

COMMITTEE ON CIVIL AND HUMAN RIGHTS JOINTLY WITH
THE COMMITTEE ON SMALL BUSINESS
CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

OF THE

COMMITTEE ON CIVIL AND HUMAN RIGHTS
JOINTLY WITH THE COMMITTEE
ON SMALL BUSINESS

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DATE: Friday, May 9, 2025
Start: 1:17 PM
Recess: 3:14 PM

HELD AT: Council Chambers - City Hall

B E F O R E: Hon. Dr. Nantasha Williams, Co-
Chair
Hon. Oswald J. Feliz, Co-Chair

COUNCIL MEMBERS:

Public Advocate Jumaane Williams

COMMITTEE ON CIVIL AND HUMAN RIGHTS

Rita C. Joseph
Christopher Marte,
Rafael Salamanca, Jr.
Kevin C. Riley

COMMITTEE ON SMALL BUSINESS

Erik D. Bottcher
Selvena N. Brooks-Powers
Shekar Krishnan
Vickie Paladino
Sandra Ung

Other Council Members Attending: Menin, Narcisse

COMMITTEE ON CIVIL AND HUMAN RIGHTS JOINTLY WITH
THE COMMITTEE ON SMALL BUSINESS

A P P E A R A N C E S

JoAnn Kamuf Ward,
Deputy Commissioner of Policy & External Affairs
New York City Commission on Human Rights (CCHR)

Michael Griffin,
Policy Counsel for New York City Commission on
Human Rights (CCHR)

Haris Khan,
Acting-Chief of Staff, New York City Small
Business Services (SBS)

Kitty Chan,
Deputy Commissioner of Business Services, New
York City Small Business Services (SBS)

Christopher Leon Johnson,
Self

Jonathan Hanon,
Access-A-Ride Customer and Member of the MTA's
Advisory Committee on Transit Accessibility

Kathleen Collins,
Attorney; Treasurer of Disabled In Action of
Metropolitan New York (DIA)

Jessica Walker,
President and CEO of the Manhattan Chamber of
Commerce

COMMITTEE ON CIVIL AND HUMAN RIGHTS JOINTLY WITH
THE COMMITTEE ON SMALL BUSINESS
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3 SERGEANT KING: Hello, good afternoon, this is a
4 microphone check for the Committee on Small Business,
5 jointly with the Committee on Civil and Human Rights.
6 Today's date is May 9, 2025 - located in the
7 Chambers, recorded by Tavell King.

8 SERGEANT AT ARMS: Good afternoon, and welcome
9 to today's New York City Council Hearing for the
10 Committee on Human and Civil Rights, jointly with the
11 Committee on Small Business. Please silence all cell
12 phones and electronic devices.

13 If you wish to submit in person testimony,
14 please fill out a card with the Sergeant at Arms.

15 As a friendly reminder, no one is to approach
16 the dais. If you need help, one of the Sergeant at
17 Arms will be more than happy to help you.

18 Without further ado, Chairs, we are ready to
19 begin.

20 CHAIRPERSON WILLIAMS: [GAVEL] Good morning or
21 it's not morning, it's afternoon. Mm-hmm. Blame the
22 person who wrote this. (LAUGHS) My name is Nantasha
23 Williams, and I serve as Chair to the Committee on
24 Civil and Human Rights. Thank you to everyone joining
25 us for today's joint hearing with the on Small
Business.

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5

3 I'd like to start off by first thanking my co-
4 chair, Council Member Feliz, for joining me today in
5 covering this very important topic which affects many
6 people in our city.

7 New York City is a metropolis full of
8 opportunity, drawing in many who dream of starting
9 their own business here. This city is home to big
10 corporations, but its heart and backbone have always
11 been small local businesses – run by so many
12 different types of people and families from all walks
13 of life. Many of these businesses are subject to the
14 New York City Human Rights Law, also known as NYCHRL,
15 which covers many protected classes and topics,
16 including one we are discussing extensively today,
17 accessibility for individuals living with
18 disabilities.

19 While I do believe the law should always be
20 evolving to protect the rights of New Yorkers and to
21 best reflect their needs, it is equally important
22 that our government is helping those who will have to
23 make changes to be compliant with new laws.

24 During today's hearing, I am hoping to learn
25 more about both the solo work and interagency
coordination with respect to aiding small businesses

3 and remaining educated, up to date, and compliant
4 with accessibility laws and policies.

5 Many of these businesses do not have the
6 resources – such as lawyers, or large HR departments,
7 to keep up with the changes made to our complex human
8 rights law – that we love but it is complex
9 nonetheless – as we try to be and become a more
10 inclusive and accessible city. Plenty of them may
11 also need extra guidance on how the law will impact
12 their business specifically. Ensuring that members of
13 this protective class can access work at and/or
14 patronize these businesses safely is imperative;
15 therefore, we need to do our part in working with
16 business owners on how they can also meet this goal
17 while protecting themselves as well.

18 We are also hearing several pieces of
19 legislation today within the Committee on Small
20 Business, which my co-chair will speak about in just
21 a bit.

22 In addition to the three bills being heard
23 today, we are also hearing Resolution 520, sponsored
24 by Majority Leader, Amanda Fariás, recognizing July
25 2nd annually as Thurgood Marshall Day in the City of

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3 New York to promote his contributions and legacy as a
4 pillar of the Civil Rights movement.

5 I look forward to hearing feedback from both
6 the Administration and members of the public on
7 today's legislation. Thank you so much to Committee
8 staff, and Finance staff, for their work in preparing
9 this hearing, and thank you to my colleagues who have
10 joined us today.

11 I'll now pass it along to Chair Feliz for his
12 opening statement.

13 CHAIRPERSON FELIZ: Thank you so much, Co-Chair.

14 Good afternoon, everyone; I'm Council Member
15 Oswald Feliz, Chair of the Committee on Small
16 Business.

17 Thank you for joining today's joint hearing
18 with the Committee on Small Business and the
19 Committee on Civil and Human Rights, a hearing about
20 supporting New York City's small businesses
21 compliance with the Americans with Disabilities Act,
22 AKA the ADA, as well as local laws promoting
23 accessibility.

24 I'd like to thank my co-chair, Council Member
25 Nantasha Williams, and I'd also like to thank the
representatives from the Administration, members of

1
2 the public, and my Council colleagues who have joined
3 us here today.

4 The small business landscape of New York City
5 is one of a kind. It inspires entrepreneurship for so
6 many. In fact, according to the New York City
7 Economic Development Corporation, between October
8 2021 and September 2023, more than 62,000 new small
9 businesses opened in New York City. This is roughly
10 10,000 more businesses than opened in the two years
11 prior to the pandemic.

12 The resiliency of a small business community
13 should not be understated, and this rapid growth,
14 post pandemic, proves that. But the barriers faced by
15 small businesses to comply with exactly all the
16 applicable laws can be significant, especially when
17 those laws are complicated and complex.

18 One legal area that has proved complicated for
19 small businesses is accessibility compliance. In New
20 York City, small businesses have to comply with the
21 federal Americans with Disabilities Act, as well as a
22 number of local laws facilitating accessibility.

23 It is undeniable that these laws, especially
24 the ADA, are groundbreaking for people with
25 disabilities, and these protections should be

3 preserved. But for so many small business owners,
4 accessibility laws are unfamiliar, complicated, or
5 costly.

6 Supporting small business compliance with these
7 laws is important and requires education, financial
8 support, and access to legal services. We look
9 forward to hearing from SBS about their work to
10 provide these services to small businesses to ensure
11 that they're making their spaces, their web pages,
12 their workforce accessible for all.

13 With that goal in mind, the Committee on Small
14 Business will hear three bills today:

15 The first, Introduction 282, sponsored by
16 Council Member Menin, who has joined us today, would
17 require the City of New York to establish a fund
18 providing loans, grants, in-kind services, in-kind
19 materials or some combination, to make small business
20 storefronts accessible to people with disabilities.
21 Small businesses of 100 employees or fewer and three
22 locations or fewer would be eligible for the fund.

23 The second bill, Introduction 639, sponsored by
24 Public Advocate Williams, who has also joined us,
25 would require that the Department of Small Business
Services provide training and information to small

3 businesses about how to make workplaces more
4 accessible and inclusive for workers with
5 disabilities, and resources that can help small
6 businesses increase accessibility, provide
7 accommodations, and hire workers with disabilities.

8 The third bill we'll hear is from Council
9 Member Narcisse, which would require the Commissioner
10 of Small Business Services to expand the offerings of
11 the Department of Small Business Services' legal
12 services program to include individualized, free-of-
13 charge legal assistance through a designated
14 organization for small business tenants on compliance
15 with federal, New York State, and New York City laws
16 on making their businesses accessible to people with
17 disabilities.

18 I'm grateful to Council Members Menin and
19 Narcisse, and Public Advocate Williams, for
20 introducing these bills to support our small business
21 accessibility, and we look forward to hearing from
22 the Administration about these bills.

23 I would also like to thank Luciano Hamel and
24 Rebecca Barilla, from Central Staff, for their work
25 in putting this hearing together, as well as my own
Chief of Staff, Esperanza Diaz, my Deputy Chief of

3 Staff, Guillermo Rodriguez, my Budget Director,
4 Santiago Baena, and everyone for working in the
5 background to make this hearing possible.

6 Now I'll turn it back to Council Member Natasha
7 Williams, who's co-chairing this hearing.

8 CHAIRPERSON WILLIAMS: Yes, and we have been
9 joined by a few members who wanted to speak on their
10 bills. So I will turn it over to Council Member Menin
11 to speak about her bill.

12 COUNCIL MEMBER MENIN: Thank you so much, Chair
13 Williams and Chair Feliz, for holding today's
14 important hearing.

15 New York City is home to around 183,000 small
16 businesses, with over 1,000 more today than before
17 the pandemic. Yet there remain several challenges for
18 small businesses to continue operating in our city
19 that range from an increase in costs, as a result of
20 federal tariffs, to navigating the many rules and
21 regulations of the City.

22 An issue that businesses face is accessible
23 storefronts, which can be a major issue for New
24 Yorkers wishing to access the city's many businesses.
25 There are nearly 1 million New Yorkers, around eight
percent of the City's population, who are disabled,

3 years after the person visits the businesses, and
4 many small businesses are forced to settle, because
5 they, quite frankly, lack the resources to litigate
6 in court. Businesses should be encouraged to make
7 accessibility a priority that beautifies their
8 storefront, but not through the threat of federal
9 lawsuits.

10 I want to thank the Chairs for allowing me to
11 speak, and I want to thank drafter Nicole Kata, and
12 thank my team, Jonathan Szott, Brandon Jordan, and
13 Mercedes Anderson. Thank you so much.

14 CHAIRPERSON FELIZ: Thank you so much, Council
15 Member Menin.

16 I would also like to acknowledge Council
17 Members Narcisse, Marte, and Bottcher, who briefly
18 stepped out.

19 Now, let's hear from Council Member Narcisse,
20 who has one of the bills before this committee.

21 COUNCIL MEMBER NARCISSE: Good morning, I mean,
22 good afternoon. And thank you, Chairs, for allowing
23 me to speak here, and of course, the Administration
24 that's here to listen and see how we can cooperate
25 and collaborate to make New York City small business
life easier for each and every store that we see,

3 each storefront in New York City – brings a kind of
4 zest to the city that way people want to visit our
5 city. So we have to keep in account that a lot of
6 small businesses, it's very, very hard to survive,
7 especially after this post height of this pandemic.
8 We still have COVID going around, but not as much,
9 thank God for that. So I want to say thank you to all
10 of you who are willing to listen to see how we're
11 gonna make it happen.

12 We all agree that accessibility is essential,
13 but for many small business owners, especially those
14 without legal teams, understanding and complying with
15 the law can be really overwhelming, especially small,
16 tiny businesses.

17 Introduction 1260 expands on the City's legal
18 assistance program to cover accessibility compliance,
19 giving small businesses the support they need to meet
20 the law before they face costly lawsuits. It is the
21 practical step that helps our businesses avoid
22 penalties, protect their livelihoods, because we know
23 that it's an investment, and it will better serve all
24 New Yorkers, including people with disabilities.

25 I respectfully ask for your support in how
we're gonna make that happen for the small

3 businesses. As we always say, small businesses are
4 the backbone of our community and the city at large.
5 So thank you, Chairs.

6 CHAIRPERSON FELIZ: Thank you so much, Council
7 Member.

8 Now, I will pass it on to our Public Advocate,
9 Jumaane Williams, for his opening statement.

10 PUBLIC ADVOCATE WILLIAMS: Thank you, Mr. Chair.

11 As was mentioned, my name is Jumaane Williams,
12 Public Advocate, City of New York. Thank you Chairs
13 Feliz and Williams for holding this hearing.

