

**Testimony of the New York City Department of Housing Preservation and Development to  
the New York City Council Committee on Housing and Buildings regarding Intro. 385-B  
Tuesday, June 13, 2017**

Good morning, Chairman Williams and members of the New York City Council Committee on Housing and Buildings. My name is Vito Mustaciuolo, and I am the Deputy Commissioner for the Office of Enforcement and Neighborhood Services (OENS) with the New York City Department of Housing Preservation and Development (HPD). At the table with me are Chris D'Andrea and Deborah Nagin from the Department of Health and Mental Hygiene (DOHMH), who will be available for questions at the conclusion of this testimony. Thank you for the opportunity to testify on Introduction 385-B, which outlines new requirements related to mold and pest remediation.

HPD and DOHMH work closely every day to improve housing conditions and the overall health of New Yorkers. On issues such as lead-based paint, window guards, and bedbugs, the two agencies work collaboratively with each other and with the Council to make New York City homes safer and more habitable through enforcement, education, and loan and grant programs. We work closely together on special joint initiatives on these and other healthy home issues both in the cases of individual buildings and on overall policy issues. For many of these matters, education and early intervention are key components to addressing concerns. Mold and pests are two such areas, and efforts to educate the public and create common sense, fiscally responsible, and high impact preventative measures are supported by both agencies. HPD is grateful for the Council's previous legislation to support this work, most notably the Alternative Enforcement Program and the Underlying Conditions program, and further appreciate Council Member Mendez's efforts to amend the Housing Maintenance Code with best practices and enhanced enforcement related to mold and pests with proposed Introduction 385-B. We have worked collaboratively with the Council Member and her staff, DOHMH, and stakeholders for more than a year, and look forward to continuing those conversations. Before we comment on the specifics of this bill, I would like to provide some background information on both the City's efforts to address asthma and the current processes around mold and pests in residential buildings.

DOHMH, in partnership with HPD, NYCHA, and other stakeholders, works to reduce asthma triggers in homes of children with asthma and to promote Integrated Pest Management (IPM) and other healthy building practices. These efforts include working with health care providers, pest management professionals, affordable housing organizations, and those involved in property ownership, construction, and management to implement building-wide practices and facilitate IPM and allergen reduction services. DOHMH is here to answer any questions you may have about these activities.

Mold complaints can be reported to HPD via 311. HPD currently issues Class A (non-hazardous), Class B (hazardous), and Class C (immediately hazardous) violations for mold, based on the severity of the condition. For the past few fiscal years, approximately 40% of mold violations were issued directly in response to mold complaints but, as evident from the numbers, the majority of violations issued have been upon observation by inspectors. For example, if an inspector is in a building for a complaint related to a broken heater but also notices the presence of mold, they will issue a violation for mold. In Fiscal Year 2016 HPD issued a total of 12,718 violations for mold: 1,420 were Class A violations, 9,662 were Class B violations, and 1,636 were Class C violations. As of May 31, 2017 we have issued over 11,500 violations for Fiscal Year 2017. Where appropriate, HPD also issues violations for underlying conditions such as water leaks and may also conduct emergency repairs for these conditions if an owner fails to address them. In fiscal year 2016 HPD spent over \$750,000 addressing both mold and water leak conditions where the owner failed to correct. In fiscal year 2017 through the end of May we have spent over \$1 million again addressing mold and water conditions using licensed mold remediation firms to conduct repairs.

In addition to addressing mold as an individual apartment issue, HPD has the authority under Local Law 6 of 2013 to issue Orders for Underlying Conditions (UC) throughout a building. As described in rules, HPD has used this authority to issue Orders for buildings exhibiting systemic leak issues causing mold in multiple apartments. HPD has selected a total of 203 buildings since 2013 through this program. Property owners are required to investigate the cause of a leak or mold condition affecting multiple apartments in a building and correct within four months. HPD has sued non-compliant owners in Housing Court. The civil penalty as set by law is \$1,000 for each dwelling unit with a minimum of \$5,000. The good news is that most building owners have complied with the Order by both providing HPD with the assessment performed by a licensed professional engineer or registered architect and by correcting all existing violations. HPD has discharged 106 buildings due to compliance. 23 buildings were subsequently selected for AEP and discharged from UC to AEP. The 74 buildings remaining in the program are in the process of compliance or HPD has initiated litigation seeking compliance with the Order and/or civil penalties. In five buildings where our Housing Litigation Division has already successfully obtained orders to correct, we have collected over \$28,000 in civil penalties. The sections of this bill that require property owners to address water conditions and remove

mold in ways that minimize the dispersion of mold spores, as well as the sections that increase the seriousness of conditions which are not addressed timely, are supported by both HPD and DOHMH.

HPD inspectors also respond to 311 complaints regarding roaches and mice. Pest violations are class B violations in which owners have 30 days to correct. HPD issued 20,346 violations in Fiscal Year 2016 related to pests or vermin. In fiscal year 2017 through end of March, 21,779 vermin violations have been issued. Under current law, a property owner is required to abate the nuisance of the vermin, but there is little to no guidance about how this should be accomplished. While vermin conditions can be complicated by tenant related access issues or the denial of access for extermination, there are basic steps that a property owner can take to maintain a property which minimize the spread of pests, including sealing cracks and holes as well as addressing leaks. HPD and DOHMH support requiring owners to take these basic steps.

HPD and DOHMH support the concept and aim of Introduction 385-B, and want to suggest some ways that the current version can be improved. We believe we can address these concerns over certain requirements through further conversations with the Council. For example, under this version of the legislation, pest violations would become Class C violations, imposing a 24 hour repair clock on conducting Integrated Pest Management. Expanding this window to allow the condition to be addressed within 21 days, like a mold related Class C violation, would be a more reasonable timeline. HPD also has concerns when timelines for inspection are put into place. Especially during cold weather seasons, when workload can vary significantly and HPD's priority is to inspect heat and hot water complaints, it is not reasonable to impose a timeframe for initial or second inspections. Additionally, DOHMH would like to continue previous discussions with Council about the terminology and framing of asthma allergens within the bill. DOHMH also looks forward to future conversations with Council about their existing partnerships with health care providers to address asthma triggers in the homes of children, and the most appropriate ways to support that work moving forward. We also believe further discussion and review is needed regarding the costs associated with implementation of this bill, especially in the current environment of uncertain funding for Community Development Block Grants (CDBG) and other federal funding streams, while still ensuring we are appropriately addressing these conditions.

We thank you again for the opportunity to share the existing work being done by the Administration related to mold and pests, and to discuss ways ensuring that all New Yorkers can live in safe and comfortable homes. We would be happy to answer any questions you may have at this time.

**SHARON NEILL  
DEPUTY COMMISSIONER FOR FINANCE AND ADMINISTRATION  
NEW YORK CITY DEPARTMENT OF BUILDINGS**

**HEARING BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON HOUSING & BUILDINGS**

**June 13, 2017**

Good morning, Chair Williams and members of the Housing & Buildings Committee. I am Sharon Neill, Deputy Commissioner for Finance and Administration at the New York City Department of Buildings (“Department”). I am joined by Assistant Commissioner for External Affairs Patrick Wehle. We are pleased to be here today to offer testimony on Introductory Number 1307-A, which broadens the qualifications to become an inspector at the Department.

As this Committee is well aware, the Department is charged with the regulation of more than one million buildings and approximately forty-five thousand active construction sites at any one point in time. Inspections serve as an essential function for ensuring construction is performed in a safe and Code compliant manner, that non-compliant and unsafe construction is stopped, and that appropriate enforcement is executed.

The Department performed nearly 325,000 inspections last year. The types of inspections we perform are numerous and vary greatly. There are those that require significant technical knowledge of our Codes and relate to high-risk work such as cranes, supported excavation, demolition, and gas piping. Alternatively, there are tens of thousands of inspections we perform each year that are simpler and more administrative in nature. This would include inspections of curb cuts, decks, and fencing, and checking on the status of vacate and stop work orders.

With the support of the Administration and this City Council, the Department has been the beneficiary of much-needed additional resources to bolster our inspector ranks. The Department's budgeted headcount has increased to 554 positions for Fiscal Year 2018. A 49% increase from Fiscal Year 2014.

Additional resources to hire inspectors helps only to the extent you can actually hire them. The Department continually faces significant challenges with the recruitment and retention of inspectors. The reasons for this are two-fold. First, is the fact that we compete with the construction industry for the same skilled-trade workers, and the salaries the private sector provides are more competitive than what the City can offer, particularly during periods of surging development as we are in now. Second, is the fact that the City Charter impedes our ability to pull from the widest pool of available and qualified talent, which brings us to the bill before this Committee.

Currently, the qualifications to become an inspector are set forth in the City Charter. The Department is the only City agency whose qualifications for inspectors are set in the law. All other agencies with inspectors have the authority to determine the appropriate qualifications in consultation with the Department of Citywide Administrative Services.

The qualifications to become an inspector are essentially five years' experience working in a construction trade. As an alternative, a combination of five years' experience in a construction trade and training or education in a construction program or an apprentice inspection program also qualifies someone to become an inspector. Additionally, licensed architects and engineers are qualified to become an inspector.

The qualifications set forth in the Charter are limited and outdated, do not meet the Department's needs and greatly impede our ability to cast as wide a net as possible to hire qualified inspectors. The qualifications do not allow for the flexibility to consider candidates for inspector who have a variety of education and experience that should qualify them to work at the Department, but disqualify them from consideration because of the qualifications set in the law. Furthermore, the Department's mandate has broadened over time with a focus on more varied disciplines such as sustainability. Some examples of education that the Department cannot consider without the additional qualifications set forth in the Charter include applicants with degrees in engineering, engineering technology, architecture, and architecture technology. Intro. 1307-A would allow us to consider more types of education and experience.

Additionally, as mentioned earlier, the inspections we perform vary greatly in terms of complexity and risk. We perform tens of thousands of inspections a year that are routine and administrative in nature that should not require five years of experience in a construction trade to perform. Intro. 1307-A reduces the experience threshold from five years to two years and in doing so provides us with the necessary flexibility to determine the appropriate amount of experience required to perform particular types of inspections.

From a workforce development perspective, Intro. 1307-A has additional benefits. By enabling the Department to determine qualifications appropriate to the work being performed, we can attract a more diverse workforce who otherwise might not get a foothold in our ranks, and bring them into well-paying careers with an excellent pension in service to our City. The Department is committed to building a diverse workforce, and Intro. 1307-A will enable us to work with

partners like CUNY to connect low-income New Yorkers to career pathways working for the City. Furthermore, doing so will allow us to provide them with the training and experience that will groom them into more senior and better paying positions within the Department. By broadening the talent pool, the Department will be able to provide pathways to a stable career with family-supporting wages for more New Yorkers.

The Department now provides a level of training for our inspectors that is well beyond what the drafters of the Charter language contemplated. As part of what we call Buildings University, we have an academy for new inspectors, now in its fifth year, which provides rigorous training over twelve weeks both in the classroom and out in the field.

Just as the scale and complexity of construction and the law that regulates it continuously evolves, so too must the qualifications for inspectors. For this reason, The Department should be treated more like other City agencies, and be provided with the flexibility to determine the qualifications to become an inspector.

This Committee is quite familiar with the recent increase in construction accidents throughout the City, and the Department has appreciated the opportunity to work with the Council to address this issue as we continue to do more. Certainly one of many strategies to improve safety on construction sites is through effective enforcement. Intro. 1307-A will give us the ability to hire more inspectors more quickly, which means performing more inspections more quickly, and more effectively advancing our public safety mission.

Thank you for your attention and the opportunity to testify before you today. We welcome any questions you may have.



**Mayor's Office of Criminal Justice  
New York City Council  
Committee on Housing and Buildings  
June 13, 2017**

Good morning, Chair Williams and members of the Committee on Housing and Buildings. My name is Christian Klossner and I am the Executive Director of the Office of Special Enforcement (OSE), which is overseen by the Mayor's Office of Criminal Justice. Thank you for the opportunity to testify today. Patrick Wehle, Assistant Commissioner for External Affairs at the New York City Department of Buildings, is with me to answer questions.

My office's mandate, originating from a Mayoral Executive Order in 2006, is to focus on addressing issues affecting public safety, community livability, and property values that can lead to the growth of serious crimes.

The City is focused on improving affordability and access to permanent housing. Protecting and building a new generation of affordable housing stock are both key priorities of this administration. With regard to the topic of this hearing - transient lodging, specifically Bed and Breakfasts - the City must evaluate any legislative proposal of this nature within the broader context of all transient lodging.

"Transient lodging" is an umbrella layperson's term that is commonly used to refer to buildings that provide temporary housing for fewer than 30 days at a time, which includes Bed and Breakfasts. However, legally speaking, there is not a city definition of what constitutes a Bed and Breakfast. Instead the laws that govern transient housing exist as a complex web of State and Local Laws that together ensure - not just a robust housing stock - but also public safety protections. Therefore piecemeal legislation that attempts to regulate or deregulate transient lodging is highly problematic given the complexity of the governing legal landscape.

Intro. 1589 proposes codifying an increase in the number of transient boarder occupancy in one and two family homes from two boarders to four boarders. Unfortunately, this bill is both too narrow and too broad. There are numerous legal and regulatory issues surrounding Bed and Breakfasts, and this bill alone will not address these many issues. Additionally, this bill will legalize activity that is not exclusive to Bed and Breakfasts. While the bill aims to carve-out Bed and Breakfasts from OSE enforcement, the proposal itself will result in an increase in transient populations

citywide. An increase in transient populations inherently creates: 1) an increase in negative quality of life behavior due to increased traffic in areas zoned and designed for permanent residential living, 2) an increase cost of housing or rental prices, 3) a decrease in available housing stock, and 4) adverse impacts to homeless individuals seeking permanent housing.

Nonetheless, we are committed to working with the City Council on addressing all forms of transient lodging as this issue remains important and complex.

Thank you for the opportunity to testify. I am available to answer any questions the Committee may have.



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**Testimony of Sarah Stefanski**  
**Housing Analyst, New York City Independent Budget Office**  
**To the New York City Council Committee on Housing and Buildings**  
**Regarding Intro 385-B**  
**June 13, 2017**

Good morning Chairman Williams and members of the Committee on Housing and Buildings. My name is Sarah Stefanski and I am the housing analyst at the New York City Independent Budget Office. Thank you for the opportunity to testify today regarding Intro 385-B that would set new rules for identifying and correcting instances of indoor asthma allergens—specifically mold and pests—in rental housing. In 2016, IBO prepared a [cost estimate](#) of Intro 385-B at the request of Council Member Mendez. While our analysis for the Council Member and my comments today focus on the potential cost to the city of implementing the Intro rather than potential benefits of reduced exposure to mold, pests, and other allergens, it does not imply that the costs outweigh the benefits or that costs are the most important factor to consider.

IBO estimates that passage of Intro 385-B would increase the expenses of the Department of Housing Preservation and Development (HPD) and the Department of Health and Mental Hygiene (DOHMH). I will first discuss the additional costs that we estimate would be incurred by HPD.

***Fiscal Impact on the Department of Housing Preservation and Development.*** Intro 385-B would increase HPD's costs in two ways. First, the legislation would increase the agency's inspection and administrative costs. This is because going forward, all new indoor allergen violations would have to be reinspected to verify the violations have been corrected, and because the legislation classifies more violations as Class C violations compared with current rules. (Class C violations are the most serious violations and require more administrative oversight than Class A and B violations due to their emergency nature.)

Second, HPD is authorized to repair conditions causing Class C violations through its Emergency Repair Program if they remain unresolved by the building owners—although Intro 385-B does not require the city to do so. The extent to which Intro 385-B increases HPD's budget largely depends upon whether the agency chooses to make repairs for indoor allergen Class C violations that are not corrected by building owners.

The cost to HPD also depends on how much, if at all, the number of complaints, and therefore violations, rise as the Intro increases public awareness of indoor allergen hazards. Although it is likely that the number of complaints would increase, there is no relevant precedent on which to base an

estimate of how much of an increase would occur. Therefore, in addition to an estimate of cost at current violation levels, IBO conducted an incremental analysis that can be scaled up or down to model different scenarios of changes in the number of complaints.

*Fiscal Impact of Intro 385-B at Current Violation Levels.* To determine the baseline level of indoor allergen violations in the city, IBO reviewed data for all violations from 2011 through 2015 and then modeled how mold and pest-related violations would be reclassified under the new law. While IBO does not expect Intro 385-B to result in a dramatic shift in the way mold violations are classified, there would be a significant change in how pest violations are classified. Most pest violations are currently considered Class A or Class B, and the Intro would require all instances of pest infestations to be categorized as Class C.

Holding indoor allergen complaint and violation levels steady, IBO estimates that if HPD chooses not to make repairs for the newly classified Class C violations, the annual cost to HPD would be \$1.6 million in additional inspection and administrative expenses. In contrast, if HPD makes emergency repairs at the rate it currently does for other Class C violations, IBO estimates that the additional costs of repairs would be \$1.9 million, bringing the total expenditure to nearly \$3.5 million a year.

When the city corrects an emergency violation, the cost of the repair (with interest) is billed to the building owner, and if unpaid, may become a lien against the property. Through the lien process, part of the cost of the repairs is recouped by the city in subsequent years. Assuming the city spends \$1.9 million a year on repairs to remediate indoor allergens under Intro 385-B, IBO estimates that the city would recoup \$910,000 within two years and just over \$1.5 million within five years. This would bring the net annual cost of Intro 385-B, at current complaint levels and rates of repair, to about \$1.9 million after five years of emergency repair collections.

HPD would also experience a one-time upfront cost of \$100,000 to update its violation-tracking computer programs to reflect the classification and timeline changes created under Intro 385-B.

*Fiscal Impact of Increased Complaints and Violations.* In 2015, HPD received about 82,000 unique complaints about pests and mold. IBO estimates that 8,200 additional complaints, a 10 percent increase from current levels, would lead to an additional annual cost to HPD of about \$550,000 compared with the baseline complaint level, assuming no additional emergency repairs are made. If HPD makes additional emergency repairs, HPD's annual costs would rise by nearly \$900,000 compared with the baseline level. In the latter case, some of the costs will eventually be offset by payments from owners. IBO estimates that within two years \$170,000 would be collected by the city; within five years, an estimated \$280,000 would be collected. Therefore the net annual cost for each additional 8,200 complaints, assuming HPD makes emergency repairs, would be about \$620,000 after five years of collections.

*Fiscal Impact on the Department of Health and Mental Hygiene.* In addition to costs borne by HPD, DOHMH would incur expenses for preparing pamphlets and training materials; investigating the

presence of indoor allergen hazards in cases where the housing maintenance code enforced through HPD would not apply, such as mold hidden within wall cavities or construction dust; and implementing a referral system to allow physicians to arrange household inspections for patients with respiratory illnesses. IBO estimates a total of \$520,000 in upfront costs and \$430,000 annually thereafter for DOHMH, with an additional \$14,000 a year for an 8,200 increase in complaints.

***Other Considerations.*** Two cost-related considerations were outside the scope of the IBO analysis. We did not estimate the costs associated with an increase in housing litigation; if this bill increases the number of violations, it may also increase the costs to HPD's Housing Litigation Division. We also did not estimate how this bill may impact housing code violations for residential units within the New York City Housing Authority, which HPD does not inspect.

Thank you for your time, and I would be happy to answer any questions.



**Memorandum in Support  
Intro. 1307-A**

**FOR THE RECORD**

The Rent Stabilization Association of New York represents over 25,000 owners of multiple dwellings in New York City. Collectively these buildings contain over a million units of housing. RSA supports Intro. 1307-A because it would expand the pool of qualified inspectors at the Department of Buildings.

Expanding the pool of eligible, qualified inspectors will help reduce the backlog of inspections that currently hold up many construction projects, especially affordable housing projects. The current qualifications have been in existence for many years and have not kept pace with changes in construction practices or technology.

For the above reasons RSA supports Intro. 1307-A.



## Memorandum in Opposition

### Intro. 385-B

**FOR THE RECORD**

The Rent Stabilization Association represents over 25,000 owners of multiple dwellings in New York City. Collectively those buildings contain over 1 million units of housing. Intro. 385-B duplicates many aspects of code enforcement already contained in the Housing Maintenance Code (HMC). Intro. 385-B will only serve to create confusion on the part of inspectors and owners trying to correct conditions. RSA is opposed to Intro. 385-B.

Some specific objections concern the very broad and sometimes vague definitions. For instance, the bill requires owners to remediate any conditions that causes pests or rodents to proliferate, however it makes no provisions or guidance to address this issue when the harborage of pests is caused solely by a tenant. Owners are forever imploring tenants to throw garbage away on a regular basis and not leave food out but we all know this does not always happen.

Some of the same vague terms are also used in the section of identifying mold hazards, such as conditions "likely" to cause mold. This is subjective and vague and will lead to needless, costly work that will deprive truly worthy repairs of needed capital.

Additionally, the tenant notification and remediation procedures specified in the bill are often needless or a duplication of current practice. Essentially this bill took the existing lead paint law and just changed the word "lead" to mold or pests. This is overkill and will be needlessly costly to the city's affordable housing stock.

For the above reason's RSA is opposed to Intro. 385-B.



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**TESTIMONY BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON HOUSING AND BUILDINGS**

**June 13, 2017**

Thank you Chairperson Williams, and the Committee on Housing and Buildings, for the opportunity to provide testimony today on behalf of The Legal Aid Society.

Founded in 1876, the Legal Aid Society's Civil Practice is the oldest and largest program in the nation providing direct legal services to the indigent. The Society's legal program operates three major practices —Civil, Criminal and Juvenile Rights — and has an annual caseload of more than 300,000 legal matters. Annually, the Society's Civil Practice provides free direct legal assistance in more than 47,500 individual cases involving immigration, domestic violence, family law, and employment, in addition to housing, public benefits and health law matters, through a network of 16 neighborhood and courthouse-based offices in all five boroughs and 22 specialized units and projects for under-served client groups . In addition, the Society's law reform representation for clients benefits more than 1.7 million low-income families and individuals in New York City and the landmark rulings in many of these cases have a statewide and national impact.

I am a staff attorney in The Legal Aid Society's Housing Development Unit (HDU). My unit provides legal representation and technical assistance to tenant associations,

including affirmative litigation to help tenants get repairs and essential services, and fight improper rent increases, as well as provide education and training to the public on issues relating to tenants' rights. Our experience in representing housing clients confirms that the existence of indoor allergens is a significant issue for many New York city tenants; an issue that HPD and the courts to date have not dealt with effectively, due to factors including a lack of expertise and a dearth of clear standards for dealing with these issues. The proposed bill addresses these problems by providing clearer technical standards and guidelines for remediation, with greater focus on underlying causes, requiring greater information sharing, and clarifying HPD's obligations in this area.

