100,000 worth of structural masonry work alone following Sandy, and another approximately \$50,000 worth was required by our engineer. None of this was acknowledged in our repair assessment or our assistance projection from Build It Back.

Following a successful appeal and submitting the same paperwork for the third time, we were able to get some of our unacknowledged repairs counted. Unfortunately we are getting only about 60¢ on the dollar acknowledged, but it is better than what they were

telling us before. However, the structural masonry work has still not been taken into account, so we have appealed for the second time in the hope of having another site visit and an accurate damage assessment. In our estimation, based on the calculations of an engineer and our insurance company, our home is substantially damaged. Without that judgment confirmed by the program we cannot make any plans for repair or rebuilding.

We have been waiting for a couple weeks for a decision on our second appeal. After that we anticipate a couple weeks for a site assessment, and a couple weeks for an options meeting. These are very optimistic estimates.

To start repairing we will need to take out another mortgage on our property, because the program is telling us we have to contribute \$100,000 (which we don't have). We would be willing to borrow against our house to get started if we could at least be credited against the program. We cannot imagine waiting any longer without starting the permit process and making essential repairs.

We need the help of the city to move the program ahead, and get us our funding, or at least permission to spend our own money without penalty so we can start to rebuild before we are back in winter once again with nowhere to live in the city.

Sincerely,

Tim Gilman

129 Pioneer St.

Red Hook, Brooklyn

BIB #001415

If my neighbors suffer, so do I or: Resilient Recovery is a Collective Imperative

Testimony – 3/31/2014 –Andrea Sansom

I am deeply concerned for not only my immediate neighbors and community – families who have lived in Red Hook for decades – but folks just like them across NYC. Based on what I'm witnessing, Severe Repetitive Loss is the likely result of how Build it Back is being administered: Loss from possible future storms if houses are not fortified; hazard and losses due to sub-standard repairs; loss and disenfranchisement of communities overall as these properties could become abandoned and, in turn, purchased by wealthier persons.

I hope you will consider the following as specific examples and opportunities for redress – these, in addition to the more general failings of the Build it Back program which have included improperly processed or lost applications; communication breakdowns; poorly trained or lack of staff; lack of internet delivery system of documentation leading to burdensome travel demands; unannounced Build it Back meetings; misinformation and lack of assistance with SBA loans – among other serious errors and obstacles which have consumed precious time, energy and administrative costs. Below are 5 points that stand out as critical:

Prioritization:

Please recognize that there is something inherently wrong with Build it Back priority calculations. Clarification and, hopefully, correction of how prioritization is assigned is urgently needed.

Based on current Build it Back information, but contrary to what we were originally told at Town Hall Build it Back meetings, prioritization is not based on *either* income *or* amount of damage, but solely upon an average median income which still manages to exclude those of us who are not wealthy and barely scraping by in a NYC economy. I'm hearing from folks in Broad Channel whose homes are gone or severely damaged that their moderate joint incomes (@\$125K) for families with dependents preclude them from eligibility. SBA has been denied. This while a fraction of the \$648 million allocated for housing recovery has been utilized.

Lack of Council:

Families in this or similar dire situations may now be facing foreclosure and falling behind on mortgage payments, needing to pay rent instead. Often, their NYC Recovery contact persons have not been helpful. They've received no counseling, in spite of requesting it, in how to avoid looming foreclosure. Guidance, information and what to expect in general have been sorely lacking. The customer-assistance phone-line has proven useless with no follow-up or consistent tracking.

Assessment:

Inaccurate assessments cause a chain-reaction of errors, delays, safety concerns, underestimation of damage. Often, because the damage assessment is cursory and assessors do not ask questions nor acknowledge loss information provided but only take basic measurements, the true needs and losses of families are not properly calculated. In the case of at least two of my immediate neighbors, the Gilmans and the Horensteins, some degree of significant damage was overlooked

in assessment.

For Michael Del Pino in Broad Channel, the assessor did not consider the original poor construction (2x4 joists and rafters, etc.) of his home and recommended elevating this sub-standard structure and the assessment fell far from responsibly or accurately assessing the level of damage to this already vulnerable bungalow house. The structure, according to his architect and engineer, is not worthy of saving but this is what Build it Back has recommended.

Work in Progress and Reimbursement Stipulations:

Many are deterred by the "work in progress" and reimbursement terms; they interpret these as meaning that if their homes remain incomplete with ongoing work in progress, they will be denied Build it Back assistance or not be reimbursed for any work done beyond 10/29/13 even if they've exhausted all funds and have been unable to continue repairs beyond that date. This causes confusion and lack of participation which can lead to continued disrepair, unhealthy, mold-ridden houses and possibly unsafe repairs resulting from funding shortfalls.

Contractor Requirements:

Requirements that applicants only use registered Build it Back contractors can cause delays or problems with on-going work or disruptions in working relationships with reliable contractors, a precious commodity.

These few, among many such examples, are intended as indicative of the program and situation with Sandy Recovery in general. Because priority is not based on damage as we were initially told, families whose homes are gone, are uninhabitable or in continued need of repair, or those who have exhausted savings or gone into untenable debt and seek reimbursement for what insurance did not cover, are not getting any assistance but continue to hold out hope as they have no alternative. Meanwhile, families and communities are being dismantled or folks are rebuilding in non-resilient ways owing to limited resources. These are working/middle class viable neighborhoods, not those slated for buyouts without rebuilding. It would appear that, contrary to the City's intentions, this is a recipe for both gentrification and increased vulnerability at once.

Additionally and related to the rebuilding process in general, I continue to hear that the Department of Buildings is making the filing process even more difficult for folks in varying stages of rebuild. Please assign a dedicated rebuild facilitator to the Department of Buildings. Storm survivors cannot afford expeditors and the lack of education within DOB is not encouraging resilient rebuilding overall but, rather, punitive and uninformed or arbitrary determinations.

Please consider this as reliable and empirical testimony drawing on experience over the past 17 months as my husband, myself and our neighbors have dedicated ourselves to recovery. Based on this, I urge you to recognize the dedication and will of your constituents. We seek in earnest to be involved in the endurance and fortification of our communities. If the energy and resource of our collective communities were harnessed rather than disenfranchised or dissipated, the Resiliency mandate would have a chance. When HUD, FEMA, insurance companies and, now Build it Back fail us, these losses become not only compounded but long-term and irrevocable.

Please do all within your powers to redress the failings of Build it Back and invest in the those families who remain within or anxious to return to these abandoned communities and home.

Thank you.

Andrea Sansom
Red Hook, Brooklyn

Testimony – 3/31/2014 – Eileen Pepel

My name is Eileen Pepel. My husband, John Pepel, and I own two houses that were badly damaged by Sandy. The house we live in, 14 Sioux Street, Staten Island, 10305 and a house we rented to my cousin, 57 Cherokee Street, also 10305. We were able to do enough repairs to 14 Sioux to move back home after five months. 57 Cherokee St was red tagged, but not taken down.

We have had an options meeting for 14 Sioux Street at which we were told that we were eligible for elevation and repair. We have to sign a paper saying we would not take a state buyout if it became available, we would have to see a lawyer to try to clear the SBA loan of \$123,000 that we were offered, but didn't take. We were told we had two weeks to get that done and make a decision. I asked what would happen if for some reason my house was not able to be raised and was told at the meeting that they didn't know what would happen. They had asked why I thought it couldn't be raised. There had been no engineer or architect to look at my property, no soil testing done. Pat Ryan has since told me that if the house cannot be raised it would be rebuilt. We asked when the work would start and how long it would take to complete and did we have to remove all of our stuff and where would we put it and where would we stay... There were no answers for any of these questions, only that we are priority 2 and as such the funding is not there yet to do anything for us. So, why, I ask, do I have to hurry and sign that I will do this and that I won't take a buyout if there is no money for our work? They said that they are hoping to get the funding. Okay, but what if I do not sign yet, I want to know that I will get help, I don't want to miss a buyout if Build it Back can't help me? I was told that if I didn't sign within the two weeks I would move to the bottom of the list. I am sure you can see our dilemma- we do not know if there is funding for our repairs or a time frame or a place to stay, we don't know if a state buyout will be offered in our neighborhood, but yet we are being asked to commit without any commitment on the part of Build it Back. I have spoken with Pat Ryan and he said we do not have to sign just yet, but at this point we are still in limbo. We are waiting to hear if the SBA loan was cleared, waiting to see if there is money for priority 2, waiting to see if the state will offer us buyout. Still waiting...

We have not had an options meeting on our rental at 57 Cherokee. I was told by Pat Ryan that in order for it to remain a priority one we will have to agree to rent to low income. It is a two bedroom house, assuming it remains a two bedroom after rebuilding, the rent maximum is \$944. My mortgage is almost \$1300! I understand that you may find an apartment for that price (I couldn't, I tried very hard after the storm), but you would never find a private house for that. My tenant was paying \$1150 and she is my cousin. But as we are paying our mortgage all this time and not getting any rent, maybe we would have to consider this. We have not been called for an options meeting for this house yet, but we will have to turn over our flood insurance payment and were also offered an SBA loan that we didn't take. The longer it takes to do something the worse off we are. And here too we are still waiting..

I have not mentioned how unfailingly polite the Build it Back people are during my countless trips to bring the same paperwork or just one more thing to the office. We have been to endless meetings and are exhausted with waiting and being told to be patient just a little longer. I hope that the changes coming to Build it Back will bring help to all of us.

Sincerely,
Eileen Pepel
Graham Beach, Staten Island

Testimony – 3/31/2014 - Louise Lessard

Dear City Council Committee on Recovery and Resiliency,

I am hopeful that the Build It Back program will assist homeowners in navigating the best path forward by clarifying and facilitating all options.