14 As New York and the rest of the country
15 continues to recover from the COVID-19 pandemic, one
16 of the bright lights on our path forward is the
17 resurgence of small businesses. A year ago, in May
18 2024, Mayor Adams, the New York City Economic
19 Development Corporation, EDC, then President Andrew
20 Kimball, presented a report claiming New York City is
21 now home to over 183,000 small businesses, a record
22 high. However, many New York City residents find
23 obstacles with obtaining a traditional job, or they
24 have not been able to attain a license to legally
25 operate a business. People with disabilities may also

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3 face multifaceted employment discrimination such as
4 sub minimum wage discrimination.

5 The pandemic forever changed how people work,
6 and as New York City transitioned into hybrid work in
7 many industries, the new New York Panel was created
8 by Mayor Adams and Governor Hochul to develop goals
9 to help the city recover.

10 One goal the panel prioritizes – making it
11 easier for New Yorkers to get to work. Strengthening
12 work spaces and employment hubs is key to connecting
13 to all New Yorkers who want to work, especially those
14 who may have physical limitations.

15 Intro 639 requires small business services to
16 provide training and information to small businesses
17 about how to make workplaces more accessible and
18 inclusive for workers with disabilities.

19 SBS has a total of 18 Workforce1 Career Centers
20 across the five boroughs, where they can educate
21 small business owners and share available resources.
22 SBS has also held a small business expo over the last
23 two years which can serve as another opportunity to
24 do this work.

25 The Trump administration has sought to end
programs and policies that consider diversity,

3 equity, and inclusion – the very things that make our
4 community stronger – which aim to prevent
5 discrimination against people with disabilities. With
6 a lack of accountability and concrete guidelines from
7 our federal agencies, SBS (Small Business Services)
8 could find itself with a prominent role to play in
9 connecting small business employers to all employees
10 that want meaningful work.

11 I'd also like to ask that my name be added to
12 both of my colleagues' bills here today. And do want
13 to lift up what Council Member Menin was saying,
14 which that there has been a huge scourge of lawsuits,
15 unnecessary, and even the leaders in the disability
16 community are asking us to do something about it.
17 Thank you.

18 CHAIRPERSON FELIZ: Thank you so much, Public
19 Advocate.

20 I would also like to acknowledge Council Member
21 Sandra Ung, who has joined us via Zoom.

22 I will now turn it over to the Committee
23 Counsel to administer the oath before we hear from
24 the Administration.

25 COMMITTEE COUNSEL: We will now hear testimony
from the Administration. And before we begin, I will

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3 administer the affirmation. Today we have been joined
4 by Kitty Chan, SBS Deputy Commissioner of Business
5 Services; Haris Khan, SBS Acting-Chief of Staff;
6 JoAnn Kamuf Ward, Deputy Commissioner of Policy and
7 External Affairs; and Michael Griffin, CCHR Policy
8 Counsel.

9 Panelists, please raise your right hand. Do you
10 affirm to tell the truth, the whole truth, and
11 nothing but the truth before these committees, and to
12 respond honestly to council member questions?

13 *PANEL AFFIRMS*

14 COMMITTEE COUNSEL: Thank you. You may begin
15 when ready.

16 DEPUTY COMMISSIONER KAMUF WARD: Great, thank
17 you.

18 Good afternoon Chair Feliz, Chair Williams, and
19 Members of the City Council Committees on Small
20 Businesses and Civil and Human Rights, as well as
21 Committee staff, and Public Advocate Williams.

22 Thank you for convening today's hearing. As
23 already mentioned, I am JoAnn Kamuf Ward, Deputy
24 Commissioner for Policy and External Affairs at the
25 Commission on Human Rights. I am joined by my

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3 colleague, Michael Griffin, as well as Kitty Chan,
4 and Haris Khan from Small Business Services.

5 The Commission on Human Rights is dedicated to
6 ensuring New Yorkers can live and work free from
7 discrimination. We appreciate today's opportunity to
8 highlight how the New York City Human Rights Law
9 protects against disability discrimination and how we
10 educate the public about their rights and
11 responsibilities.

12 More details about the agency's mandate and
13 structure are in the written testimony that I
14 provided, but I am aiming to be briefer than usual
15 today, so that we can get to the heart of the
16 conversation about the work that we all do and want
17 to do together. The New York City Human Rights Law
18 protects New Yorkers against discrimination on the
19 basis of over 25 protected categories. That includes
20 protecting people with disabilities from
21 discrimination in employment, housing, and public
22 accommodations. The law aims to achieve independent
23 and equal access to all aspects of city life, and
24 requires that covered entities – housing providers,
25 employers, and places of public accommodation provide
reasonable accommodations, unless doing so creates an

1 undue hardship. As was mentioned already by the
2 Council and the Public Advocate, nearly 1 million New
3 Yorkers live with disability, and that means
4 accessibility is essential to the city's civic and
5 economic life.
6

7 CCHR promotes accessibility and inclusion
8 through targeted education, outreach, and
9 partnerships, including close collaboration with
10 organizations led by and serving people with
11 disabilities.

12 Our Human Rights Law 101 training includes
13 disability protections in all areas of our
14 jurisdiction and we also offer in-depth trainings
15 focused on accessibility in housing and public
16 places.

17 In fiscal year 2024 we hosted 375 trainings
18 that covered disability protections under the New
19 York City Human Rights Law up from about 260 in the
20 prior year. And through our trainings on employment
21 protections and disability protections in housing and
22 public places, we reached over 10,000 New Yorkers.
23 This reach included workforce development centers,
24 chambers of commerce, nonprofits, and unions. And
25

3 CCHR is proud to say that our collaborations in this
4 area continue to expand.

5 In fiscal year 2024, we partnered with Project
6 Access for All to co host a Disability Unite
7 Festival, which brought together over 5,000
8 participants. We also joined the Disability Pride
9 Parade, reaffirming our commitment to the rights of
10 people with disabilities and their full identities in
11 New York City.

12 Our outreach spans across all five boroughs.
13 Business corridor outreach in the last year has
14 included Jackson Heights, Jerome Avenue, Little
15 Yemen, City Island, and other business corridors. We
16 regularly engage, as mentioned, with chambers of
17 commerce, merchants associations, and business
18 improvement districts.

19 The Commission also works closely With Small
20 Business Services, offering trainings to SBS staff,
21 co-hosting outreach events, and participating in
22 initiatives that are run by SBS, such as the AAPI
23 Small Business Task Force, and also already
24 mentioned, the Small Business Expo, which is coming
25 up later this month.

Turning in greater detail to the Human Rights Law itself, the New York City Human Rights Law defines disability broadly to cover physical, medical, mental, or psychological impairments, whether they are apparent or not. The law prohibits discrimination and retaliation by employers, housing providers, and public accommodations based on actual or perceived disability.

The law also mandates reasonable accommodations unless covered entities can show that providing an accommodation causes an undue hardship.

Zeroing in on the focus for today, in public places reasonable accommodations under the New York City Human Rights Law enable people to fully and independently enjoy the rights in question. Public accommodations must ensure full access to their services, including accessible seating and tables, physical alterations like ramps or lifts, and assistive technologies where appropriate. In the absence of an undue hardship, business owners that fail to accommodate may be unlawfully denying access.

In employment, reasonable accommodations allow individuals to perform essential job functions. This can involve schedule adjustments, equipment changes,

1 communication modifications, as well as structural
2 changes to workplaces. Employers, like other covered
3 entities, must make such accommodations unless they
4 can demonstrate an undue hardship.
5

6 I've spoken about our outreach, but enforcement
7 of disability protections is also a key part of the
8 commission's work. In fiscal year 2024, we received
9 several hundred disability related inquiries and
10 filed 116 complaints involving disabilities. We also
11 conducted hundreds of tests related to disability,
12 mostly in public accommodations.

13 And to help address accessibility concerns
14 without going through a formal complaint process, the
15 Agency's Law Enforcement Bureau has a Project Equal
16 Access team that works directly with covered entities
17 to identify ways to make spaces – and here we're
18 talking primarily about housing – physically
19 accessible.

20 In fiscal year 2024 the Commission facilitated
21 85 modifications to physical spaces, again primarily
22 in housing, through these initiatives and the work of
23 our Law Enforcement Bureau.

24 Remedies in disability case settlements can
25 include damages, civil penalties, and affirmative

3 relief, like policy change or changes to physical
4 spaces.

5 That provides a snapshot of the Commission's
6 work in this area. We are committed to dismantling
7 discriminatory practices and ensuring New Yorkers
8 with disabilities can access employment, housing, and
9 public life. We thank the Council for your
10 partnership and welcome your questions.

11 (PAUSE)

12 CHAIRPERSON WILLIAMS: Thank you. I will focus
13 on my questions on the Commission.

14 Okay, could you please share with us your most
15 up to date numbers with respect to inquiries, pre-
16 complaint interventions, and complaints on the basis
17 of disability or perceived disability?

18 DEPUTY COMMISSIONER KAMUF WARD: Sure, so I can
19 serve... I share our fiscal 2024 numbers. Those are
20 our most up to date.

21 So I should say just as a kind of snapshot,
22 disability related inquiries comprise about 20% of
23 the jurisdictional inquiries we receive and also
24 approximate about 20% filed claims.

25 So in fiscal year 2024, we had 164 inquiries
related to disability and employment, 138 in public

3 accommodations, and as I mentioned in my testimony,
4 we filed 116 claims – 70 of those were employment, 30
5 in housing, and about 13 in public accommodations.

6 One thing that I want to note, just about the
7 difference between inquiries and claims, is that this
8 is also an area where we have pre-complaint
9 interventions as a possibility. In fiscal year 2024
10 the Commission facilitated 307 pre-complaint
11 interventions, 85 of those were physical
12 modifications to buildings. And as mentioned in my
13 testimony, the majority of those were in housing.

14 CHAIRPERSON WILLIAMS: Thank you.

15 Another question that I have is...

16 (PAUSE)

17 Hmmm, okay, so I know in a lot of our hearings
18 we talk about new trends, especially ,you know, post
19 pandemic, so has the Commission noticed any trends in
20 recent years when it comes to the data that you have?
21 Are you seeing more in housing versus seeing more in,
22 I don't know, a business, traditional business maybe
23 like a retail business?

24 DEPUTY COMMISSIONER KAMUF WARD: Yeah, I think,
25 again, the percentages that I mentioned, the kind of
26 20% disability across areas, is pretty consistent.

1 Housing is also... with disability related cases,
2 housing is a primary area where seeing cases. I don't
3 think that has changed. I think there was a lull
4 during COVID in all of these areas, because people
5 were going outside less and not going necessarily to
6 businesses. But the trends are pretty solid across
7 years.
8

9 CHAIRPERSON WILLIAMS: Okay another question I
10 have, so the pre-complaint interventions, can you
11 talk about how it gets solved? So is it the person
12 just provides the accommodation, you know, does
13 someone get fined? Like, if you can share like how it
14 actually gets solved?

15 COUNSELOR-MICHAEL GRIFFIN: Thank you, Council
16 Member Williams.

17 So pre-complaint interventions can resolve in a
18 number of ways. There's also a couple different types
19 of pre-complaint intervention. As my colleague,
20 JoAnn, mentioned, Project Equal Access is mainly
21 focused in housing, and that can involve staff
22 members from the Law Enforcement Bureau actually
23 visiting a business to ensure that a potential
24 physical accessibility modification is feasible. Pre-
25 complaint interventions more broadly can be conducted

1 by Law Enforcement Bureau staff attorneys, the
2 Project Equal Access staffers, and non attorney
3 staff. And that will often involve, once an
4 individual has come to the Commission and has stated
5 at least an initially jurisdictional claim related to
6 disability, interfacing with the business, the
7 covered entity, to see if they're amenable to pre-
8 complaint intervention, in which case the remedies
9 would mostly be the specific relief, whatever the
10 reasonable accommodation was, and could include
11 trainings, policy changes or creation. And then if a
12 business is not interested in cooperating with the
13 pre-complaint intervention, it can be referred for
14 complaint.

16 DEPUTY COMMISSIONER KAMUF WARD: But generally
17 in pre-complaints, there's not a monetary amount
18 that's levied. The settlements are about bringing
19 relief to the individual in question.

20 CHAIRPERSON WILLIAMS: Thank you. The other
21 question that I have, which just goes back to data,
22 and I don't know if you shared that, specifically,
23 but do have the number of complaints towards small
24 businesses, specifically? To break out the data in
25 that way?

1
2 DEPUTY COMMISSIONER KAMUF WARD: So we don't
3 break it out that way. I think part of the reason for
4 that is that ,you know, small businesses can be
5 involved in cases in a number of ways as employers,
6 as public accommodations. And from the perspective of
7 the New York City Human Rights Law, individuals'
8 rights are the same in all of those instances. What
9 changes, if it's a small business, might be the type
10 of affirmative relief or the undue hardship analysis
11 if someone is seeking an accommodation. But we do not
12 track by business size. And I think the law for
13 employment covers everyone with four or more
14 employees, so definitely a different kind of
15 definition than we're talking about than Small
16 Business Services or some of the legislation might
17 use.

18 CHAIRPERSON WILLIAMS: Yeah, I guess I'm
19 wondering, like, I don't know, do you track it by
20 ,like, industry? Like, I know how you said housing,
21 do you track it by housing, retail, construction? You
22 know?