### **Introduction**

It is no secret there are landlords who neglect units occupied by long-term tenants, as part of a broader strategy to increase turnover and displacement. The Legal Aid Society regularly represents low income tenants, whose landlord refused to repair leaks, water damage, toxic mold, exterminate pests, and eliminate pest entryways, better known as rat and mice holes in the walls and floors. Due to loopholes in the rent laws, landlords receive a windfall every time that an apartment becomes vacant. Therefore, the incentive to harass long-term tenants out of their homes, by ignoring housing code violations, has only increased over the last decade.

This dynamic is exacerbated by New York City's ever deepening affordable housing crisis. Due to the very low vacancy rate and scarcity of affordable housing, tenants cannot simply move or relocate to better and more affordable housing. Instead, many tenants are forced to endure hazardous conditions in their apartments and buildings for years. However, some tenants do abandon their apartments and become homeless and

struggle to find safe and stable housing. The tenants we are talking about include families with young children and babies, seniors, the disabled, people of color, veterans, immigrants, and other vulnerable populations. Thus, The Legal Aid Society supports Introduction 385-B to strengthen tenant protections so that all New Yorkers can live safely in their homes.

### **Introduction 385-B**

Lack of repairs and services affect tenants throughout New York City. And while there are complaint options available for tenants, through HPD or in Housing Court, there remains many challenges for tenants to effectively enforce their rights. First, most tenants do not know their rights or what options and resources are available to them. Second, many tenants find the prospect of legal action to be extremely difficult for a number of reasons: language access, landlord intimidation, time and effort needed to participate in litigation, and financial costs. With litigation, tenants have to take time off from work or find childcare for every court appearance, compounded with the fact that some cases in Housing Court may take years to resolve—this is a financial burden that most low-income New Yorkers are unable to overcome. Third, underlying conditions that create indoor allergens are especially difficult to address through HPD complaints or in Housing Court. Even with litigation, tenants may find the conditions, such as mold and leaks, recurring after the owner made cosmetic repairs just sufficient to lift the most recent violation.

Introduction 385-B appropriately addresses these issues. It requires landlords to remedy the underlying conditions themselves and for HPD to inspect for underlying conditions or defects. Introduction 385-B would also require landlords to disseminate informational resources developed by NYC Dept. of Health & Mental Hygiene (DOHMH),

and it would also allow DOHMH to set up a system for health professionals to request DOHMH assistance and referrals to HPD.

Currently, landlords have wide discretion to remediate mold as they see fit without clear statutory guidance on work procedures. Meanwhile HPD code enforcement will lift mold violations if the mold is no longer visible to the eye, which is easily concealed with paint. Tenants may go to Housing Court for an order to correct such violations. Even then, it is very difficult to get an order to correct underlying conditions, or require compliance with DOHMH guidelines or other specified work practices, without going to trial and presenting an expert witness to testify. Without the financial resources to pay for litigation costs, such as an expert witness, it is extremely difficult for tenants to convince a judge to issue the type of order specifying remedy of the underlying conditions and compliance with DOHMH-approved work procedures.

Introduction 385-B would require HPD to promulgate much needed procedures and rules regarding implementation and enforcement of indoor allergen conditions, as well as safe work practices, subject to DOHMH approval. By strengthening the code enforcement and providing clarity on appropriate work procedures, tenants may finally get underlying conditions fixed without filing continuous and repeated complaints to HPD or through the court system. HPD inspectors won't need to continuously return to buildings for the same violations numerous times, and HP actions will not have to be continuously brought, if at all. This will help relieve the strain on HPD as well as the courts.

### **Case Studies**

Some court cases involving mold and mice, among many other repairs and services issues, are straightforward. A tenant will complain, The Legal Aid Society will sue, the

landlord agrees to do the repairs, the landlord will complete the work required, Legal Aid will negotiate and the tenants receive a rent abatement. However, most cases are not this straightforward. With stronger laws such as Introduction 385-B, tenants can more readily obtain relief from HPD and the courts, which improves the efficiency of our legal system. I have two client stories I'd like to share that demonstrate the need for Introduction 385-B.

First is Ms. P, whose case reflects the failure of the systems that should have protected her. Ms. P has 4 children, including a baby, and they are desperately in need of safe and stable housing. Ms. P had horrendous conditions in her apartment, located in rapidly gentrifying Harlem. Her apartment suffered from severe water damage in multiple rooms. The water damage became toxic black mold that spread from the ceilings to the walls, and eventually to her furniture and other possessions. Due to the leak and mold in her apartment which the landlord would not fix, Ms. P stopped paying her rent. Her landlord then sued her in a nonpayment proceeding. Ms. P was unrepresented by an attorney and she eventually signed a stipulation agreeing to move out because she did not know her rights. Even though she did not have alternative stable housing lined up, the toxic black mold became so bad that it forced her to vacate her apartment because it was not safe for her children. Ms. P felt she had to leave the only stable home her family had known because it had become uninhabitable. Ms. P believes these conditions in the apartment caused her to give birth prematurely and her baby has been battling with different medical issues. Ms. P began temporarily staying with different friends and family. At the time, Ms. P was a Section 8 voucher recipient and was issued an emergency transfer voucher. After receiving the transfer voucher, Ms. P could not find an appropriate apartment and her transfer voucher eventually expired and she was forced to resubmit a transfer request for a

new transfer voucher. It was at this point I met Ms. P at a legal clinic at a local community center. After meeting Ms. P, I began immediately looking into what could be done to extend her transfer voucher and when I followed up with her to get more information and documentation I could no longer reach her. I do not know what happened with Ms. P, her Section 8 subsidy, or if Ms. P and her 4 children ever found stable affordable housing again. If Introduction 385-B had been in place, Ms. P might still be in her home today. She might have received a medical referral for assistance from HPD or DOHMH. Perhaps if she called 311, HPD would have inspected and placed a violation for the underlying conditions and assessed increased penalties, which would apply additional pressure onto the landlord to correct the conditions. If HPD promulgated rules, approved by DOHMH, regarding work procedures, the judge in Ms. P's case may have issued an order to correct the underlying conditions and mold pursuant to those approved work procedures. The benefits of Introduction 385-B for tenants like Ms. P are clear.

The second story I'd like to share is about Mr. Q. Mr. Q is a disabled, low income tenant who has lived in his apartment for over twenty years. His apartment had repair issues even when he first moved in. The original landlord promised to make the repairs but it was never done. Over the years, the building has transferred ownership multiple times and each time the new landlords would not make the repairs needed. In contrast, Mr. Q has observed new tenants have their apartments renovated. As the conditions got worse with water damage, toxic mold in multiple rooms, dilapidated floors with cheap vinyl tiles that were cracked and peeling, crumbling walls, mice holes in the walls and floors throughout the apartment, and much more, Mr. Q made complaints to his landlord who ignored them. Mr. Q eventually began withholding his rent and each time the landlord would sue Mr. Q.

Over the past 10 years, Mr. Q was sued approximately every other year by his landlord. Each time, Mr. Q was unrepresented by an attorney and each of those cases would be resolved by stipulation, where the landlord agreed to inspect and repair as required by law and Mr. Q paid all the rent he withheld. Despite the horrendous conditions in Mr. Q's apartment, he has never received a rent abatement. Although the landlord patched leaks from time to time, the leak always returns and there is mold because of the leaks. In each of those proceedings, the landlord would fail to comply with the stipulations and Mr. Q would withhold rent once again to seek justice in court.

Finally in 2015, Mr. Q retained The Legal Aid Society as counsel. For two years, I have been litigating his case and my client has made approximately 15 court appearances. The landlord at one point refused to repair mice holes on one side of a room because HPD only placed a violation for a hole on the other side of the room. In addition, there was black mold in several rooms which HPD placed mold violations, and the landlord painted over the mold so HPD would lift the violations. When the mold came back, I requested additional court inspections to place new violations. The landlord subsequently painted over the mold with black paint to conceal the mold—not fix it. Finally, I filed a motion for an order to correct the recurring mold, which the judge granted but would not order the work be done according to the DOHMH guidelines.

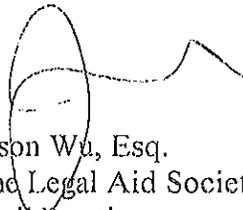
While I am happy to report that most of the conditions have been corrected after two years of active litigation and we plan to win a large rent abatement that Mr. Q rightfully deserves at trial, Mr. Q's story highlights the years of suffering and dangerous living conditions he had to endure, as well as the near impossible relief sought by unrepresented tenants to address environmental hazards, such as mold and mice infestations. Mr. P is an

example of what low-income New York tenants face every day as they seek to hold their landlords accountable for failing to provide them with a basic human right, the right to live in a safe and habitable apartment. We need tenant protections like Introduction 385-B.

**Conclusion**

Thank you for the opportunity to testify before this committee. We support the added protections that Introduction 385-B would provide to tenants and we look forward to working on them with you.

Respectfully submitted,



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URBAN JUSTICE CENTER  
COMMUNITY DEVELOPMENT  
PROJECT

Date: June 13, 2017

123 William Street, 16<sup>th</sup> Floor  
New York, NY 10038

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**Re: Written Testimony on Proposed Int. No. 385-B**

A Local Law to amend the administrative code of the city of New York, in relation to indoor asthma allergen hazards in residential dwellings and pest management, and to repeal section 27-2018 of the administrative code of the city of New York, relating to rodent and insect eradication and extermination

Thank you to Chair Williams, Councilmember Mendez, and the Committee on Housing and Buildings for holding today's hearing on Proposed Intro No. 385-B. On behalf of the Community Development Project at the Urban Justice Center, we greatly appreciate the opportunity to testify in support of this vitally important legislation.

The City's Housing Maintenance Code was enacted in 1967. It established a basic requirement that landlords must maintain apartments "in good repair" (Administrative Code of the City of NY §27-2005[a]), but did not say anything specific about mold.

Today, forty years later, when an HPD inspector responds to a tenant's mold complaint, the inspector still acts under the imprecise authority of the Housing Maintenance Code's "good repair" language.

Since 1967, we have come a long way in our understanding of the relationship between building dampness, indoor mold growth, and adverse health outcomes.

We now know from studies that roughly 4.6 million reported asthma cases in the United States are attributable to dampness and mold exposure in the home.<sup>1</sup> And we know that “that the national annual cost of asthma that is attributable to dampness and mold exposure in the home is [around] \$3.5 billion.”<sup>2</sup>

We now know that building dampness and indoor mold exposure is a particularly serious public health issue in New York City, and one that cuts right down lines of racial and economic inequality.<sup>3</sup> For example, children from the lowest-income households are almost twice as likely as children from the wealthiest households to be diagnosed with asthma.<sup>4</sup> The racial and economic disparities appear most starkly when comparing adjacent neighborhoods: children in East Harlem make nearly thirteen times as many asthma-related emergency room visits as their neighbors in the Upper East Side.<sup>5</sup>

We now know much more about how to solve the problem through laws and regulations. We know that it is not feasible to establish a health-based numerical mold exposure limit, nor is it

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<sup>1</sup> See Allan Chen, *Berkeley Lab, EPA Studies Confirm Large Public Health And Economic Impact of Dampness and Mold*, BERKELEY LAB RESEARCH NEWS, May 24, 2007, <http://www2.lbl.gov/Science-Articles/Archive/EETD-mold-risk.html> (citation omitted).

<sup>2</sup> *Id.* (citation and internal quotation marks omitted).

<sup>3</sup> See, e.g., NYC Dep’t of Health & Mental Hygiene, *Preventing and Treating Childhood Asthma in NYC*, 11 NYC Vital Signs 1, 1–4 (2012), available at <http://www1.nyc.gov/assets/doh/downloads/pdf/survey/survey-2012childasthma.pdf>.

<sup>4</sup> *Id.* at 1.

<sup>5</sup> *Id.* at 2.

effective to distinguish between different mold species based upon their associated health effects.<sup>6</sup>

We know that laws and regulations should require a mold remediation approach that has proven to be effective. For example, “[b]leach products can reduce mold growth on treated surfaces, but do not appear to be very effective at preventing longer-term re-growth.”<sup>7</sup> But there is broad consensus around the basic principles of effective mold remediation:

- The underlying moisture condition supporting mold growth should be identified and eliminated.
- The best way to remediate problematic mold growth is to remove it from materials that can be effectively cleaned and to discard materials that cannot be cleaned or are physically damaged beyond use.
- Occupants and workers must be protected from dampness-related contaminants during remediation.<sup>8</sup>

Following a mold remediation project, we know that visual inspections are not always the best way to assess the adequacy of the work.<sup>9</sup> Consequently, it is important to involve medical providers in the process, in order to identify individuals experiencing symptoms caused by latent or concealed mold and moisture conditions.<sup>10</sup>

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<sup>6</sup> See NY STATE TOXIC MOLD TASK FORCE, FINAL REPORT TO THE GOVERNOR AND LEGISLATURE 16, 21 (2010), available at [https://www.health.ny.gov/environmental/indoors/air/mold/task\\_force/docs/final\\_toxic\\_mold\\_task\\_force\\_report.pdf](https://www.health.ny.gov/environmental/indoors/air/mold/task_force/docs/final_toxic_mold_task_force_report.pdf).

<sup>7</sup> *Id.* at 84.

<sup>8</sup> *Id.* at 72–73.

<sup>9</sup> See BETSY GOTBAUM, PUBLIC ADVOCATE FOR THE CITY OF NEW YORK, UNHEALTHY EXPOSURE: MOLD IN NEW YORK CITY HOMES 8 (2006), available at <http://www.weact.nyc/LinkClick.aspx?fileticket=7rQ1ZPwzntk%3D&tabid=260>.

<sup>10</sup> *See id.*

Each year, my organization represents hundreds of tenants living with recurring mold and moisture problems that slip through the cracks of our aging laws and enforcement system. The Community Development Project strongly supports Intro 385-B because we believe it is time for our laws to catch up with what we know.

This legislation carefully incorporates what we have learned over the past few decades into the City's Housing Maintenance and Health Codes: how to effectively identify and remediate indoor mold and moisture problems; how to draw upon the expertise of medical professionals to capture latent problems; and how to protect New Yorkers from avoidable, costly, and sometimes life-threatening health problems caused by their own homes.

Sincerely,

Rajiv Jaswa  
*Staff Attorney*  
*Community Development Project*



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& the Communities We Serve**

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**Testimony of Doctors Council SEIU  
Before the New York City Council Committee on Housing and Buildings  
June 13, 2017**

Doctors Council SEIU represents thousands of doctors in the Metropolitan area, including in every NYC Health + Hospitals facility, the New York City Department of Health and Mental Hygiene, correctional facilities including Rikers Island, and other New York City agencies. Thank you for the opportunity to submit testimony on Intro 385, the Asthma Free Housing Act.

Doctors Council has been strongly advocating for this bill since it was introduced in 2014. We sought the expertise of our members, pulmonologists across the public hospital system and in the school health system, and they believe this legislation would have a meaningful and substantive impact on both primary and secondary prevention of asthma attacks and other lung disease that are directly exacerbated by household irritants including pests and mold.

Asthma is the most common childhood illness in the City of New York. Our front line doctors see and treat many adults and children with asthma every day. Neighborhood poverty and housing conditions, namely mold and insect-rodent infestations, have an impact on asthma rates.

As an example, some molds can be very harmful to humans, especially young children, the elderly, and those with compromised immune systems. Furthermore, droppings or body parts of pests such as cockroaches and rodents can cause allergic reactions associated with asthma.

Studies have found that children with asthma living in housing largely free of cockroaches and mice have fewer symptom days, fewer hospitalizations, and fewer school absences than those in homes with pests.

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We support addressing maintenance deficiencies and reducing indoor allergen hazards that can trigger asthma in residential dwellings in order to improve health outcomes.

Intro 385 is a tremendous effort in preventative healthcare and is not only good healthcare policy but also a smart fiscal measure that will chip away at the ballooning healthcare costs of treating asthma.

Our City's tenants, especially vulnerable populations, deserve to be protected. Many factors that contribute to apartment pest problems or mold and fungi are outside a tenant's control and require more rigorous building monitoring and mitigation.

Thank you for the opportunity to submit this testimony.

June 13, 2017

Hon. Jumaane D. Williams, Chair  
Committee on Housing and Buildings  
New York City Council  
250 Broadway - Committee Rm, 14th Fl.  
New York, NY 10007

Re: Intro 1307-A

On behalf of the New York Chapter of the American Institute of Architect (AIANY) and its over 5,500 architects and affiliate members, we submit our opposition to Intro 1307-A, a bill to amend the City Charter in relation to the minimum qualifications for Department of Building inspectors.

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As the professional trade organization representing registered architects, AIANY has a longstanding tradition of working with the New York City Department of Buildings on a variety of initiatives aimed at positively impacting the physical and social qualities of our city. In addition, our members work alongside and in partnership with the Department of Buildings and their inspectors daily.

Our members are witness to a Buildings Department that has taken immense steps in terms of efficiency, transparency and service yet continually remains understaffed considering the historic levels of development seen throughout our five boroughs. Our members also appreciate the continually changing industry in which inspectors work and the steps already in place by the Department to train inspectors.

Furthermore, AIANY acknowledges the Department's need for hiring more inspectors. We agree that this is in the best interest of the Department, our profession and the public. However, when considering the public's health, safety and welfare, quantity is not a justifiable replacement for quality. The Building Department needs more experienced and qualified inspectors, not less.

The proposed minimum qualifications are too lenient and too far-removed from the current qualifications. There are specific types of positions where lowering the minimum qualifications should be considered. However, the proposed qualifications are not reasonably appropriate to the responsibilities of inspecting construction work for performance quality and code compliance.

AIANY applauds the work of Commissioner Chandler and his staff for the improvement they've brought to the Department. While we have full faith this bill would be carried out with the best of intentions by the current administration, we cannot know with surety future administrations will demonstrate such understanding, and therefore feel the City Charter should continue to uphold the qualifications it has currently set for this important position.

We encourage this Committee and the Department of Buildings to create a comprehensive proposal in order to address the pressing needs of the Department. AIANY and our members offer our continued support in this effort.

*Submitted on behalf of AIANY.*



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## TESTIMONY BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON HOUSING AND BUILDINGS JUNE 13, 2017

Thank you Speaker Melissa Mark Viverito, Chairperson Jumaane D. Williams and members of the Committee on Housing and Buildings for this opportunity to discuss Intro. 385. I am here today on behalf of 1199 SEIU-UHWE, representing close to 200,000 health care workers residing in New York City.

Our members work with patients afflicted by asthma, COPD, emphysema and other respiratory ailments. They come into contact with these patients in the hospitals, nursing homes, patients' homes, and even the pharmacies where they work. Unfortunately, after a shift of caring for some very sick people, many of our members go home to families living in apartments where mold and vermin are likely to be found.

It is well-known that mold, rodents and vermin cause and aggravate respiratory ailments. Studies revealed that 1 in 4 children in poor neighborhoods are affected. Tenants in low income neighborhoods – where many of our low-wage earning members reside -- are adversely impacted by these and other allergens due to housing conditions caused by poor maintenance.

The costs of healthcare for chronically ill patients is prohibitive for those without insurance. In light of impending changes to the ACA and anticipated cuts to healthcare funding overall, everything that can be done to reduce emergency medical care is critical.

Intro 385 establishes that inspections designed to mitigate hazardous allergens will improve accountability and protections for tenants, similar to Local Law 1 of 2004 regarding lead paint and existing laws requiring inspections for window guards. 1199 SEIU-UHWE fully supports Intro 385, and we urge the City Council to enact it. This legislation will go a long way toward providing safer homes for all New Yorkers.

Thank you again for this opportunity to discuss this important topic.

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**Testimony by Nadia Marin-Molina, NYCOSH Associate Director**

**City Council Meeting re: Asthma-Free Homes**

**June 13, 2017**

Thank you to all of the Council Members for your initiative to protect community members, workers, and families, and thank you for having me at this hearing.

We are here today to voice support for the Asthma Free Homes Bill, Intro Number 385. NYCOSH is an independent non-profit coalition of labor unions, workers, and health and safety professionals. NYCOSH has provided workers, unions, employers, community-based organizations, and government agencies with quality technical assistance and safety and health training for almost 38 years. The mission of NYCOSH is to secure every person's human right to a safe and healthy workplace. NYCOSH has a long history of providing post-disaster mold awareness training and technical assistance to workers, volunteers, property owners, and residents. In addition, we provide access to fact sheets that address hazard identification and assessment as well as appropriate methods for safe and effective remediation of mold growth and sewage contamination. Our partners in these efforts have included the National Institute of Environmental Health Sciences (NIEHS) and the New York Community Trust.

Concern about indoor exposure to mold has increased along with public awareness that exposure to mold can cause a variety of health effects and symptoms, including allergic reactions. Mold is often visible (black, green, or brown discoloration) and/or odorous. Sometimes, however, it is hidden behind walls, floor or ceiling, or the source is elsewhere in the building.

Mold can cause illness in several ways, including:

- **Irritation:** exposure to mold can irritate the eyes, nose, and upper breathing passages. Symptoms of irritation include burning eyes, nasal congestion, coughing, and post-nasal drip.
- **Allergy:** Many people become allergic to mold and develop hay fever or asthma symptoms such as itchy, watery eyes, nasal congestion, sneezing, chest tightness, cough and wheezing.
- **Toxins:** Some molds create chemicals, called toxins that can cause illness. While much remains unknown about mold toxins, it appears that some molds produce



toxins that can have effects on the skin, the respiratory system, the immune system, and the nervous system.

- **Infection:** Some molds can also cause infection, such as chronic sinus infections. Other types of mold-induced infection are much less common, and occur mainly among people with weakened immune systems. Examples of individuals with weakened immune systems include those with HIV infection, those receiving chemotherapy, and the elderly. Children and pregnant women may also be at increased risk.

Symptoms caused by workplace exposure to mold usually occur or get worse at work, then get better away from work.

This legislation will serve to make a positive impact on residents and workers alike. The legislation requires New York City Department of Health inspections, prompted by complaints, which will determine if there is visible mold in the unit within twenty days of receiving a complaint. The Department will also determine if the mold is restricted to the surface to ascertain the extent of the damage. By requiring the Department to respond to concerns about mold exposure, the legislation is empowering community members who may be exposed and who need the City's support in order to remove the health hazard.

The legislation also ensures that supervisory personnel are trained for indoor allergen inspection, which is important in ensuring that workers understand the risks associated with exposure. Training programs are an essential component of all regulatory guidelines and must be implemented.

In addition, the legislation ensures that the Department of Health "promulgate rules" to "establish work practices when correcting indoor mold hazards", which is important in ensuring that any mold remediation that occurs is done safely and with the highest safety standards that protect workers in the process.