At my options meeting, I was pleased to learn that I am eligible for house elevation. In order to move to the next step - the contractor/engineer consultation - and learn specifically what the work will entail, I was required to sign a "Repair Selection Agreement" and told that if I didn't do so, there was no guarantee that the offer would remain available in the future. This form includes the following sentence: "I understand that if I select to go forward with the repair of my home, I will likely not be considered for acquisition or buy-out". Since I have yet to hear whether my home, which is in the wetlands and across from the Blue Belt, will be eligible for the state buy-out, I am not prepared to commit. But I certainly do want the information that the consultation will provide. The Build It Back representative kindly assured me that signing was a good decision. But, this type of agreement phrasing causes me to feel as though Build It Back is trying to limit my options and force my hand to commit to a plan that has yet to be clearly defined. This sentence should be removed from this preliminary agreement, as should any mention of restrictions and exclusions. It should also be noted that the "Repair Selection Agreement" makes no mention of the elevation that was verbalized, so it remains very vague on the part of the City.

My second options meeting was cancelled an hour before it was scheduled to take place, so I await a call back. My second house, which shares the water main connection - with the pipes running from one house to the next, remains gutted. As a result, I am concerned about hearing from neighbors that Build It Back has required reimbursement checks before the contractor consultation will be scheduled. I understand the desire to prevent the duplication of funds, but monies should certainly not need to be exchanged before the exact scope of the work has been disclosed. And I would go further to say that the transfer of funds should not be required until the work is to commence.

The City is about to begin the rebuilding of a significant number of homes. This is an opportunity to employ Green, Resilient, Sustainable building practices. I would very much like to incorporate this technology in my home and hope that the City makes it available. The costs have become competitive with traditional construction and it would provide energy savings for the individual and the region.

I would prefer to use a City contractor because it would simplify the project with fast-track permitting and direct accountability. Because I hope to have an Energy Efficient home, I am not yet sure if that goal will be compatible with a City contractor. For that reason, I believe there should be a way to extend the fast-track courtesy to other Sandy rebuild contractors.

I am very concerned about displacement during rebuild. The recent reality of being homeless was very difficult to negotiate and I do not have a plan for living arrangements during construction. (Will furnishings need to be moved and stored while work is being done?) I am hopeful that the program will find a way to accommodate these needs.

I anticipate the assistance of the programs in place and am hopeful that program adjustments take the experience of Sandy impacted residents to heart.

Sincerely,
Louise Lessard

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FOR THE RECORD

Testimony by Kathleen Bielsa, Deputy Executive Director of Northfield Community Local Development Corporation of Staten Island to the New York City Council Committees on Recovery and Resiliency, Environmental Protection, and Housing and Buildings

“Oversight – Housing recovery Post-Sandy: The Status of the Build it Back Program”

March 31, 2014

Good morning. Thank you for providing this opportunity to offer comments on the Build it Back program and post-Sandy rebuilding efforts. Northfield Community Local Development Corporation of Staten Island, Inc. respectfully submits the following testimony:

Northfield Community LDC operates a number of programs that benefit individuals and stabilize communities on Staten Island. Our services include housing and weatherization programs serving the entire borough. In the past 34 years, Northfield LDC's programs have rehabilitated over 3,500 units owned or occupied by low-income residents and have provided over 300 low and moderate-income families with new or newly renovated affordable housing in which to live.

Recently, the Housing Recovery Office shared that the major obstacles preventing Sandy-impacted homeowners from moving forward in the Build it Back program include open permit applications with the Department of Buildings (39%), the need for housing counseling (6%), and needing or wanting to contest the option being offered by the program (19%).

For the average homeowner, these obstacles can be quite daunting. Consider then how overwhelming these hurdles can be to a person who has experienced trauma--physical,

emotional, and financial trauma--and who continues to experience the unrelenting stress of unresolved housing and, possibly, financial instability. To more quickly facilitate housing recovery and to demonstrate compassion for this suffering we need to look for ways to ease these burdens. With sufficient resources, Northfield Community LDC and, I am sure, other community organizations have the necessary expertise to help residents resolve these obstacles.

In the longer term, there is an affordable housing crisis looming for Staten Island residents impacted by Sandy. Close to 1,300 residents who applied for Build it Back are in priority one, earning less than 80% of the area median income ("AMI"). An additional 1,000 residents are in priority two, earning between 80% and 165% of AMI. It is anticipated that only a fraction of the more than 2,000 homes will receive elevation assistance. Homeowners who are unable to elevate their homes will see dramatic increases in their flood insurance rates. While the immediate flood insurance rate hikes of the Biggert-Watters Act have been mitigated by the Grimm-Waters bill, there still remains a long-term affordability crisis for those who will see their insurance rates continue to rise and will be unable to sell their homes for this same reason. Again, we ask that you look toward the capacity that exists in the community to resolve this issue effectively and efficiently. Northfield Community LDC has applied to the state for funding to elevate homes of low income residents. We have development experience and the capacity to leverage state, federal, and private resources to address elevation needs. We are eager to work in partnership with New York City to ensure our proposed elevation initiative addresses the need in the most successful manner.

Northfield Community Local Development Corporation of Staten Island, Inc.

Since the storm's aftermath, and continuing today, it has been apparent that New York City has a tremendous amount of capacity, but we have not put that capacity to work in the most effective, efficient manner. I ask you to make sure that Northfield Community LDC and other community-based organizations are included in any disaster response and planning initiatives going forward.

Submitted by:
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Dennis Dell'Angelo
Land Use-Zoning Coordinator

NEW YORK CITY COUNCIL COMMITTEE ON RECOVERY & RESILIENCY

Monday, March 31st, 2014

Honorable Chair Treyger and Chairpersons:

Please allow this as our testimony for today's hearing on NYC B/B.

We are an Islandwide Organization serving as advisory to Civic Associations and individuals alike. Since October of 2012 we have been mainly focused on all things related to Hurricane Sandy.

Staten Islanders were severely impacted as you are all aware. Currently we are still severely impacted by the lack of action by the City of New York.

Build it Back has done everything but. Our members that are registered with this program are at their wits end. Constant lost paperwork, endless inspections, even on houses that are now empty lots. It is mind boggling how the City sends people to inspect homes that are not there. The City should be well aware that these are empty lots, NYC HPD removed these structures.

There are large numbers of people that are still not home. Homes are red-tagged, yet homeowners, who are the working class, taxpaying, backbone of this City are still paying mortgages, taxes, water bills and insurance in houses that they cannot live in. And paying rent to live elsewhere, while they WAIT.

The people that have made it back home did so through our volunteer organizations hard work, like The Siller Foundation and Yellow Boots. Not one ounce of help from NYC or any of the Sandy Funds intended to assist these homeowners.

Now the clock is ticking VERY fast. In April, 18 months after Sandy, FEMA rental assistance will expire. The economic future and the domino effect that this will have is at the URGENT point. We need all the administrative red tape worked out and we want EVERYONE home, before another thing is done!

Dee Vandenburg, President

In Memory Of Lorraine Sorge

FOR THE RECORD

Testimony of Thomas Cunsolo, Staten Island Alliance

before the New York City Council
Committee on Recovery and Resiliency, Committee on Environmental Protection
and Committee on Housing and Buildings

Oversight Hearing: Housing Recovery Post-Sandy
The Status of the Build-It-Back Program.
March 31, 2014

TO CHAIRPERSON TREYGER, WILLIAMS, RICHARDS, AND MEMBERS OF THE RECOVERY
& RESILIENCY COMMITTEE, HOUSING & BUILDING COMMITTEE, AND ENVIRONMENTAL
PROTECTION COMMITTEE

THANK YOU FOR THE OPPORTUNITY TO PROVIDE TESTIMONY TODAY. MY NAME IS
THOMAS CUNSOLO. I AM THE PRESIDENT OF THE STATEN ISLAND ALLIANCE & A MIDLAND
BEACH RESIDENT OF STATEN ISLAND. MY RECOMMENDATIONS ARE AS FOLLOWS:

- 1) REOPEN PROGRAM REGISTRATION UNTIL CDBG-DR FUNDS ARE SPENT
- 2) OFFER ELEVATION TO ALL APPLICANTS BY OPENING THE FEMA HMGP GRANTS. THIS
WILL GET US ADDITIONAL FUNDING
- 3) REMOVE HOLD ON APPLICANTS WITH A "LIS PENDENS"
- 4) PROVIDE TEMPORARY HOUSING ASSISTANCE FOR RESIDENTS OF WHO MUST VACATE
THEIR HOMES DURING REBUILDING
- 5) EXTEND REHABILITATION & ELEVATION ASSISTANCE FOR SECONDARY UNITS FOR
LANDLORDS WITH 1-4 UNITS THAT ARE DEPENDENT ON THEM FOR INCOME
- 6) SIT DOWN WITH GRASSROOTS ORGS. LIKE OURS
- 7) GRAND FATHERING FOR RESIDENTS WHO NEED TO REBUILD TO GO RIGHT BACK UP
INTO ORIGINAL FOOT PRINT & EXPEDITE PERMITS



Testimony Presented by
Jerilyn Perine
Executive Director, CHPC
NY City Council

Committee on Housing and Buildings

Jumaane D. Williams, Chair

Members: Rosie Mendez, Ydanis A. Rodriguez, Karen Koslowitz, Robert E. Cornegy, Jr., Rafael L. Espinal, Jr., Mark Levine, Antonio Reynoso, Helen K. Rosenthal, Ritchie J. Torres and Eric A. Ulrich

Monday, March 31, 2014 10:00 AM Council Chambers - City Hall
Oversight - Housing Recovery Post-Sandy: The Status of the Build-It-Back Program. T2014-0693
Jointly with the Committee on Recovery and Resiliency and the Committee on Environmental Protection

My name is Jerilyn Perine and I am the Executive Director of the Citizens Housing & Planning Council. As New Yorkers we were all horrified at the damage to people's lives and property that Hurricane Sandy wrought on our neighborhoods. But as housing and planning professionals we have mystified by the inadequate response to help particularly the small homeowners who have often waited in vain for assistance. We do believe that there are concrete steps the City can now take to help homeowners restore their homes and rebuild their neighborhoods.