23 DEPUTY COMMISSIONER KAMUF WARD: We don't
24 generally do that. And I think, I mean, again,
25 looking at the employment space, which also

1 businesses are covered in that way, a lot of the
2 accommodations have nothing to do with the type of
3 business. Right? It's really about workplaces and how
4 those are functioning and communication. So
5 historically, have not tracked data that way. We
6 track how many small businesses we engage with on the
7 outreach side. So I mentioned our disability
8 trainings already reaching 10,000 people. But we also
9 do resource fairs with council people, business
10 corridor outreach, and reach several thousand
11 individuals at small businesses that way that way.

12
13 CHAIRPERSON WILLIAMS: I am going to turn it
14 over to Council Member Menin for questions.

15 COUNCIL MEMBER MENIN: I'm so sorry, I couldn't
16 hear that, I apologize. Thank you so much.

17 So a couple questions I have about the issue
18 that I raised in the opening statement about the...
19 that one individual, who has been responsible for
20 filing 113 federal ADA lawsuits against small
21 businesses since 2018, what can the City do about
22 that?

23 ACTING-CHIEF OF STAFF KAHN: Thank you so much,
24 Council Member Menin for elevating this real concern
25 that so many businesses have struggled with over the

3 past couple of years. We've had conversations at a
4 leadership level, at a staff level, on the trends
5 that we're noticing with some of this predatory
6 litigation that has taken place. It's very
7 concerning.

8 At the City, we've made sure that working with
9 the subject matter experts in the administration,
10 CCHR on the City's Human Rights Law, MOPD (Mayor's
11 Office for People with Disabilities) on ADA at large,
12 we've developed a central resource on the MyCity
13 business site. It's a business accessibility page
14 that covers a variety of topics related to
15 accessibility, including digital and also connections
16 to services.

17 But the ADA is a federal legislation. And those
18 significant protections under the ADA has also given
19 room for vulnerability for small businesses in terms
20 of their ability to comply. And it creates a Private
21 Right of Action whereby, even an individual that's
22 not a New Yorker or out of state, can file a lawsuit,
23 and court practices then allow it to proceed. And so
24 we're concerned about that, as it shows no matter,
25 even to the extent that the City provides all the
resources possible, the federal legislation has this

3 vulnerability in it for small businesses that opens
4 up the door to the situation that you've just
5 described, which can be painful for some businesses
6 that are trying to do the right thing.

7 And we've also heard of cases where a business
8 could be attempting to, and be fully compliant, but
9 there could be a lawsuit that they then face, and
10 have to still spend their precious time and money
11 navigating that process at their detriment.

12 COUNCIL MEMBER MENIN: So, does SBS provide any
13 guidance to these small businesses who are facing
14 these lawsuits?

15 ACTING-CHIEF OF STAFF KAHN: So, Council Member,
16 it's in the City, we do not have the Right to Counsel
17 for small business. But we do provide commercial
18 lease assistance at SBS, and we are proud that, in
19 the course of that assistance, we do cover all of the
20 responsibilities and obligations in the lease
21 agreement before businesses sign that lease.

22 So it's helpful in understanding a lease could
23 go up to 40-50 pages, has very complicated clauses,
24 and our attorneys are able to break that down,
25 analyze that, and explain that to the business owner
before they agree to sign a lease document.

1 COUNCIL MEMBER MENIN: And then just lastly, in
2 terms of my bill, Intro 282, what can be done to then
3 try to help these small businesses become more
4 accessible? You know, how can — I mean, the point of
5 the bill is obviously, be it through loans, grants,
6 or some mechanism. (TIMER) to try to offset and
7 defray some of the costs for these small businesses?

8 ACTING-CHIEF OF STAFF KAHN: So I think on that
9 bill, Council Member, we're working with our sister
10 agencies. We're also working with the Law Department
11 to better understand what would be operationally
12 possible. We do have some fiscal concerns with that
13 legislation as it's currently written. But we'd love
14 to have a conversation with you further, because it
15 is a very serious issue that businesses are facing.
16 And because it's a federal legislation, no matter
17 what the City does in response, there will still be a
18 case where a business owner, who's trying to do the
19 right thing, that is attempting to do the right
20 thing, still could be faced with litigation,
21 frivolous litigation in some cases, that takes them
22 away from their business. They might be doing all of
23 the right things but still have to close down because
24 of the way, uh, the circumstances.
25

1
2 COUNCIL MEMBER MENIN: Okay, thank you very
3 much. Thank you, Chairs.

4 DEPUTY COMMISSIONER KAMUF WARD: I'm just gonna
5 add just one piece on that bill, because this is
6 something that comes up for us, and it's a perennial
7 challenge for New York City, is the building sizes.
8 Right? So even if you can make the front of a store
9 physically accessible, something that comes up in
10 cases that we see, is that people then, if they're
11 using a wheelchair, can get into the store, but they
12 can't actually navigate the building. And that's a
13 building code, building structure issue. But I think
14 it's just something to be aware of as we're trying to
15 think about how we make New York City more
16 accessible. Some of the longstanding buildings are
17 just really problematic. So if a case comes to CCHR,
18 we attempt to work with business owners. Some people
19 put a bell at their front door, and they have a staff
20 member who can deliver something to an individual who
21 might not be able to inside of the building. So there
22 are definitely creative workarounds to meet the needs
23 of New Yorkers who are trying to access businesses,
24 but also the reality of building structures in our
25 city.

3 CHAIRPERSON WILLIAMS: Thank you. Council Member
4 Narcisse?

5 COUNCIL MEMBER NARCISSE: Thank you, Chair.
6 What languages are those materials in the
7 training of (UNINTELLIGIBLE).

8 DEPUTY COMMISSIONER KAMUF WARD: Can you repeat
9 the question?

10 COUNCIL MEMBER NARCISSE: What are the languages
11 that the materials that you are using for training
12 are available?

13 DEPUTY COMMISSIONER KAMUF WARD: Sure, so for
14 our Human Rights Law 101 training, this is at CCHR,
15 primarily the languages are Spanish, English,
16 Mandarin, and Arabic. That's for our Human Rights Law
17 101 training. We have other trainings that are in a
18 whole host of other languages. All of our print
19 materials are in a more expansive number of
20 languages. So we have a targeted Small Business Fact
21 Sheet, which is about businesses as employers. We
22 also have a similar brochure for businesses. Those
23 are in 11 languages – Those include Haitian Creole,
24 Urdu, French, Russian, Arabic, Mandarin, and several
25 others. I can find the list. But it's the Local Law

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3 3011 Languages, and all of our core materials are
4 available in that way.

5 And I would say for disability accessibility
6 purposes, guidance that we have put out, which is
7 longer form guidance, is also screen reader
8 accessible. And when we do campaigns and trainings,
9 we pay attention to visual accessibility, as well as,
10 when we hold events, we ensure that people are able
11 to get accommodations to be able to participate
12 fully.

13 COUNCIL MEMBER NARCISSE: Thank you. As a former
14 small business owner, I know how difficult that it
15 can be when it comes to the fees that add up,
16 unexpected fees, and then what I was talking about,
17 small businesses. When we say small businesses, what
18 is the kind of like the range for me, is always too
19 wide, first of all. Because when you're talking about
20 \$500 to a million... or \$250, I always kind of find
21 it very hard for me, because you have some businesses
22 that is maybe making a lot of money, but it's a
23 resale business, how much that those material cost,
24 because as a person coming from my end, you can buy a
25 wheelchair for \$4,000 by the time you sell it for
\$5,000 that's not really a profit. So that's the

1 reason I'm talking about my bill 1260. We have to
2 take those things in consideration.
3

4 And my first question to you now, how... what
5 do you think about Introduction 1260? How we can make
6 it happen?

7 ACTING-CHIEF OF STAFF KAHN: Thank you. Council
8 Member, for your questions.

9 So on Intro 1260, on trainings for business
10 owners on accessibility, we're proud of our
11 partnership with CCHR and MOPD. We provide general
12 guidelines and guidance to business owners on the
13 various complicated nature of city regulations, state
14 regulations, and federal laws when we do our New York
15 City Business Express Service Team Compliance
16 Consultation. (TIMER)

17 So those are visits where we visit a small
18 business themselves. We go into their kitchen. We
19 look at the storefront. We explain to the business
20 owner things they could do to avoid fines and fees.
21 And I'm proud to report that, under this
22 administration, we've saved over \$40 million doing
23 that work, just making sure business owners
24 understand the complicated nature of city, state,
25 federal laws. It's a general service. As you can

3 imagine, we're not able to have subject matter
4 expertise in all of the overlapping areas of
5 jurisdiction.

6 Whenever there is a more curated, more
7 specialized need that emerges, we make sure we
8 partner with the subject matter experts in the
9 administration, and that is, in this case, CCHR on
10 the New York City Human Rights Law, and MOPD on ADA
11 at large.

12 COUNCIL MEMBER NARCISSE: First I have to say,
13 thank you, too, because I partner with SBS a
14 lot... (CROSS-TALK)

15 ACTING-CHIEF OF STAFF KAHN: Yes, we're always
16 (INAUDIBLE)

17 COUNCIL MEMBER NARCISSE: because I want to
18 educate folks. So I'm assuming that you're okay with
19 Intro 1260? That's my assumption. You should.

20 ACTING-CHIEF OF STAFF KAHN: So there's already
21 you know, we already are proud of the work that we do
22 in making sure business understand the regulations.

23 I think the question to explore is, on subject
24 matter expertise related to ADA and to the Human
25 Rights Law...

COUNCIL MEMBER NARCISSE: Mm-hmm

1 ACTING-CHIEF OF STAFF KAHN: we're unable to
2 have that in house.
3

4 COUNCIL MEMBER NARCISSE: Right...

5 ACTING-CHIEF OF STAFF KAHN: So there's a lot of
6 referrals and partnerships that we've established.
7 But we'd be happy to talk further to understand how
8 like, how to (INAUDIBLE)... (CROSS-TALK)

9 COUNCIL MEMBER NARCISSE: We're gonna have to
10 talk further, because it has to happen to help the
11 small businesses.

12 ACTING-CHIEF OF STAFF KAHN: Yeah... (CROSS-
13 TALK)

14 COUNCIL MEMBER NARCISSE: We know the suffering
15 now more than ever. When you put a fine that's so
16 much, it's hard for small businesses to sustain. So
17 thank you, (INAUDIBLE) thank you Chair, I your
18 appreciate your time.

19 CHAIRPERSON WILLIAMS: Council Member Bottcher?

20 COUNCIL MEMBER BOTTCHEER: Good afternoon.

21 There's a practice that's been happening in New
22 York City, and around the country, in which attorneys
23 working with plaintiffs go to small businesses and
24 perform what essentially amounts to a shakedown, like
25 catching them on an ADA violation, sometimes a

1 relatively minor ADA violation, and forcing them into
2 quick cash settlements rather than actually going to
3 court. That's even when sometimes the infraction has
4 already been fixed.
5

6 My dad, when he had his fly fishing shop, this
7 is up in in Lake Placid, got a scary letter because
8 his website wasn't ADA compliant, and he was able to
9 work it out, but it was someone who was just finding
10 websites and sending these. At one point in our
11 council district, we were hearing from quite a few
12 businesses who were being approached in this way by
13 attorneys over ADA violations. And it seems to be a
14 little bit less frequent than it used to be, but I
15 was... I wanted to know from you, is that the case?
16 And if so, what has changed? Is this still a
17 persistent issue?

18 ACTING-CHIEF OF STAFF KAHN: Thank you, Council
19 Member, for raising and elevating this issue. It's
20 very concerning to us as the Department on Small
21 Business Services. We've had conversations and
22 engagement with MOPD on this topic at a leadership
23 level, at a staff level. It really is one of the
24 reasons that we refreshed and developed our "Business
25 Accessibility" page on our MyCity Business site. That

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page has had now hundreds of views since January. And

3 it includes a free online screening tool so
4 businesses can make their digital websites
5 accessible, particularly related to the issue that
6 you've raised with your family's own business. And
7 it's one resource that we have now in our toolbox to
8 help respond to businesses that are struggling to
9 deal with this issue.

10 And so we really would like your assistance as
11 well. We make sure that when we're in neighborhoods,
12 we have information on our MyCity Business portal and
13 site in over 20 languages. That page, with business
14 accessibility, is in 11 languages, and the content
15 there is developed – not just by SPS, but in
16 partnership with MOPD and CCHR, to make sure it
17 reflects subject matter expertise.

18 CHAIRPERSON WILLIAMS: Thank you. I just want to
19 acknowledge that we have been joined by Majority
20 Whip, Selvena Brooks-Powers, and we will turn it over
21 to her for questions.

22 MAJORITY WHIP BROOKS-POWERS: Hi, thank you,
23 Chairs, and thank you for the testimony today.

24 Just a few questions for you. On accessibility
25 and autism, how is SBS helping small businesses adapt

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3 their services and offerings to be more accessible to
4 individuals with autism?