The issuance of a report that outlines the Department's implementation of the law is a critical component of measuring the legislation's effectiveness. Particularly as this relates to the number of jobs performed and the geographic location of the incidences; this report will help serve as the basis for long-term mold remediation efforts that should take place in impacted districts.

Finally, the implementation of a fine structure that will act as a deterrence to violators is an essential component of this legislation. Landlords must be held accountable to providing



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safe housing for their tenants and safe practices for the workers that they hire. Violations will go a long way towards ensuring that landlords implement the legislation.

NYCOSH supports Intro 385 and urges the Council to act swiftly towards the legislation's passage. Doing so will support workers, residents, and New York City at large. Thank you for the opportunity to testify.



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Testimony by Kayan Clarke, Case Manager – Breathe Better Bronx, BronxWorks

Re: Int. No. 385-B – In relation to:

Asthma-Free Homes Bill

Before the New York City Council, Committee on Housing and Buildings

June 13, 2017

Council Members, and staff: good morning and thank you for the opportunity to speak about this proposed initiative and more broadly the subject of addressing the needs of the numerous New York City residents who live with asthma.

My name is Kayan Clarke and I am a Case Manager in the Breathe Better Bronx program at BronxWorks, a large multi-service nonprofit operating in the Bronx. Since 1972 BronxWorks has fought for the economic improvement and social betterment for the communities we serve in the Bronx. Over the course of the four decades that we have worked in the borough, we have expanded the scope of services to meet the various and diverse needs of our community members. Today BronxWorks runs a wide-range of programs including after-school programs, ESL classes, numerous benefits access programs, two Health Home programs, multiple family shelters, and two drop-in centers and Safe Havens for single homeless adults. The scope of our agency's services gives BronxWorks an intimate understanding of the issues facing our communities. Moreover, it gives us a comprehensive understanding of how health and housing so frequently overlap when examining these issues.

The Breathe Better Bronx program of which I am a part is our agency's asthma-management and prevention program which focuses on addressing hazardous allergens and triggers in the household to assist our clients manage their asthma. In few other counties in the United States is the potential impact of such a program as great. Moreover, in few counties outside of the Bronx are the figures related to asthma as staggering. The asthma rate in the Bronx ranks one of the highest in the nation. Hospitalization rates from asthma-related causes is nearly twice as high in the Bronx compared to the New York City average<sup>1</sup>, and the rate of death from asthma-related causes is three times higher than the national average.<sup>2</sup> Air quality in areas of Port Morris in the South Bronx is so poor that it has infamously been nicknamed "asthma alley" by locals.

As this initiative illustrates, residents throughout New York City are more likely to live with asthma compared to the average American. However, poor air quality alone does not account for the acute asthma rate found within the communities we serve. The congressional district that incorporates most of the South Bronx is the poorest congressional district in the nation. Most of our clients live below the federal poverty line for their household, and as a result most find housing in low-income apartments and housing developments. The vast majority of our clients with severe and persistent asthma reside in housing with significant rodent and pest infestations, issues related to mold, or

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<sup>1</sup> New York State Department of Health. "Bronx County Asthma Hospitalization rate per 10,0000"  
[https://www.health.ny.gov/statistics/chac/hospital/h35\\_58.htm](https://www.health.ny.gov/statistics/chac/hospital/h35_58.htm)

<sup>2</sup> Institute for Civil Infrastructure Systems. "Asthma and Air Pollution in the South Bronx."  
[http://www.icisnyu.org/south\\_bronx/AsthmaandAirPollution.html](http://www.icisnyu.org/south_bronx/AsthmaandAirPollution.html)



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in many instances both. Our program works closely with our clients, providing them with the education and supplies to mediate these issues as best as possible, but often the environmental factors that persistently trigger their asthma are the result of long-neglected structural issues. Our program has been successful in working with landlords and management companies in the past to address hazardous or potentially hazardous conditions in their buildings and provide their tenants with safer housing. Unfortunately, current building regulations far too often allow building owners and management companies to remain unresponsive to their tenants' requests to remediate indoor allergen hazards in their households. The Asthma-Free Homes Bill would require building owners to conduct regular apartment inspections which will help both tenants and landlords address infestation, mold, and other indoor allergen issues before becoming overly pronounced. Moreover, the Asthma-Free Homes Bill will provide much-needed leverage on the side of the residents in our communities to ensure their landlords remediate harmful housing conditions in their apartments who otherwise are all too often left with little recourse when potentially hazardous and dangerous housing conditions are left unaddressed.

The Asthma-Free Homes Bill also goes beyond establishing more comprehensive standards and procedures for inspections and remediation between building owners and city agencies. It also allows medical professionals to have greater involvement in reporting and addressing potential housing violations on behalf of their patients. Asthma-management is especially difficult when housing circumstances are contributing factors, as the medical professions who treat their clients rarely see or monitor the indoor allergen hazards that are bringing their patients to the doctor's offices. This presents a significant challenge for physicians providing preventative care in treating their patients' asthma. Additionally, it is an issue with which our agency is intimately familiar, for one of the primary focuses of our Breathe Better Bronx program has been to diminish this gap of service between the client's apartment and the doctor's office. By providing health professionals with the means to request DOHMH and HPD housing inspections on behalf of the client, we enable medical professionals in our communities a greater ability to fight for the betterment of their patients' health. Our agency wholeheartedly believes that a greater collaborative effort between landlords, medical providers, and city regulatory agencies will only work to the benefit of our community's residents living with asthma. By addressing issues related to asthma within the nexus of health and housing we can provide comprehensive and effective solutions.

Once again, thank you for your time and attention to our testimony. We welcome the opportunity to discuss these issues further with you.

Respectfully Submitted,

*Kayan Clarke*  
*BronxWorks*  
*Breathe Better Bronx Case Manager*

## Testimony supporting Intro 385B

My name is David Evans—I'm a professor at Columbia in public health where I develop programs to improve family asthma management and reduce environmental problems that cause asthma. I support this bill because allergy to cockroaches, rodents and mold contributes to children developing asthma, and because exposure to high levels of allergens in the home increases asthma symptoms and use of emergency health care services.

**First, there is strong evidence from New York City that allergic reactions to cockroaches, mice and rats, and mold increase asthma symptoms and use of health care services.**

- David Rosenstreich<sup>1</sup> at Albert Einstein studied 476 low-income children with asthma. He found that children who were allergic to cockroaches and highly exposed to cockroach allergen in their homes, were **hospitalized 3 times more often than children who did not have both of these conditions.**
- There are similar findings for mold. We worked with NY Academy of Medicine to study 149 children with asthma who were enrolled in Head Start.<sup>2</sup> Families who said they saw moisture or mildew on ceilings, walls or windows reported **3 times more respiratory hospitalizations and 3 times more wheezing episodes** in the past year, and **twice as many nights wakened with respiratory symptoms** in the last two weeks.

**Second, poor housing conditions that allow pests to flourish occur most often in the buildings and communities occupied by low income, minority groups.** We believe this is one of the major reasons why children aged 5-14 in New York City from low income neighborhoods have 1.6 times the rate of asthma and 3.6 times the rate of asthma hospitalization as children from high income neighborhoods<sup>3</sup>.

**Third, integrated pest management (IPM) is effective in reducing pest populations and allergen levels in homes.** IPM uses low-toxicity pesticides, deep cleaning, and repairs to keep pests out, prevent them from getting food and water, and reduce allergen levels.

- Morgan studied 937 children who were randomly assigned to get an IPM intervention or a no intervention control and found that **the IPM group had 20% fewer days with symptoms than controls, fewer days of limited play, fewer nights wakened for both children and parents, and fewer missed school days<sup>4</sup>.** Cockroach allergen was lowered in the IPM group, and the decrease in allergen was associated with fewer symptoms of asthma. Finally, unscheduled visits for asthma to the ER or clinic declined significantly.
- Our research group also showed the effectiveness of IPM in a collaborative study with NYCDOHMH and NYCHA that compared IPM with traditional pest control (bait pucks with pesticide) to control cockroaches and mice in 280 NYCHA apartments—this was not a study of asthma patients. NYCHA pest control staff did the IPM, which took 3 hours for two workers. **We found that IPM apartments had 43% fewer cockroaches trapped by our staff. IPM also reduced cockroach allergen by 60% in both bedroom and kitchen<sup>5</sup>.**

To summarize, allergies to pests play a major role in causing asthma symptoms and creating excess use of health care services in NYC. IPM, the remedy specified in the Asthma Free Homes Bill, is an effective method of controlling pests, reducing pest allergens, and decreasing asthma symptoms and urgent health care visits. I urge City Council members to pass this bill into law.

See next page for references to studies quoted

- 1 Rosenstreich DL, Eggleston P, Kattan M, et al. The role of cockroach allergy and exposure to cockroach allergen in causing morbidity among inner-city children with asthma. *New England Journal of Medicine* 1997;336:1356-63.
- 2 Bonner S, Matte TD, Fagan J, Andreopoulos E, Evans D. Self-reported moisture or mildew in the homes of Head Start children with asthma is associated with greater asthma morbidity. *Journal of Urban Health* 2006;83:129-37.
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- 4 Morgan WJ, Crain EF, Gruchalla RS, et al. Results of a home-based environmental intervention among urban children with asthma. *New England Journal of Medicine* 2004;351:1068-80.
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## Statement of Liz Mandarano, owner of Arlington Place Bed & Breakfast

Good morning. My name is Liz Mandarano. About two and a half years ago, I spoke before you when I was restoring a Bed Stuy brownstone to its original glory. Nine months after that hearing, I completed my 2 ½ year restoration in September, 2015, and proudly opened Arlington Place Bed & Breakfast. I speak today to encourage the city council to amend the boarder law not only increasing the amount of allowable boarders from two to four in a one family home operated as a bed & breakfast, but also to include a provision in the law clarifying that bedroom locks do not render our one family homes into S.R.O.s.

My house is famous as the location of Spike Lee's movie "Crooklyn," and its opening in September, 2015 received a lot of publicity. Along with Bed Stuy's Akwaaba Mansion and Sankofa Aban, the three Bed Stuy Bed & Breakfasts were part of that year's annual Brownstoner's tour in October, 2015 benefiting the Boys and Girls High School. After such a long restoration process, it was truly wonderful having almost a thousand people, mostly from my neighborhood, come through the house on that one day, enjoying its history and beauty.

My home has always been certified as a one or two family residential building, and under my ownership as a one family home. It consists of four floors plus a cellar, and because I maintained the house's original footprint, it only has four large bedrooms, three which were for guests and family. Like many homeowners interested in added security, I put locks on the bedroom doors. Notably, the bedroom door locks were present when the D.O.B. came and certified my house for occupancy as a single family home at the end of the restoration in September, 2015.

Contemporaneous with the publicity of my opening was a purported 311 complaint written in precise legal language. This council may recall my association's prior testimony in which many of the bed & breakfasts who had never had 311 complaints lodged against them experienced them in the same week. However, I was not very concerned about this complaint, and after meeting with the bed & breakfast association and discussing it with councilmembers Cornegy and Williams, we believed that after two inquiries by the D.O.B. in which we agreed I should not allow them entry, the complaint would be closed as had been the D.O.B.'s past policy.

Eleven months after this complaint, in September, 2016, the D.O.B. came to the house for the second time. Not surprisingly, there had been no additional 311 complaints in that entire year,<sup>1</sup> as I operated mindfully and respectfully. When the D.O.B. arrived, my co-innkeeper

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<sup>1</sup> The NY Times ran a story regarding my situation in November, 2016. That same day, three new detailed "complaints" applying legal terminology and specific code references allowing the O.S.E. to have investigative jurisdiction as opposed to the standard D.O.B. jurisdiction were filed although I hadn't operated as a bed & breakfast since the September, 2016 closing. These "complaints" remained opened throughout the adjournments of my case, and no investigation was performed until seven months later when my attorneys insisted on an inspection to close them out. Notably given the city's failure to investigate these claims for over six months, the complaints would have given rise to the same vacate order due to the purported "imminent danger to life."

refused them entry as had been agreed to at an association meeting involving councilmembers Cornegy and Williams. Instead, my co-innkeeper offered a letter from those councilmembers addressed to the Office of Enforcement opining that our operations were lawful and asking them to not harass classic bed & breakfasts.

The investigator left. To my shock, later that day, a six member squad team "raided" my place with an emergency-issued warrant. At the time, I was picking up my son from school. They kicked my co-innkeeper out of the house, and, although eleven months had passed since the complaint, placed an order to vacate sign on the door stating that my house was an "imminent threat to life." I was not allowed back in my house, and had I attempted to enter it, I would have been subject to arrest.

Although the Director conceded at an emergency meeting the law was "murky," the O.S.E. took the absurd position that the locks on the four bedroom doors converted my one family home into a five unit S.R.O. (the fifth "unit" being the remainder of the house). As a result, although clearly there was no intention to create an S.R.O. and the D.O.B. has inspected and approved of it beforehand, the O.S.E. was able to deem my one family home subject to commerical zoning codes, and thus issued a multitude of violations that ranged from a lack of sprinkler systems to having propane for my BBQ, fines of which potentially totaled in the six figures. Notably, the O.S.E. refused to tell me what I would have to do to remedy the situation, although I learned through other channels that I simply had to remove the locks to extinguish the order to vacate and staunch the level of daily fines.

Had I not learned this or was not fortunate enough to have the resources to hire those who could assist me, combined with the city's multiple requests for adjournments over my objection until my April, 2017 hearing, I would not have been able to enter my house for seven months—all because I had bedroom locks. I had to spend over \$80,000.00 in legal fees and well over six figures in incidentals including quickly finding my coinnkeeper a place to rent—all because the O.S.E. employed inapplicable S.R.O. laws from the 1960s regarding the presence of bedroom door locks to find a reason to apply a plethora of commerical code requirements despite the fact that the D.O.B. had already certified my home post-restoration as a one family dwelling with those locks present.

As a one family house, at no time was I ever subject to multiple family dwelling laws designed to protect affordable housing. Although it may have been my right to convert the house to a single home had it been a multiple dwelling, I didn't do that either. Nor did I compromise any condominium or cooperative bylaws or insurance laws. My associates and I continue to fully support the city's efforts to crack down on this bad behavior.

However, the city should not stretch laws to absurd conclusions because it is easier to pursue us as easier targets due to our transparency. As was the case prior to our January, 2015 hearing where Airbnb refused to provide addresses on its platform, I was pursued as simply low hanging fruit. Although I clearly had not converted my home into an S.R.O., I was kicked out. I am lucky that I was able to survive this process without losing my home that I love and that I worked so hard to restore and share with my community. Many in my association were deeply affected by my experience, and noted that they would have lost their homes.

Well acting and intentioned people's livelihood's should not be subject to the whims that arise when enforcement statistics are prioritized over actual circumstances. However, to prevent this from occurring again, we respectfully request that you add a provision clearly stating that the presence of locks on bedrooms doors does not render a one family bed & breakfast into an S.R.O. and subject to commerical building codes.

Thank you.

Liz Mandarano

Arlington Place Bed Stuy & Breakfast

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Brooklyn, NY 10016

[www.arlingtonplacebnb.com](http://www.arlingtonplacebnb.com)

Testimony before the City Council Housing Committee,  
June 13th, 2017 by Donald Matteson, Co-Chairman, NYC  
B&B Association and Owner of At Home In Brooklyn,  
B&B, Park Slope, Brooklyn

Good afternoon. My name is Donald Matteson. I own and operate At Home in Brooklyn, a 4-room Bed and Breakfast in a Park Slope townhouse. I also serve as co-chair of the NYC B&B Association. I opened my doors in 2008 to serve my neighbors and their families at a time when there were very few local lodging options for parents and grandparents coming to visit that did not involve a cab or subway ride to and from their loved ones' homes.

Most of our guests are regular customers and consider our home as their own home while they are in Brooklyn for a few days to a week while visiting family. Most want to be close to family, and prefer the B&B experience to hotels. Most of these people I now consider friends. Their children and grandchildren know and love our home, a landmarked building on Prospect Park West.

We are also a popular alternative for foreign guests who prefer more than a generic hotel experience. And I mean no offence to those who prefer to stay in a Holiday Inn Express or a Super 8 motel. We host guests from all corners of the world who want to see New York and Brooklyn through the lens of local residents, staying in residential neighborhoods, in a home setting, eating and shopping where we eat and shop. We have been honored by foreign magazines and newspapers, listed as among the top 10 boutique accommodations in New York.

We have dozens of testimonials from guests which will give you a very clear idea of the breadth and scope of the services we provide to our neighborhoods and to visitors.

NYC's B&Bs are much more than a place to sleep. We are a valuable community resource. In Brooklyn, in particular, we host families in town to help new moms, to attend christenings, bat mitzvahs, graduations, weddings, birthdays, Celebrate Brooklyn concerts in

Prospect Park, Barclays Center events and more than 6 wedding venues within walking distance of our home.

We generously support local cultural institutions: Prospect Park, the Brooklyn Botanic Garden, the Brooklyn Museum and the Brooklyn Academy of Music, both financially, and by providing free or discounted accommodations for their speakers, professional consultants and job applicants.

We generate economic activity for our local restaurants and shops, where our guests go to dine and entertain. In short, not only do our guests love us, but so do local businesses that reap the economic benefits of the tourism we bring to the neighborhood.

The NYC B&B Association, which I co-chair with Ms. Greenwood, was established to promote the understanding that Brooklyn's B&Bs are a vital part of the economic and social fabric of the communities we serve, and to distinguish what we do from other short-term rental practices which some apartment owners

engage in -- activities illegal under New York's multifamily dwelling laws. Traditional B&Bs are often confused by city enforcement as violators of city and state laws related to multifamily dwelling use. We are not the intended target of such actions. America has a strong and proud tradition of Bed & Breakfasts that preserve landmark homes and provide guests with an alternative to hotels in underserved neighborhoods giving visitors a unique experience and close-up view of a diverse local culture.

On a local level, our economic contributions are significant. Our guests spend most of their time and money in local neighborhoods, eating, shopping and visiting our local cultural institutions. B&B owners direct guests to the best that the neighborhoods have to offer in food, shops, destinations, tour guides and transportation. In turn, these guests spend hundreds of dollars daily at locally owned and operated businesses from Coney Island to Green Point.

A recent survey that we conducted of B&Bs in Brooklyn shows that Brooklyn's Bed & Breakfasts host an estimated 45,000 guests per year, primarily in neighborhoods underserved by the hotel industry.

And the money they spend goes into the pockets of our talented local neighbors, not to shareholders of national chains traded on Wall Street. Brooklyn is a global beacon for artisanal products and services and we are a part of that fabric.

The New York City Finance Department recognizes us as a legitimate class of business, and Brooklyn's B&Bs pay hundreds of thousands of dollars in sales and use taxes each year.

The bill before the council, which simply increases the legal number of boarders allowed in single family homes from 2 to 4, will go a long way toward making it possible for us to accommodate demand for our services in underserved neighborhoods free from the threat of buildings' department (DOB) and Mayor's Office of

Special Enforcement actions, which have led, in the current environment with concerns about illegal Air BnB rentals, to misdirected enforcement actions against traditional B&Bs who are not the intended targets of recent legislative efforts to curb illegal short-term rental practices. (As a result of these enforcement actions, several B&Bs, including members of our associations have closed because they cannot bear the burden of lost business and defending against such actions, and many others may soon close in the face of ruinous fines issued by administrative judges using arcane bits and pieces of the building code from the 1960s and 70s aimed at illegal SROs, regulations that were never intended to be applied to our activities.

We believe, and the councilmen sponsoring this bill agree, that it is time the City of New York, joins every other city in the US and recognizes the legitimacy of this thriving segment of small business, which are so very important to their neighborhoods, so that they can operate free from the fear that misdirected enforcement, using arcane and decades' old codes will

be used to fine them out of existence . That would be a very sad, unintended loss to the cultural and social diversity that is a hallmark of New York City. We urge you to join us and support this legislation.

June 13, 2017

Good morning. My name is Monique Greenwood, and I'm the owner of Akwaaba Bed & Breakfast Inns in Bedford-Stuyvesant, Brooklyn. Let me first thank council members Jamaane Williams and Robert Cornegy, Jr.

About two years ago, we were in this room to share how we--traditional bed and breakfasts--were being negatively impacted by legislation and enforcement directed at illegal Air B&Bs. It was clear then that Council members at the hearing understood our plight, and we were assured that something would be done to protect us. And here we are today with proposed legislation that will at least allow us to operate on a minimal basis without the constant worry of the Mayor's Office of Special Enforcement showing up to shut us down.

Traditional B&Bs, like those who are a part of our organization--the New York City Bed and Breakfast Association--are owner-occupied, single- and two-family residences, where we welcome travelers into our homes to stay with us when they're visiting our neighborhoods on vacation, and more likely than not, when they're in town to visit with family and friends who live within walking distance of our homes.

They live WITH US, never alone, and our private homes aren't apartment buildings with units that could be leased to tenants on a full-time basis. Therefore we don't deny the city of much-needed, affordable apartment rentals, and we don't disturb other residents within the dwelling with the comings and goings of unknown individuals. WE are the only other occupants, and WE are HOSTING our guests, who often become like family.

It's a modest living, and aside from the joy of meeting new people and creating special memories, many of us do it to help supplement our income so we can afford to keep up with the cost of large, often historic, single-family homes.

My husband and I opened Akwaaba Mansion Bed & Breakfast in Bedford-Stuyvesant, Brooklyn, nearly 22 years ago. We preferred staying at small inns when we traveled personally, because it was a more intimate experience that allowed us to live like a local and really get to know a place. We know we've helped make our Brooklyn community a more vibrant place because of our bed and breakfast, which hosts guests from all over the world--and sometimes from right down the street if it's a special occasion for them, like an anniversary, wedding proposal or birthday.

Running the B&B has allowed us to painstakingly restore an 1860s free-standing mansion, where we raised our daughter, Glynn, who is now 25. We've won many historic preservation awards, and our small business has been named a New York City Small Business of the Year by two previous Mayors of the City. In fact, we also competed and won "Hotel Showdown," a Travel Channel show, where our small B&B beat out several large hotels for best lodging because of our personalized, homey service.

We get approached daily by developers who want to buy our building and the surrounding land to create luxury condos, and even though I'm sure we could make a lot of money doing so, we'd rather stay in our home and continue doing what we love--running the B&B--as a way to afford staying put. We're so passionate about what we do that we bought and fixed-up a historic bed-and-breakfast in our hometown of Washington, DC, a decade ago, and five years ago, we were wooed by a community in the Poconos Mountains in Pennsylvania to buy and save a deteriorating Woolworth estate, which is now a restored Bed & Breakfast that is the centerpiece of the town.

We know this business. We love this business. And we love our home and community in Bedford-Stuyvesant, Brooklyn. And Oprah Winfrey loves our story, because it represents passion, grit, aspiration and commitment to family and community. So this fall, our little B&B business will be the subject of a reality show on OWN called "Checked Inn." It's all about what it takes to run a family

business and the transformations that take place in the lives of the people who stay with us.