Homeowners are girding for huge insurance rate jumps, which not only require unaffordable premiums, but also damage the resale value of each property. Senator Schumer and various House representatives have worked on reducing this burden by delaying implementation of the 2012 Biggert-Waters Act.¹ But because this delay is unsustainable for the National Flood Insurance Program, questions remain regarding when the wave of insurance increases will come.

Too many affected homeowners are also facing foreclosure. Comparing the year before the storm to the year after, notices of foreclosure have increased by about 32% in ZIP codes affected by the storm, compared with 22% citywide. Staten Island has borne the brunt of this Sandy side-effect: foreclosure notices after the storm have been roughly 183 per month, compared to 113 per month before the storm.

The sale of homes at prices well below the median for their borough has also increased: while Brooklyn, Queens, and Staten Island overall saw a 33% decline in these sales, there was a 1% increase in Sandy-affected ZIP codes. In some cases these fire sales have jumped by as much as

¹ Their proposal was signed into law on March 21st.

120% (New Dorp Beach). This phenomenon as well has been particularly strong in Staten Island, where these sales jumped by 60% in waterfront ZIPs, compared to a 33% increase borough-wide. Queens also saw an increase of 4% compared to a borough-wide decrease of 4%.²

These figures capture the financial pressure facing residents. On top of the “visible” costs like repairing or rebuilding, there are “invisible” costs, such as when an owner rented part of his or her home. Many of these units cannot be replaced as they are typically illegal either because of zoning restrictions or because of their physical configuration³. The loss of such units has had a devastating impact to both the owners and renters of these units.

The City must take several steps to solve the multi-headed problems that remain.

First and foremost, the City’s Housing Recovery operations should be transferred to HPD and the analytical and land use planning tasks should be focused in DCP. While it is always tempting to just layer bureaucracy on top of bureaucracy - it is our line agencies at the end of the day which should have the resources, focus, and accountability to respond to extraordinary events.

Second, the neighborhood planning efforts by City and State must be better coordinated.

The City’s acquisition program should support the State’s system that sets out clear planning criteria, collaboration with residents, and sets the acquisition price at pre storm value. Homeowners who were not eligible for funds to raise their homes because they were not ‘substantially’ damaged should be prioritized for acquisition. In addition, City assistance to subsidize the cost of elevation should be extended to homeowners in order to lower their insurance costs.

Third the City and State need to work together to provide real estate tax relief for homeowners subject to new insurance costs. An exemption can be created to provide a 5 year exemption followed by a 5 year phase-in abatement to assist homeowners to retain value in their homes. Criteria for the exemption can mirror the criteria set for the new Flood Insurance Affordability Act. An additional cap based on pre-storm assessed value could also be applied to ensure that the exemption goes to those most in need.

Fourth to protect those most threatened by foreclosure, Build it Back should return to its original goal of providing top to bottom customer service by means of a case manager who would handle all relevant issues. Alternatively, groups providing assistance on financial issues should be funded to adequately carry out this work and provide feedback to the City.

² Brooklyn’s rate of these sales decreased even faster in waterfront areas than borough-wide, probably for several non-Sandy-related reasons.

³ The zoning issues can include density which restricts the addition of a unit as well as parking requirements that are not met with the addition of a new unit. Physical configuration problems can include cellars which are defined as being more than 50% underground and as such not legal for occupancy, as well fire safety problems such as a lack of a secondary means of egress. Work on legalizing cellars and creating an accessory dwelling unit designation in the zoning resolution is part of CHPC’s ongoing work Making Room which is being pursued.

Finally, the City must address zoning issues that inhibit adequate repair and rebuilding. DCP recently went through a successful zoning text change to reform land use rules that made it impossible for homeowners to rebuild to meet the new requirements for a flood zone, like elevating a home. But there are still many zoning obstacles that prevent vulnerable homeowners from responding to their needs. These neighborhoods need relief from onerous lot coverage and front- and side-yard requirements, or owners should be permitted to build under their previous three-dimensional building envelope rather than under current rules.

Testimony

Oversight: Housing Recovery Post-Sandy: The status of Build It Back Program

March 31, 2014

Dan Mundy, Community Board 14 Environmental Committee Chairman

Jonathan Gaska , District Manager

Hurricane Sandy brought unprecedented damage and loss to the coastal communities of NYC. As a resident of Broad Channel for over 70 years I can testify that this was indeed an unprecedented storm event. I will provide this commission feedback as a resident of Broad Channel, a Trustee of the Broad Channel Civic Association, Co-Chair of the Jamaica Bay Task Force, Vice- President and Environmental Chair of Community Board 14.

A year and a half after the storm we still have residents awaiting help and I hope the unique perspective that is provided here will help this committee to better understand what has been transpiring to date and to make changes that will allow the needed aid to begin to flow.

In the immediate aftermath there was no official relief or help from any of the city, state or federal agencies. Residents of Broad Channel set up the local American Legion post 1404 as a relief center. This center was opened two nights after the storm and was the first resource center set up in the area assisting residents from Broad Channel, Howard Beach, Far Rockaway, Rockaway Park, Arverne, Belle Harbor and Breezy Point. The residents manned the center and help came from other communities across the country. Individuals and small volunteer groups worked to gather goods and to transport them across the area to help those in need. Similar volunteer centers sprang up in adjacent neighborhoods likewise manned and run by volunteers from the affected communities. It was an amazing effort and one that filled the void that many would have assumed would have been addressed by formal government entities.

While FEMA, OEM, and the Red Cross were all missing in the immediate aftermath of the storm it was assumed by residents that as time went by formal government agencies would take charge and that help would arrive, particularly help in rebuilding the many damaged homes that were destroyed in this massive event. The help we expected should have come from Congress and everyone in the storm damaged areas closely watched how the issue played out in both houses. While the sandy aid bill made its way thru Congress some residents called and emailed the various representatives and all waited with baited breath to see if it would pass. When it did pass everyone was as relieved as now, with 60 billion dollars in aid, help would come. Help would come to rebuild the destroyed homes, help would come for some to elevate their homes and get out of harm's way, help would come for those who wiped out their life savings and pensions to rebuild and were in dire need of reimbursement. Yes now that the funds were allocated help would come---OR SO WE WERE TOLD!

In Broad Channel, thru our civic meetings, we led the effort to get the word out about the way the funding would flow down thru the CDBG grants and then thru a program called Build It Back. We hosted the first build it back meeting in the city with then director Brad Gair. Residents from all around packed into that same American Legion hall to understand how this would work.

This was in April of 2013 after the comment period had opened and the programs protocols were announced. Much of what was initially promised by director Gair never materialized including time frames as well as application methodology. Since that time the program seemed to slowly fall apart over the summer months. In October of 2013 Kathryn Malone was brought in as a new director to attempt to fix what is now known as a major disaster. Kathryn was a welcome addition but just as she was making major changes and creating communication lines to community leaders she suddenly departed from the program. Since her departure the program inexplicably has NO director and has floundered along with little progress.

Here are just a few of the problems that residents have encountered and that have driven most to lose all hope that they will ever see any assistance from this program:

1) The **application process:** It has been an administrative disaster; rolled out to soon with staff that was untrained it resulted in every single applicant experiencing lost documents. In fact we have yet to encounter a SINGLE applicant who has not been told that their documents have been lost. Many have been told this numerous times. In addition residents have constantly been scheduled for their options review meeting called their ORM meeting only to have them suddenly cancelled the day before the scheduled date or cancelled the day that they showed up. In either case applicants had arranged for child care and in many cases had arranged for time off from work only to be told the meeting was cancelled with no explanation given.

2) **Uninformed Staff:** They failed to understand the program and often hold up applications for the wrong reasons. We have had numerous applicants told that their application could not proceed due to the fact that they resided on a barrier island and that they would need a special environmental permit to proceed and therefore Build It Back Reps would not be able to process the application. They were totally inaccurate and confusing the fact that while a NYS DEC permit would be required it would be obtained during the permit process and that this should have had no impact on the ability of the application to move forward and unnecessarily delayed their applications for weeks with almost all of them still not having been completed.

3) **SBA loan impact**-- Residents were told that if you had applied for an SBA loan and had not taken it, because you could not afford it or because you decided not to take it, that amount would still be applied against any funds you might be able to receive. This was particularly frustrating in light of the fact that FEMA reps had told us at every turn that every resident should apply for an SBA loan even if they did not think they could afford it as it opened up additional opportunities for grants in the future. An obvious lie that was intent on pushing as many storm victims as possible into applying for a loan that they would never receive and one that would ultimately preclude them from receiving federal aid. When this first came to light in April of 2013 we brought this issue to our federal officials and gained the support of both Senator Schumer and Congressman Meeks and after discussions with Secretary Donovan an agreement was announced that this ridiculous provision would not be applied and that if you had applied for the SBA loan and had not taken it then it would have no bearing on your ability to qualify for aid under Build it Back. However once the application process started this provision was **once again** applied to applicants. When we protested we were told that applicants could request the assistance of a not for profit organization that may be able to make the case, on a case by case basis, that they could not afford the loan. To date some have had some **success but many are not going to be approved and are still being told that their only storm aid will be a loan that they must apply for and that they cannot afford.**

4) **Structural assessment issue** --The structural assessment of a home has significant consequences with a determination indicating a home needs only repairs or a total rebuild having a result of changing an applicant's status from priority one to priority two. This change could mean that an applicant would have to wait a year or more to see any type of assistance. We found the structural assessments in some cases were inaccurate and in all cases were not being conducted by architects or structural engineers and the reports were not reflecting the degree of damage present. We had applicants who hired their own structural engineers who conducted assessments that contradicted the original ones and that indicated that total rebuilds were necessary.