5 ACTING-CHIEF OF STAFF KAHN: Thank you, Council
6 Member, for your question.

7 So on ADA, it's a far reaching and complicated
8 legislation, federal law that includes various
9 topics. And so when our team goes out to provide
10 assistance to small businesses, we're unable to
11 provide curated information on every single variation
12 on the AD or even on the DOB, DEP, DCWP, or Health
13 Department regulations.

14 What we provide when we visit a storefront
15 business is a generalized guidance and awareness on
16 all the resources that exist and also helping them
17 comply with the most common, uh, noncompliant issues
18 that we have heard about, seen, and analyzed. And so
19 with that level of assistance, if a business owner
20 then responds and lets us know that they're having a
21 challenge with a particular variation of compliance,
22 then we will make sure we engage with the subject
23 matter experts. In this case, it's CCHR on the Human
24 Rights Law for the City, and certainly MOPD on the
25 federal ADA.

1 MAJORITY WHIP BROOKS-POWERS: Thank you for
2 that.
3

4 And on the chilling effect in immigration,
5 excuse me, immigrant communities, due to the Trump
6 administration's immigration policies, many small
7 businesses in Southeast Queens and across our city
8 have seen lower foot traffic as residents choose to
9 stay home. How has SBS worked with local businesses
10 and community members to address this issue? And
11 before you answer, do want to acknowledge
12 Commissioner Gross and her amazing work. She was in
13 our district recently; we've had SBS in the district
14 at least twice, but just globally speaking, just
15 wanting to have on the record some of the work that
16 the Agency has been doing.

17 ACTING-CHIEF OF STAFF KAHN: Thank you so much,
18 Council Member, for raising this, and certainly we've
19 heard anecdotally, but also from community leaders,
20 on our different task forces and commissions that
21 we've established to make sure there's direct
22 communication with leadership from immigrant
23 communities as well.

24 We're proud that just this week, we announced
25 over \$4 million grant awardees, in all five boroughs,

3 for CBDOs, and also business improvement districts,
4 that are doing localized work in attracting
5 businesses, attracting foot traffic, doing district
6 marketing, making sure that our corridors are
7 revitalized and are ready and thriving for
8 investment, either from local New Yorkers, or
9 tourists that come to New York City.

10 And so we're proud of that investment, and
11 we're proud that, as part of the best budget ever, we
12 had, the funding for our Commercial Corridor
13 Revitalization Grants baselined.

14 MAJORITY WHIP BROOKS-POWERS: Thank you.

15 And my last question for you is on the (TIMER)
16 implementation and equity. Given the cost and
17 complexity of construction, how would the City ensure
18 that the Accessibility Fund, via Intro 282, is
19 distributed equitably across all five boroughs,
20 particularly outer borough communities where small
21 businesses may face greater barriers to applying or
22 participating?

23 ACTING-CHIEF OF STAFF KAHN: Thank you, Council
24 Member. On Intro 282, we do need to have further
25 conversations with the Law Department in particular,
but also our sister agencies in figuring out what

1 could be operationally possible if such a program
2 were to be enacted. There certainly are fiscal and
3 operational challenges in delivering the intent of
4 the bill. But we do understand the topic of
5 businesses struggling with storefront, uh,
6 accessibility is a major issue. And in the month of
7 May, which is also New York City Small Business
8 Month, we're going to be releasing a storefront
9 improvement guide, which can help small businesses
10 understand what the aspects are of a storefront they
11 should consider when making renovations and
12 improvements. And we're proud to have compiled that
13 resource, and still in development. We'll be
14 releasing it very shortly with coordination from DOB,
15 with MOPD, and other relevant sister agencies that
16 have overlapping enforcement or expertise on this
17 topic.
18

19 MAJORITY WHIP BROOKS-POWERS: Thank you so much.
20 And if there's like a flyer or a pamphlet available
21 for it, if you could send it to my office, I'd love
22 to have it.

23 ACTING-CHIEF OF STAFF KAHN: We will send it...

24 MAJORITY WHIP BROOKS-POWERS: Thank you.

25 ACTING-CHIEF OF STAFF KAHN: Yes, thank you.

3 MAJORITY WHIP BROOKS-POWERS: Thank you, Chairs.

4 CHAIRPERSON FELIZ: Thank you so much,
5 colleagues, for all the questions. And thank you
6 again, SBS and the Human Rights Commission for all
7 the information, also for all the work all of you
8 have been doing on this issue.

9 A few questions for, I guess we could start
10 with SBS – a general question, you touched on some of
11 the topics, but what are SBS' thoughts about the
12 current state of a ADA compliance as it relates to
13 our small businesses?

14 ACTING-CHIEF OF STAFF KAHN: I'm so sorry,
15 Chair, for this, could you repeat the question?

16 CHAIRPERSON FELIZ: Yeah, what are your thoughts
17 about the current state of ADA compliance as it
18 relates to small businesses?

19 ACTING-CHIEF OF STAFF KAHN: Thank you, Council
20 Member. We make sure that when we do our outreach,
21 if a question comes up about accessibility, or if we
22 notice an issue with accessibility and noncompliance
23 on the topic that is general and that our teams are
24 able to provide assistance on, we do that firsthand.
25 And then if it is a deeper question, or an issue that
we're unable to resolve without subject matter

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3 expertise, then we rely on our partners in MOPD and
4 CCHR.

5 CHAIRPERSON FELIZ: Talk to us about some of the
6 ADA rules that you generally hear about when speaking
7 with small businesses about this issue. What are some
8 of the most common rules? Is it the business needing
9 a ramp, or yeah, talk to us about some of the
10 rules... Website issues?

11 ACTING-CHIEF OF STAFF KAHN: It really varies
12 depending on the small business. In New York City, no
13 two businesses are the same. So you be in Chinatown,
14 you could be on the same street, and one business has
15 a very different ADA related challenge than another
16 business. But certainly, digital accessibility is an
17 issue that comes up, as well as physical
18 accessibility with the storefront business maybe
19 needing a ramp or other adjustments to be ADA
20 compliant.

21 CHAIRPERSON FELIZ: Based on your conversations
22 with the small businesses, which are some of the
23 rules that you've heard businesses struggle to comply
24 with due to costs, how difficult it is to comply, and
25 anything else?

1 ACTING-CHIEF OF STAFF KAHN: So we would defer
2
3 to CCHR on the complaints that they've received with
4 businesses being noncompliant on portions of the
5 City's Human Rights Law. Just through our general
6 course of work, it is digital accessibility that
7 comes up and also physical accessibility. And on
8 digital accessibility and physical, we've got this
9 Business Accessibility web page on our MyCity
10 business site. We encourage New Yorkers to go to
11 nyc.gov/business. And they can access that resource.
12 It's available in 11 languages. And we make sure that
13 the content there is refreshed and updated with
14 expertise from MOPD and CCHR.

15 CHAIRPERSON FELIZ: And same question for CCHR,
16 what are some of the rules that we generally hear
17 about when speaking with businesses about these ADA
18 issues? And which ones have we heard are very
19 difficult to comply – and for what reasons as well,
20 is it due to costs, complications, or whatever.

21 DEPUTY COMMISSIONER KAMUF WARD: Yes, so, for
22 us, we don't deal very often in the ADA. So we're
23 looking at the City Human Rights Law, which, I think
24 as we were saying, has baked into it a requirement
25 for reasonable accommodations that looks at whether

1 an accommodation can be given and puts the onus on
2 small businesses to identify if something is an undue
3 hardship. The reasons that might happen is
4 architecturally infeasible, right? Can't do it. So
5 that is a challenge that is kind of outside of our
6 scope to be able to address. There are a number of
7 city rules that, uh, building code rules that
8 incorporate parts of the ADA.

9
10 One thing that we see all the time with small
11 businesses, and really this is coming from clients,
12 small businesses are not calling us that often,
13 surprisingly – It's clients who are being denied
14 access because they have a service animal, or
15 historically in New York City buildings, one step.
16 Right? So looking at something that some folks might
17 be able to walk into a store, because there's one
18 step, that's a massive barrier to someone who has a
19 mobility device. So those, I think, are some of the
20 frequent things that we hear about.

21 And then the other piece, which I mentioned
22 already, was the ability to navigate actually stores
23 inside. So one of the accommodations or pre-complaint
24 interventions that we might offer is a clear route of
25 travel within a store. So that's what we see.

3 CHAIRPERSON FELIZ: Okay. Has SBS or CCHR taken
4 any proactive measures to mitigate these issues for
5 small business owners?

6 ACTING-CHIEF OF STAFF KAHN: Thank you, Chair
7 Feliz. We make sure that our outreach includes
8 business accessibility, and that means when we're
9 visiting a corridor and a business owner flags for us
10 some challenge or an issue that we are communicating
11 to them with material and information, that isn't
12 just the Department of Small Businesses, but is also
13 MLPDs and CCHRs, and it's comprehensive. And we make
14 sure that in our engagements with our task forces and
15 our commissions, we're constantly making sure we
16 understand what are the most recent challenges
17 businesses are facing. So it might be supply chain
18 disruption next week. Last week, it might be ADA. And
19 our task forces and commissions are incredible
20 avenues to be able to have a pulse to feel the pulse
21 on the ground of what businesses are struggling with.

22 CHAIRPERSON FELIZ: Okay. Does SBS provide any
23 financial assistance to businesses to improve
24 accessibility or something pretty new?

25 ACTING-CHIEF OF STAFF KAHN: Something pretty?

1 CHAIRPERSON FELIZ: If it's, uh, new, the
2 providing of financial assistance.
3

4 ACTING-CHIEF OF STAFF KAHN: We ,you know, we
5 are really proud, Chair Feliz, that over the past
6 three to four years we have provided over \$300
7 million in lending to small businesses. Generally,
8 the lending that we connect businesses to through our
9 community depository financial institutions, are
10 not... It's not limited to a particular use, it
11 depends on the loan criteria, but that could be used
12 by businesses to make improvements to their
13 storefronts, to make improvements to their operation,
14 and so we are proud of that \$300 million in loan
15 financing that this administration has provided. We
16 are also soon going to be launching the NYC Funds
17 Finder, I'm sorry, the NYC Future Fund, which will be
18 another loan project that could help businesses.

19 CHAIRPERSON FELIZ: Okay, and a few questions
20 specifically about Intro 282, which would require
21 that SBS create a program to provide lending grants
22 and a lot more. If implemented, what would the
23 process be for getting those grants? I know generally
24 some agencies, they could only provide grants through
25 a nonprofit, AKA, not being able to provide it

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3 directly to the businesses. So talk to us about that
4 process, and if implemented, how would the process
5 look for this one – could look for this one?

6 ACTING-CHIEF OF STAFF KAHN: Thank you, Council
7 Member. We generally work with community lenders to
8 serve communities that are vulnerable. When we launch
9 loan programming, that means CDFI institutions and
10 make sure that reach is broad based. So in any loan
11 program that we launch, that's one of the avenues
12 we'd use as a mechanism to make sure it's not limited
13 to one area. It's spread across the geography of New
14 York City, reaching diverse immigrant communities.
15 And all New Yorkers can have an opportunity to
16 benefit from those programs.

17 CHAIRPERSON FELIZ: Can you provide the loans
18 directly or the grants directly to the businesses? Or
19 would you have to go through a nonprofit or a Chamber
20 of Commerce to bid?

21 ACTING-CHIEF OF STAFF KAHN: Generally when we
22 stand up loan programs, we'd have to work to identify
23 a fund administrator. That administrator would then
24 be the conduit to disbursement of loans, which would
25 happen at the CDFI level, so a more localized partner

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3 that could better reach New Yorkers in all five of
4 us.

4 DEPUTY COMMISSIONER CHAN: For grants and loans.

5 ACTING-CHIEF OF STAFF KAHN: Grants and loans...
6 (CROSS-TALK)

7 CHAIRPERSON FELIZ: Grants and loans?

8 So you said generally, are there any exceptions
9 to that, or is that a hard rule you have to obtain an
10 nonprofit or any conduit rather than giving the loans
11 and grants directly to the businesses.

12 ACTING-CHIEF OF STAFF KAHN: (INAUDIBLE)...
13 (CROSS-TALK)

14 CHAIRPERSON FELIZ: And I'm only asking this,
15 because we all know how difficult it could be for
16 small businesses to have to request from a nonprofit.
17 And then the nonprofit, it takes a very long time for
18 them to get reimbursed. So it could be very
19 complicated for businesses to have to go through
20 nonprofit, to then have to go through the agency to
21 get that loan.

22 ACTING-CHIEF OF STAFF KAHN: So not necessarily
23 a nonprofit to get the loan itself. It's just they're
24 the underwriter for the loan. And I'll give the
25 example of the NYC Opportunity Fund, which was the

1 administration's historic \$85 million loan program
2 that served over 1,000 small businesses, a majority
3 of them BIPOC New Yorkers. And that program was
4 administered and run by SBS. There was a fund
5 administrator in place that partnered with eight CDFI
6 organizations to make sure the reach was broad based.
7

8 And we at SBS, would then provide technical
9 assistance to those borrowers to make sure they can
10 complete their application package, know what's
11 required, and are ready to compete for those
12 opportunities.