Our company name--Akwaaba--means welcome in Ghana, West Africa. And while every other city in the State of New York welcomes B&Bs, we're hoping that, finally, we can feel at home in our own home in New York City with the passing of this new legislation that would help to formally legitimize us. The NYC Department of Finance recognizes us and has been accepting the hotel and sales taxes we've been tasked with collecting for years. I'm thanking you in advance for making sure the Buildings Department acknowledges us, so that each city regulatory agency is in sync, and we as innkeepers can enjoy the peace we give to so many who come to stay in our homes.



TESTIMONY PRESENTED TO  
NEW YORK CITY COUNCIL  
HOUSING AND BUILDINGS COMMITTEE

Intro 1307A  
DOB Inspector Qualifications  
June 13, 2017

Submitted By:  
Building Trades Employers' Association

Good morning Chairperson Williams and members of the Committee, I am Donald Ranshte, Senior Vice President of the Building Trades Employers' Association, (BTEA) representing Louis Coletti, President and CEO, who was unable to attend the hearing today. The BTEA is a trade association representing 27 contractor associations, and 1,800 contractor members responsible for over \$35 billion dollars in economic activity in New York City. Thank you for allowing me the opportunity to testify today on Intro 1307A, in relation to Department of Buildings inspectors.

For several years, the BTEA has advocated for more resources in the Buildings Department, especially in the inspector ranks. Hiring more personnel is a step in the right direction simply because the mission of the Department cannot be

achieved without having an adequate inspector force to enforce the Code in the million buildings that make up NYC. Section 1 of this bill would amend subdivision (a) of section 645 of the New York City Charter to delete provisions specifying the minimum qualifications for inspectors with the New York City Department of Buildings.

To hire additional inspectors and to enhance its ability to advance safe and Construction Code compliant development, the Department needs the ability to recruit from the widest pool of available qualified talent. Since the creation of Building's University, the internal training module within DOB, inspectors have been trained, and cross trained in multiple disciplines, better than ever before.

The Charter mandated qualifications do not allow for the flexibility to consider candidates for inspector who have a combination of licenses, education and experience that would qualify them for work at the Department. Furthermore, the Department's mandate has shifted over time with a focus on more varied disciplines such as sustainability. We would, however, like to see a more focused hiring policy in the specialty sectors of construction that are regulated by DOB licensing guidelines. In those disciplines, i.e. electrical, fire suppression, elevator, et al, we would still like to see a depth of experience in that particular field for an

inspector to be deemed qualified. This is an extremely important caveat, especially in such specialized and intricate field like electrical work, where there may not be an alternate to hard experience.

Members of the Committee, you have the chance to allow a city agency to hire those persons that the agency feels are best qualified to fill the role of inspector. This is even more important now, as you also prepare to pass a bill regarding construction worker training. Should DOB not have the adequate resources to enforce those provisions, that legislation will not achieve its intended results. In this instance, we should seize the opportunity to make the Buildings Department a more effective regulatory agency. Thank you.



**FOR THE RECORD**

**COMMENTS FROM THE BUILDING OWNERS AND MANAGERS OF GREATER NEW YORK  
ON INT. NO. 1307-A, A LOCAL LAW TO AMEND THE NEW YORK CITY CHARTER, IN  
RELATION TO DEPARTMENT OF BUILDINGS INSPECTORS**

The Building Owners and Managers Association of Greater New York ("BOMA/NY") represents more than 750 owners, property managers, and building professionals who either own or manage 400 million square feet of commercial space in NYC, and it is an association within BOMA International, a federation of 90 US associations and 19 international affiliates that own and operate approximately 10.5 billion square feet of office space in the United States.

The proposed legislation would remove some Charter-mandated requirements for DOB inspectors to meet in order to be hired and replaces them with broader and more up-to-date requirements. For example, under the current law, DOB cannot hire crane operators, master plumber or electricians, licensed site safety managers, or those with degrees in engineering or architecture, to work as inspectors. The new requirements would allow DOB to access this wider range of qualified people to work as inspectors, which facilitates their ability to conduct all types of matters they are mandated to do. It also allows the Commissioner to continue to update qualifications in the future, as is in line with other City agencies. In addition, DOB provides significant additional, 12-week in-the-field and classroom training for all inspectors at its training academy. For these reasons, BOMA/NY supports this legislation.

## Statement of CAAAV - Organizing Asian Communities

In support of **The Asthma-Free Housing Act of 2016, Intro 385B.**

Hello, my name is Chen Yo Chi and I am an organizer for the Chinatown Tenants Union at CAAAV - Organizing Asian Communities. I would like to thank Councilmember Rosie Mendez for holding this hearing in support of The Asthma-Free Housing Act of 2016, Intro 385B.

My work is mainly to help the low-income Chinese immigrant tenants that make up the rich cultural fabric of Chinatown. Rat infestation and mold are common issues in all of the buildings that I organize. This is largely because landlords and building managers are negligent in providing basic building maintenance and pest control services.

Ms. Chen, a tenant living at 135 Eldridge St, is currently fighting an issue with mold infestation in her apartment. A leaking water pipe in the wall is causing the ceiling in her apartment to develop severe mold issues. Every time she brings the issue up with her building manager, they take plaster and cover up the mold. This does not really address the leaking pipe and over time, the mold has spread to other areas of the wall and now small maggots and flies are everywhere in the apartment. Not only does this cause mental stress but it also leads to a decline in the quality of air in Ms. Chen's apartment. The Asthma-Free Housing Act of 2016, Intro 385B is one way that the law can protect tenants from negligent landlords and improve the quality of life for tenants all over New York City.

As landlords become sneakier and learn how to navigate through loopholes in order to turn a profit, lawmakers need to plug those loopholes with the steel wool of justice. Landlords **must** be held accountable for their actions and neglect. The poor should not suffer at the hands of these greedy landlords. Our people **needs** the law to stand by their side.

Members of City Council and the Housing and Buildings Committee, I implore you all to vote yes on The Asthma-Free Housing Act of 2016, and to stand for the health of our tenants and affordable housing. Thank you.



**L E G A L  
S E R V I C E S**

**INCORPORATED**

**TESTIMONY IN OPPOSITION TO**

**INT. NO. 1589: A LOCAL LAW TO AMEND THE NEW YORK CITY  
BUILDING CODE AND ADMINISTRATIVE CODE OF THE CITY OF NEW  
YORK, IN RELATION TO BOARDERS, LODGERS OR ROOMERS IN A  
PRIVATE DWELLING**

**PRESENTED BEFORE:**

**THE NEW YORK CITY COUNCIL'S  
COMMITTEE ON HOUSING AND BUILDINGS**

**PRESENTED BY:**

**MARTI WEITHMAN  
SUPERVISING ATTORNEY  
MFY LEGAL SERVICES, INC.**

**JUNE 13, 2017**

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**MFY LEGAL SERVICES, INC., 100 William Street, New York, NY 10038  
212-417-3700 [www.mfy.org](http://www.mfy.org)**

## **Introduction**

MFY Legal Services, Inc. (soon to be called Mobilization for Justice) envisions a society in which there is equal justice for all. Our mission is to achieve social justice, prioritizing the needs of people who are low-income, disenfranchised or have disabilities. We do this through providing the highest quality direct civil legal assistance, providing community education, entering into partnerships, engaging in policy advocacy, and bringing impact litigation. We assist more than 20,000 New Yorkers each year. MFY's Housing Project provides advice and representation to thousands of tenants annually and is dedicated to preserving affordable housing in New York City.

MFY opposes Int. No. 1589 because it is not narrowly tailored to achieve its intended purpose, which MFY supports in theory. It is MFY's understanding that the intended purpose of the bill is to protect from enforcement of illegal short-term rentals the limited universe of small business bed and breakfast (B&B) owners in 1- and 2-family homes that are licensed with the City, affiliated with the State trade group StayNYC, pay taxes, have liability insurance, and purportedly comply with required fire and building requirements for accommodating transients. In actuality, Int. No. 1589 casts a much wider net by amending the definition of "family" to increase the number of boarders, roomers and lodgers from two to four for Class A multiple dwellings. MFY believes that increasing the number of boarders in Class A multiple dwellings creates broader issues of illegal short-term rentals that negatively impact the City's available housing stock, particularly the segment of rental housing that is available to New Yorkers who have no other option but to share an apartment.

## **Int. No. 1589 is an End-Run Around ULURP**

If the intended purpose of Int. No. 1589 is to protect B&Bs currently operating lawfully as small business owners – despite the absence of a classification for B&Bs – the City should utilize the Uniform Land Use Reform Procedure (ULURP), which is the appropriate process to achieve this intended purpose. Through ULURP, the City could create a lawful classification for B&Bs so there would no longer be confusion about 1- and 2-family homes that are licensed by the City and pay hotel taxes and thus should not be subjected to enforcement for illegal short-term rentals. Anything short of creating a lawful B&B classification is an end-run around ULURP and creates

unintended consequences for the larger housing market and New Yorkers in need of rental housing.

### **The Need for Shared Housing is a Critical Source of Housing for Many Poor and Low-Income New Yorkers**

Many poor and low-income New Yorkers who are evicted or priced out of their homes rely on the segment of housing that includes private rooms for rent. As more and more New Yorkers can no longer afford their homes due to increasing rents and stagnant or decreasing incomes, this available housing stock is more critical than ever. For example, fifty-five percent of all New York City renter households are considered rent burdened.<sup>1</sup> Twenty-five percent of these households are considered moderately rent burdened, which is defined as spending between thirty and fifty percent of the household's income on rent.<sup>2</sup> Another thirty percent of New York City households are considered severely rent burdened with rents exceeding fifty percent of their household income.<sup>3</sup> With stagnant incomes, any increase in rent could be the final increase that a household – particularly single adults – can afford before losing a home, and a roommate-type living arrangement is the only option.

MFY works with many aging tenants who have been priced out of their apartments and are not become the roommate of a leaseholder. This type of housing is also critical for people with disabilities who may not qualify for federal disability benefits and thus do not qualify for DRIE, and young people who are new to the City or have recently graduated from college and cannot afford an apartment on their own or may not have the credit necessary to obtain an apartment.

To provide some context of the impact of short-term rentals of private rooms listed on Airbnb, I refer you to data collected by Murray Cox, founder of Inside Airbnb, who will provide further detail in his testimony today. Mr. Cox's data reveal trends that the number of private rooms listed on Airbnb has increased from 11,116 to 19,806 over the last twenty-four month period. Of those listings, there were 6,051 multiple private room listings, meaning that one-third of private

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<sup>1</sup> New York University, *State of New York City's Housing and Neighborhoods in 2015*: 66.

<sup>2</sup> *Id.* at 66, 87, 109, 167.

<sup>3</sup> *Id.*

room listings are by hosts with multiple private rooms, 10,052 of which were rented frequently. This supports the real potential that increasing the number of permissible boarders from two to four could lead to increased numbers of private room listings and create incentive for hosts to do so.

### **The Negative Impact of Illegal Short-Term Rentals in Class A Residential Buildings**

When considering illegal occupancies in residential buildings, we focus mainly on the loss of entire homes or apartments because of the devastating impact it has on our affordable housing stock. However, there is also the portion of the available rental market that includes private rooms, which are not unlawful to rent under the Multiple Dwelling Law<sup>4</sup>, and are a necessary segment of the housing market for many New Yorkers, as mentioned above. There is concern that the passage of Int. No. 1589 in its current form – which permits increasing the number of allowable boarders from two to four in Class A multiple dwellings – would create increased incentives and opportunities for landlords and tenants alike to rent additional rooms in Class A apartments on a short-term basis and thus deprive many New Yorkers of this critical housing.

The potential loss of available private rooms for rent would only add to the negative impact that the conversion of residential units into transient short-term rentals continue to have by threatening the fabric of our communities and creating instability. The negative impact that illegal hotels have on New York City is well documented: a diminishment in the quality of life of permanent residents; threats to the safety and security of permanent residents and tourists alike; and, most troubling, the removal of desperately needed residential units from the rental market, further exacerbating our housing crisis. Illegal hotels have plagued New York City for well over a decade, and the problem has only worsened with the advent and rapid growth of online platforms, such as Airbnb, VRBO, HomeAway and others.

Most recently, the report *Short Changing New York City: The impact of Airbnb on New York City's housing market*, commissioned by MFY Legal Services and Housing Conservation

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<sup>4</sup> This activity is not unlawful if the leaseholder is present in the apartment during the short-term stay, however it may be in violation of the tenant's lease, a co-op or condo by-laws, or other laws that prohibit the commercialization of a rent regulated apartment.

Coordinators, examined the negative impact that Airbnb has on New York City's housing market. The report examined Airbnb booking data from calendar year 2015, which revealed striking findings. The key findings from the report focused primarily on the short-term rental of entire apartments/homes, which revealed the negative impact that Airbnb – the biggest of the short-term online platforms – has on the City's rental housing market:

- Over half of the 51,397 Airbnb listings in the City are unlawful.
- Over 90% of the listings were concentrated in the boroughs of Manhattan and Brooklyn.
- More than 55% of Airbnb's listings were for entire homes/apartments, which violates the New York State Multiple Dwelling Law.
- The 8,058 listings identified as "Impact Listings," if made available on the rental market, would increase the number of vacant rental units available citywide would increase by 10 percent and the vacancy rate would increase to 4 percent.
- There is a strong correlation between the geographic concentration of Airbnb listings and rapidly changing neighborhoods.
- There is an extremely strong correlation of 0.93 between Airbnb listings and the median asking rental price for residential rental units, indicating that the number of Impact Listings and asking prices are increasing at a similar rate over time.

Similarly, there are currently 18,919 private rooms listed on Airbnb.<sup>5</sup> These are potential rooms that could be available to New Yorkers who otherwise cannot afford an apartment alone and/or cannot meet the stringent credit checks required by landlords in today's market. The potential for increasing the number of boarders from two to four would only exacerbate this loss.

### **Recommendations**

In order to ensure that the intended purpose of Int. No. 1589 is achieved, MFY recommends that the City engage in ULURP to create a lawful classification of B&Bs in the zoning regulations and pass legislation to create a registration process for owners who seek to operate under this classification.

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<sup>5</sup> Inside Airbnb, available at: <http://insideairbnb.com/new-york-city/>.

## **Conclusion**

In conclusion, while MFY supports the purported intended purpose of Int. No. 1589, MFY opposes the bill in its current form as it has much broader application than intended. MFY respectfully submits that the intended purpose can only be accomplished through ULURP. While ULURP is admittedly a lengthier process than passage of a bill, it is the correct process and one that would not recklessly create a different unintended consequence – the reduction of a critical source of affordable housing for many poor and low-income New Yorkers and incentivization of unlawful short-term rentals while trying to rectify another.



Testimony of Michael Seilback  
Re: Intro 385B

FOR THE RECORD

June 13, 2017

Good morning, my name is Michael Seilback and I am the Vice President, Public Policy & Communications for the American Lung Association of the Northeast. Thank you Chairman Williams, Council Member Mendez and members of the committee. The Lung Association's mission is to save lives by preventing lung disease and improving lung health.

As you have heard from the tenants who spoke before me, asthma remains a problem of epidemic proportions in New York City. According to DOHMH 23% (177,000) of NYC children 12 and under diagnosed with asthma and an estimated 238,000 adults 18 and over were diagnosed with asthma. Asthma is one of the leading causes for why children miss school and asthma is the most common cause of hospitalization for kids under fourteen years old. Compared to children living in high income neighborhoods, those living in low income areas are four times more likely to be hospitalized for asthma.

There are many different factors that may end up exacerbating someone's asthma resulting in a visit to the hospital. We have taken dramatic action to try to reduce outdoor air pollution, as one example. However, for many New Yorkers, these triggers are often found More than one in eight children with asthma are exposed to potential asthma triggers in the home.

Asthma is a chronic inflammatory condition that can be controlled if managed properly, through effective use of controller medications and avoidance of asthma triggers. In order for asthmatics to have a true handle on their disease, they must be able to identify and avoid these triggers. Exposure in the homes to mold, cockroaches, rats, mice and dust mites can make breathing anything but easy for those living with asthma.

While we urge anyone with asthma to limit exposure to these triggers in the home environment by fixing leaks, controlling moisture levels, ensuring adequate ventilation and getting to the source of pest infestations, many people are forced to live in dilapidated housing in which they have no control over the source of their asthma trigger. Their homes are anything but healthy.

Additionally, we know that some residents do not have access to healthcare and access to the preventative medicines needed to properly control asthma. As we work to increase access to care and educate asthmatics and their families about managing their disease, it is imperative that they live in homes that are free of asthma triggers, like mold and rodents.

Intro 385B will vastly strengthen New York City's laws regarding remediation of mold and vermin. This law will require that landlords actually fix the problems in their buildings. Furthermore, the law will also encourage physician referrals as well as medical provider education regarding asthma and indoor allergens. We also strongly support the provision of the bill which allows for doctors, nurses and other health professionals (with consent) to request HPD to investigate the possible indoor allergen hazards in residences where individuals with persistent moderate or severe asthma live. If such allergens are found, they would need to be remediated within three weeks. This is an important public health protection for individuals suffering from asthma.

The Asthma-Free Housing Act will protect the health of all New Yorkers, especially those suffering from asthma and lung disease. No one should be exposed to toxic mold in their own homes. We applaud the Council for holding today's hearing and urge immediate passage of this important legislation.

For more information contact: Michael Seilback, Vice President, Public Policy & Communications for the American Lung Association of the Northeast, 631.415.0946 or [Michael.Seilback@lung.org](mailto:Michael.Seilback@lung.org).



**Statement by the  
American Council of Engineering Companies of New York**

**in OPPOSITION to Intro 1307-a**

**Committee on Housing and Buildings, June 13, 2017**

The American Council of Engineering Companies of New York, the association of professional consulting engineering firms, appreciates the opportunity to share our views with you.

At a time when the City Council is focused on improving construction safety, Intro. 1307-a would be a step in the wrong direction, watering down hiring standards for building inspectors even as construction becomes more complex and more is required of them.

We urge the Council to table this version and ask the Department of Buildings to take a more thoughtful approach to the issue of inspector qualifications, in collaboration with the design and construction professionals who interact with the inspectors every day and whose work is reviewed by them.

Last fall, ACEC New York met with the DOB and told them that the industry was sympathetic to their difficulty in recruitment, but that it was not a sufficient reason to give them unfettered discretion as then proposed. While the engineering community applauds the work Commissioner Chandler has done in reforming the DOB, the fact remains that construction safety is too important to depend on the integrity of future commissioners facing budget or political patronage pressures.

We offered to work with DOB to develop appropriate requirements depending on the type of inspection being conducted. Unfortunately, that did not occur.

What you see when you read several of the proposed "qualifications" is that when it comes to doing this important work, DOB's want ads can say, "No experience necessary."

60 credits towards a degree in a "relevant field of study" or completion of an apprenticeship program with no required length or a certification from an unidentified entity "related" and no experience could result in inspectors that have never been on a construction site, let alone have worked on one, and have insufficient technical course work.

This Council has been moving in the opposite direction with the adoption of the updated ICC construction codes with their increased sophistication needed to achieve safe, sustainable and efficient construction. You have required developers to engage third-party "special inspectors" to conduct 17 different inspections before the DOB is asked to sign-off on the work,

and the qualifications are higher than those proposed by the DOB, with less qualified personnel allowed only for specific tasks and only when under the supervision of a licensed professional.

Council Members- would you want to work in a tower whose structural work was inspected by someone with 60 college credits and no experience? Don't you think the type of apprenticeship program or certification needed to sign off on the natural gas system for a building should be spelled out and accompanied by at least some experience?

ACEC New York is not saying that every inspection requires the level of training and experience currently in the law. We are saying that each type of inspection and the qualifications to do that specific work should be thoughtfully and individually reviewed. And we are again offering to work with DOB to achieve this.

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*The American Council of Engineering Companies of New York (ACEC New York) is the voice of the professional engineering community, representing 300 member firms throughout New York State that collectively employ close to 24,000 people statewide, with a concentrated presence of firms located within the five boroughs of New York City. Our members are involved in all aspects of engineering for the public sector. We plan and design the structural, mechanical, electrical, civil, environmental, plumbing, fire protection and technology systems for the city's infrastructure, including transportation, energy, and wastewater treatment facilities, as well as public buildings.*



**TESTIMONY OF HOUSING CONSERVATION COORDINATORS  
BEFORE THE HOUSING AND BUILDINGS COMMITTEE OF THE  
NEW YORK CITY COUNCIL**

June 13th, 2017

Good morning--Thank you to the Members of the Council for the opportunity to testify today.

My name is Jonathan Furlong and I am the Director of Organizing at Housing Conservation Coordinators (HCC). I am here this morning to give testimony on behalf of the Coalition Against Illegal Hotels concerning Intro 1589 which would effectively amend the definition of "family" to increase the number of permitted boarders, roomers and lodgers from two to four. It is our understanding that the intended purpose of this legislation is to protect from enforcement of illegal short-term rentals the small business owners that are operating Bed and Breakfasts out of their 1-and 2-family homes.

The Coalition is comprised of organizations spanning New York City, whose work lies in the neighborhoods most negatively impacted by commercial Airbnb use: UHAB/Crown Heights Tenant Union (CHTU) in Crown Heights, Brooklyn; The Goddard Riverside Law Project on Manhattan's West Side above 14<sup>th</sup> Street; Housing Conservation Coordinators, (HCC and the West Side Neighborhood Alliance) based in Hell's Kitchen serving the west side; The Cooper Square Committee in Manhattan's Lower East Side; St. Nick's Alliance in the Greenpoint /Williamsburg, Brooklyn, Bewarebnb which started in the Gowanus section of Brooklyn, MFY Legal Services, organizing citywide, and data activist project Inside Airbnb.

Let me be clear in stating that the coalition fully supports the protection of small business owners who have registered their private homes for use as Bed and Breakfast accommodations, but not at the expense of diminishing an already dwindling number units in smaller buildings that could be used to house tenants. If the intended purpose of the bill is to protect B&B's operating lawfully as small business owners that are licensed by the City, it should be much more narrowly tailored. Currently there is nothing in the zoning text that designates a classification of B&B's, and the legislation circumvents the ULURP process amending such zoning regulations. We are calling on this committee to take the necessary steps to create a lawful classification of B&Bs, which would be the preferred route as it could include a registration process and requirements for becoming a B&B. This would accomplish the intended purpose behind Intro 1589 and avoid the unintended consequences created by the legislation. In taking some of these things into consideration, it would be useful to know how many Bed & Breakfasts are registered as such, where they are located, and could guide the conversation around the size and scope of the small business community this bill is intended to protect.