5) **Failure to release funds** even in cases of completed applications--The city is refusing to release checks to those who have completed the process and the comparison to the state release of funds shows that the city is lagging way behind the state which has thousands of homeowners who have been approved and compensated. We have been told that the city, particularly OMB the office of management and Budget has been overly concerned with the threat of HUD lawsuits during the review process of the programs allocations after the funds have been released. We say that it appears the city lawyers are following the old adage of letting "perfection is the enemy of the good" in attempting to set up so many layers of legal protection for the city that it has resulted in no ability for these funds to be released.

6) **This program needs a strong director.** Kathryn Malone came on board a program that was in disarray and made many improvements. She was also extremely accessible and that access led to ability for community leaders to provide her feedback to the issues that were arising. It is unacceptable that storm victims are waiting for help a year and a half later and the key program designed to provide that relief has no one at its helm. In addition a deputy mayor needs to be placed in overall charge of the program in order to allow for major decisions to be made and a better flow of information to the mayor himself.

7) **AMI application** in determining priority status- The Average Medium Income formula has made hundreds of storm victims ineligible for assistance for instances:

a) A family of four seeking aid for repairing a storm damaged home where they spent their life savings and borrowed money to rebuild is **ineligible** if the total household income is over \$68,700

b) and a different family of four that has seen their entire home washed away and is in desperate need to rebuild the home ,which moves them up the priority ladder somewhat due to the fact that they need a total rebuild is still ineligible if they make over \$141,800. In this day and age with so many families with two incomes we again have heard from many who are being told that they are ineligible.

This income indicated would represent the following families so present in our neighborhoods:

A sanitation worker married to a nurse, a firefighter married to a teacher, a local three electrician married to a receptionist. It is outrageous that congress appropriated this money in an effort to help those who sustained storm damage in what NOAA tells us is the worst storm in 700 years but are told that because they work they are penalized. !!!

8) **Insurance proceeds Transfer issue** -- as of last week the program representatives had still not, after our requesting for weeks, devised a protocol to allow for insurance proceeds to be transferred over from escrow accounts to the Build it Back program and this is holding up those who are literally approved for rebuilding.

In summary this program, this city, has let these devastated families down and has failed to provide the relief that has been sent down by the federal government in the immediate aftermath of Hurricane Sandy. We are receiving phone calls and emails on a daily basis of families that are in danger of losing their properties, because they are now are in possession of empty lots, to foreclosures as they struggle to pay their mortgages, taxes and insurances while also paying rent in an interim apartment while they await for this city to release the funds they are in possession of. It is hard to imagine what could be a higher priority for this administration then helping these families that have lost everything.

**Testimony of Rockaway Wildfire before the New York City Council Committee for
Rebuilding and Recovery: Status of Build it Back
March 31, 2014**

Good afternoon Chairperson Treyger, Chairperson Williams, Chairperson Richards, and members of the Recovery and Resiliency Committee, Housing and Buildings Committee, and Environmental Protection Committee. Thank you for the opportunity to provide testimony today on such an important topic. My name is Kalin Callaghan and I am a coordinator of Rockaway Wildfire, a grassroots community organization that seeks to develop community driven solutions to many of the challenges faced by Rockaway residents. I am also a lifelong resident of the Rockaways.

Build it Back is the main New York City Sandy aid delivery program and has struggled to get aid out to Sandy survivors. While creating, modifying, and deploying program operations simultaneously is very difficult, we believe there are ways to immediately improve Build It Back to ensure Sandy survivors get the aid they need in a timely manner. Additionally, Sandy recovery holds a great opportunity to generate good local jobs.

Every morning I go to the same place to get my coffee. It is where many of the workers from Build it Back get their coffee as well. It seems to me that the majority of contractors and tradesmen doing the repairs on Sandy damaged homes are from out of state, many of them hailing from Mississippi, Alabama and Louisiana. While I mean these workers no harm, I find it hard to believe that much of this work could not be done by local folks. The skills they possess can unquestionably be found within the five boroughs of our own city.

Access to meaningful jobs was a major need in the Rockaways pre-Sandy. The storm only further exacerbated that problem. If the work of rebuilding is contracted to people from out of state, we are neglecting the needs of our own residents. In this way we also fail to keep resources circulating within our communities, who have taken a major economic hit. I hope that the council will consider ways to make many of the jobs associated with Build it Back available to the capable residents of Sandy-affected communities.

Build it Back is an important program that if done right can truly help Sandy survivors recover and rebuild their lives. Thank you to all the committees for coming together on such an important issue and thank you for your time.

Kalin Callaghan
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Testimony of the Alliance for a Just Rebuilding before the New York City Council Committee for Rebuilding and Recovery, Committee on Housing and Buildings, and Committee on Environmental Protection: Status of Build it Back
March 31, 2014

Good afternoon Chairperson Treyger, Chairperson Williams, Chairperson Richards, and members of the Recovery and Resiliency Committee, Housing and Buildings Committee, and Environmental Protection Committee. Thank you for the opportunity to provide testimony today on such an important topic. My name is Susannah Dyen and I am the Policy Coordinator of the Alliance for a Just Rebuilding (AJR). The Alliance for a Just Rebuilding is a citywide coalition of over 40 labor unions, worker centers, community, faith-based, environmental, and policy organizations, and advocates for a just and equitable short-term recovery and long-term rebuilding in the wake of Hurricane Sandy. Our member organizations collectively represent some of most vulnerable New Yorkers in the areas most affected by Hurricane Sandy and across the five boroughs: low-income homeowners and renters, public housing residents, day laborers, and undocumented immigrants.

Build it Back New York City's main Sandy aid delivery program and has struggled to get aid out to Sandy survivors. While creating, modifying, and deploying program operations simultaneously is very difficult, we believe there are ways to immediately improve Build It Back to ensure Sandy survivors get the aid they need in a timely manner.

We are strongly encouraged by the recent announcements of new leadership for the Build it Back program by Mayor de Blasio. All the new appointments have strong backgrounds in moving projects forward with commitments to creating good local jobs. We look forward to working with them in the future to improve the recovery and ensure long-term resiliency and equitability for generations to come. At this point, we believe that there are still significant improvements to be made of Build It Back. We have five main recommendations: 1) re-open Build it Back registration, 2) ensure undocumented immigrants can access aid, 3) ensure affordability in rentals, 4) change the scale of Build it Back, and 5) ensure this funding creates good family sustaining jobs. I will now go into these five points in more detail.

First, we believe the City should re-open registration to Build it Back. The first round of Build it Back registration missed significant numbers of renters and low-income homeowners who did not know about the program, thought they did not qualify, or were turned away by mistake. By creating a comprehensive outreach strategy with community-based organizations that have deep roots in the community, the City can ensure that vulnerable populations gain access to this vital program. This is true for both those who missed registration last year and those who have yet to complete an application. The outreach should target renters, immigrants, households in semi-attached row homes, Sandy-impacted areas facing tax/water liens-related debt sales, and other vulnerable populations.

Our next recommendation is to allow undocumented immigrants to access the Temporary Disaster Assistance Program (TDAP). Undocumented immigrants have been ineligible for most forms of Sandy recovery aid and as of now that includes rental assistance through Build it Back. Many households were often living with tight budgets prior to the storm and are struggling to make ends meet and rebuild their lives. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) guarantees undocumented immigrants access to short-term, in-kind, non-cash, emergency disaster relief.¹ TDAP vouchers represent exactly this type of assistance – short-term (2 years maximum), in-kind non-cash (money is paid directly to the landlord), and for emergency disaster relief.

We strongly believe the City should adopt the legal interpretation that undocumented immigrants are eligible for TDAP as an emergency disaster relief measure. The City should work with HUD in order to use this interpretation. By including undocumented immigrants in this program, Mayor de Blasio would be setting national precedent and contributing to building ONE inclusive and equitable City.

AJR is very concerned about maintaining affordability in Sandy-impacted areas. We have already seen widespread rent gouging. Currently, there are no requirements associated with receiving aid for repairs and rehabilitation for landlords. Thus, there is nothing stopping landlords from taking the federal aid to rehabilitate rental units, drastically increasing the rent, and forcing low-income residents out. Sandy-impacted neighborhoods were some of the last affordable neighborhoods in the City.

The City should require landlords to maintain units at affordable rates for 10 years if they are receiving public aid for repairs and rehabilitation on rental units, in both single family homes and multifamily buildings. Additionally, the City should allow homeowners to rebuild rental units in two and three family homes as long as these units are rented to low and moderate income households for 10 years.

Currently, Build it Back works with households as individuals, not as a community or block. Many impacted homes are semi-attached, row houses, or the lots are too close together to be dealt with individually. Households are waiting to see what their neighbors received from Build it Back before making their own plans. For example, two neighbors are in semi-attached homes and one is priority 1 and other priority 2. The priority 1 household will be given their award options. But without consulting with the household who shares a common wall, they cannot rebuild. Sequencing construction and making a comprehensive plan among these households would move both through the program faster.