13 CHAIRPERSON FELIZ: Oh, okay. Any interest
14 charged in any of the loans programs that we've done?

15 ACTING-CHIEF OF STAFF KAHN: Yes, all of our
16 loan programs that the City has co developed with the
17 private sector has an interest rate associated with
18 it.

19 CHAIRPERSON FELIZ: And what is that interest
20 rate more or less?

21 ACTING-CHIEF OF STAFF KAHN: It depends on the
22 market, depends on the partners, and the level
23 investment that we have secured for that loan
24 program.
25

CHAIRPERSON FELIZ: Can you provide a range? Is
it 5%, seven (INAUDIBLE)... (CROSS-TALK)

ACTING-CHIEF OF STAFF KAHN: It really... Really
depends on the market at the time, the interest rates
at the time, the partners that we have secured. So it
will really vary based on the timing that we are in
when we are launching such a loan program, the
funds... the CTL funding that's associated with it,
that can be leveraged for private sector fund
raising.

CHAIRPERSON FELIZ: Okay. A few questions about
the MyCity Accessibility Compliance web page, and
then I'll pass it back to my co-chair.

So the MyCity Accessibility Compliance web page
includes guides on how to open and operate an
accessible business. Does SBS have any sense of how
often this information is used by small business
owners?

ACTING-CHIEF OF STAFF KAHN: The MyCity Business
Accessibility page has been used by hundreds of New
Yorkers that have reached that information. We
launched it in January. It's refreshed, updated
content that was developed in partnership with sister
agencies. We're really excited that we have this in

1 place. But it's not the only thing we do to make sure
2 businesses can be aware of resources available to
3 them. We also organize workshops. And we're really
4 excited that on May 29th, at our New York City Small
5 Business Month Expo, we'll have MOPD tabling on-site
6 for small businesses, as well as having CCHR
7 delivering a Know Your Obligations workshop in
8 person. And so we're excited that thousands of New
9 Yorkers, on May 29th, can benefit from these
10 resources on-site, while our partnership, and
11 resources online, and other forms of workshop and
12 outreach continues every single day.

14 CHAIRPERSON FELIZ: What are the different ways
15 that SBS receives inquiries about accessibility
16 compliance? Is it receiving calls through 311? And
17 also, do you have any stats related to that? And
18 also, if people have questions about accessibility,
19 where are the businesses directed to?

20 ACTING-CHIEF OF STAFF KAHN: Yes, Council
21 Member, so generally, folks reach out to us when
22 they're interested in one of our services, not when
23 they're inquiring about a specific regulation or
24 specific compliance matter. They reach out to us when
25 they're about to open their business, or they're

1 trying to expand their business, or they're trying to
2 avail themselves of available city resources that can
3 help their business grow. So that's generally the
4 point of interaction we have as an agency with a
5 business owner or an entrepreneur in New York City.
6 And in the course of that interaction, if a business
7 owner raises accessibility related challenges, then
8 we've got this resource that our teams have developed
9 in this administration, the Business Accessibility
10 web page.
11

12 We've also got some general understanding of
13 accessibility. So whenever our team is able to
14 provide information that is relevant and helpful,
15 they will. Whenever the business owner or the
16 entrepreneur is requesting information that might be
17 more tailored, more curated, requires a deeper level
18 of understanding and expertise, that's when we'll
19 pass it to our colleagues in MOPD and CCHR.

20 CHAIRPERSON FELIZ: So we have a few programs
21 that are aimed at helping small businesses with legal
22 issues, including the Commercial Lease Assistance
23 Program. Does that program help tenants or commercial
24 tenants or small businesses negotiate leases with
25 issues and clauses related to ADA laws?

1 ACTING-CHIEF OF STAFF KAHN: Yes. So that
2
3 program helps business owners with commercial lease
4 related issues. That means they could help business
5 owners get start a lease agreement with the landlord.
6 They could help them in a renewal process with the
7 landlord. They could also help them understand and
8 navigate landlord tenant conflicts and issues that
9 are pre-litigation. And so we're proud that that
10 resource exists, is available, was baselined by this
11 administration. Just last fiscal year, over 800 New
12 Yorkers benefited from that service. And that service
13 includes an understanding of the rights and
14 obligations in the lease agreement. So if there are
15 pieces of the lease that relate to storefront
16 improvement or other renovations that may relate to
17 ADA, the attorneys are able to advise the business
18 owner, make sure they understand what they're signing
19 up for before they sign the lease agreement.

20 CHAIRPERSON FELIZ: Do we have any data on how
21 often the Commercial Lease Assistance Program engages
22 with small businesses on this issue, ADA, and also
23 other city laws?

24 ACTING-CHIEF OF STAFF KAHN: It's difficult to
25 speak to the specific engagement between the attorney

3 and the business owner due to attorney client
4 privilege. But we're proud that it's over 800 New
5 Yorkers that benefit from this service. And certainly
6 if they bring up matters related to the ADA, as it
7 pertains to the lease agreement, it's certainly part
8 of the service that the lawyers provide.

9 CHAIRPERSON FELIZ: All right I'll pause here.
10 I'll acknowledge briefly Council Member Krishna, who
11 has also joined us, and I'll pass it back to the Co-
12 chair Williams for questions.

13 CHAIRPERSON WILLIAMS: Thank you. I'm always
14 interested in ,like, the cross agency collaboration
15 that, I don't know, I guess in some cases works well,
16 in some cases not so well, depending on the agency,
17 maybe depending on the commissioner, I don't know.
18 But how does CCHR work with SBS and MOPD – or do you
19 say it “MOPED” or do you say MOPD? You say “MOPED”,
20 right? What do you say?

21 DEPUTY COMMISSIONER KAMUF WARD: Both.

22 CHAIRPERSON WILLIAMS: Oh...

23 DEPUTY COMMISSIONER KAMUF WARD: they're both
24 correct.

25 CHAIRPERSON WILLIAMS: MOPED.

UNKNOWN: We only say MOPD (INAUDIBLE)

1
2 CHAIRPERSON WILLIAMS: (LAUGHS) MOPD,
3 respectively, when it comes to education and
4 outreach? And are there any future plans or new
5 additions to joint educational and outreach efforts
6 if they don't already happen now?

7 DEPUTY COMMISSIONER KAMUF WARD: Yeah, so I'll
8 start on that one. I think we have a very strong
9 relationship with both SBS and MOPD. As I mentioned,
10 when the law changes, the Human Rights Law, we're
11 looking at potentially new obligations for businesses
12 as employers if they have four or more employees. Or
13 if public accommodations protections change, that's a
14 different set of obligations for businesses. So we
15 have historically gone to SBS Task Force Meetings as
16 well as to other bid meetings on a regularized basis
17 so we can identify, "These are changes to the human
18 rights law. You should be aware." Pay transparency
19 being – one good example. And we have a fact sheet
20 that we developed for small business owners in
21 particular, understanding, as everyone has raised
22 today, these folks don't necessarily have an HR
23 Department. They are not able to necessarily stay up
24 to date with all of the changes to the Human Rights
25 Law, so we try and work very closely to get the word

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3 out to small businesses. And I think SBS has already
4 mentioned the Business Expo and other places where we
5 do joint training. Also our teams go out into
6 neighborhoods to reach very, very small businesses,
7 right? One-person businesses to say, "We are small
8 business services, this is what we offer. We're the
9 City Human Rights Law, here's what you're required to
10 do under our law - here's a poster that you're
11 probably required to post." So to try and make it as
12 easy as possible for New York's smallest businesses.

13 CHAIRPERSON WILLIAMS: So how does that work
14 ,like, for the people that actually do the work? Is
15 it like when they have their different events, do
16 ,like, reach out to CCHR, or is it proactive on one
17 agency side versus the other, considering to your
18 point you have to administer our Civil And Human
19 Rights Laws. So is it CCHR saying, "Hey we have
20 salary transparency coming down. Here's a one pager,
21 share this with your businesses." Like how does it
22 actually work in real life?

23 DEPUTY COMMISSIONER KAMUF WARD: I think it
24 works in like real life messy ways and all of the
25 above as part of what you mentioned, right? Sometimes
with pay transparency, CCHR was getting a ton of

3 questions about what does this require, right? So we
4 proactively reached out to SBS and said, "Hey, small
5 businesses need to know what this is. It covers all
6 of them." I think it goes both ways. It's our
7 outreach teams largely that organize, and when big
8 events, like the Business Expo or the Disability
9 Unite Festival are coming, there's lots of agencies
10 who are invited. And there are interagency meetings
11 to talk about these particular things so that we can
12 stay coordinated. And I think sometimes it depends on
13 the willingness of the other agencies to answer the
14 phone or to want to partner. And I think with the
15 three agencies involved in the legislation for today,
16 those are pretty strong relationships.

17 CHAIRPERSON WILLIAMS: How does that work on the
18 SBS side? Like, do you reach out? Do you, like, if
19 you have a referral system, what is the referral
20 system? If you're referring people to CCHR, like how
21 much do you do until you can't do anything else and
22 then you have to refer? Like, what does that look
23 like?

24 DEPUTY COMMISSIONER CHAN: Well, first of thank
25 you for the question. I want to address how we
disseminate information first. When we get

1 information about any rules, regulations, not only do
2 we educate our staff on it – and our sister agencies
3 have been incredible in providing training to our
4 staff – we also ensure that it goes in all of our
5 newsletters. We have several newsletters, whether
6 it's through our NYC Best or our center operations to
7 ensure that all this information is getting in the
8 hands of small business owners. In terms of
9 referrals, it would depend on how it came into us and
10 exactly what it looks like. But we do have very good
11 working relationships with our partners, so it's not
12 a cold handoff, it's actually always a warm handoff
13 from one agency to another.

15 CHAIRPERSON WILLIAMS: Okay, so, yeah, they
16 wouldn't have to ,like, start from the bottom of
17 CCHR's hotline – that I love to hate, even though,
18 it's better now ,you know, you have real people there
19 – So you don't have to start there, you can directly
20 connect them to... Okay, great.

21 Okay, I want to talk about Project Equal Access
22 or equal, you know, access. CCHR's Law Enforcement
23 Bureau has been tasked with working with housing
24 providers, businesses, employers, and other entities
25 to ensure compliance with the New York City Human

3 Rights Law. Could you tell us more about Project
4 Equal Access and its successes and challenges so far,
5 especially with respect to compliance with
6 accessibility laws?

7 COUNSELOR—MICHAEL GRIFFIN: Thank you for the
8 question.

9 As discussed earlier, Project Equal Access is
10 one form of pre-complaint intervention that the Law
11 Enforcement Bureau uses as tools to help achieve
12 specific performance related to reasonable
13 accommodations. In the Project Equal Access space, it
14 is specifically related to physical accessibility
15 issues that individuals come to the Commission and
16 raise. Project Equal Access is mostly focused on
17 housing. It does do a small amount of work in public
18 accommodations currently, and currently it is not
19 active in the employment space. But our pre-complaint
20 intervention program outside of PEA does work across
21 all of our jurisdictions.

22 CHAIRPERSON WILLIAMS: Okay, thank you.

23 Does CCHR work with any other agencies to aid
24 small business owners to remain or become compliant
25 with current accessibility standards? For example,
accessibility issues are in relation to physical

3 structure and/or location of the business. So does
4 your agency, for instance, work with DOB or any other
5 related guidance? Or do you refer business owners to
6 other agencies in such context?

7 COUNSELOR—MICHAEL GRIFFIN: Thank you, that's a
8 great question, and I think it's one that's very
9 specific to each individual case. I think we have
10 seen in the past that if there is an ongoing issue,
11 especially in a pre-complaint situation where there
12 is a holdup on reasonable accommodation to a modify
13 space, and some of that is related to Department of
14 Buildings, the Law Enforcement Bureau, as part of
15 pre-complaint intervention, can try to facilitate
16 interaction between the business and the other
17 agency. Or we can refer the business directly to the
18 other agency to help them understand the full
19 regulatory environment that they have to operate in
20 as they look to what's possible in terms of a
21 reasonable accommodation.