Finally, this legislation effectively dilutes a section of the housing market that is roommate driven. In a city that has long been in crises-mode, given the rising rents in neighborhoods with

smaller buildings the sheer number of tenants looking for an affordable place to live, and the dearth of available affordable apartments and rooms, any policy that could limit the number of options for neighborhood residents should be heavily scrutinized as it is critically needed by many poor and low-income New Yorkers.

Statement from the Hunts Point Alliance for Children  
Regarding Asthma-Free Housing (Intro 385B of 2016)  
June 13, 2017  
New York, New York

Thank you for the opportunity to provide the below written statement regarding the proposed Asthma-Free Housing Act to protect children and other vulnerable populations from the ongoing allergens that cause, trigger, and intensify respiratory conditions. My name is Jill Roche and on behalf of the Hunts Point Alliance for Children, I would like to voice support for the bill. The Hunts Point Alliance for Children (HPAC) is a collaboration of the schools and non-profit organizations committed to supporting the children and families living in the Hunts Point peninsula of the South Bronx. HPAC works to create new opportunities for Hunts Point students through literacy focused direct programming that meets critical school and college readiness needs. As an Alliance, our members collaborate to maximize impact on education and child well-being in a neighborhood known for its high-risk factors for children's well-being. HPAC's efforts are driven by the vision for a future where every child in our community is academically, emotionally and physically prepared for the next stage of their development from birth to career. In our role as advocates for the resources and policies that impact children's educational achievement, we believe that the proposed bill has the potential to impact the high incidence of asthma in our community and decrease asthma-related school absenteeism. Addressing absenteeism related to preventable health conditions is a crucial component to creating an equitable opportunity for education for all New Yorkers.

Currently, the Bronx has the highest number of asthma-related emergency room visits in New York City, with double the number of visits of Manhattan residents.<sup>1</sup> The Hunts Point/Longwood Community District specifically has the 3<sup>rd</sup> highest asthma hospitalization rate for children, which is twice the citywide rate.<sup>2</sup> Research demonstrates that poor residential building maintenance, including water leaks, associated mold and pest infestations are associated with asthma and respiratory illnesses.<sup>3</sup> Citywide, our community has the highest prevalence of poorly maintained housing, **with 69% of all rental home having at least one documented maintenance defect.**<sup>4</sup> Risk-factors are cumulative, and the poor housing stock, combined with poor air quality given traffic associated with the industrial nature and Food Market, places Hunts Point children among the most vulnerable in the city for risk of asthma-related illnesses.

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<sup>1</sup> Citizens Committee for Children of New York, Keeping Track Database. Available at <http://data.cccnewyork.org/data/map/6/asthma-emergency-room-visits#6/a/2/9/8/a> Last Visited 7 June 2017

<sup>2</sup> Community Health Profiles 2015: Hunts Point and Longwood available at <https://www1.nyc.gov/assets/doh/downloads/pdf/data/2015chp-bx2.pdf>

<sup>3</sup> Higgin, Donna; Krieger, James; Housing and Health: Time Again for Public Health Action; 2002 May; available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447157/> Last accessed 7 June 2017.

<sup>4</sup> Community Health Profiles 2015: Hunts Point and Longwood available at <https://www1.nyc.gov/assets/doh/downloads/pdf/data/2015chp-bx2.pdf>

Respiratory distress does not only impact short and long-term health, it also has a direct correlation to educational outcomes. Asthma is the number one reason students miss school.<sup>5</sup> When a student attends school only 90% of the time, by June they have missed an entire month of instruction, which some studies have shown correlates to drop in grades of 67%<sup>6</sup>. Overtime, the aggregate effect of poor attendance and low grades multiplies, with chronically absent younger students unable to master key concepts necessary to the ongoing development of key literacy and critical thinking skills, and culminates in disengagement with school. The end result of multiple risk-factors is evident in the Hunts Point community, which has a school district absenteeism rate of 88.6%, elevated asthma-related emergency room visits, poor housing maintenance conditions, and a community district graduation rate of 33.8%<sup>7</sup>

Clearly, we must act with urgency and on many simultaneous fronts to avoid similar health and education outcomes for the current infants, toddlers, and elementary students of Hunts Point.

The Asthma-Free Housing Act of 2016 addresses a major driver of the inequity in asthma prevalence, and places an important responsibility on landlords to ensure the prevention and reduction of indoor allergens – mold and pest infestations – that disproportionately impact the children of Hunts Point and other similar neighborhoods city-wide. While not a silver bullet, we believe that 385B is an important tool in the arsenal of community residents, mothers, and advocates in the struggle to reverse these long-term trends and support its passage.

Thank you,

Jill Roche  
Executive Director  
Hunts Point Alliance for Children

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<sup>5</sup> Wall Street Journal, Nov 19, 2013. Center for Disease Control and prevention (CDC); as cited by a.i.r.nyc. Available at: <http://www.air-nyc.org/absenteeism/> Last accessed 7 June 2017

<sup>6</sup> *Id.*

<sup>7</sup> Citizens Committee for Children of New York., Community Risk Ranking, February 2016. Available at <https://www.ccnnewyork.org/wp-content/uploads/2015/01/CCCRiskRankingNYC.pdf> Last Access 7 June 2017

WRITTEN TESTIMONY BEFORE THE COMMITTEE ON HOUSING AND BUILDINGS ON INTRODUCTION 385  
FROM RUTH BERDAH-CANET AND BENJAMIN CANET  
JUNE 13, 2017

Thank you for your time today.  
I am Ruth Berdah-Canet and I am Benjamin Canet.

We moved from France to New York in 2003 and have been permanent residents for the past 5 years. Ruth is a filmmaker and I am an investment professional at a hedge fund. Our son just turned two and has been poisoned with mold for a year because of our management company's negligence. We do not have a long time to speak today so we will get straight to the core issue: we are fortunate enough to earn fairly high incomes, which means we had the financial means to fight our management company, pay medical bills, find a new apartment, move out of our mold-infested place and soon hire legal counsel. But most New Yorkers, especially New Yorkers who are confronted with mold issues, are usually not as financially comfortable as we are. This is why we believe it is crucial for us to testify in front of you today.

Our story started in March of 2016. We lived on the 27th floor of a doorman building at 345E 80th Street and a leak soaked the hallway carpet right outside of our apartment. We told the super and the management company about this wet spot signaling a leak but they claimed they could not find its source. After a few months, a nasty white stain appeared on the carpet, and started to spread out producing a foul smell. We asked the live-in super and his staff if this stain and smell could be mold but they dismissed it without investigating, made fun of us and did nothing about it.

Over the same period, our then 1-year-old baby was suffering from severe and constant breathing issues that led to very serious asthma flares and even hospitalization. Neither us nor our doctors had any idea what caused those respiratory issues or the skin lesions that started to appear on his body. And to be honest, neither them nor us ever made the connection with this ongoing leak.

We were desperate constantly running from doctor to doctor trying to help our son breathe. Even the slightest cold our son caught would morph into terrible asthma flares. We could go from a simple sneeze to the hospital within 12 hours. His treatment was very heavy with both albuterol and steroids up to every 4 hours around the clock. But to our dismay we never saw much improvement. We even tried alternative medicines and practices such as chiropractic treatments and acupuncture several times a week.

Despite reporting our son's issues to the super and the management company for months, they just did not want to take that leak and that potential mold problem seriously.

So we decided to take the matter in our hands and hired one of the best inspection companies in the city for more than \$600. They came over and took air samples in every room and in the hallway. Their lab results and report analysis were terrifying: spore levels more than 100x normal levels, one of 2 worst kind of spores causing asthma and skin lesions and a recommendation to leave the apartment immediately. We were lucky to find a temporary place to do so. Despite this evidence and detailed remediation plan described in the report, the management company continued to be dismissive, refused to do the hard work to find the source of the leak and to do the remediation. Even after the NYC inspector confirmed the presence of mold and despite NYC guidelines, they did not take the appropriate steps leaving us no other choice but to move out of the apartment permanently.

We attached to this testimony many documents including pictures of our 1 year-old son undergoing treatment. Within days after we moved out, as shown in doctors letters, his condition improved drastically. But the doctors are not sure about long term consequences of such a high and prolonged mold exposure. Needless to say that Ruth and I still live in fear every time our son catches a cold... and as you can imagine, it happens a lot with a 2 YO.

Management companies and supers do not take mold seriously. Partially because it's a silent and often invisible nuisance. Imagine if we had the same amount of cockroaches per cubic meter as we did with mold spores... that's 5440 cockroaches per cubic meter... The super and the management company would have undoubtedly dedicated every second of the day to find the nest.

If knowing that a baby was critically sick for a year did not coerce the management company to act quickly and efficiently, we hope that the power of the Law will. We place our trust in our policy makers today to avoid other families, often less fortunate, to have to go through the same hell we just escaped from.

**Documents attached:**

*Pictures of our son's treatment  
4 doctors' letters*







**Mount Sinai** *Kravis Children's Hospital*

Rosanna Mirante, MD  
234 East 85 Street, 3rd Floor  
New York, NY 10028

PATIENT: [REDACTED]  
DATE OF BIRTH: [REDACTED]  
DATE OF VISIT: 04/27/2017

April 27th, 2017

To Whom It May Concern:

[REDACTED] is a 2 year old boy followed closely by our practice. [REDACTED] has been evaluated several times over the last year for severe respiratory distress. Over the past year he was seen on multiple occasions for wheezing requiring albuterol.

Please see below for visits to the office:

In February, 2016, he was see twice for upper and lower respiratory illnesses. In March, 2016, he was seen on 5 separate occasions for wheezing some of which required Nebulizer therapy and/or steroid. In May, 2016, he was seen for pruritic rashes and nasal congestion on two occasions. In November, 2016, he was again see for difficulty breathing which required nebulizer therapy in the office. On November 17th, 2017, he was seen for significant wheezing and respiratory distress which necessitated hospitalization to Mount Sinai Hospital. On 11/17/2016, he had a CXR which showed increased bronchovascular markings and peribronchial thickening and pulmonary hyperinflation bilaterally. These findings are consistent with reactive airway disease. He had two further episodes requiring office visits on 12/14/2016 and 1/19/2017.

On 3/12/17, the mother called to office to inform us that there were high levels of mold in their apartment and wanted to let the office know that they had moved out. The testing was done due to the presence of a water leak in their apartment and in the hallway. Subsequent analyses have showed several types of mold which have been known to cause respiratory and allergic symptoms were identified. Specifically, Penicillin Aspergillus, Basidiospores, and Cladosporium were identified.

While [REDACTED] has not had official allergy testing, it is known that these molds can be associated with upper and lower respiratory problems. Since leaving the apartment, [REDACTED] has not needed to come in for respiratory or dermatologic issues. As per the parents, he is breathing much better. He did see Dr. Alfin Vicencio (pulmonologist) on 4/7/2017 for a consultation.

If you have questions, please do not hesitate to contact this office at 212-772-0707.

Sincerely,  
*Rosanna Mirante*  
Rosanna Mirante, MD  
RE: [REDACTED]

**FPA 85TH ST PEDIATRICS  
LOUIS MONTI, M.D.  
ROSANNA MIRANTE, M.D.  
MARLA STERN, M.D.  
234 EAST 85TH STREET  
3RD FLOOR  
NEW YORK, NY 10028  
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Icahn School  
of Medicine at  
Mount  
Sinai

*Kravis Children's Hospital*  
Department of Pediatrics

**Alfin G. Vicencio, M.D.**  
Associate Professor of Pediatrics  
Division Chief, Pediatric Pulmonology

Mount Sinai School of Medicine  
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Tel (admin): (212) 241-3589  
Tel (clinical): (212) 241-7788  
Fax: (212) 876-3255  
Email: pedspulmonary@mssm.edu

Thursday, May 11, 2017

Re: [REDACTED]

To whom it may concern,

[REDACTED] was evaluated in my pediatric pulmonology sub-specialty clinic on April 7, 2017. He had a year-long history of cough and wheeze that, despite an aggressive regimen of asthma medications including inhaled steroids and beta agonists, resulted in several hospitalizations and urgent care visits. By the time I evaluated [REDACTED], his symptoms had suddenly come under much better control, coincident with a relocation to a different apartment.

Importantly, environmental analysis of the family's prior residence demonstrated very high levels of clinically relevant fungi, including but not limited to *Aspergillus*, *Penicillium* and *Cladosporium* species, all of which have been associated with respiratory symptoms including cough/wheeze. In particular, symptoms have been known to cause symptoms in previously healthy children, and may also exacerbate symptoms for children with pre-existing respiratory issues (i.e. asthma).

Although his symptoms currently are minimal (coincident with the relocation as mentioned above), I will be monitoring any return of symptoms the upcoming fall and winter months, as childhood asthma symptoms tend to worsen during these seasons.

Thank you for your attention to this letter.

Sincerely,

Alfin G. Vicencio, M.D.

Apex Total Health  
100 Mamaroneck Ave, 2<sup>nd</sup> Floor  
White Plains, NY 10601  
(914) 468-4616

To whom it may concern,

██████████ presents to the office on January 10, 2017 for consult and treatment regarding rib and thoracic restrictions secondary to asthma. His mother (Ruth) stated that he had been on steroids in the past with no relief and believes that restrictions in the thoracic and pelvic regions could be causing the symptoms ██████████ was experiencing. ██████████ was having flare-ups weekly with a constant wet cough along with wheezing. ██████████ was treated one time a week for 8 weeks with no results (1/10/17-2/28/17). ██████████ followed the care plan diligently, along with supplements to decrease inflammation which typically would have resolved within 2-4 weeks. The most relief ██████████ found was on the week of 2/14/2017 when they took a weekend trip to upstate NY and he had little to no symptoms and restrictions. Due to the change in ██████████'s health, frequency of care was changed to once every other week. ██████████ had a flare up within one week with a new rash all over his body along with restrictions in the thoracic and rib regions. The skin condition appeared to be an immune response, hive like which lasted for about two weeks.

Despite being diligent with care, ██████████ was still not making any progress with care, which led us to believe there was something else that may be contributing to his condition. After further examination, ██████████'s mother (Ruth) discovered mold in their apartment in New York.

After relocating, ██████████ presented to the office on 4/1/2017 with little to no restrictions or skin conditions, and was able to tolerate treatment with no complications. In my expert opinion, ██████████'s skin and musculoskeletal conditions were due to the mold infestation found in their apartment which was hindering his ability to heal. Now that it has been removed, he is tolerating treatment and progressing well. Please feel free to contact me directly with any additional questions or concerns.

Best in health,

Ritika Merai DC, MSACN



May 24, 2017

██████████ came to my clinic on February 7, 2017 with a chief complaint of wheezing. The patient, a 2 year old child presented afebrile, alert and oriented, pleasant and responsive but tired. Auscultation revealed significant rhonchi in upper fields with diffuse wheezing. Also notable was excessive, clear oral phlegm production. The parents sought acupuncture for episodic exacerbations of the presenting condition that seemed to worsen overnight. According to the parents, the patient's condition could evolve to the point of him becoming distressed, agitated and lethargic, though never febrile or with other systems involvement. The patient was admitted to hospital on two occasions and subsequently discharged with a working diagnosis of allergic asthma. Bronchodilator treatments appeared to alleviate some symptoms, however agitated the patient. Bulb irrigation was also used to draw off some of the phlegm.

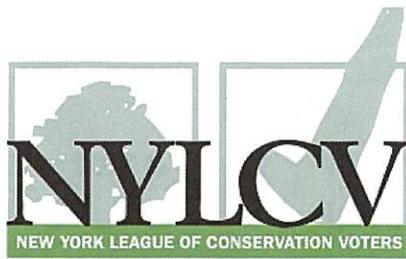
Other systems exams and inquiries were unremarkable and the patient has no other significant past medical history. The only exception to this being the reporting of periodic development of red, non-suppurative eczematous patches on his face and torso which were reported to be coincident with flare-ups of his respiratory condition.

Over the course of 5 weeks ██████████ received weekly treatments with various modalities of Chinese medicine including cupping, shon-shin (skin stimulation) techniques, herbs and topical applications. The results of treatments were encouraging but not enduring. ██████████ continued to cycle through periods of excessive phlegm production, drooling and increased respiratory effort between treatments, though he appeared to have some benefit in the short term that would taper as the days progressed.

Treatments with Chinese medicine were oriented at strengthening ██████████'s respiratory system and concurrently clearing the excessive phlegm. Given his daytime activity and respiratory status, an underlying respiratory "deficiency" in the terms of Chinese medicine was considered but not explicit. Dietary triggers were also explored but elimination programs largely ruled out that of his condition at the time was the result of food sensitivities.

If you have any additional questions, please do not hesitate to contact me

Noah Rubinstein, DACM, LAc  
Clinic Director



**Testimony of Adriana Espinoza  
New York City Program Manager  
New York League of Conservation Voters  
Committee on Housing and Buildings  
Intro 385-B  
June 13th, 2017**

Good morning. My name is Adriana Espinoza, and I'm the Manager of the New York City Program at the New York League of Conservation Voters (NYLCV). NYLCV represents over 28,000 members in New York City, and we are committed to advancing a sustainability agenda that will make our people, neighborhoods, and economy healthier and more resilient. I would like to thank Chair Williams and all members of the Committee on Housing and Buildings for the opportunity to testify.

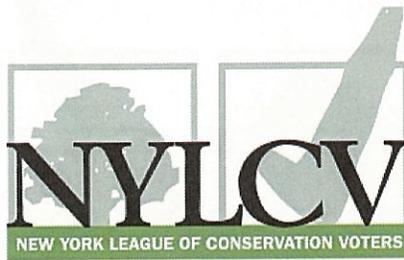
NYLCV strongly supports Intro 385-B, which establishes protocol for landlords and the Department of Health and Mental Hygiene to inspect, inform, and eliminate hazardous asthma-inducing building conditions.

Asthma is a chronic illness that is often triggered by a person's environmental exposure to allergens. Even more than outdoor air quality, poor indoor air quality is a leading health threat to the approximately one million New Yorkers, including over 177,000 children, diagnosed with asthma.

A wealth of scientific literature has shown that particles associated with mold, roach and rat infestations are significant allergens known to trigger asthma attacks in adults and especially children. In addition, children living in low income areas are four times more likely to be hospitalized for asthma than children in middle to higher income areas. For example, while the national asthma rate is 1 in 11, there are areas of New York City where that rate is an unacceptable 1 in 4.

Intro 385-B aims to address indoor air quality by providing for better accountability from landlords to fix asthma-inducing housing conditions. The benefits of this bill are significant, both economically and in its impact on public health.

Each year nationwide, students and workers with asthma miss approximately 10.5 million school days and 14.2 million work days respectively. Even an occasional flare-up of asthma symptoms can have a ripple effect on an entire family. When asthma causes a child to miss school, it impacts the child's education, increases the family's medical expenses, and often the parents' ability to go to work.



**Testimony of Adriana Espinoza  
New York City Program Manager  
New York League of Conservation Voters  
Committee on Housing and Buildings  
Intro 385-B  
June 13th, 2017**

NYLCV is supportive of Intro 385-B because it will move us toward a more comprehensive and holistic mitigation strategy. The bill provides specificity on remediation including protocol for notification, timelines, safe work practices, and approved methods for eliminating the allergens.

Intro 385-B also allows for physicians to provide referrals for inspections for patients with asthma, chronic obstructive pulmonary disease (COPD), or other medical conditions exacerbated by indoor allergens. Currently, doctors prescribe medication and inhalers to manage symptoms, but Intro 385-B can also allow them to go further to treat the source of asthma itself.

The current process of taking the issue to housing court is time consuming, expensive, burdensome on HPD, and too often leads to no remediation or only cosmetic fixes to the issue. It is not acceptable to knowingly let landlords and building owners avoid addressing issues like mold and roach infestations when we know it has serious impacts on indoor air quality that disproportionately harm our children.

NYLCV is proud to have worked with the City Council over the years on policies that have improved our outdoor air quality, and we urge the Committee on Housing and Buildings to take the next step of addressing air quality indoors. Thank you for your time.

Contact:

Adriana Espinoza

NYC Program Manager

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# Testimony In Opposition to Int. No. 1589

Presented by Murray Cox, founder of Inside Airbnb

*to the New York City Council's Committee on Housing And Buildings*

*June 13, 2017.*

Good Morning. My name is Murray Cox and I am the founder of **Inside Airbnb**<sup>1</sup> - a project which provides public data on Airbnb's impact on residential communities around the world, and advocates for the appropriate regulation of Short-Term rental platforms.

I am here today to oppose the proposed bill Int. No. 1589 on the basis that, in the midst of a housing crisis, it will serve to further legitimize and incentivize the rental of residentially zoned rooms and homes to tourists instead of New Yorkers, at an unprecedented scale.

Both sponsoring Council Members, Cornegy and Williams, have stated publicly<sup>2</sup> that the intent of this law is to protect legitimate Bed and Breakfasts (B&B's) NOT Airbnb's. Despite this, the proposed legislation does nothing to define what a legitimate B&B is, nor how to differentiate a legitimate B&B from someone using a short-term rental platform like Airbnb.

In 2014, a spokesperson for a B&B trade group, said<sup>3</sup> that there were as few as 16 "legitimate" Bed and Breakfasts in New York City.

In comparison, as of June 2017, there are 19,806 single rooms available on Airbnb, as well as 20,215 entire apartment listings, and they're growing (private rooms have grown 78% over the last 2 years, and entire home listings have grown 29%)<sup>4</sup>.

Many of the entire apartment Airbnb listings are already illegal under New York State Law, however private rooms are rented subject to definitions of "boarders, roomers or lodgers" under State and City Laws. Changing the definition of "family" from two to four "boarders, roomers or lodgers" per the proposed bill will only serve to legitimize and incentivize the further erosion of residential housing by platforms such as Airbnb, and compete unfairly with legitimate and licensed hospitality providers.

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<sup>1</sup> <http://insideairbnb.com>

<sup>2</sup> **Council bill will aid bed-and-breakfasts caught in Airbnb dragnet.** Crain's New York. May 29, 2017. [http://www.crainsnewyork.com/article/20170526/REAL\\_ESTATE/170529901/city-council-bill-to-aid-bed-and-breakfasts-caught-in-airbnb-dragnet](http://www.crainsnewyork.com/article/20170526/REAL_ESTATE/170529901/city-council-bill-to-aid-bed-and-breakfasts-caught-in-airbnb-dragnet)

..."There are people operating in the context of the law and meeting the tax requirements but being penalized because of the ongoing Airbnb fight," said Councilman Robert Cornegy Jr., who is a co-sponsor of the legislation... Councilman Jumaane Williams, has been critical of illegal home-sharing listings and Airbnb's willingness to help the city crack down on them, but said that legitimate B&Bs should be able to operate without fear of getting fined.