AJR believes the City should reformat Build it Back to create comprehensive plans for blocks or neighborhoods to better coordinate the rebuilding effort. This is particularly true for the courts in Sheepshead Bay or other areas where it is impractical to address homes individually. The City should bring well-trained HPD and/or HRO staff who are versed in all the programs and options, to each neighborhood in order to help facilitate these conversations.

¹ <https://www.govtrack.us/congress/bills/104/hr3734#summary/libraryofcongress>

Lastly, AJR believes that Sandy funding is an opportunity to create good family sustaining jobs. The City has long been struggling with under- and un-employment. Mayor de Blasio campaigned on bringing more middle class jobs and creating pathways toward the middle class. For the existing Build it Back contracts, there are minimal job quality standards or wage requirements. Section 3, HUD's local hiring requirement, as it is currently written results in very few local jobs. It states that 30% of "new hires" should come from the local community. For construction where companies have existing crews and workers that they bring to new projects, this wording frequently results in zero local jobs.

For all new contracts, the City should include in Requests for Proposals and Requests for Qualifications high road contractor language including: high job quality standards regarding wages, health and safety requirements, strong local hiring language; enhanced monitoring of worksites to ensure enforcement, and clawbacks for contractors found violating workers' rights. AJR strongly advocates for strengthening Section 3. The City should expand HUD Section 3 definition so that 30% of "wages paid" on a project, rather than "new hires," are paid to workers who live in Superstorm Sandy-impacted zip codes and/or to persons who are very low income, formerly incarcerated, NYCHA residents, immigrants, or those receiving public assistance. This change not only will result in more local jobs, but also encourage hiring local Section 3 workers to higher positions within the project.

Build it Back is an important program that if done right can truly help Sandy survivors recover and rebuild their lives. Thank you to all the committees for coming together on such an important issue and thank you for your time.

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Alliance for a Just Rebuilding members include: 32BJ SEIU, 350.org, ALIGN, Arts & Democracy, CAAAV: Organizing Asian Communities, Center for Popular Democracy, Center for Social Inclusion, Coalition for the Homeless, Community Development Project at the Urban Justice Center, Community Environmental Center, Community Voices Heard, Consortium for Worker Education, El Centro del Inmigrante, Faith in New York, Families United for Racial and Economic Equality (FUREE), Good Jobs New York, Greater New York Labor-Religion Coalition, Hunger Action Network of NY State, Legal Aid Society, LiUNA Local 10, LiUNA Local 78 Asbestos Lead & Hazardous Waste Workers, Long Island Civic Engagement Table, Long Island Jobs with Justice, Make the Road NY, Mutual Housing Association of NY, National Day Laborer Organizing Network (NDLON), National Domestic Workers Alliance, New Economy Project, New Immigrant Community Empowerment (NICE), New York Committee for Occupational Safety and Health (NYCOSH), New York Communities for Change, New Yorkers for Fiscal Fairness, New York State Nurses Association (NYSNA), Occupy Sandy, Participatory Budgeting Project, Physicians for a National Health Program-NY Metro, Pratt Center for Community Development, Queens Legal Services, Red Hook Initiative, Rockaway Wildfire, Retail Wholesale and Department Stores Union (RWDSU), Solidarity NYC, TWU Local 100, VOCAL-NY

Thank you for receiving the following testimony which was written prior to the recent announcements from the Mayor's Office regarding the Build it Back program and the appointments of Bill Goldstein, Amy Peterson, and Dan Zarrilli and the creation of the Office of Recovery and Resiliency. These announcements were heartening, especially for those of us who are familiar with Dan Zarrilli's work directing the Office of Long Term Planning and Sustainability. Mr Zarrilli has recently emphasized the need for momentum in implementing the comprehensive and forward-looking plans outlined in the Special Initiative for Rebuilding and Resiliency and it is utterly reassuring to know that he will continue on.

Much gratitude in general to everyone at the OLTPS and to those who will now continue with ongoing and urgent recovery needs – the needs specifically involving Build it Back applicants.

I am deeply concerned for not only my immediate neighbors and community who have applied for Build it Back assistance – families who have lived in Red Hook for decades – but folks just like them across NYC. Based on what I'm witnessing, Severe Repetitive Loss is the likely result of how Build it Back has been administered: Loss from possible future storms if houses are not fortified; hazard and losses resulting from sub-standard repairs; loss and disenfranchisement of communities overall as these properties could become abandoned and, in turn, purchased by wealthier persons.

I hope you will consider the following as specific examples and opportunities for redress of the Build it Back program – these, in addition to its more general failings which have included improperly processed or lost applications; communication breakdowns; poorly trained or lack of staff; lack of online document delivery system leading to burdensome travel demands; unannounced Build it Back meetings; misinformation and lack of assistance with SBA loans – among other serious errors and obstacles which have consumed precious time, energy and administrative costs. Below are 5 points that stand out as critical:

Prioritization:

Please recognize that there is something inherently wrong with Build it Back priority calculations. Clarification and, hopefully, correction of how prioritization is assigned is urgently needed.

Based on current Build it Back information, but contrary to what we were originally told at Town Hall Build it Back meetings, prioritization is not based on *either* income *or* amount of damage, but primarily upon an average median income which still manages to exclude those of us who are not wealthy and barely scraping by in a NYC economy. I'm hearing from folks in Broad Channel whose homes are gone or substantially damaged that their moderate joint incomes (@\$125K) for families with dependents preclude them from eligibility. SBA has been denied. This while we hear that a fraction of the \$648 million allocated for housing recovery has been utilized these many months after the storm.

Lack of Council:

Families in this situation may now be facing foreclosure while falling behind on mortgage payments, needing to pay rent instead. Often, their NYC Recovery contact persons have not been effective at problem solving or giving direction and applicants are not offered a consistent case-worker to oversee their progress. They've received no counseling, in spite of requesting it, in how to avoid looming foreclosure. Guidance, information and what to expect in general have been sorely lacking. The customer assistance phone-line has proven useless with no follow-up or consistent tracking.

Assessment:

Inaccurate assessments cause a chain-reaction of errors, delays, safety concerns, underestimation of damage. Often, because the damage assessment is cursory and assessors do not ask questions nor acknowledge loss information provided but only take basic measurements, the true needs and losses of families are not properly calculated. In the case of at least two of my immediate neighbors, the Gilmans and the Horensteins, I understand that some degree of significant damage was overlooked in assessment.

For Michael Del Pino in Broad Channel, the assessor did not consider the original poor construction (2x4 joists and rafters, etc.) of his home and recommended elevating this sub-standard structure, and the assessment fell far from responsibly or accurately assessing the level of damage to this already vulnerable bungalow house. The structure, according to his architect and engineer, is not worthy of saving but this is what Build it Back has recommended.

Work in Progress and Reimbursement Stipulations:

Many are deterred by the "work in progress" and reimbursement terms. They interpret these stipulations as meaning that if their homes remain incomplete with ongoing work in progress, they will be denied Build it Back assistance or not be reimbursed for any work done beyond 10/29/13. This even if they've exhausted all funds but will, at some point, need to complete repairs beyond that date or have continued to repair their homes, unaware of this cut-off date. These terms are causing confusion and lack of participation which can lead to continued disrepair, unhealthy, mold-ridden houses and possibly unsafe repairs resulting from funding shortfalls.

Contractor Requirements:

Requirements that applicants only use registered Build it Back contractors can cause delays or problems with on-going work or disruptions in working relationships with reliable contractors, a precious commodity.

These points are intended as indicative of the implementation of the Build it Back program in general and this is important because it's my impression that there are, indeed, very well-intentioned, good people working within the program. The result has been that families whose homes are gone, are uninhabitable or in continued need of repair, or those who have exhausted savings or gone into untenable debt and seek reimbursement for what insurance did not cover, are not getting any assistance but continue to hold out hope as they have no alternative. Meanwhile, families and communities are being dismantled or folks are rebuilding in non-resilient ways owing to limited resources. These are working/middle class viable neighborhoods, not those slated for buyouts without rebuilding. It would appear

that, contrary to the City's intentions, this is a recipe for both gentrification and increased vulnerability at the same time.

Additionally and related to the rebuilding process in general, I continue to hear that the Department of Buildings is making the filing process even more difficult for folks in varying stages of rebuild. Please assign a dedicated storm rebuild facilitator to the Department of Buildings as an extension of the DOB Free Sandy Consult. Storm survivors cannot afford expeditors and the lack of reliable guidance from the DOB seems not to encourage resilient rebuilding overall but, rather, deliver punitive, uninformed or seemingly arbitrary determinations in the filing process.

Please consider this to be reliable and empirical testimony drawing on experience over the past 17 months as my husband, myself and our neighbors have dedicated ourselves to recovery. Based on this, I urge you to recognize the dedication and will of your constituents. We seek in earnest to be involved in the endurance and fortification of our communities. If the energy and resource of our collective communities were harnessed rather than disenfranchised or dissipated, the Resiliency mandate would have a chance. When HUD, FEMA, insurance companies and Build it Back fail us, these losses become not only compounded but long-term and irrevocable. Please do all within your powers to redress the failings of Build it Back and invest in the those families who remain within or anxious to return to these abandoned communities and home.

Thank you.