22 CHAIRPERSON WILLIAMS: Okay. And this is
23 probably a difficult question to ask, but I'm
24 thinking, you know, I know you said with SBS and MOPD
25 you have a better relationship. But I remember we had
a hearing, I think with DCWP, about your relationship

1 with them. Again I just mentioned DOB, so are they
2 responsive? Like, when you refer people from CCHR,
3 are these... how do these other agencies respond to
4 that? Because I gather, you know, there's tons of
5 city agencies. I'm sure you don't have this seamless,
6 warm handoff process with each situation. So I'm just
7 wondering if you don't have that, where do you not
8 have that? And if you don't have it, do you work to
9 try to establish more of a warm handoff? Because.
10 again, you know, that's like one thing that I'm very
11 passionate about. Because people are typically
12 interacting with government in these cases under
13 duress, and I think it's really frustrating when
14 people have to be spun around to many different
15 people within an agency or, worse, multiple agencies?
16

17 DEPUTY COMMISSIONER KAMUF WARD: Yeah, I think
18 it's a good question. The posture that DOB gets
19 involved is often, we are saying a store owner or a
20 housing provider needs to build a ramp. And that
21 requires compliance with city building codes, which
22 incorporate some ADA standards. So we are saying,
23 build a ramp subject to... and businesses really need
24 to navigate that code. We are not providing legal
25 advice or legal assistance to those entities. So it

1 is not typical that if we are settling a case or
2 issuing an order, we're going to call and help the
3 person go through DOB. It really is like we're
4 looking at the four corners of the case, and then the
5 respondents will work with other agencies in that
6 arena.
7

8 Where we do work really closely and do the warm
9 handoffs is on education and outreach and prevention
10 side. So we'll do joint events or trainings with SBS
11 with DOB around accessibility and our Project Equal
12 Access team in the space of pre-complaint or advising
13 on settlements in cases can consult with those
14 agencies.

15 But it's exactly in the way that you presented
16 it. So it comes up differently in different cases and
17 postures. But I would say on the front end, on
18 prevention is where we have the strongest engagement,
19 at least from our point. And then in the law
20 enforcement arena, it's really post resolution from
21 CCHR that some of the other agencies who are getting
22 involved on accessibility.

23 CHAIRPERSON WILLIAMS: In 2018, you released the
24 legal enforcement guidance on discrimination against
25 people with disabilities in housing, employment, and

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3 places of accommodation. How frequently would you say
4 this guidance is updated?

5 DEPUTY COMMISSIONER KAMUF WARD: Well it is
6 currently updated. We actually just went through an
7 update, so we'll be posting that, I would say, in the
8 next month or so. It's every couple of years. It
9 reflects federal law and state law changes and really
10 tries to be responsive to the moment.

11 So for example, in our new guidance, we will be
12 talking about technology used by employers, which may
13 lead to discrimination based on disabilities and
14 adding new content like that. But every few years is
15 really when we update our legal enforcement guidance
16 and other materials are updated either when facts or
17 law change.

18 So the legal enforcement guidance are our
19 lengthiest, most legal document. Other things are
20 updated at a faster clip.

21 CHAIRPERSON WILLIAMS: Okay, I believe height
22 and weight that we passed 2023 did it go into effect?

23 COMMITTEE COUNSEL: It went, yeah.

24 CHAIRPERSON WILLIAMS: Have you been seeing
25 complaints on that specifically?

3 DEPUTY COMMISSIONER KAMUF WARD: We've had a
4 handful of inquiries on both height and weight. And I
5 think we have one to three complaints in the past two
6 years across those protected categories. So a few.

7 CHAIRPERSON WILLIAMS: Thank you. Do we have any
8 other questions?

9 CHAIRPERSON FELIZ: A few more questions about
10 the MyCity Accessibility Compliance Web Page.

11 So that program was launched January?

12 ACTING-CHIEF OF STAFF KAHN: So Council Member,
13 we, Chair Feliz, we always have had resources
14 available on accessibility. January 2025, we did a
15 refresh of the resources that we had, and we updated
16 them with support from MOPD and CCHR.

17 CHAIRPERSON FELIZ: And what are steps that we
18 take to make sure that people know about the webpage,
19 but also the recourses that it provides?

20 ACTING-CHIEF OF STAFF KAHN: It's part of our
21 general outreach on our MyCity business site that
22 we're really proud of. That means we've translated it
23 in 20 languages. When we do corridor walks and we
24 have our collateral, we do include information on our
25 MyCity business site. And certainly when interactions
with businesses lend to a question about

1 accessibility, that is a resource that we're then
2 able to connect them to as well. And so we're proud
3 of that work.

4
5 CHAIRPERSON FELIZ: Okay, not sure if one of my
6 colleagues already asked this, but there's a number
7 of tax incentives available to businesses to make
8 their businesses more accessible. What steps do we
9 take to make sure that businesses are aware of those
10 tax incentives?

11 ACTING-CHIEF OF STAFF KAHN: There's references
12 to those tax incentives on the Business Accessibility
13 page. That's our single resource, one stop shop for
14 business accessibility at SBS that's been co-
15 developed with expertise.

16 We also have a tax incentives business
17 incentives estimator on MyCity, which could be used
18 by a business owner. If they enter in specific
19 information about their business, the business type,
20 number of employees, all the other things that make
21 up their business, then the estimator will then share
22 with the business owner potential tax and cost saving
23 programs that they could benefit from. We also
24 provide in person consultations to business owners if
25

1 they want to understand incentives that exist for
2 them.

3
4 CHAIRPERSON FELIZ: So there's obviously many
5 offices that are involved when it comes to ADA
6 matters as it relates to small businesses. What does
7 coordination look like between SBS and also CCHR
8 regarding accessibility compliance?

9 ACTING-CHIEF OF STAFF KAHN: We're really proud
10 of the relationship that we have between our sister
11 agencies. And that means it's not just the business
12 focused events that we throw, the Small Business Expo
13 certainly being one of them, it also means CCHR's
14 Annual Disability Unite Festival last year. And it's
15 not just the festivals - I want to reiterate, it's
16 also the day to day engagement of our outreach teams
17 when they're visiting corridor blocks. It's the
18 activation of our mobile outreach unit, Chair Feliz,
19 you've definitely seen our big RV truck, which we
20 affectionately call Mobi (phonetic). So when Mobi is
21 in neighborhoods, there's been times when we've had
22 outreach staff from CCHR at least eight, I think last
23 year, so it's a very deep relationship here and it's
24 across different teams at CCHR and SBS. And even when
25 there are news articles, public reporting that brings

3 up an interesting new take on accessibility, we will
4 get on the phone at a leadership level to try to
5 understand what that means for New Yorkers and for
6 business owners. So it's wide ranging, all the forms
7 that you can think of. That's our current
8 relationship and certainly with MOPD as well.

9 CHAIRPERSON FELIZ: Okay. That was the next
10 question. What does the coordination look like
11 between SBS and also the Mayor's Office for People
12 with Disabilities?

13 ACTING-CHIEF OF STAFF KAHN: Very similar with
14 MOPD and at a leadership level, at the highest at the
15 commissioner level as well.

16 CHAIRPERSON FELIZ: All right, well, I think I
17 might know the answer to this one, but I will still
18 ask it just in case.

19 The Empowering Accessibility Resource Guide,
20 which was launched in 2019 between MOPD, SBS, the New
21 York City (INAUDIBLE) Association, and the Public
22 Policy Lab. This was meant to be another resource
23 guide to help small business owners understand their
24 ADA obligations, but it seems like the page is no
25 longer active. Will there be any attempt to bring
this program back? If so, how would it be different

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3 from the MyCity Accessibility Compliance page – or is

4 it the same page, different name, same resources?

5 ACTING-CHIEF OF STAFF KAHN: Same page,
6 different... (CROSS-TALK)

7 CHAIRPERSON FELIZ: (INAUDIBLE)

8 ACTING-CHIEF OF STAFF KAHN: Different name,
9 updated, refreshed, and with subject matter expertise
10 that reflects the evolving nature of accessibility.

11 CHAIRPERSON FELIZ: All right. Also, going back
12 to Intro 282, if financial funding must be
13 distributed by an outside entity, what entities has
14 SBS worked with in the past to distribute funding
15 related to loans, grants, and et cetera.

16 I'm sure the chambers of commerce is one of
17 them, the BID? What other entities?

18 ACTING-CHIEF OF STAFF KAHN: So for loan
19 programming, we've worked with Community
20 Revitalization Funds, CRF, as a fund administrator in
21 the case of the NYC Opportunity Fund.

22 CHAIRPERSON FELIZ: Any other programs, any
23 other entities that are popular around this issue?

24 ACTING-CHIEF OF STAFF KAHN: Can't think of one
25 off the top of my head. But certainly, it is a
procurement process.

CHAIRPERSON FELIZ: All right, some final questions, I want to make sure we hear from the public as well. So I just want to ask a few more questions.

The Commercial Lease Assistance Program, how is that program advertised or publicized to small business owners?

ACTING-CHIEF OF STAFF KAHN: Council member... Chair Feliz, the CLA program is widely advertised to small business owners. We have it as part of our material at the seven neighborhood based Business Solution Centers. We have it on hand for our outreach staff when they're visiting neighborhoods. Certainly on our hands when we're ourselves, not even the outreach team, all other SPSs when we're visiting neighborhoods with council members and commissioner, we're also including that material with us. It's one of the more popular programs that we have at SBS, so it's widely promoted in all of those forms, in addition to the advertising, marketing, and social media posts that we regularly do, as well as press hits that we get on the program.

CHAIRPERSON FELIZ: At what point do commercial tenants seek help from the Commercial Leases

1 Assistance Program? Do they come when, for example,
2 they're renovating a space or much more earlier than
3 that, when they're starting a new business?
4

5 And also, at what point do you think it will be
6 most beneficial for legal advice to be made to these
7 small business owners?

8 ACTING-CHIEF OF STAFF KAHN: That program is an
9 incredible resource where it could be helpful for an
10 entrepreneur who has yet to open up their business,
11 is in the process of ideating what their business
12 should be, where they should locate. We've helped
13 several New Yorkers who were in that process of
14 ideation. We're about to finalize those plans. We're
15 starting to look for commercial space, and we're able
16 to get connected with our commercial lease assistance
17 program, which provided them with free legal
18 assistance - reviewing the lease and then executing
19 that lease agreement with a commercial landlord. And
20 so being like the first step on their business
21 journey, helping them make that work and save
22 themselves from thousands of dollars that a private
23 attorney could have charged them. But it can
24 certainly be helpful for a business that already has
25 a lease, but it maybe is experiencing some difficulty

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3 with their landlord. And that program can provide pre
4 litigation assistance to that tenant with legal
5 representation.

6 And so we're proud of the work. It's helpful
7 for businesses in various stages of their business
8 journey. And we certainly would love to have more
9 businesses take advantage of it. So if you have any
10 constituents in your neighborhood that are interested
11 or could benefit, please do send them our way.

12 CHAIRPERSON FELIZ: All right, quick question
13 for quick question for CCHR. So the Human Rights
14 Commission obviously does a lot of work on the issue
15 of many types of different issues related to
16 discrimination, including housing discrimination,
17 discrimination based on conviction or arrest record,
18 and much more.

19 Talk to us about the unit or team that deals
20 with ADA related issues. How large is the team? How
21 many cases per year do you usually get? And anything
22 else about that team or unit?

23 DEPUTY COMMISSIONER KAMUF WARD: So that is our
24 Law Enforcement Bureau. So as we talked about
25 previously, this is a team that Commissioner Palma
has been expanding. And thanks to funds from City of

1 Yes, we'll continue to expand to be able to undertake
2 commission initiated claims. So the Law Enforcement
3 Bureau has both attorneys and interventionists and
4 human rights specialists. So Chair Williams mentioned
5 our hotline, which is live. So you call and you talk
6 to a person. That's our Law Enforcement Bureau.
7 There's somewhere between twenty and forty people in
8 the Law Enforcement Bureau. I'll see if I can get an
9 exact number while we're here today. But almost
10 everyone in the Law Enforcement Bureau is able to
11 deal with the pre-complaint interventions that we
12 mentioned. And we have the Project Equal Access team
13 that Michael spoke about, uh, that's two people, and
14 they are focused on housing.

15
16 So that is a part of our law enforcement work.
17 But as we've talked about in past hearings, the Law
18 Enforcement Bureau covers all of the protected
19 categories. So really people are generalists.

20 And to correct myself, there are 50 people in
21 Law Enforcement Bureau and 25 of them are attorneys.

22 CHAIRPERSON FELIZ: Okay. Are there any plans to
23 expand the team or need to expand the team based on
24 the number of (INAUDIBLE)... (CROSS-TALK)

1 DEPUTY COMMISSIONER KAMUF WARD: We are always
2
3 looking to think about agency resources and identify
4 where our agency can have the most impact. As you
5 identified, the New York City Human Rights Law has a
6 lot of protections. So thinking about how we leverage
7 existing City resources and other people so that
8 everyone is talking about The Human Rights Law
9 provisions. And I think it's important to note as
10 well that, with the Human Rights Law, individuals can
11 come to CCHR, but they have a number of venues they
12 can go to. So we not the only entity that is
13 addressing discrimination claims, which is great for
14 New York.

15 CHAIRPERSON FELIZ: All right, thank you for the
16 information.

17 I would like to acknowledge Council Member,
18 Rita Joseph, who has joined us.

19 A few more questions. The next question is
20 about Intro 639, by Public Advocate Williams, which
21 relates to SBS education on inclusion of workers with
22 disabilities.

23 How does the Department of Small Business
24 provide training and education for business
25 operations and marketing currently? And also, how

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would information about increasing workplace
accessibility be integrated into these efforts – the
efforts we already have or are taking?

ACTING-CHIEF OF STAFF KAHN: Thank you, Council
Member, for the question.