<sup>3</sup> **B&B be gone** A law cracking down on illegal hotels in the city, and the rise of Airbnb, have put real bed-and-breakfasts out of business. Crain's New York. September 21, 2014 [http://www.crainsnewyork.com/article/20140921/HOSPITALITY\\_TOURISM/140919814/bb-be-gone](http://www.crainsnewyork.com/article/20140921/HOSPITALITY_TOURISM/140919814/bb-be-gone)

"Ms. Milano said seven bed-and-breakfasts that she knows of in the city have shuttered. She estimated that there are just 15 other B&Bs like hers whose proprietors pay taxes and register with the city."

<sup>4</sup>Source: Inside Airbnb. Data compiled June 2, 2017; and 2015 to 2017.

In fact, almost a third of the private rooms being offered on Airbnb (6,051) are by hosts that have 2 or more private rooms listed<sup>5</sup>, showing that there is significant commercial activity from those who are renting more than a "spare room".

How many residential units will be caught up in the net that this proposed law casts? There are more than 2.6 million<sup>6</sup> residential units in buildings with 3 or more units - protected from being rented out entirely as a B&B by multiple-dwelling laws, but able to be further split up and rented out as rooms under this proposed bill.

There are also more than 860,000 residential units in one and two family homes which could be filled with up to 4 tourists, with or without a "host" present.

In addition to traditional renter households which might be directly or indirectly displaced by this law, a distinct population that there will be less incentive to rent to, are New Yorkers living in non-family households, like roommates and housemates, which number more than 380,000<sup>7</sup>.

I encourage this Committee to reject this bill, and instead engage in a ULURP to create a limited lawful classification of a B&B. In the meantime, the city should continue to enforce current laws against users of short-term rental platforms like Airbnb, who are doing more harm than city enforcement to "legitimate" B&B's, and, to the city's residential housing stock.

Included in my written testimony are references and additional data.

Thank you.

## Supplemental Data

**Table 1. Airbnb Listing Growth by Type of Listing**

Year	Total Listings	Entire Homes	Private Rooms	Shared Rooms
2015	27,469	15,700	11,116	653
2016	36,608	19,072	16,442	1,094
2017	41,187	20,215	19,806	1,166
<b>24-month growth</b>	<b>50%</b>	<b>29%</b>	<b>78%</b>	<b>79%</b>

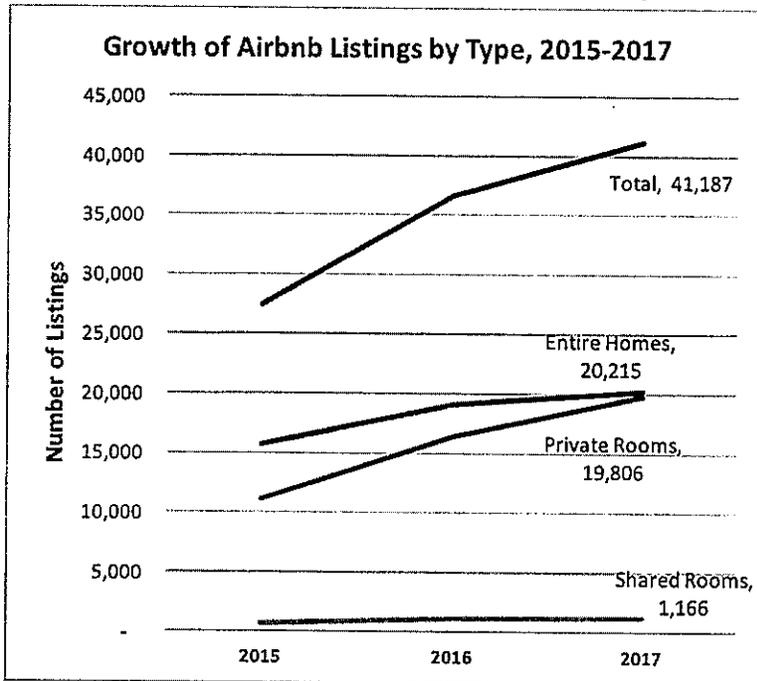
Source: Inside Airbnb. Snapshot of listings taken in June of each year.

<sup>5</sup> Source: Inside Airbnb. Data compiled June 2, 2017

<sup>6</sup> PLUTO: <http://www1.nyc.gov/site/planning/data-maps/open-data/dwn-pluto-mappluto.page>. Data September 2016.

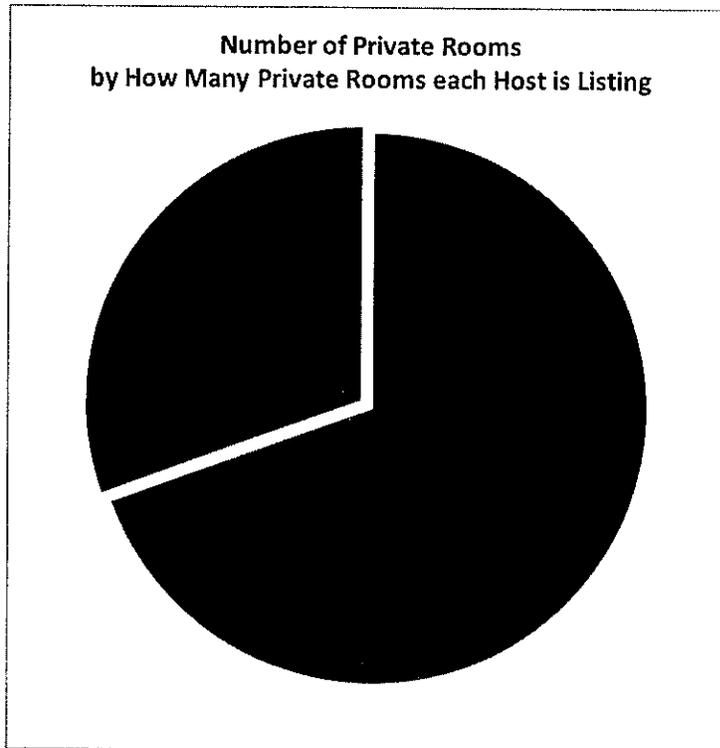
<sup>7</sup> Table B09019. 2015 American Community Survey, 5 Year Estimate. There are 383,499 Non-relatives living in non-family households.

**Figure 1. Airbnb Listing Growth by Type of Listing**



Source: Inside Airbnb. Snapshot of listings taken in June of each year.

**Figure 2. Number of Airbnb Private Rooms by how many Private Rooms each Host is Listing**



Source: Inside Airbnb, June 2017.

**Table 2.** Number of Residential Units by the Number of Residential Units in each Building/Home, by Borough

Borough	Number of Residential Units in Building	
	1-2 Units in Building/Home	3+ Units in Building/Home
Brooklyn	276,700	732,890
The Bronx	83,733	488,790
Manhattan	8,192	921,405
Queens	353,911	478,464
Staten Island	137,952	36,775
<b>TOTAL</b>	<b>860,488</b>	<b>2,658,324</b>

Source: NYC PLUTO Database, September 2016.

**Table 3.** Number of Non-relatives living in a non-family household, by Borough.

Non-relatives living in non-family households	The Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
	32,538	115,317	147,773	80,964	6,907	<b>383,499</b>

Source: Table B09019. 2015 American Community Survey, 5 Year Estimate.



**Testimony of Matthew Chachère, Northern Manhattan Improvement Corp.  
Legal Services before the Committee on Housing and Buildings  
June 13, 2017, regarding Intro 385B**

I am an attorney with Northern Manhattan Improvement Corporation (NMIC), a non-profit multi-services provider in Washington Heights, Inwood, and portions of the Bronx. I appreciate the invitation to testify today. According to the NYC Department of Health and Mental Hygiene’s (“DHMH”) Environment and Health Data Portal, Washington Heights-Inwood has the second highest incidence of reported mold problems in the home, the highest incidence of water leaks and cockroaches, one of the highest incidences of mice and of holes that permit vermin ingress, and – not surprisingly – high levels of asthma among both children and adults.

I have been a practicing attorney for over 30 years, with much of my work focussing on the intersection between housing conditions and public health. As a member of the Coalition for Asthma Free Homes, I have worked closely over the years with Councilmember Mendez and other members of the Council to help develop the proposal that is before this committee today, in the present form of Intro 385B.

This bill is an diligent effort to craft meaningful responses to the chronic asthma triggers in private rental housing and what has been – up until now – less than effective code enforcement. For example, while the DHMH, since 1993, has had recommendations and guidelines for the control and remediation of mold, and indeed these guidelines have been referenced by other jurisdictions as representing the state of the art, they have remained as just suggested guidelines. As a tenant attorney, I can tell you that for the most part attempts to compel owners to follow these guidelines in remediating mold violations in Housing Court are fruitless, as neither owners nor Housing Court judges believe that “guidelines” can be legally enforced. As a result, tenants suffer from inadequate remediation that fails to address the underlying causes of mold and the safe and effective remediation. Below, for example, is a photograph of a client’s apartment only a few months after the landlord claimed he’d supposedly “fixed” the mold problem:

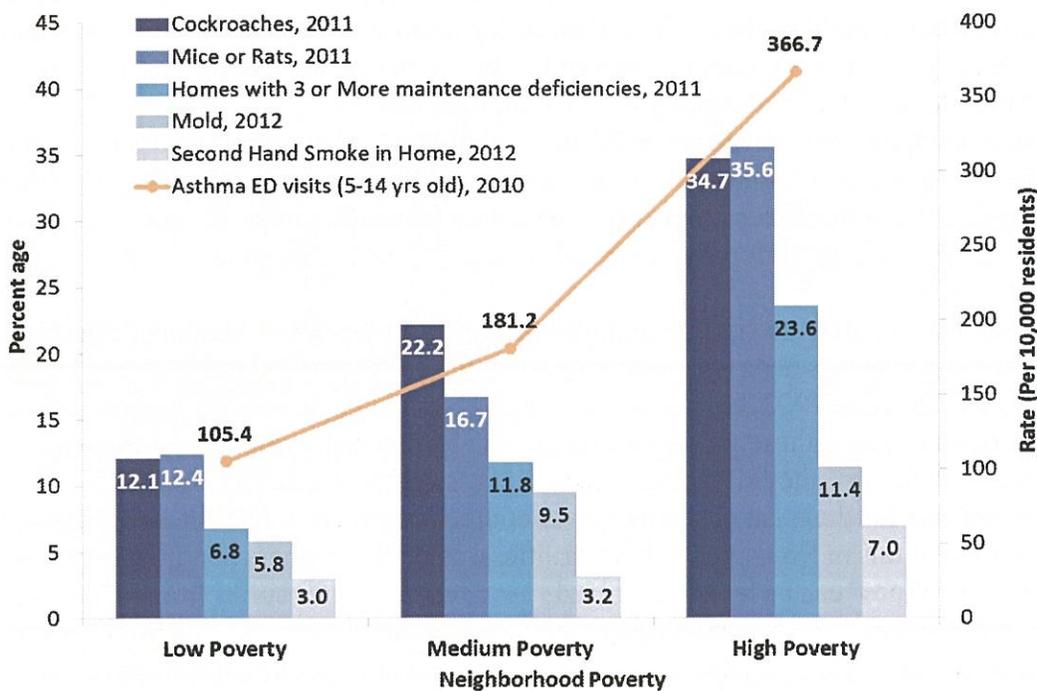


Intro 385B would at long last codify meaningful – and enforceable – standards for the safe and

effective correction of mold.

Likewise, it is well understood that the presence of cockroaches and/or mice and rats is strongly correlated to the incidence of asthma attacks and treatment, while the benefits of Integrated Pest Management (“IPM”) are at this point well established – and, in fact, legally mandated since May, 2005 in City-owner properties pursuant to Local Law 37. Unfortunately, the current housing code regime for controlling and remediating pest infestation in private residential housing fails to meaningfully address the underlying conditions through IPM. As a result, we see the same pest conditions (and mold conditions) return over and over again, without effective correction. It is an exceedingly poor use of code enforcement resources, attorney resources, and court resources, frustrating to tenants and health care providers alike, and in the long run makes our residents less healthy.

We know that poor housing conditions have a significant adverse impact on public health, and NYC DHMH data demonstrate.



Source: NYC EPHT Portal - HVS 2011; CHS 2012, SPARCS 2010

We also know that that effective use of code enforcement resources, coupled with a statutory regime that requires owners to maintain housing in a manner that is safe for human occupancy, can have a major positive outcomes for public health. For example, Local Law 1 of 2004, the NYC childhood lead poisoning prevent act, has had an enormous role in bringing down the numbers of children needlessly exposed to lead-based paint hazards and a concomitant decrease in childhood lead poisoning.

The same progress can be achieved here. This bill has been around in one form or another for the better part of a decade now. I urge passage of this important legislation now.

**Testimony of New York Lawyers for the Public Interest  
before the New York City Council Housing and Buildings Committee  
in support of Intro 385-B, The Asthma-Free Housing Act of 2014  
June 13, 2017**

Greetings Chairman Williams, Councilmember Mendez and members of the Housing and Buildings Committee. New York Lawyers for the Public Interest (NYLPI) appreciates this opportunity to provide testimony in support of the Asthma-Free Housing Act of 2014, Intro 385-B. Intro 385-B will amend the New York City Housing Maintenance Code to ensure that there are standards in place to prevent the spread of mold and other toxins.

NYLPI is a social justice organization that was founded forty years ago to provide critical legal services and advocacy for New Yorkers in need. We provide services through our environmental justice, health justice and disability rights programs through the community lawyering model. NYLPI's community lawyering model is a client driven process that uses all of the skills of our staff to promote sustainable solutions and strategies for neighborhood empowerment. NYLPI also operates the Pro Bono Clearinghouse which coordinates volunteer efforts from the private bar and fosters capacity building for nonprofit organizations. As an organization, we are deeply committed to advancing the public interest through innovative and sustainable legal and policy solutions.

Our advocacy work is deeply tied to the communities that we serve. NYLPI is a member of the Coalition for Asthma-Free Homes which has been lobbying for the passage of the Asthma-Free Housing Act of 2014. Our work with the Asthma-Free Homes Coalition is part of our Healthy Housing Program which promotes environmental health literacy on mold and other indoor air problems in underserved communities in the Bronx, Queens and Brooklyn. We work to inform families about the hazards of mold and its relationship to asthma and other indoor air toxins.<sup>1</sup> Asthma has long plagued under-resourced neighborhoods throughout New York City. The problem is particularly acute in lower income neighborhoods areas where families live in proximity to pollution generating sources or in reduced housing conditions.

Research has shown that people are spending an increased amount of time indoors, which, when coupled with poor housing conditions, can lead to respiratory issues. A study on the relationship between the built environment and children's health revealed that "[w]hile pediatricians are accustomed to thinking about health hazards from toxic exposures, much less

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<sup>1</sup> Mendell MJ, Mirer AG, Cheung K, Tong, M, Douwes J, Respiratory and Allergic Health Effects of Dampness, Mold, and Dampness-Related Agents: A Review of the Epidemiologic Evidence, Environmental Health Perspectives 119:748-756 (2011).

attention has been given to the potential for adverse effects from 'built environments' such as poor-quality housing and haphazard land-use, transportation, and community planning. In fact, children spend little time in natural environments compared to the time they spend indoors and in neighborhoods."<sup>2</sup> Accordingly, Intro 385-B's emphasis on proactive and adequate responses to housing violations will be an important step in ensuring enforcement.

## **INDOOR AIR QUALITY AND ENVIRONMENTAL JUSTICE**

Indoor air quality is one of the most pressing environmental justice issues that we face in our city. Asthma rates here are alarmingly high. Children are the most vulnerable to indoor air toxins and families are desperate for sustainable solutions. The Asthma-Free Housing Act would remedy three critical issues faced by families in New York City today: (1) the lack of adequate and consistent remedies to mold and pest infestations, (2) the need for a more efficient and streamlined process to handle the most pressing housing quality complaints by the City and (3) the need for increased public awareness of the environmental health issues caused by mold and other indoor aeroallergens. The Act would also help to incorporate the expertise of the medical community to foster swift action by the City, and would establish clearer and more enforceable standards for effective mold remediation and pest control. We believe that this bill has the potential to protect and preserve the indoor environmental health of families across the City and to reduce the incidence of asthma attacks.

The proposed legislation would greatly advance environmental justice in vulnerable communities around the City. The City recently made a commitment in passing Intros 359 and 886 to enhance interagency cooperation and protocols to alleviate environmental hazards in already overburdened communities. In order to fulfill this mandate, the City will have to make changes in the way it enforces its building and housing maintenance codes to better address indoor air quality and asthma triggers like mold and pests.

Environmental justice and housing advocates have tried to use the current laws and regulations to effect change and secure repairs for tenants across the city. However diligently applied, most of these rules have their limitations. It is time to take steps towards more sustainable solutions and the Asthma-Free Homes Act is poised to accomplish this.

## **INTRO 385-B RAISES AWARENESS AND PROMOTES ACCOUNTABILITY**

Intro 385-B seeks to raise the standards of accountability for housing conditions that trigger asthma. Under the current Housing Maintenance Code, landlords do not have a clearly defined

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<sup>2</sup> Cummins SK, Jackson RJ, The Built Environment and Children's Health, National Center for Environmental Health, <http://centerforhealthyhousing.org/Portals/0/Contents/Article0810.pdf>, 2001.

protocol for inspecting, abating and preventing indoor aeroallergens like mold. Housing court actions often require multiple court dates and disputes about the efficacy of a landlord's repair strategies. This results in wasted time and increased court costs for everyone. Intro 385-B would help avoid repeat court cases to deal with recurring mold and pest infestations, and free up critically needed legal services for other major needs like eviction prevention. It creates a clearer regulatory structure to combat these problems. It also promotes technical capacity building by ensuring safer work standards for the teams that actually perform the mold abatement and pest control.

### **AFFIRMATIVE OBLIGATIONS FOR LANDLORDS**

The proposed legislation would create affirmative duties for landlords where there are currently no enforceable standards. There are several provisions in this bill that provide guidance for landlords to keep their buildings in safer condition. For the first time, landlords would be required to proactively inspect their buildings for mold as well as underlying conditions that cause mold such as hidden water leaks, instead of just responding to tenant complaints. This obligations should reduce HPD complaints in the majority of buildings where landlords will comply with the new rules, as landlords will be able to treat the problem early.

NYLPI appreciates Intro 385-B's mission to reclassify key indoor environmental problems at higher violation and penalty levels. Mold and pest control are of particular concern. NYLPI supports Intro 385-B's vision to reclassify mold violations. The proposed legislation would classify complaints of mold that encompass more than thirty square feet in an apartment as "Class C" violations, or "Class B" violations if the mold is in a common area. Vermin are another key trigger of indoor aeroallergens and respiratory ailments. HPD would have to reclassify violations for vermin from "Class B" to "Class C." Intro 385-B also provides for strict timetables for remediation and certification thereby raising the standard of accountability. We believe that these more stringent classifications would result in greater compliance and eventually lead to improved housing conditions.

### **INTRO 385-B IS A FISCALLY SOUND LEGISLATIVE PROPOSAL**

Councilwoman Rosie Mendez asked the NYC Independent Budget Office (IBO) to conduct a comprehensive review of the costs associated with proposed Intro 385-B. The NYC IBO concluded that there may be an increase in costs due to the need to re-inspect and reclassify various violations. The City may incur some additional costs from their use of the Emergency Repair Program, but these emergency repairs can be billed to the landlord. The IBO also noted that the City could recoup many of these costs by the fines that would be imposed and collected by the Department of Finance.

The IBO noted that the costs may vary between \$1.6 million and \$3.5 million depending on the way in which the City plans to implement its repair program. This would be a sound financial investment in light of the current administration's pledge to preserve affordable housing and prevent homelessness.

## **INNOVATIVE COMMUNITY CENTERED APPROACH**

Often tenants in need must navigate significant administrative, legal and even medical hurdles to protect their families from the hazards of poor indoor air quality. Intro 385-B takes this into consideration and develops an innovative community centered approach. For example, physicians have reported the need to work directly with landlords to address the acute environmental health problems that affect their patients. Intro 385-B sets up a system to permit referrals from treating physicians to relevant city agencies thereby helping to stem the cycle of repeat hospital visits for asthma or other respiratory conditions.<sup>3</sup> If enacted, physicians and other medical professionals will be able to make requests for City agencies to inspect apartments of patients with chronic asthma and other respiratory ailments. This community centered approach is vital to helping to bridge the information gap between the tenant, their health provider and landlord in a constructive way.

## **CONCLUSION**

We thank you for the opportunity to offer our support for the Asthma-Free Housing Act of 2014, Intro 385-B. It has garnered strong support from the community and has been sponsored by a large majority of the City Council. The residents of New York City depend on the City Council to advance bold ideas to enhance the quality of life. With your support, stronger code enforcement and community education, we can make New York "Asthma-Free."

Respectfully Submitted,

Christine Nyamekye Appah  
Senior Staff Attorney  
Environmental Justice Program  
New York Lawyers for the Public Interest

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<sup>3</sup> For a Harlem emergency room physician's perspective on the critical connection between where a patient lives and their health, Singh, P., 'Where do you live?', Politico, May 23, 2017.

Good Morning/Afternoon. Thank you to Speaker Melissa Mark-Viverito, Committee Chair Jumanee Williams, Council Member Rosie Mendez and all of the Council Members here today for your leadership on this critical issue.

I am here today to support Intro 385-B. My name is Kelly Espinal and I'm a member of Make The Road NY. Both of my sons have asthma.

I have lived in Bushwick, Brooklyn for more than 12 years. When I first moved to Bushwick, I lived in a private house with my two sons, Willington, who is 14 years old, and Jadiel, who is nine years old. In our first home leaks and mold were present on walls of bathroom and bedrooms. Jadiel began to suffer from Asthma at a very early age. At just 8 months old, doctors diagnosed him with Asthma and ever since it has been our families nightmare.

Today, I live in a rent stabilized building on Halsey St in Bushwick, Brooklyn. The conditions in our apartment that our landlord won't fix are the main cause of my son's persistent asthma. As I sit here today, leaks are streaming water down the walls of our kitchen. Mold is growing in our bathroom. Our whole apartment is humid and dank.

These conditions continue to exacerbate Jadiel's asthma. Every time Jadiel passes by my kitchen he becomes short of breath. It is a daunting feeling as a parent. As I stay to fight for my rent stabilized apartment, one of the last frontiers of affordable housing, I do so at the risk of my son getting sicker because my landlord refuses to fix.

My son's doctor has tried many types of medicines – even considering stronger medicines that may not be suitable for a child my son's age. I have spent many days and nights in the hospital, sometimes rushing out of my apartment at odd hours of the night to seek care for my boy. The constant medical attention has put me in a difficult place at work. I have had many absences due to doctors' visits or my son's school calling me in because he is having trouble breathing. In one year, I can say that I have visited a hospital around 150 times in a single year.