Andrea Sansom
Red Hook, Brooklyn

To Members of The New York City Council

Regarding: Build it Back program

Submitted by Joseph P and Barbara T Doyle

258 Beach 135 St, Belle Harbor, NY 11694

Phone: 718-945-0846

Joseph P Doyle
258 Beach 135 St, Belle Harbor
NY, 11694

On July 19th, 2013, my wife Barbara and I enrolled with The Build It Back program. We were thrilled that we had an opportunity to be reimbursed for some of our unmanageable expenses occurred while repairing and also to help with finishing the repairs on our home. We were not prepared for the nonsensical, unfair, disorganized, and frustration of the program. It started with a very lengthy process, as they scanned all of our info and had us fill out numerous forms. We were told that there would be a home assessment done within 4 to 6 weeks. Three months passed and at the end of October I visited the office located at Fort Tilden. I was told that our case was under review. I told them we had registered and they said they were overwhelmed with applications. I received the same answer again in November. How can HUD be overwhelmed with 26,000 cases, I asked and was told to be patient. I then contacted Councilman Ulrich who scheduled a meeting between HUD and our community at several sites. I attended one on December 9th 2013. I listened to Miss Mallon and questioned her on the awards. I then spoke to a Mr. White from the Arverne office who told my wife and me that there was a problem because we signed up to early in the program!!! We met with him the next day in his office during a heavy snow storm. We filled out more forms and my wife had to go home and get her passport. We later realized that we had already filled out all of the forms in July and also had given copies of both our passports.

Finally on January 3rd 2014 we had our home assessment. The three people who came were very professional. The woman doing the assessing agreed with what we were looking for and how desperate we were to get our home resided so there would be no leakage done to the interior work we had done. She informed us to make sure we had all of our receipts, bills and contracts with us when we went to our next meeting. She was very sympathetic when I spoke to her of our

financial difficulties incurred from the work we had done. On January 27th we went to what we thought was going to be our "Award Decision" meeting. Unfortunately we were told that we had a problem. We would have to go from Rebuild to Repair, and we would have to fill out a "Request for Review" form. Upon arguing with the boss, we were told to fill out the form or opt out of the program. So here we were going from thinking we were getting money to now going backwards again in the program.

On February 21, 2014 we received the first of three letters from NYC Housing Recovery. The first two letters telling us that they had received our request, and needed more time to process. The third letter was received on March 18, 2014 and informed us that The Program had determined our pathway. We were told that our appropriate pathway was Repair and Elevation. Now the problem with elevation is, we had informed every person in every step of this program that our home could not be elevated. The woman doing the assessment agreed at the time of her visit. So now we are told that an architect and engineer would be contacting us for an appointment to come and go over the details. A total waste of time money and effort as my home cannot be elevated. Even if it could the damage to our interior would be devastating. We have still not been contacted and I was told by a member of Build it Back to just let them come, they will realize it cannot be elevated and you will go back for review. I don't need or want to go back for review. We have done everything asked of us and more. We supplied bills, receipts, contracts, documentation of all monies received. We have been frustrated and heartbroken at every step of this process. We are financially ruined!!! People have told me to forget it, give up; they will never give you a dime. I am a very proud man who has worked his whole life. I have spent most years working two and three jobs to own my home and put our children through college. I am a disabled New York City Firefighter with a rod in my neck due to an injury incurred while fighting a fire. I worked at both World Trade Center disasters. I was also one of the first people on the scene of the crash of flight 587, helping to rescue a family of six from heavy fire. I have never shirked my duty and have been a tireless activist for my community as councilmember Ulrich can tell you. I am also the NY Spokesperson for Stop Fema Now, an organization who has

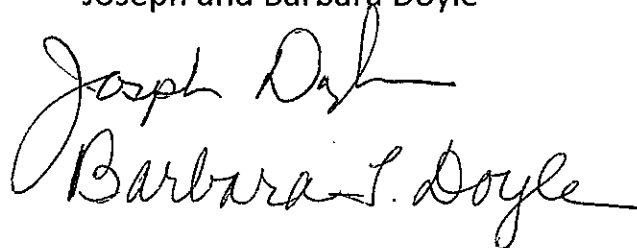
worked endlessly for the past year to pass HR3370 which will help all of those people in the country who have to deal with Flood Insurance.

All my family wants is to get our home completed, pay off our contractor and get reimbursed for money spent that has left us in a financial crisis. We have two children in college and have worked hard our whole lives. I am telling you my family's story today, but I am representing 26,000 other applicants who are going through the same nightmare as my family.

On March 5, 2013 1, 77 billion dollars was given to the program. On November 18, 2013 1.447 billion dollars was received. This money was sent to help rebuild NY family's homes, businesses and communities. Nobody in our community has received a dime. We have police officers, firefighters, teachers, tradesmen, nurses, small business owners. These are all wonderful, hardworking family members desperate for assistance. People from other parts of the city have no idea what we are going through. We have lost neighbors through illness, suicide and death. Neighbors are getting sick due to the stress, frustration and heartbreak of getting back home. You must help us!! Enough is enough !!!

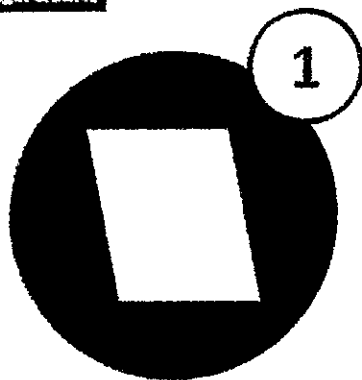
Respectfully,

Joseph and Barbara Doyle

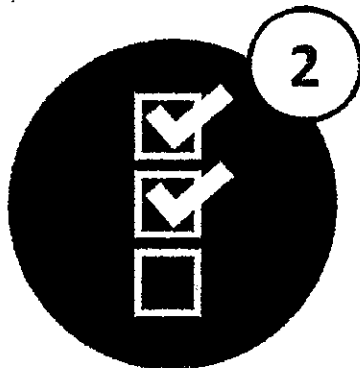
Handwritten signatures of Joseph and Barbara L. Doyle. The signature for Joseph is written above the signature for Barbara L. Doyle. Both signatures are in cursive script.



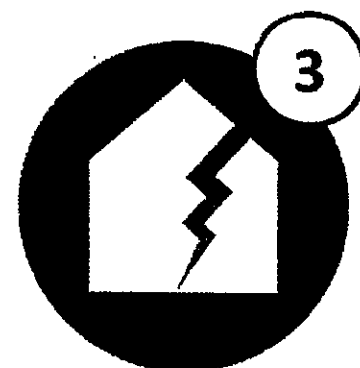
Basic Process



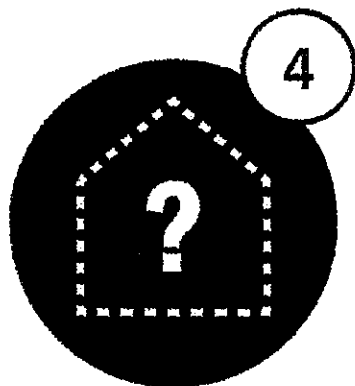
**Registration & Intake
Appointment**



**Document
Collection and
Review**



**Damage
Assessment**

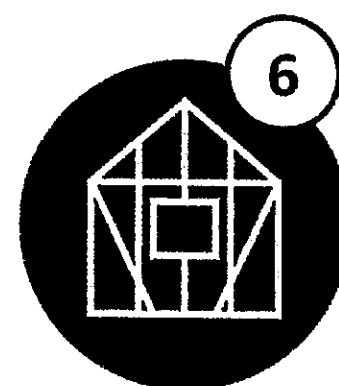


**Repair or Rebuild
Eligibility**

4.5



**Award
Decision**



Construction



www.nyc.gov/recovery

TREVOY ROSS
Legal Analyst
tel: (212) 615-8017
legal@recovery.nyc.gov

February 18, 2014

Mayor's Office of Housing
Recovery Operations
P.O. Box 468
New York, NY 10008-0468
tel: (212) 615-8017
fax: (212) 312-0857

Joseph P. Doyle
258 Beach 135th Street
Belle Harbor, NY 11694

844
871 9271
fawr

BUILD

Re: Application # APP-001845

Dear Applicant:

This is an acknowledgement that the Build it Back program Request for Review you submitted to the New York City Office of Housing Recovery Operations ("HRO") was received on February 7, 2014. HRO will provide a response to the Request for Review within thirty (30) calendar days of the date we received the Request for Review form.

If you have any questions during the process, you may contact our office at (212) 615-8017 or by emailing us at legal@recovery.nyc.gov. Please refer to your application number when contacting our office.

Sincerely,

Trevoy Ross
Legal Department
New York City Mayor's Office of Housing Recovery Operations

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CUSTOMER
SERVICES

2/21

ASHID
212 615 8017

ASHID
BHALLA



TREVOY ROSS
Legal Analyst
tel: (212) 615-8017
legal@recovery.nyc.gov

March 7, 2014

Joseph P. Doyle
258 Beach 135th Street
Belle Harbor, NY 11694

Mayor's Office of Housing
Recovery Operations
P.O. Box 468
New York, NY 10008-0468
tel: (212) 615-8017
fax: (212) 312-0857

Re: Build it Back Application # APP - 001845

Dear Applicant:

This is a response to the request for review you submitted to the New York City Office of Housing Recovery Operations ("HRO") regarding the Build it Back program. We received your request for review on February 7, 2014 and sent an acknowledgment of your request on February 18, 2014. The submission requested that the Program review your application's eligibility for the repair pathway.

The Program requires additional time to process your request for review. As a result, we will respond to your request by April 8, 2014. We appreciate your patience in this matter.

If you have any questions about this letter, you may contact our office at (212) 615-8017 or by emailing us at legal@recovery.nyc.gov. If you have any other questions about the Build it Back program, please contact Customer Service at (212) 615-8329 or by email at housing@recovery.nyc.gov. Please refer to your application number when contacting our office.