We're proud of the webinars and the outreach
events that we organize that promotes business
accessibility. We include that on our MyCity Business
Accessibility Website. We're proud of the deep
outreach that we do. So we've reached, I want to
share here in FY24, over 18,000 New Yorkers. And
we've doubled the number of our mobile outreach unit
events, which also further deepens the impact of that
work, promoting existing resources that we currently
have on-site.

As it relates to workplace accessibility or
employment, rather, we know that the New York City,
uh, the Mayor's Office of Talent and Workforce
Development has a Center for Workplace Accessibility
and Inclusion, that takes a leadership role in
engaging employers on the topic of hiring people with
disability, as well as the Mayor's Office of People
with Disability has an NYC at Work program, which has
long been held in their office and is a great

1 resource as well for employers looking to hire from
2 that target population.
3

4 CHAIRPERSON FELIZ: All right, final question.

5 Many laws and rules, including the ADA and the
6 Workplace Accessibility Rules, apply to more than
7 just small businesses. How does the Department of
8 Small Business tailor existing trainings to fit the
9 needs of small businesses?

10 ACTING-CHIEF OF STAFF KAHN: So certainly, Chair
11 Feliz, because the ADA extends not just to businesses
12 but also to places of worship, to nonprofits, to
13 government offices, we don't have the subject matter
14 expertise on it. And that's precisely why our
15 understanding is there's agencies in the
16 Administration that do. And that's why we refer folks
17 that have particular questions about the ADA to those
18 agencies - That includes CCHR on the local Human
19 Rights Law and disability laws and MOPD on the
20 federal ADA.

21 CHAIRPERSON FELIZ: All right, thank you for the
22 information. I'll pass it back to Chair Williams for
23 more questions.

24 CHAIRPERSON WILLIAMS: Just a quick question
25 about future loan programs or how you structured

1 existing ones, is it possible to make it forgivable?

2 Because I still think that would be a loophole in
3 ,like, the gift clause. Like, after a certain time
4 ,like, if you made... I'm thinking about the Public
5 Service Loan Forgiveness Program for student loans,
6 ,like, if you make "x" amount of payments over a
7 course of time, can the rest of it be forgiven?

8 Because I always think these loan programs are great
9 but it's a loan so you have to pay it back. So if you
10 don't have the capital ,like, yeah, maybe you can get
11 the capital over time, but I always am trying to
12 figure out ways to make these loans forgivable. So...

13 ACTING-CHIEF OF STAFF KAHN: Right. So Chair
14 Williams, I think there's... we definitely need to
15 speak to the Law Department on the law the way it's
16 currently written, the bill that the way it's
17 currently written. And so not even getting into
18 conversation about repayment and loan forgiveness,
19 the way that it's currently structured in the
20 Introduction, certainly there's questions that we
21 need to go through with the Law Department on whether
22 it's mechanically and operationally feasible. So
23 certainly, point taken, we'll also add this to the
24 list of considerations. But there are grant programs
25

1
2 CHAIRPERSON WILLIAMS: Okay...

3 ACTING-CHIEF OF STAFF KAHN: assistance on other
4 matters as well, including entity formation. We help
5 New Yorkers understand whether a sole proprietorship
6 or a partnership or an LLC is the right option for
7 them. We provide free legal consultations through our
8 Business Solutions Center network. Actually, if New
9 Yorkers are interested in accessing those services,
10 we would love to have them at our Small Business
11 Month Expo, where we're not only just sharing
12 information and sharing flyers, we have lawyers that
13 we've organized to make sure they're part of that
14 experience. And folks can schedule one on one
15 appointments with those lawyers at the expo to
16 benefit from legal consultation on a variety of
17 topics.

18 CHAIRPERSON WILLIAMS: What if they're being
19 sued? So, like, you know, kind of the topic at the
20 hearing, like, do you provide any assistance there?

21 ACTING-CHIEF OF STAFF KAHN: So unfortunately
22 the City does not have a Right to Counsel for small
23 businesses, but we do provide pre-litigation support
24 and that's the legal assistance we are able to
25

1 provide generally, but also the Commercial Lease
2 Assistance Program which is all pre-litigation.
3

4 CHAIRPERSON WILLIAMS: So if someone is being
5 sued, how far can you go before you can no longer
6 help them? Because you said you help with pre-
7 litigation, what can you do?

8 ACTING-CHIEF OF STAFF KAHN: Before... (CROSS-
9 TALK)

10 CHAIRPERSON WILLIAMS: Like give them some
11 advising on what they can do before they then...
12 so...

13 ACTING-CHIEF OF STAFF KAHN: It's anything
14 before they're sued. Anything before litigation. Once
15 they're in active litigation, then we're unable to
16 support them. Chairperson Williams, I will also point
17 out legal costs associated with litigation are very
18 significant, and our current programming already
19 reaches hundreds of New Yorkers through a broad based
20 curriculum and resources on a variety of legal
21 topics. Shifting that model to litigation has
22 significant fiscal (INAUDIBLE) operations.

23 CHAIRPERSON WILLIAMS: Do you at least have
24 ,like, a referral system? Like, do you have a list
25 of...

1
2 DEPUTY COMMISSIONER CHAN: So what we do is we
3 work with pro bono lawyers providing our support. We
4 are almost 40 organizations that help us with
5 providing legal assistance. What they do is if
6 someone does need help they will try and find either
7 pro bono or low bono services referrals for them. But
8 that is the extent to what we are able to do for
9 someone facing litigation.

10 CHAIRPERSON WILLIAMS: Okay, so that happens
11 seamlessly? If a business comes, and they need an
12 attorney, you will then refer them to this sort of
13 resource that you have?

14 DEPUTY COMMISSIONER CHAN: Yes.

15 CHAIRPERSON WILLIAMS: Okay.

16 DEPUTY COMMISSIONER CHAN: We work with
17 organizations like VOLS (Volunteers of Legal Service)
18 Legal Aid Society, NELP (Neighborhood Entrepreneur
19 Law Project), and several firms throughout the city.

20 CHAIRPERSON WILLIAMS: Okay, yes, it's
21 interesting, I never... I mean we always get a lot of
22 advocacy around ,like, tenant Right to Counsel, but I
23 find for homeowners and for like... now maybe we can
24 just add small businesses... I mean these legal
25 entities that you're talking about do receive funds

1 from the City, but I don't know if they have a
2 special practice for small businesses, you know what
3 I mean? Like legal aid, like, yes, my office refers
4 people to legal aid for like a whole bunch of things,
5 but I'm just wondering if you know if they have
6 specific practices for this work? Is there any
7 existing relationship, or is it that you just know
8 these people may do the work and so you simply
9 (INAUDIBLE)
10

11 ACTING-CHIEF OF STAFF KAHN: No, no, no...

12 CHAIRPERSON WILLIAMS: Okay.

13 ACTING-CHIEF OF STAFF KAHN: it's very... it's
14 significant relationships and with expertise on
15 entity formation, on contract review for business
16 owners, on intellectual property matters. And so
17 these are in-depth services that we're able to
18 connect... (CROSS-TALK)

19 CHAIRPERSON WILLIAMS: But you refer people also
20 when they're getting sued, right?

21 ACTING-CHIEF OF STAFF KAHN: So those partners,
22 if they're facing litigation, then they'll referrals
23 to low bono or other firms that could assist them.
24 Often (INAUDIBLE)... (CROSS-TALK)

25

1 CHAIRPERSON WILLIAMS: But they are making
2 referrals? I know you are testifying that we can't do
3 anything about it, or we don't really, pre-
4 litigation, but I'm just wondering, somebody comes to
5 SBS with an issue, like, what do you tell them to do?
6 Do you say get an attorney, peace out, like or do you
7 say, "Hey, here's a list of people you can try to
8 reach out to."?

10 DEPUTY COMMISSIONER CHAN: So if they ask for a
11 legal consultation, we'll actually refer them to one
12 of these organizations, right? When they meet with
13 them, if it is in a litigation state, they will not
14 be able to assist them. But what they may do is,
15 through their partnerships, they may know someone who
16 again is either pro bono and able to take the case,
17 or low bono which is lower cost. We rely on the
18 expertise of these organizations. For example, Legal
19 Aid Society, when we need them to do – when Corporate
20 Transparency Act rolled around last year, they found
21 law firms that were able to help us educate small
22 businesses on that. When we need to do entity
23 formation, they will find someone who does that. So
24 we rely on their partnerships to be able to make
25 these referrals.

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2 THE COMMITTEE ON SMALL BUSINESS

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3 CHAIRPERSON WILLIAMS: So do these legal
4 partners have contracts with SBS?

5 DEPUTY COMMISSIONER CHAN: No, they are...

6 CHAIRPERSON WILLIAMS: So how do they get
7 funded? Like if you're referring, and you have this
8 relationship, do they...

9 DEPUTY COMMISSIONER CHAN: Well, they're non...

10 (CROSS-TALK)

11 CHAIRPERSON WILLIAMS: you just expect that
12 they'll do the work for free?

13 DEPUTY COMMISSIONER CHAN: nonprofits. They're
14 nonprofits... (CROSS-TALK)

15 CHAIRPERSON WILLIAMS: I know, but ,like,
16 nonprofits still need money to operate.

17 DEPUTY COMMISSIONER CHAN: My under...(CROSS-
18 TALK)

19 CHAIRPERSON WILLIAMS: So, I'm just wondering,
20 like, if you... (CROSS-TALK)

21 DEPUTY COMMISSIONER CHAN: My understanding...
22 is... (CROSS-TALK)

23 CHAIRPERSON WILLIAMS: have this...

24 DEPUTY COMMISSIONER CHAN: Yes?

25 CHAIRPERSON WILLIAMS: robust referral system...

DEPUTY COMMISSIONER CHAN: Yes...

3 CHAIRPERSON WILLIAMS: for pre-litigation, let's
4 talk about pre-litigation, even though I think...

5 DEPUTY COMMISSIONER CHAN: Yeah...

6 CHAIRPERSON WILLIAMS: for the purposes of this
7 hearing, we really want to talk about ,like, when
8 people actually get sued, when they're not in
9 compliance. But ,like, even for pre-litigation ,like,
10 you're just referring to people to these like random
11 nonprofits, because they do the work, but ,like,
12 expecting them to do it from the goodness of their
13 heart, even though there's ,like, according to you,
14 this like official referral system?

15 I think it's one thing we have resources and
16 we're ,like, "Hey, here you go, here's some
17 resources," but the way you're describing it is that
18 it's ,like, a formalized program within SBS. And if
19 it's like...

20 ACTING-CHIEF OF STAFF KAHN: (INAUDIBLE)
21 formal...

22 CHAIRPERSON WILLIAMS: a formalized program
23 within SBS, but we're not like funding these non
24 profits to do the work...

25 DEPUTY COMMISSIONER CHAN: But...

CHAIRPERSON WILLIAMS: that sounds interesting.

1
2 DEPUTY COMMISSIONER CHAN: Yeah, so law firms in
3 general, and I don't know how they work, they are
4 actually... they require their lawyers to do some pro
5 bono work each year. So they actually (INAUDIBLE)
6 their work... (CROSS-TALK)

7 CHAIRPERSON WILLIAMS: Yeah, I'm thinking like
8 for like a Skadden, right? Maybe Skadden is, like
9 yes, we have to do this percentage of pro bono. And
10 so, of course, they might work with the SBS, or they
11 might work with another entity to ,like, assist
12 somebody, and we have that system. But the way...
13 unless you're telling me you do not actually have a
14 real formalized legal assistance program – and then,
15 in that case that makes sense. You're just kind of
16 referring people. But the way you just... maybe I
17 took it as if ,like, you have a direct line, like
18 you can refer people and people can get that help in
19 a way that is ,like, directly connected to what SBS
20 provides. If you just have a running list, and people
21 can just take the list and run with it, I think
22 that's... I'm just trying to understand.

23 DEPUTY COMMISSIONER CHAN: What we're doing is
24 we're working with Legal Aid Society. So for example,
25 Skadden is actually (INAUDIBLE)... (CROSS-TALK)

3 CHAIRPERSON WILLIAMS: That's what I'm asking,
4 do you pay Legal Aid Society?

5 DEPUTY COMMISSIONER CHAN: No, we don't.

6 CHAIRPERSON WILLIAMS: Okay.

7 DEPUTY COMMISSIONER CHAN: Okay, (INAUDIBLE)...

8 CHAIRPERSON WILLIAMS: So how does it work?

9 (CROSS-TALK)

10 DEPUTY COMMISSIONER CHAN: (INAUDIBLE) one of
11 their partners. So for example, Skadden did a, in
12 October, they did an entity formation clinic on
13 behalf of SBS through Legal Aid Society – Oh no,
14 actually, I'm sorry, it was VOLS that actually had
15 that partnership. So we have this agreement with VOLS
16 and Legal Aid Society, where they actually are
17 actually taking our referral to them, and then
18 they're actually working with their partners to help
19 these people.