As you can see, my son's asthma affects every aspect of our lives; school, work, health, and safety. I am here because my story is not an isolated one. Doctors and health experts, many of whom are here today, point to poor housing conditions like pests and mold being triggers of asthma. If we had additional protections for tenants that moved bad-actor landlords to remediate these health and safety concerns, my son would be able to spend more time in his classroom than in an emergency room.

I have demanded repairs countless times, but my landlord seems more interested in getting us out so that he can see a rent increase. His profits are more important than the health and well-being of a nine year old child. With no other choice, we've worked with Make the Road New York to facilitate joint legal action against our landlord. As we await the outcome, leaks and mold persist.

I am here to urge you, the New York City Council, to pass the Asthma Free Housing Act. With almost every council member already on board, we need to call a vote and start implementation. Too many landlords, like my own, are using the lack of repair as a tool to get tenants to self-evict. Any tool that the city council can push for, to prevent this kind of abuse, is needed in this growing city where rents continue to rise leaving families like me nowhere else to go.

Thank you again to Speaker Melissa Mark-Viverito, Council Member Mendez, Committee Chair Williams and all of the New York City Council Members standing up for tenants' rights. We need you!



TESTIMONY OF GENESIS MIRANDA  
MAKE THE ROAD NEW YORK

COMMITTEE ON HOUSING AND BUILDINGS

JUNE 13, 2017

My name is Genesis Miranda and I am a Staff Attorney at Make the Road New York, a non-profit organization based in the communities of Bushwick, Brooklyn; Jackson Heights, Queens; Port Richmond, Staten Island; and Brentwood, Long Island. Make the Road builds the power of immigrant and working class communities to achieve dignity and justice through organizing, policy innovation, transformative education, and survival services, which includes legal services. Our organization consists of more than 19,000 members, most of whom are immigrants and many of whom are living in substandard living.

MRNY supports Intro 385-B, which provides a critical update to strengthen enforcement of the housing standards relating to asthma, a condition that disproportionately affects low-income families and communities of color.

Nationally, one in eleven children have asthma, though, in low-income NYC areas, the rate is one in four. Mold growth is cited as being a significant environmental exposure factor associated to provoking asthma attacks. Importantly, the economic impact on low-income families with asthmatic children is great; medical expenses average \$618 a year for a child without asthma versus \$1,042 for a child with asthma. This legislation recognizes that asthma-triggering conditions will recur again and again unless they are repaired in an effective way, and puts landlords on notice that the bare minimum patch job is not enough. By implementing work practices for pest and mold remediation, landlords can no longer default to doing shoddy work for the sake of avoiding HPD violations. Landlords must now follow proper work practices to eradicate pest infestation and mold. Furthermore, landlords are required to eliminate the underlying source of the condition, such as a water leak that constantly causes mold. By requiring landlords to adhere to these specific work practices under Intro 385-B, tenants will no longer have to deal with these recurring conditions.

For instance, Mayra Freire, one of my clients and a long-term tenant of Bushwick, has a ten year old son who suffers from severe asthma. Over the years, my client has made several 311 complaints regarding holes throughout her apartment and rodent infestation. Currently, there are several open violations for the severe vermin infestation in my client's apartment; one violation is as old as 2009. Despite the multiple complaints and ensuing violations, her landlord has failed to permanently eradicate the vermin infestation that exists in her apartment. Even when the landlord attempts to "repair" the condition, her landlord sends unlicensed persons to spread highly toxic pesticide that in effect only serves to exacerbate her son's asthma.

Intro 385-B would help my client and other families like hers to finally get to what often is the underlying cause of persistent asthma. By enforcing effective and safe work practices for

removing pest and mold conditions, families like Ms. Freire's will not have to continue to put up with ineffective repairs that exacerbate asthma attacks.

In addition to outlining specific work practices for pest and mold remediation, Intro 385-B further strengthens HPD's enforcement mechanism by requiring HPD to inspect for underlying conditions. So even if a landlord certifies to have followed work practices as underlined in Intro 385-B and corrected the violation, if a condition is recurrent, which often times it is, an HPD inspector will now be allowed to identify the underlying defect of that condition.

However, we urge the council to strengthen this bill by making it clear that tenants can seek the same relief in housing court by obtaining a court order that directs their landlord to address underlying defects and follow proper work practices to eradicate pest infestation and mold.

It is not a coincidence that communities that suffer the most from asthma are also communities that are living in substandard housing. In our communities, we have recognized that landlord neglect and refusal to fix conditions of disrepair is often linked to harassment and displacement. The more vulnerable tenants are to these conditions, the more likely they are to be forced to leave, for the health of their children.

In conclusion, NYC residents deserve to live in homes without indoor allergens that trigger asthma attacks. The City's passage of this bill continues to recognize the health hazard that is caused by pest infestation and mold growth and further strengthens the Housing Maintenance Code. We thank the Council for giving attention to the health of NYC tenants.



June 13, 2017

Honorable Jumaane D. Williams  
Chairman, Housing and Building Committee  
New York City Council  
250 Broadway, Suite 1754  
New York, NY 10007

**RE: NYC Council Housing & Buildings Committee - Hearing on Intro. 1307-A**

Dear Honorable Jumaane D. Williams:

We would support any legislation to increase the ability of the Department of Buildings (“DOB”) to hire more inspectors but, at the same time, the public must be protected by high levels of experience and training for those inspectors who perform safety inspections. If a few minor changes are made to intro. 1307-A, our associations could fully support this bill.

We understand that DOB has a large variety of required inspections, across many trades, that must be conducted by a limited number of DOB personnel. Intro 1307-A, would reduce the minimum experience/training requirement for ALL New York City DOB inspectors, regardless of type of inspection, from 5 years to 2 years thereby potentially creating a larger pool of inspector candidates. The inability to recruit inspectors should not be addressed by reducing the qualifications of “safety” inspectors.

The Council should consider only allowing a reduction of the experience/training requirement for non-safety related inspections (e.g. curb cuts, fences, sidewalk sheds, etc.). The requirements for electrical, plumbing which includes natural and medical gas, and fire suppression (“mechanical trades”) inspectors should remain as stated in Law. We could be supportive of the bill, decreasing minimum experience for some DOB inspectors, if the bill excludes the 3 licensed trades listed above.

Allowing people to become City electrical, plumbing, and fire sprinkler inspectors after just 2 years’ experience and a very short DOB classroom program rather than the combined 5 years working experience and formal training presently required, would put New Yorkers at risk. The City would be allowing people to inspect and sign off plumbing gas work, fire suppression and electrical work where they have little to no experience. That can be dangerous.



New York State requires 5 years apprentice training in the 3 licensed mechanical trades most of which is becoming familiar with the nuanced technical aspects of that complex trade. It takes many years of exposure to the various parts of the any mechanical trade to begin to understand the intricacies of that work. For example, those working in the plumbing industry with only 2 years' experience are not yet even familiar with all the various materials and fittings in that trade. Those inspecting mechanical trades should at least be held to minimum requirements in order to become a journeyman in a mechanical trade.

As previously stated, we understand the large obligations of DOB to inspect a vast amount of work but decreasing experience in safety trades in the hopes to attract more inspectors would be shortsighted. If the mechanical trades are excluded from this bill we can support the lessening of required experience in order to become a DOB inspector.

Sincerely,

x *Anthony Saporito*

Anthony Saporito  
Executive Vice President  
Mechanical Contractors Association  
& New York Fire Sprinkler Council

x *Terence O'Brien*

Terence O'Brien  
Deputy Director  
Plumbing Foundation

June 13, 2017

NYC Council Housing & Buildings Committee - Hearing on Intro. 1307-A

2

**From:** Dan Margulies [[dan@abogny.com](mailto:dan@abogny.com)]

I will not be able to attend the hearing, but please accept the following comments for the record.

ABO strongly opposes Intro. 1307-A, which would drastically reduce the current experience, education, and training requirements for Department of Buildings inspectors. We have not heard any complaints from anyone saying that inspectors have too much knowledge or experience now. Lowering the standard is not likely to result in better safety for citizens or performance by the Department. If anything, it might be worth considering more specific technical requirements rather than fewer.

We also oppose Intro. 1589 as to the definition of family and the doubling of the number of boarders acceptable in a private dwelling. We believe this sets a poor precedent and fear it is a back door attempt at making it easier for homeowners to accommodate Airbnb-type guests—changing the character of neighborhoods without full consideration of the issues.

Finally, we oppose Intro. 385-B. We recognize that the Council wants to be seen as doing something to protect resident safety, but the science on allergens simply does not justify these changes in approach at this time. As noted by several government and scientific authorities (see Wikipedia summary at <https://en.wikipedia.org/wiki/Allergen> ), some of the most common allergens are dust and pet dander, both within resident control; pollen, largely beyond anyone's control; and various foods. Even the presence of some level of mold or insects in an apartment would not create allergy problems for most people and, if an allergic reaction were evident, it would be difficult to separate the cause from other potential sources. Further, existing law already requires building owners to deal with water conditions and pest infestations. There are good reasons that the law already addresses them and layering on the additional requirements of Intro. 385-B is unnecessary.

## MEMORANDUM OF OPPOSITION

**DATE:** June 13, 2017

**INTRO NO:** 385-B

**SUBJECT:** Owners' Responsibilities in Relation to Indoor Allergen Hazards

**SUMMARY:** Sets forth owners' responsibilities to remediate or keep multiple dwellings free from pests and indoor allergens. Establishes a classification system for indoor allergen hazards and dates of correction for such violations. Repeals section 27-2018 of the administrative code.

**SPONSORS:** Mendez, Torres, Johnson, Chin, Constantinides, Cumbo, Koo, Reynoso, Rodriguez, Rose, Levine, Koslowitz, Rosenthal, Richards, Palma, Lander, Levin, Menchaca, Lancman, Dromm, Barron, Kallos, Ferreras-Copeland, Crowley, King, Gibson, Cabrera, Mealy, Maisel, Miller, Cornegy, Wills, Eugene, Van Bramer, Salamanca, Jr., Gentile, Vacca, Espinal, Jr., Cohen, Williams, Garodnick, Greenfield, Treyger, Deutsch, Grodenchik, Perkins, Ulrich, The Public Advocate (Ms. James)

The Real Estate Board of New York (REBNY) represents over 17,000 owners, developers, managers and brokers of real property in New York City. REBNY supports the Council's efforts to address instances of poor indoor air quality, which has affected thousands of New Yorkers, including over 100,000 children; however, REBNY opposes Intro No. 385-B due to its unreasonable timeframes and the onerous responsibilities the bill promises to impose upon owners.

Intro 385-B grants the Department of Health and Mental Hygiene (DoHMH) the ability to issue a violation within 20 days of receiving a complaint if a condition or underlying defect is detected. While the bill exempts owners who begin correcting conditions prior to violation deadlines, this exception does not account for instances where owners are *not* notified by tenants. Mold remediation can be a lengthy process which can be delayed due to, among others issues, financing, vendor scheduling, and accessibility to occupied units. However, the bill only grants violation extensions to owners who cannot meet deadlines for class C violations, but not more egregious violations.

According to the DoHMH, early detection of indoor air quality issues, such as water leaks, stained walls, dampness on windows, musty or earthy odor and peeling or bubbling paint is based primarily on visual indicators.<sup>1</sup> For continuously occupied units, successful and early detection depends on the tenant's participation. The bill fails to take into account unit accessibility in early detection.

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<sup>1</sup>*Air Quality: Indoor Moisture*. NYC Department of Health and Mental Hygiene. Web. Accessed June 6, 2017.  
<https://www1.nyc.gov/site/doh/health/health-topics/air-quality-indoor-moisture.page>

Similarly, requiring owners to perform full, annual inspections might be practical when unit occupancy turns over; however, compliance is more difficult when the units are continuously occupied. Additionally, the Council should consider how this legislation will work with Intro No. 978-A, which requires owners to hire licensed mold professionals to perform mold assessments. Would owners then be expected to hire licensed mold professionals to proceed with remediation? If so, this would invalidate Intro 385-B's provisions allowing for owners to determine and act upon underlying defects. Moreover, Intro 385-B's intention to have allergens immediately addressed would be defeated by Intro 978-A's mandatory, 14-day delay between a performed mold assessment and mold related work.

Furthermore, the bill classifies the presence of *any* mold as an indoor mold hazard requiring action. REBNY recommends the Council redefine its threshold for mold as mold may not be easily detected and may be hidden within walls or floorboards.<sup>2</sup>

Lastly, we urge the Council to amend the legislation's education initiative to include a component mandating tenant reporting to owner. An education component must also emphasize tenant responsibility, such as diligent reporting.

For the reasons set forth above, **REBNY OPPOSES INTRO No. 385-B.**

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<sup>2</sup> Finn, Robin. *Mold, Come Out With Your Hands Up*. The New York Times. May 3, 2013. Web. Accessed June 6, 2017. <http://www.nytimes.com/2013/05/05/realestate/bill-sothern-remediates-mold-and-other-hazards.html>

## MEMORANDUM OF OPPOSITION

**DATE:** June 13, 2017

**INTRO NO:** 1589

**SUBJECT:** Boarders, lodgers or roomers in a private dwelling

**SUMMARY:** Increases the number of boarders, roomers, or lodgers permitted in private dwellings

**SPONSORS:** Williams, Cornegy Jr.

The Real Estate Board of New York (REBNY), representing over 17,000 owners, developers, managers and brokers of real property in New York City, opposes Intro No. 1589 because it would pose safety and liability issues.

Intro No. 1589 amends the Housing Maintenance Code (HMC) and the building code, which currently prohibit three or more roomers, lodgers and boarders in a dwelling, by increasing the occupancy limit up to four unrelated residents.<sup>1</sup> Increasing the allowable occupancy for particularly small units, such studios or small one-bedroom apartments, for example, would pose safety and habitability concerns because of its density. More importantly, the question of where these additional residents would live within the unit is particularly concerning considering the conversion to additional rooming units is explicitly prohibited by HMC.<sup>2</sup> Additionally, this bill overlooks significant liability issues associated with already existing lease agreements and cooperative and condominium bylaws with provisions to limit occupancy.

The intent behind this bill is to create an exception for bed and breakfasts.<sup>3</sup> If that is the case, then the bill's sponsors should create licensing provisions for such businesses under the auspices of the Department of Consumer Affairs. Amending the HMC will unnecessarily invoke the inclusion of other dwelling units.

For the reasons set forth above, **REBNY OPPOSES INTRO No. 1589.**

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<sup>1</sup> § 27-2078 of the Administrative Code of New York.

<sup>2</sup> § 27-2077 of the Administrative Code of New York.

<sup>3</sup> Anuta, Joe. *Council Bill will Aid Bed-and-Breakfasts Caught in Airbnb Dragnet*. Crain's New York Business. May 26, 2017. Web. Retrieved June 7, 2017. [http://www.craigslist.com/article/20170526/REAL\\_ESTATE/170529901/city-council-bill-to-aid-bed-and-breakfasts-caught-in-airbnb-dragnet](http://www.craigslist.com/article/20170526/REAL_ESTATE/170529901/city-council-bill-to-aid-bed-and-breakfasts-caught-in-airbnb-dragnet)

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## MEMORANDUM OF SUPPORT

**INTRO NO:** 1307-A

**SUBJECT:** A Local Law to amend the New York City Charter, in relation to department of buildings inspectors

**SUMMARY:** Removes requirements for building inspector qualifications

**SPONSORS:** Williams, (by request of the Mayor)

REBNY, representing over 17,000 owners, developers, managers and brokers of real property in New York City, is pleased to submit this Legislative Memorandum outlining our support for Intro. No. 1307-A. REBNY's commitment and interest in construction safety is evident in our members' long track records in building New York City's, and, thereby the world's most complex and sophisticated buildings with industry-leading safety practices. This bill will assist the NYC Department of Buildings (DOB) in ensuring safe, Construction Code compliant, development throughout the City.

Presently, the NYC Charter limits the pool of qualified talent that DOB can pull from by requiring outdated qualifications. For example, DOB cannot consider licensed site safety managers, master plumbers and electricians, crane operators, or applicants with degrees in engineering and architecture for inspector positions. The Charter minimum qualifications hinder DOB's ability to advance Construction Code requirements, construction safety as well as its ability to evolve with the industry.

Moreover, the Charter does not reflect DOB's mandate, which now requires more varied disciplines such as sustainability<sup>1</sup>, nor does it reflect the rigorous training DOB now provides to its inspectors. For the last four years, DOB's training academy has offered each new inspector with classroom and in-the-field training over twelve weeks. This training is well beyond any training conceived by the drafters of the Charter's minimum qualifications.

To remedy this circumstance permanently, we believe inspector qualifications should be left to the determination of the commissioners of DOB and the Department of Citywide Administrative Services (DCAS). Granting the DOB and DCAS commissioners this authority will mirror other City agencies, protect against outdated qualifications, and help the DOB continue to evolve with the industry.

For these reasons, **REBNY supports Intro. No. 1307-A**. Thank you again for the opportunity to comment. We look forward to continuing our conversations with the Council to continue improving construction safety throughout the City.

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<sup>1</sup> Local Law 85 of 2009 established the New York City Energy Conservation Code (NYCECC) and required DOB to take all actions necessary to implement and enforce the NYCECC.

# **Housing Transparency and Data Reporting**

**June 19, 2017**

**Hearing for the Committee on Housing and Buildings**



# Sample Housing Data Sets

## Housing Maintenance Code Complaints

Housing & Development

 Dataset

The Department of Housing Preservation and Development (HPD) records complaints that are made by the public through the 311 Citizen Services Center, Code Enforcement Borough Offices or the internet for conditions which...  
[More](#)

**Updated**  
June 2, 2017  
**Views**  
2,591

**Tags** department of housing preservation and development, complaints, hpd

[API Docs](#)

## Open Market Order (OMO) Charges

Housing & Development

 Dataset

Contains information about work orders created to conduct emergency repair work when an owner fails to address a hazardous condition pursuant to the requirements of an HPD issued violation. HPD issues violations when an...  
[More](#)

**Updated**  
June 14, 2017  
**Views**  
2,394

**Tags** open market order (omo) charges, charges, department of housing preservation and development, hpd

[API Docs](#)

## Multiple Dwelling Registrations

Housing & Development

 Dataset

Pursuant to New York City's Housing Maintenance Code, the Department of Housing Preservation and Development (HPD) collects registration information from owners of  
[More](#)

**Updated**  
June 1, 2017  
**Views**  
2,368

**Tags** department of housing preservation and development, hpd, registrations

[API Docs](#)

## Housing Litigations

Housing & Development

 Dataset

The Department of Housing Preservation and Development (HPD) Housing Litigation Division (HLD) initiates' actions in the Housing Court against owners of privately-owned buildings to enforce compliance with the housing quality...  
[More](#)

**Updated**  
June 2, 2017  
**Views**  
1,915

**Tags** department of housing preservation and development, litigations, hpd

[API Docs](#)

## Complaint Problems

Housing & Development

 Dataset

Contains information about problems associated with complaints.

**Updated**  
June 2, 2017  
**Views**  
1,894

**Tags** problems, complaints, hpd, department of housing preservation and development

[API Docs](#)

# Housing New York Units by Project



## Housing New York Units by Project

The Department of Housing Preservation and Development (HPD) reports on buildings, units, and projects that began after January 1, 2014 and are counted towards the Housing New York plan. The Housing New York Units by Project file presents this ▶



Manage More Views Filter

Project ID	Project Name	Project Start Date	Project Completion Date	Extended Affordability Status	Prevailing Wage Status
63121	2211 THIRD AVENUE	03/30/2017		Not Extended Affordability	Non Prevailing Wage
61902	810 FULTON STREET	03/28/2017		Not Extended Affordability	Non Prevailing Wage
64396	CONFIDENTIAL	03/27/2017	03/27/2017	Not Extended Affordability	Non Prevailing Wage
64394	CONFIDENTIAL	03/23/2017	03/23/2017	Not Extended Affordability	Non Prevailing Wage
64395	CONFIDENTIAL	03/23/2017	03/23/2017	Not Extended Affordability	Non Prevailing Wage
52735	HELP DUMONT LLC.YR15.FY17	03/22/2017		Not Extended Affordability	Non Prevailing Wage
64393	CONFIDENTIAL	03/22/2017	03/22/2017	Not Extended Affordability	Non Prevailing Wage
64384	CONFIDENTIAL	03/21/2017	03/21/2017	Not Extended Affordability	Non Prevailing Wage
64392	CONFIDENTIAL	03/21/2017	03/21/2017	Not Extended Affordability	Non Prevailing Wage
64391	CONFIDENTIAL	03/20/2017	03/20/2017	Not Extended Affordability	Non Prevailing Wage
59495	2700 JEROME AVENUE	03/16/2017		Not Extended Affordability	Non Prevailing Wage
64381	CONFIDENTIAL	03/10/2017	03/10/2017	Not Extended Affordability	Non Prevailing Wage
64379	CONFIDENTIAL	03/09/2017	03/09/2017	Not Extended Affordability	Non Prevailing Wage
64377	CONFIDENTIAL	03/03/2017	03/03/2017	Not Extended Affordability	Non Prevailing Wage
64332	CONFIDENTIAL	03/02/2017	03/02/2017	Not Extended Affordability	Non Prevailing Wage
60034	RENEWAL HDFC.GHPP.FY17	03/01/2017		Not Extended Affordability	Non Prevailing Wage
52985	788 FOX STREET HDFC.HUDMF.FY17	02/22/2017		Not Extended Affordability	Prevailing Wage
64088	CONFIDENTIAL	02/15/2017	02/15/2017	Not Extended Affordability	Non Prevailing Wage
44332	HOPKINSON/PARK PLACE	02/10/2017		Not Extended Affordability	Non Prevailing Wage
64087	CONFIDENTIAL	02/10/2017	02/10/2017	Not Extended Affordability	Non Prevailing Wage
64086	CONFIDENTIAL	02/09/2017	02/09/2017	Not Extended Affordability	Non Prevailing Wage
64085	CONFIDENTIAL	02/08/2017	02/08/2017	Not Extended Affordability	Non Prevailing Wage
58876	NEW VISION COMMUNITY REDEVELOPMENT HDFC	02/02/2017		Not Extended Affordability	Non Prevailing Wage
61655	123 HOPE STREET	02/02/2017		Not Extended Affordability	Non Prevailing Wage

# Housing New York Units by Building

**Housing New York Units by Building**  
The Department of Housing Preservation and Development (HPD) reports on buildings, units, and projects ▶