Sincerely,

Trevoy Ross
Legal Department
New York City Mayor's Office of Housing Recovery Operations

Sandy Survivors
@ SHAWN HUD



www.nyc.gov/recovery

TREVOY ROSS
Legal Analyst
tel: (212) 615-8017
legal@recovery.nyc.gov

Mayor's Office of Housing
Recovery Operations
P.O. Box 468
New York, NY 10008-0468
tel: (212) 615-8017
fax: (212) 312-0857

March 14, 2014

Joseph P. Doyle
258 Beach 135th Street
Belle Harbor, NY 11694

Re: Application # APP - 001845

Dear Applicant:

This is a response to the request for review you submitted to the New York City Office of Housing Recovery Operations ("HRO") regarding the Build it Back program ("Program"). We received your request for review on February 7, 2014 and sent an acknowledgment of your request on February 18, 2014. The submission requested that the Program review the amount of damage to the storm-damaged property to determine your pathway.

After review, the Program has determined that your appropriate pathway is: Repair plus elevation. If you have not been contacted already, you will be soon to schedule another Option Review Meeting to sign Program documentation and move forward.

If you have any questions about this decision, you may contact our office at (212) 615-8017 or by emailing us at legal@recovery.nyc.gov. If you have any other questions about the Build it Back program, please contact Customer Service at (212) 615-8329 or by email at housing@recovery.nyc.gov. Please refer to your application number when contacting our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Trevoy Ross", written over a horizontal line.

Trevoy Ross
Legal Department
New York City Mayor's Office of Housing Recovery Operations



NYC Build it Back
NYC Housing Recovery Operations
nyc.gov/builditback

Coordination of Benefits Worksheet

Applicant Name: JOSEPH DOYLE

Application ID#: APP-001845

Damaged Home Address: 258 BEACH 135 STREET, ROCKAWAY
PARK, NY, 11694

Phone Number: 7189450846

The following calculation shows the disaster recovery benefits which the Program has determined you have already received. If you disagree with any of these amounts, please let us know at this meeting. Additionally, this amount may also include an amount for a cancelled SBA loan. If you cancelled the SBA loan and have not yet received counseling regarding this cancelled loan, you may be able to remove this amount from your calculation depending upon your individual financial situation.

Benefits Received	
Private Insurance	\$518.66
Flood Insurance (NFIP)	\$94,632.42
FEMA Individual Assistance Repair Benefits	\$0.00
FEMA Individual Assistance Replacement Benefits	\$0.00
Small Business Administration Real Estate Disaster Loan	\$14,000.00
Empire State Fund (ESF) Benefits	\$0.00
Disaster Homeownership Repair and Rebuilding Fund (HRRF) Benefits	\$0.00
Self-Declared Philanthropic Cash Assistance Benefits Specifically intended for Rehabilitation or Reconstruction	\$0.00
Total Benefits Received	\$109151.08



NYC Build it Back
NYC Housing Recovery Operations
nyc.gov/builditback

Coordination of Benefits Worksheet

The Program must account for how you spent your disaster recovery benefits. Certain expenditures are allowed, while other types of expenditures are disallowed for purposes of calculating a Duplication of Benefit. The Program verifies all claimed expenditures either through an inspection or a review of written documentation provided by you. If the Program determines that you have spent disaster recovery benefits properly on project eligible items, you will be given credit for that expenditure.

Eligible Expenses Incurred By Homeowner		
Assessment of Completed Home Repairs		\$173907.89
Applicant declared amount if lower: \$	Applicant Initials:	
Applicant declared amount if higher: \$	Applicant Initials:	
Forced Mortgage Payoff		\$0.00
Temporary or Interim Housing Costs beyond the amount of funds received for that purpose		\$ 0.00
Temporary Repair and Other Post-Storm Recovery Activities		\$0.00
Contractor Fraud		\$0.00
Total Eligible Expenses Incurred by Homeowner		\$173907.89

188439

188439



NYC Build it Back
NYC Housing Recovery Operations
nyc.gov/builditback

Coordination of Benefits Worksheet

Once the benefits you received from other sources is compared to the verified expenditures, the Program performs a calculation in order to determine the amount of funds which you should still have available to you for housing recovery purposes. If the Program cannot verify the expenditure, is not aware of the expenditure or if disaster recovery funds were spent on an activity which is not one that is considered by HUD to be an eligible use, you will be required to pay that amount just as if you had not spent the funds. The amount listed as the transfer amount in the calculation below is the amount you may owe to the Program if you wish to receive Repair or Rebuild assistance. If the amount is zero, you will not be required to pay any funds in order to receive assistance.

Coordination of Benefits Transfer Amount Calculation	
Total Benefits Received	\$109,151.08
Total Verified Allowable Activity Credits	\$173907.89
Required Homeowner Contribution <i>(Transfer of Disaster Recovery Benefits)</i>	\$ 0.00

I/We, the undersigned, understand that if the information in this document is not correct, I/we may be required to repay any duplicative benefits which were received as a result of providing incorrect information. I/We also understand that the information in this document may be turned over to the appropriate New York City investigative authorities for verification or investigation.

I/We hereby certify under penalty of perjury that the statements made herein to the New York City Build it Back Program and the United States Department of Housing and Urban Development are true and correct and that this document reflects the total amount of funds received from all sources which were intended for the repair or reconstruction of the home listed on the application and all eligible expenses incurred by the undersigned since October 29, 2012, to the present time.

Applicant Signature

Applicant Name (Printed)

Date

Joint Applicant Signature

Joint Applicant Name (Printed)

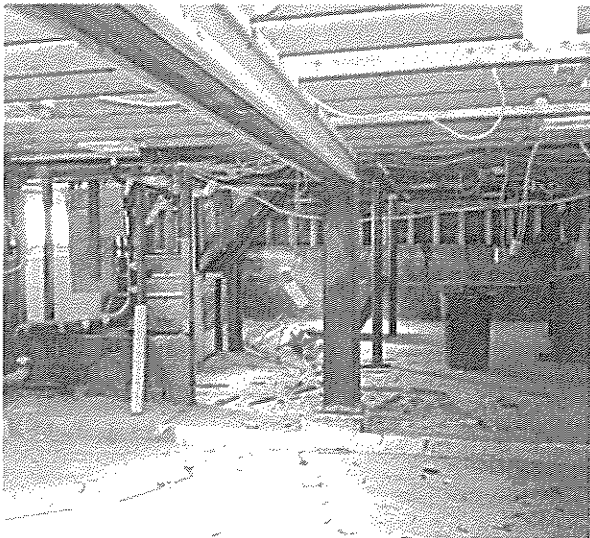
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Meagan Doyle's Phot...
in Instagram Photos



NYC Build It Back
Working with the City of New York
to rebuild and improve the
city's infrastructure

REQUEST FOR REVIEW FORM

The Build It Back program provides customers with a process for requesting a review of certain program determinations made by the program. To request review of a decision, you must first request an explanation of the decision using the Request for Explanation Process.

INSTRUCTIONS

Please complete and submit this form to:

Mayor's Office of Housing Recovery Operations
Church St Station
P.O. Box 468
New York, NY 10008-0468

You may also fax the form to (212) 312-0857 or e-mail it to legal@recovery.nyc.gov

Name (Please Print):

JOSEPH P DOYLE

Application # (if known):

001845

Mailing Address:

258 BEACH 135 ST

BELLE HARBOR, QUEENS NY 11694

Date of Decision: _____

(complete next page)

NYC Housing
Recovery



WE ARE PLEDGED TO THE LETTER AND SPIRIT OF U.S. POLICY FOR THE
ACHIEVEMENT OF EQUAL HOUSING OPPORTUNITY THROUGHOUT THE
NATION. WE ENCOURAGE AND SUPPORT AN AFFIRMATIVE ADVERTISING AND
MARKETING PROGRAM IN WHICH THERE ARE NO BARRIERS TO OBTAINING
HOUSING BECAUSE OF RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY
STATUS, OR NATIONAL ORIGIN.



NYC Build It Back
Recovery Housing Program
Helping you rebuild your life
and your home.

Please provide a written explanation of why you believe the decision should be reviewed and what you believe the decision should be. You may attach additional documents to support your explanation.

EXPLANATION (required)

WE HAVE FINISHED THE INTERIOR OF OUR HOME. THE WORK WAS DONE BY DESIGNER CONCEPTS & MYSELF. THE EXTERIOR ON THE OTHER HAND HAS BEEN CONTRACTED, BUT PUT ON HOLD BECAUSE OF LACK OF FUNDS. WE HAVE CONTRACTED FOR THE SIDING OF OUR HOME. WE HAVE ALSO CONTRACTED FOR REPAIRING REAR DECK, INSTALLING A 4' RETENSION WALL IN FRONT AND RT SIDE OF HOME. ALSO THE REPAIR & REPLACEMENT OF 2 FRONT WINDOWS & INSTALL REMOVEABLE (SEALABLE) SHUTTERS. ALSO THE REMOVAL & REPLACEMENT OF DAMAGED BUSHES AND TREES AND ADDING NEW DIRT & TOPSOIL DUE TO CONTAMINATION. I WOULD LIKE TO BE TRANSFERRED TO THE REPAIR PROGRAM AND ABAP!





NYC Build it Back
NYC Housing Recovery Operations
housing.recovery@nyc.gov
nyc.gov/builditback

Voluntary Withdrawal Request

Application Number: _____

Name: _____

Property Address: _____

You have indicated that you wish to withdraw from the City of New York's Build it Back CDBG-funded Disaster Recovery Housing Program. Please indicate a reason for below:

- ☐ I no longer need Build it Back disaster recovery assistance.
- ☐ I do not think that Build it Back will provide the type of assistance that I need.
- ☐ I cannot afford to pay the funds required to reconstruct or repair my home.
- ☐ I do not want to sign the paperwork necessary to receive assistance.
- ☐ I no longer own my storm-damaged home.
- ☐ I do not intend to own my property for the required five (5) years.
- ☐ Other, please explain: _____

In order to formally withdraw your application, all owners of the property must sign below.

*I hereby declare my intent to withdraw from the City of New York's Disaster Recovery Housing Program.
I understand that I will not be eligible to receive any assistance from the Program upon withdrawal.
I also understand that I will not be allowed to reactivate my application after I withdraw from the Program.*

Owner (Print Name)

Signature

Date

Additional Owner (Print Name)

Signature

Date

Additional Owner (Print Name)

Signature

Date

Additional Owner (Print Name)

Signature

Date

Sea Gate Association Over View

- Est in 1899
- Sea Gate is located on the western Tip of the Coney Island peninsula surround by water on three sides
- Today There are 850 Homes
- Est Population of 7000 People

Quick overview of Sandy's impact to Sea Gate Homes

- **47 homes were severely damaged**
- **8 Homes had to be torn down**
- **To date 27 Homes are still unlivable**
- **Est: 815 homes out of 850 homes in Sea Gate were flooded**
- **People are Living in there homes with NO Kitchens, Bathrooms and some have raw sewage backing up in their homes when it rains**
- **Est. 50% or more of these homes filed for build it Back**
- **All of these victim claims never went past the filing stages**
- **When Home owners call for status of claim the common answer its under review**
- **Not one Home owner received any assistance from Build it back or have any idea when they will receive any assistance .**

Sandy's Impact to Sewer System

- Sea Gate has 30,000 linear feet of sewer lines with in the community
- From the force of Sandy the sewer system was completely compacted with sand and storm debris to a point where the sewer system is severely compromised.
- The water tight seals from the connections from pipe to pipe have all broken to a point the sewer lines are sinking in the ground and doing further damage to the system and creating Huge sink holes in the street .

Other Damage to Sea gate Due to Sandy

- 4750 Feet of Bulk Heads Destroyed
- Sea Gate Police Head Quarters Destroyed
- Sea Gate Offices Destroyed
- Lost of over 300 Street Signs
- Damage to may Fire Hydrants
- 170 out 220 Street Lights where damage

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: DANIEL MARZANO (PLEASE PRINT)

Address: 458 B 126 ST.

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: Vladimir V. Sknevski (PLEASE PRINT)

Address: 7802 Bay Parkway

I represent: Marks JCH of Benarose

Address: same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: Yuliana Oleynik (PLEASE PRINT)

Address: none

I represent: Brooklyn N.Y.

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Mohammad Razzi

Address: 1081 CONEY Island Ave

I represent: COPD

Address: 1081 CONEY Island Ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JOHN DOUGLAS

Address: 13 KEEN COURT BKLYN. N.Y. 11229

I represent: GERRITSEN BEACH CARES

Address: 2676 GERRITSEN AVE BKLYN. N.Y. 11229

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/21/14

(PLEASE PRINT)

Name: Rev. Karen Jackson

Address: 100 Park Ave. Staten Island, NY 10302

I represent: Staten Island Long Term Recovery Organization

Address: *Would like to be on panel w/ Legal Services NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: LOUIS COLETTI

Address: 1430 Broadway

I represent: Building Trades Employers' Ass.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3-31-14

(PLEASE PRINT)

Name: David Louis

Address: 103-15 Far Rockaway Road

I represent: Unions Coalition, Carriere Brooklyn, NY

Address: 103-15 Far Rockaway Road

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: JOHN GREENFIELD

Address: 2-14 B 96th St.

I represent: Assembly member Goldfeder

Address: Same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: DANIEL MARZANO
Address: 458 BEACH 126 ST RUCWAN NY

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Michael Harben
Address: 675 Oceanside Ave SINY 10305

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 2/21/14

(PLEASE PRINT)

Name: DANIEL MUNDY
Address: 56 W 14 RD BRAD CHANNOX

I represent: COUNCILMAN DOUGLAS RICHARD

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Matt Dunbar

Address: Associate Director, Government Relations

I represent: Habitat for Humanity (Advocacy)

Address: 111 John St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Roger Bendron

Address: 82 Davenport Court

I represent: New Hamilton Beach Civic

Address: 82 Davenport Court

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: JOSEPH Palmer Doyle

Address: 258 B 135 St

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: JOHN CORI (PLEASE PRINT) FRIENDS OF ROCKAWAY BEACH

Address: 142 BEACH 92 ST ROCKAWAY NY

I represent: FRIENDS OF ROCKAWAY BEACH

Address: SAME

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

Name: Neil Reilly (PLEASE PRINT)

Address: 55 Louisa St., Brooklyn, NY 11218

I represent: Citizens Housing & Planning Council

Address: 42 Broadway, NY, NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

Name: Lori Ann Decio (PLEASE PRINT)

Address: 11 CANTON COURT, BKLYN NY 11229

I represent: Chair ask Michael Sandy Claus Seiaraffo to recruit
to testify. Should be one of 1st 10 residents

Address: to speak

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Jerilyn Perine

Address: _____

I represent: Citizens Housing + Planning Council

Address: 42 Broadway, NY, NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Michael Del Pino

Address: 1232 Cross Bay Blvd. Broad Channel NY

I represent: Displaced Sandy Homeowners

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Sophia Vailakis-DeVIRGILIO

Address: 43 West 12th Road, Broad Channel, NY 11693

I represent: Myself & West 12th Rd. Block Association

Address: 55 W. 12th Rd. Broad Channel, NY 11693

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: ROLAND GORTON

Address: 300 Hillside Ave. Rockaway, N.Y.

11697

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: A NEW WORLD CONTRACTING Co

Address: 177 B91 ST FAR ROCK

I represent: NAN

Address: 106 B67 ST FAR ROCK

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: TIM GILMAN

Address: 129 PIONEER ST

I represent: MYSELF

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3.31.14

Name: ANDREA SAMSON (PLEASE PRINT)

Address: 204 Richards st Bklyn

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: Vladimir Vishnevsky (PLEASE PRINT)

Address: 7802 Bay Parkway Brooklyn, NY 11216

I represent: Marks JCH

Address: Saul

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 03/31/14

Name: Joseph Agrest (PLEASE PRINT)

Address: 3763 NAUTYLLUS AVE

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Felix Filler

Address: 40 Brighton 1st Road, Brooklyn

I represent: Co-op Ave 2 Center

Address: 40 Brighton 1st Road, Brooklyn

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Mario Tapia

Address: _____

I represent: Make the Road NY - Midland Beach

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Nancy Parola

Address: Mario Tapia

I represent: Make the Road NY - Midland Beach

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Taylor

Address: 2265 Gerritsen Ave

I represent: 40th St - W. Cor. NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Roaco Bresca

Address: 2703 W 36 St - Brooklyn NY 11220

I represent: Coney Island Homeowner

Address: 2703 W 36 St - Brooklyn NY 11224

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Pamela Harris

Address: 2904 Neptune Ave

I represent: Coney Island 29th + Neptune

Address: Neptune Ave @ 29th St.

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Ilya Geller

Address: 9053 Nugent Avenue

I represent: midland beach (resident); Occupy Sandy Staten Island

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jonathan Gasko

Address: 1931 mt

I represent: Community Bk 14

Address: +

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: ISAURA HORENSTEIN

Address: 199 RICHARDS STREET, BKLYN, NY 11231

I represent: myself

Address: SAME

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Tami Cherichetti

Address: 3

I represent: ~~Block~~ Myself.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Eileen Colvin

Address: Rockaway Park

I represent: Legal

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Teresa Surillo

Address: Far Rockaway

I represent: Faith in NY

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Meg Becker

Address: Legal Services NYC

I represent: Sandy victims

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Mario Tapia

Address: Staten Island

I represent: Make the Road NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Young Lee

Address: Legal Aid society

I represent: _____

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Nancy Paredo

Address: Midland Beach

I represent: Make the Road NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: POINT, QUEENS

(PLEASE PRINT)

Name: Roland Gorton

Address: Rockaway Point, Queens

I represent: (with Chris Newton,

Address: Queens Legal Services

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Sean Ferrara-Rodriguez

Address: Howard Beach

I represent: Faith in NY

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: SUSANNAH DYEN

Address: ~~Attn~~ 50 Broadway 29th Floor

I represent: Alliance for Just Rebuilding

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 2/31/2014

(PLEASE PRINT)

Name: THADDEUS HACKWORTH, GENERAL COUNSEL

Address: 250 BROADWAY 24th FL

I represent: HRO

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Amy PETERSON

Address: _____

I represent: MAYOR'S OFFICE HOUSING RECOVERY OPERATIONS

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Calvin Johnson

Address: _____

I represent: NYC Of. of Mgt & Budget (OMB)

Address: 255 Greenwich St 8th Fl NY NY 10007

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Anne-Marie A Hendrickson

Address: 100 Gold Street - 7th fl.

I represent: HPD

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Build It Back Res. No. _____

☐ in favor ☒ in opposition

Date: 3/31/14

(PLEASE PRINT)

Name: Allison Galdorisi

Address: 34 Hett Avenue, SI NY

I represent: myself

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID WYNN

Address: 4901 BEACH 49 ST

I represent: SEA GATE HOSE

Address: 3700 SUNF AVE

Please complete this card and return to the Sergeant-at-Arms