📡 📧 📧 📧 📧 📧 📧 🔍 Find in this Dataset 🗄️

⚙️ Manage 👁️ More Views 🔍 Filter 📊 Visualize 📄 Export 💬 Discuss 🔗 Embed ℹ️ About

Project ID	Project Name	Project Start Date	Project Completion Date	Building ID
31 58876	NEW VISION COMMUNITY REDEVELOPMENT HDFC	02/02/2017		
32 58876	NEW VISION COMMUNITY REDEVELOPMENT HDFC	02/02/2017		
33 61655	123 HOPE STREET	02/02/2017		
34 63870	CONFIDENTIAL	01/27/2017	01/27/2017	
35 63868	CONFIDENTIAL	01/26/2017	01/26/2017	
36 63869	CONFIDENTIAL	01/26/2017	01/26/2017	
37 63867	CONFIDENTIAL	01/25/2017	01/25/2017	
38 60427	HP 109TH STREET HDFC.HUDMF.FY17	01/23/2017		
39 60427	HP 109TH STREET HDFC.HUDMF.FY17	01/23/2017		
40 60427	HP 109TH STREET HDFC.HUDMF.FY17	01/23/2017		
41 60427	HP 109TH STREET HDFC.HUDMF.FY17	01/23/2017		

# Housing New York by Council District and AMI

## Housing New York by Council District and AMI COMMUNITY

Based on Housing New York Units by Building  
 The Department of Housing Preservation and Development (HPD) reports on buildings, units, and projects that began after January 1, 2014 and are counted towards the Housing New York plan. The Housing New York Units by Building file presents this ▶

Council District	Extremely Low Income Units	Very Low Income	Low Income Units	Middle Income	Moderate Income	Other	All Counted Units	
1	1	380	452	622	150	96	3	1,703
2	2	114	41	1,204	462	42	3	1,866
3	3	178	48	1,207	131	35	2	1,601
4	4	0	0	873	4,505	0	0	5,378
5	5	0	0	166	0	0	0	166
6	6	0	276	646	0	0	2	924
7	7	234	162	372	16	14	4	802
8	8	866	554	1,266	28	88	20	2,822
9	9	659	900	2,887	602	884	44	5,976
10	10	17	49	174	222	8	2	472
11	11	0	161	347	354	57	5	924
12	12	1	197	96	4	10	1	309
13	13	0	2	15	0	3	0	20
14	14	444	874	1,559	17	166	25	3,085
15	15	549	316	1,996	12	462	18	3,353
16	16	803	404	782	0	52	22	2,063
17	17	1,007	1,000	3,728	102	238	42	6,117
18	18	379	71	144	4	20	0	618
19	19	0	0	4	2	0	0	6
20	20	0	66	112	0	60	1	239
21	21	67	302	10	0	5	1	385
22	22	350	58	133	1	72	1	615
23	23	0	4	5	0	2	0	11
24	24	0	1	7	2	1	0	11

# HPD Inclusionary Housing Map

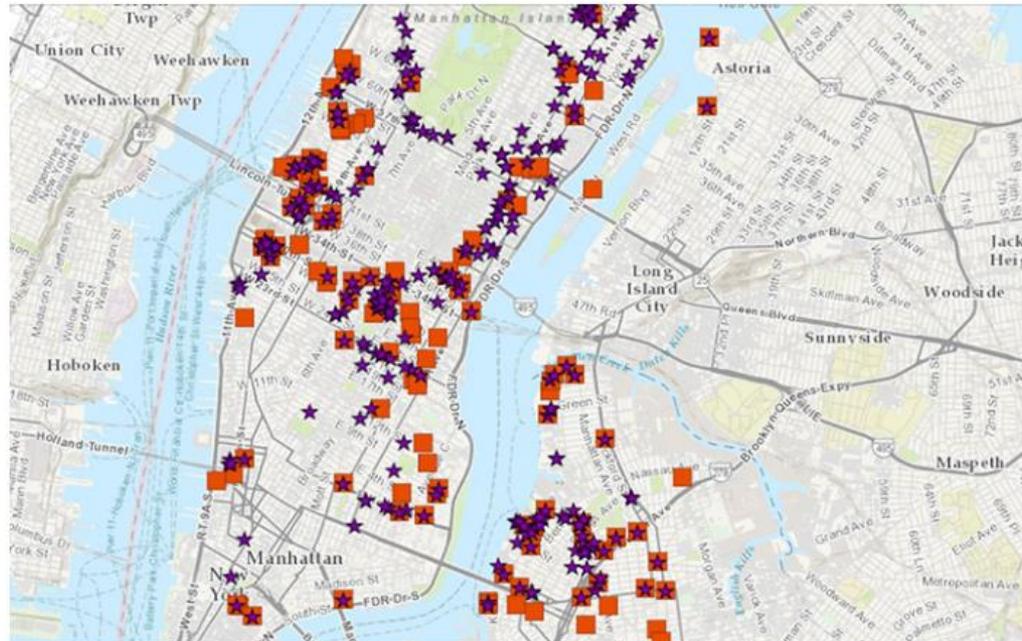
## Inclusionary Housing Program

The Inclusionary Housing Program (IHP) is designed to preserve and promote affordable housing within neighborhoods where zoning has been modified to encourage new development. The IHP consists of two programs:

**Voluntary Inclusionary Housing (VIH)**, enacted in 1987, where applicable, enables a development to receive a density bonus in return for the new construction, substantial rehabilitation, or preservation of permanently affordable housing.

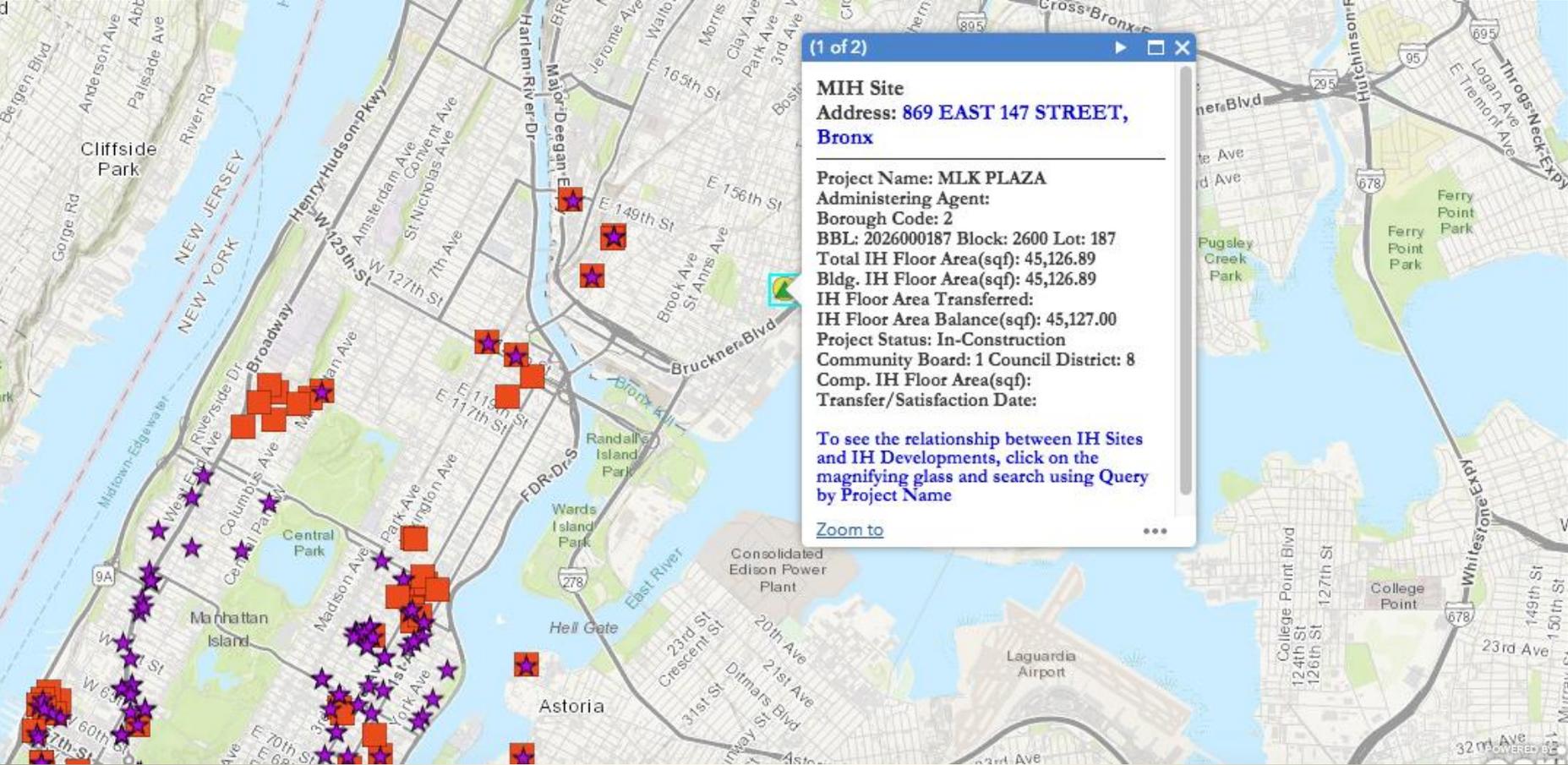
**Mandatory Inclusionary Housing (MIH)**, enacted in March 2016, requires a share of new housing in medium- and high-density areas that are rezoned to promote new housing production—whether rezoned as part of a city neighborhood plan or a private rezoning application—to be permanently affordable.

## IH Map



[Click to view map](#)

# Inclusionary Housing Map



# Local Law 44 Data Sets

## Local Law 44 Housing & Development

Manage Dataset Download Share ...

Per Local Law 44 of 2012, HPD is required to release information about housing development projects receiving City financial assistance. Local Law 44 data is divided into two folders, which contain information on projects with start dates of 2013 and onward ("LocalLaw44After2013") and before 2013 ("LocalLaw44Before2013"). Each folder contains individual files with information on the buildings, units, affordability, funding, and development team for projects subject to Local Law 44. This information is saved in three common file formats: text (TXT), comma-separated values (CSV), and Microsoft Excel workbook (XLS). The content of the files does not differ among the three formats.

For more information on how to utilize HPD's Local Law 44 Open Data, please see the attachment entitled "Guide to HPD LL44 Open Data".

[Less](#)

### Updated

June 15, 2017

### Data Provided by

Department of Housing Preservation and Development (HPD)

## Download this Resource

LocalLaw44After2013-06012017.zip

 Download

## About this Dataset

Updated  
**June 15, 2017**

Metadata Last Updated  
June 15, 2017

### Update

Automation	No
Update Frequency	As needed



**TESTIMONY OF BARIKA X WILLIAMS, BEFORE THE  
NEW YORK CITY COUNCIL COMMITTEE ON HOUSING AND BUILDINGS  
REGARDING THE PROPOSED  
HPD REPORTING ON INCLUSIONARY HOUSING PROGRAMS**

June 19, 2017

Good Morning. Thank you to Chair Williams and to the members of the Committee on Housing and Buildings for the opportunity to submit testimony.

My name is Barika Williams and I am the Deputy Director for the Association for Neighborhood and Housing Development (ANHD). ANHD is a membership organization of NYC- neighborhood based housing and economic development groups- CDCs, affordable housing developers, supportive housing providers, community organizers, and economic development service providers. Our mission is to ensure flourishing neighborhoods and decent, affordable housing for all New Yorkers. We have over 100 members throughout the five boroughs who have developed over 100,000 units of affordable housing in the past 25 years alone and directly operate over 30,000 units.

ANHD was the leading organization calling for a Mandatory Inclusionary Housing policy, though we were disappointed that the legislation put in place missed an opportunity to guarantee truly affordable housing at the deeper affordability levels needed in order to serve the needs of communities across the City and help address our housing crisis.

With the new program in place now, ANHD applauds the council for taking the legislative action of Int 0336 to require the Department of Housing Preservation and Development (HPD) to periodically report on the voluntary and mandatory inclusionary housing program and any similar successor programs.

It is essential that the City transparently monitor and report on the affordable housing outcomes of the City's Inclusionary Housing program. This will allow both the Council and the public to know:

- Where are the City's inclusionary housing programs being applied?
- Are affordable housing units fostering inclusion and being created on-site or being placed off-site?
- What affordability levels are being produced from the City's inclusionary housing programs?
- What additional forms of subsidy or tax relief are inclusionary housing developments receiving?
- Who is applying for waivers to the inclusionary housing regulations and under what circumstances are waivers being granted?

In order to achieve the critical oversight and monitoring goals ANHD recommends the following changes to Int 0336:

- Require reporting on the financial benefits for the FULL BUILDING and not limited to the income-restricted UNITS or QUARTERS for people with special needs. Most housing subsidy is done across the building, and spread across all units in building, both market rate and affordable. As it's written now a developer could report on 20% of their total 421a tax break because only 20% of the MIH sites units are income restricted.



- Require reporting on all rent regulated units in covered sites. HPD should be able to demonstrate that the rights of all tenants are being protected and enforced, not just those in income restricted units.
- Require reporting on total dollars put into the #affordable housing fund (via payment in lieu option) broken down by community district and borough.
- Require reporting on the number of sites applying for and/or being granted Board of Standards and Appeals (BSA) waivers.
- Require a copy of all administering agents' affidavit submitted to HPD as referenced in section 23-961 (b)(3) -- "Within 60 days following the #rent-up date#, the #administering agent# shall submit an affidavit to #HPD# attesting that the #monthly rent# registered and charged for each #affordable housing unit# complied with the applicable #monthly rent# requirements at the time of #initial occupancy#." As the bill is written now, Council would not be able to tell when and whether IH units were in compliance with income restrictions, release requirements, rent-regulation requirements, rent-up protocol, sales, resales, fair housing, etc.
- Require a list of any other entities the administering agent is affiliated with. Generally administering agents have to be non-profits with no ownership, management, or affiliation to the project. However, this is not necessarily always the case and HPD has the authority to make exceptions. In these cases the Council should be monitoring to ensure that there is not conflict of interest between building developers/managers and the administering agent.
- Require an annual copy of the administering agent agreement.
- Require reporting of administering agents' fee (per-income restricted unit).
- Require a list of any administering agents whose approvals HPD has revoked.
- Include homeownership affordable housing units which are also overseen by an administering agent.

Additionally, ANHD would encourage the Council to request that HPD and the administering agents document tenants' reason for not renewing their lease. This is unique opportunity for the City to begin to gather information on a key research question: What are the reasons behind tenant mobility and/or displacement?

Inclusionary Housing can and should be a powerful affordable housing tool. However in order to access the programs overtime we must have consistent, transparent, reporting. ANHD maintains that the success of City Inclusionary Housing programs is not simply whether we create affordable units, but whether we create units at the affordability levels necessary to help address the City's ongoing housing and homelessness crisis.



**Hearing of the New York City Council Committee on Housing & Buildings  
NYSFAH Testimony on Int. 1307-A – June 13, 2017**

The New York State Association for Affordable Housing (NYSFAH) thanks the Committee on Housing & Buildings for the opportunity to submit testimony regarding Int. 1307, which would amend charter-mandated requirements to allow for a wider pool of available and qualified candidates to become Department of Buildings (DOB) inspectors.

NYSFAH fully supports the mission of DOB to ensure the safety of all that build, work, and live in New York City. As part of this mission, it is essential that DOB have the resources they need to promote worker and public safety. To do this, the agency must continue to hire and train the best inspectors possible to enforce the City's Construction code.

The City Charter codifies the minimum qualifications needed to become a Department inspector, including five years of work experience that encompasses a combination of construction trade work and/or some formal training. However, these provisions have not been updated in decades to reflect the monumental shifts in backgrounds for those who work in the construction industry since these standards were first adopted. For example, the City Charter allows for a licensed professional engineer or architect to become an inspector, but does not take into account the myriad of other potential applicants that would make excellent department inspectors such as licensed site safety managers, master plumbers, master electricians, or crane operators. In addition, those with formal degrees in engineering, architecture, or technology have the educational training to become excellent inspectors, but are largely excluded from consideration given these outdated requirements.

The City Charter also does not consider the significant efforts DOB has made to provide meaningful training for its inspectors. NYSAFAH applauds the agency for undertaking its fourth straight year of academy training for new inspectors. This twelve week program that provides rigorous training in both the classroom and field supplements previous employee experiences and ensures inspectors are equipped to effectively enforce construction and safety laws.

In order to continue to adjust to the ever-changing nature of New York construction, it is critical for the City to adapt accordingly to meet the high safety standards we need. NYSAFAH fully supports the legislative effort to amend the minimum qualifications to become a department inspector so that the City can hire from the widest and most qualified available talent possible. Thank you for your consideration.

**Contact:** Patrick Boyle, Policy Director [patrick@nysafah.org](mailto:patrick@nysafah.org) (646) 473-1209

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385-B Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Brenda Meza (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: NYLCCV

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385-B Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: CECIL CORBIN-MARK (PLEASE PRINT)

Address: 1854 AMSTERDAM AVE.

I represent: WE ACT FOR ENVIRONMENTAL JUSTICE

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: 6/13/07

Name: Kayan Clarke (PLEASE PRINT)

Address: 630 Jackson Ave

I represent: Bronx Works Breathe

Address: Better Bronx

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1307A Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Donald RANSATE

Address: 1430 Broadway, Suite 1106

I represent: BTEA

Address: New York 10018

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1589 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: ROLANDO GUZMAN

Address: \_\_\_\_\_

I represent: St. Nick's ALLIANCE

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Spanish*

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Margarita Lung

Address: 275 46 St

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. 385B Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6-13-17

(PLEASE PRINT)

Name: DAVID EVANS

Address: 26 Cheever Pl, Brooklyn, 11231

I represent: WEACT

Address: 1854 Amsterdam Ave NYC

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1307A Res. No. \_\_\_\_\_

in favor  in opposition

AMENJE D Date: \_\_\_\_\_

(PLEASE PRINT)

Name: STEWART O'BRIEN

Address: 44 W 28th St

I represent: Plumbing Foundation

Address: 11

**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: 6/13/17

(PLEASE PRINT)

Name: Christian Klossner

Address: Executive Director

I represent: Mayor's Office of Special Enforcement

Address: 22 Readie Street

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1307-A Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Sharon Neill

Address: DC Finance Administration

I represent: NYC DOB

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1307-A Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Patrick Wehle

Address: AC External Affairs

I represent: NYC DOB

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: Christopher D'Andrea

Address: Dir., Env. Health Assessment +

I represent: DOHMH Communication Program

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: Deborah Naim  
Address: Director, Healthy Homes Program  
I represent: DOHMH  
Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 305-B Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10/13/2017

(PLEASE PRINT)

Name: Vito Mustacivolo  
Address: \_\_\_\_\_  
I represent: HPD (Admin)  
Address: 100 Gold

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: Fabian Staver Sunset park  
Address: 430 61st. Brooklyn NY 11221  
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. 1589 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Monique Greenwood

Address: 347 MacDonough St

I represent: NYC B+B Assn / Akwaba Mansion

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Jessica Drummond

Address: Tenant

I represent: \_\_\_\_\_

Address: Upper Manhattan

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1589 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: DONALD MATTISON

Address: 15 Prospect Park West

I represent: NYC B+B ASSN

Address: same

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Heidi Bayer

Address: \_\_\_\_\_

I represent: Asthma Allergy Foundation

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1307 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: RYAN BAXTER

Address: 570 LEXINGTON AVE, NYC 10022

I represent: REBNY

Address: ABOVE

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 375 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

I represent: 345

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. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

I represent: Urban Health Action

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Dr. Aek'ama Mohammed

Address: \_\_\_\_\_

I represent: Urban Health Plan

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Sishana Brown

Address: \_\_\_\_\_

I represent: AIR NYC

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. 385 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Kelly Espinal

Address: \_\_\_\_\_

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: Dr. David Evans

Address: \_\_\_\_\_

I represent: Columbia Univ.

Address: Manhattan

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Dr. Lauren Zajac

Address: \_\_\_\_\_

I represent: Mt. Sinai / AAP

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. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Dr. Frank Proscia

Address: \_\_\_\_\_

I represent: Doctor's Council

Address: Manhattan

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Dr. Akeem Muhammad

Address: \_\_\_\_\_

I represent: Urban Health Plan

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: Dr. Lauren Zajac

Address: \_\_\_\_\_

I represent: Children's Environmental Health

Address: Center at Mount Sinai

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. 385 B Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Sarah Stefanski

Address: 110 William St NY NY

I represent: <sup>NYC</sup> Independent Budget Office

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: 6/13/17

(PLEASE PRINT)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

I represent: CPHS

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Fabian Bravo

Address: Tenants

I represent: Neighbors Helping Neighbors

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. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Abigail Loria

Address: Tenants

I represent: NY/PT - Local

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: Benjamin Canet & Ruth Berdahl Canet

Address: Tenants

I represent: NY/PT - Local

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Jewel Jones

Address: Therese

I represent: WE ACT

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. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Alvina Espinoza

Address: NYC Adult

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: North Street

Address: \_\_\_\_\_

I represent: NYC 4

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Rajiv Joshi

Address: \_\_\_\_\_

I represent: Urban Justice Ctr

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. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

**(PLEASE PRINT)**

Name: Matthew Shaohere

Address: \_\_\_\_\_

I represent: Matthew Shaohere Imp...

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: 6/13/17

**(PLEASE PRINT)**

Name: Daniel Carpenter Gold

Address: \_\_\_\_\_

I represent: NY lawyer for the Public Interest

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

**(PLEASE PRINT)**

Name: Genesis Miravins

Address: \_\_\_\_\_

I represent: NY Public Interest

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. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: John Liu

Address: \_\_\_\_\_

I represent: Logan Aid

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1589 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6-13-2017

(PLEASE PRINT)

Name: MURRAY COX

Address: 492 MACON ST #2 BROOKLYN NY 11233

I represent: "INSIDE AIRBNB"

Address: AS ABOVE

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1589 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/2017

(PLEASE PRINT)

Name: Marti Weithman

Address: ~~100 William St.~~ 464 W. 152 St.

I represent: MPY Legal Counsel

Address: 100 William St.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1589 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/2017

(PLEASE PRINT)

Name: Jon Furlong

Address: \_\_\_\_\_

I represent: Housing Conservation Coordinator for

Address: 10th Ave

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1307-A Res. No. \_\_\_\_\_

in favor  in opposition

Date: June 13, 2017

(PLEASE PRINT)

Name: Justin Pascone

Address: 536 LaGuardia Place New York NY

I represent: American Institute of Architects

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: Liz Mandarano

Address: 7 Arlington Place Brooklyn NY 11216

I represent: Nyc BaBa

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. 1307-A Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Ken Fisher

Address: Cozen 277 Park Ave 10172

I represent: American Council of Engineering Companies

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/13/17

(PLEASE PRINT)

Name: Jeffrey Bohn

Address: 100 William St, 6th Fl, NY, NY 10038

I represent: MFK Legal Services, Inc.

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 385 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Lillie Carino Higgins

Address: 330 W 42 St, NYC 10036

I represent: 1199

Address: 310 W 43 NYC 10036

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