20 CHAIRPERSON WILLIAMS: How do you hold these
21 partners accountable if there's, I don't know,
22 there's like no real accountability metric?
23 (INAUDIBLE)...

24 ACTING-CHIEF OF STAFF KAHN: So these are...
25 These are, Chair Williams, these are – thank you for
this line of questioning. These are formal

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3 partnerships. So we've got signed MOU agreements with
4 these partners. There's a lot of work on coordination
5 to make sure that the cases that we're referring
6 happen. We also get reports from them on the cases
7 that are happening.

8 Obviously, the actual service, the attorney
9 client communication is privileged, but that's the
10 level of coordination with MOUs signed. And we do
11 encourage people to come to the expo. It is just one
12 example of how they've agreed to provide one on one
13 consultations on-site for any New Yorker that
14 comes...

15 CHAIRPERSON WILLIAMS: Yeah, I mean, I don't
16 think I'm asking you to like disclose client-lawyer
17 information, I'm just saying, if you refer a hundred
18 people to Legal Aid Society, how are you ensuring
19 that 20 of those people were actually helped?

20 How do you... like what is... what is the
21 relationship? Because how I heard it, I'm, like, "Oh,
22 well, maybe they have ,like, a little kind of effort,
23 and maybe ,you know, they're like funding this
24 initiative in some way, and there's like a feedback
25 metric around like support," but it kind of... I
don't know, it seems official, but not. (LAUGHS)

3 Like, it seems ,like, official, like, "Oh yes, we
4 will refer people to you, but that's it."

5 Like, what is the feedback loop back to the
6 agency?

7 ACTING-CHIEF OF STAFF KAHN: There is a feedback
8 loop. They confirm when a service is provided. And
9 that's how we know we've served dozens of New
10 Yorkers, hundreds of New Yorkers with entity
11 (INAUDIBLE)... (CROSS-TALK)

12 CHAIRPERSON WILLIAMS: So what do they say?

13 ACTING-CHIEF OF STAFF KAHN: (INAUDIBLE)
14 review...

15 CHAIRPERSON WILLIAMS: Do they give you details,
16 outside of what they can disclose? Like, this ,you
17 know, "We were able to help this client," period? Or
18 do they like, what... how do they report back to you?

19 ACTING-CHIEF OF STAFF KAHN: So, they report
20 back to us, and they let us know which of the
21 categories that they're able to assist with they were
22 able to... (CROSS-TALK)

23 CHAIRPERSON WILLIAMS: Like what? Tell me the
24 categories...

25 ACTING-CHIEF OF STAFF KAHN: Entity formation,
contract review...

1 CHAIRPERSON WILLIAMS: Okay.

2 ACTING-CHIEF OF STAFF KAHN: Uh, so it's items
3 like that that are covered...

4 CHAIRPERSON WILLIAMS: Okay.

5 ACTING-CHIEF OF STAFF KAHN: And they do... And
6 so, we find out. We have a feedback loop, Chair
7 Williams. It would be problematic, you're absolutely
8 right, if we're making blanket referrals, and there's
9 no conversation (INAUDIBLE)... (CROSS-TALK)

10 CHAIRPERSON WILLIAMS: Yeah, also misleading...

11 ACTING-CHIEF OF STAFF KAHN: (INAUDIBLE)...

12 CHAIRPERSON WILLIAMS: to say, like, you have,
13 like, legal assistance programs if you're not... If
14 you're just simply referring people and ,like, hoping
15 for the best. You know what I mean? Like, you can't
16 say you have this program if it's not something that
17 you are actually tracking and like there's levels of
18 accountability...

19 ACTING-CHIEF OF STAFF KAHN: Right.

20 CHAIRPERSON WILLIAMS: But it seems like there
21 is now...

22 ACTING-CHIEF OF STAFF KAHN: (INAUDIBLE) Yes

23 CHAIRPERSON WILLIAMS: The way that you were
24 talking...

1 ACTING-CHIEF OF STAFF KAHN: Right, apologies...

2 CHAIRPERSON WILLIAMS: It was a little
3
4 confusing.

5 ACTING-CHIEF OF STAFF KAHN: Absolutely
6 apologize...

7 CHAIRPERSON WILLIAMS: I didn't even mean to do
8 this line of questioning around this, but I was like
9 kind of a little confused by some of your responses,
10 so that's why I'm just trying to get clarity.

11 ACTING-CHIEF OF STAFF KAHN: So there definitely
12 is a feedback loop, so we apologize...

13 CHAIRPERSON WILLIAMS: Okay.

14 ACTING-CHIEF OF STAFF KAHN: if we conveyed that
15 there isn't a feedback loop. We 100% get information
16 back from the partners that we work with if the
17 service is completed, if the service was provided.
18 But I also want to clarify, maybe there could have
19 been confusion on the commercial lease assistance
20 program, which is a contract that we hold with a
21 vendor...

22 CHAIRPERSON WILLIAMS: Oh, thank you!

23 ACTING-CHIEF OF STAFF KAHN: and that's a more
24 in-depth service... (CROSS-TALK)

25 CHAIRPERSON WILLIAMS: That's more helpful.

1
2 ACTING-CHIEF OF STAFF KAHN: Yes, so there's
3 multiple services... (CROSS-TALK)

4 CHAIRPERSON WILLIAMS: So you have that contract
5 with an entity to help spur that specific effort. But
6 then you have a referral system that is also quite
7 official, that does have a feedback loop to help...

8 ACTING-CHIEF OF STAFF KAHN: (INAUDIBLE)...

9 CHAIRPERSON WILLIAMS: another range of things.

10 ACTING-CHIEF OF STAFF KAHN: Absolutely.

11 CHAIRPERSON WILLIAMS: Okay, the only thing I'll
12 just add, before I just get off this topic, because I
13 did not mean to go on this rant, I thought I was
14 gonna be like done in two seconds. But you said that
15 they *may* refer people. And I, just commentary, really
16 not a question, like, it would be helpful if we did,
17 if you did have some serious conversations with the
18 other attorney, legal entities that are helping on
19 the referral basis to actually ,like, make a referral
20 outside of what they can do - if they can. Because
21 you said they *may* make a referral, which means that
22 they may or they may not, didn't seem definite.

23 So, I don't know, I think it would just be
24 helpful if you're referring people to these legal
25

1 entities, and for these legal entities if they cannot
2 assist, that they tangibly refer them somewhere else.
3

4 ACTING-CHIEF OF STAFF KAHN: Definitely point
5 taken. And we'll share that with the teams that work
6 deeply and closely with these legal service providers
7 in providing free legal consultations on a variety of
8 products (UNINTELLIGIBLE)...

9 CHAIRPERSON WILLIAMS: Okay, and I just wanted
10 to go back to the loan program, because you answered
11 my question in reference to the bill that's being
12 heard today. But I just wanted a general
13 understanding of the existing loan programs that you
14 have, and, like, how they were structured. Like, rare
15 any of them forgivable? Or they all carry, what?
16 Like, on average, what are the interest rates for
17 those loan programs? And did you all ever think to
18 make some of these programs forgivable?

19 ACTING-CHIEF OF STAFF KAHN: So we generally
20 connect folks to low interest loans that are
21 available from our CDFI partners.

22 CHAIRPERSON WILLIAMS: Mm-hmm?

23 ACTING-CHIEF OF STAFF KAHN: So those really
24 vary depending on the loan provider, the lender...

25 (CROSS-TALK)

1 CHAIRPERSON WILLIAMS: Is this like Bridge to
2 Success?
3

4 ACTING-CHIEF OF STAFF KAHN: (INAUDIBLE) on
5 CDC...

6 CHAIRPERSON WILLIAMS: Okay.

7 ACTING-CHIEF OF STAFF KAHN: It's True Fund...
8 (CROSS-TALK)

9 CHAIRPERSON WILLIAMS: But the... If the program
10 that you have, is it called... What is... I mean, I
11 think that's the state ESD program. But what do you
12 call it where you work with the CDFIs? Isn't that a
13 special initiative?

14 ACTING-CHIEF OF STAFF KAHN: So we
15 (INAUDIBLE)... (CROSS-TALK)

16 CHAIRPERSON WILLIAMS: Or maybe it was six years
17 ago, I remember meeting with SBS about this prior to
18 being in the Council.

19 ACTING-CHIEF OF STAFF KAHN: Mm-hmm. So we work
20 closely with CDFIs throughout, over the full
21 administration when we launch inhouse loan product
22 that the city administration is seeding, then we also
23 work with CDFIs. But when we don't have a loan
24 product we're referring people to the CDFI... (CROSS-
25 TALK)

1 CHAIRPERSON WILLIAMS: How do you seed the
2 money? Are you just, like... So are you seeding the
3 money to just ,like, essentially backfill the loan
4 just incase someone defaults on it?

5 ACTING-CHIEF OF STAFF KAHN: No, Chair Williams,
6 what I mean by seeding is when there is loan product
7 that the City...

8 CHAIRPERSON WILLIAMS: Mm-hmm

9 ACTING-CHIEF OF STAFF KAHN: co-developing...

10 CHAIRPERSON WILLIAMS: Uh-huh, with the CDFI?

11 ACTING-CHIEF OF STAFF KAHN: With the CDFIs or
12 with the private sector in general.

13 CHAIRPERSON WILLIAMS: Mm-hmm?

14 ACTING-CHIEF OF STAFF KAHN: So when that's...
15 When we are on that pathway, there is a very close
16 partnership with CDFIs. But, even when we are not in
17 co-developing a loan program, when we are just doing
18 referrals to the low interest loans that are
19 available through CDFI partners, when we do that, it
20 really depends on the lender...

21 CHAIRPERSON WILLIAMS: Mm-hmm.

22 ACTING-CHIEF OF STAFF KAHN: what interest rates
23 their (INAUDIBLE)... (CROSS-TALK)

1 CHAIRPERSON WILLIAMS: So when you're seeding
2 these loans, like, and never... Like, have you ever
3 tried to structure a loan that would eventually be
4 forgivable? Or is it only structured in a way that
5 ultimately needs to be repaid?
6

7 ACTING-CHIEF OF STAFF KAHN: So my understanding
8 is during COVID, there were no forgivable loans that
9 the City issued, but...

10 CHAIRPERSON WILLIAMS: Mm-hmm?

11 ACTING-CHIEF OF STAFF KAHN: there were grant
12 programs that the City and the state government
13 issued. The federal governmental certainly had a
14 forgivable loan program.

15 CHAIRPERSON WILLIAMS: Okay, thank you. Thanks
16 for joining. JoAnn's laughing at me. (LAUGHS)

17 DEPUTY COMMISSIONER KAMUF WARD: I am not.

18 CHAIRPERSON WILLIAMS: Oh, smiling. (LAUGHS)

19 All right, thank you, guys, so much for
20 joining. Always nice to see my favorite people at
21 CCHR. Hey, Chief of Staff. (LAUGHS)

22 DEPUTY COMMISSIONER KAMUF WARD: For the record,
23 he waived back.

24 (PAUSE)

1
2 CHAIRPERSON WILLIAMS: Okay, we will go to
3 public testimony.

4 (PAUSE)

5 CHAIRPERSON FELIZ: All right, thank you, again,
6 to the Administration for testifying.

7 I now open the hearing for public testimony. I
8 remind members of the public that this is a formal
9 government proceeding and that decorum shall be
10 observed at all times. As such, members of the public
11 shall remain silent at all times.

12 The witness table is reserved for people who
13 wish to testify. No video recording or photography is
14 allowed from the witness table. Further, members of
15 the public may not present audio or video recordings
16 as testimony, but may submit transcripts of such
17 recordings to the Sergeant at Arms for inclusion in
18 the hearing record.

19 If you wish to speak at today's hearing, please
20 fill out an appearance card with the Sergeant at Arms
21 and wait to be recognized. When recognized, you will
22 have two minutes to speak on today's hearing topic:
23 Supporting New York City small businesses' compliance
24 with ADA and local laws promoting accessibility, or
25 any of the following bills attached to this hearing:

1 COMMITTEE ON CIVIL AND HUMAN RIGHTS JOINTLY WITH
2 THE COMMITTEE ON SMALL BUSINESS 101
3 Introduction 282, Introduction 639, Introduction
4 1260, or Resolution 520.

5 If you have a written statement or additional
6 testimony you wish to submit for the record, please
7 provide a copy of that testimony to the Sergeant at
8 Arms. You may also email written testimony to
9 Testimony@council.nyc.gov within 72 hours after the
10 close of this hearing. Audio and video recordings
11 will not be accepted.

12 For in person panelists, please come up to the
13 table once your name has been called. I will now call
14 our first panel, Christopher Leon Johnson, thank you
15 for joining us.

16 CHRISTOPHER LEON JOHNSON: (UN-MIC'D)
17 (INAUDIBLE)

18 CHAIRPERSON FELIZ: Thank you.

19 CHRISTOPHER LEON JOHNSON: Okay. My name is...
20 Hello, hello, Chairs Williams and Feliz.

21 My name is Christopher Leon Johnson. I'm here
22 to support all the bills, but at the same time, I am
23 calling on the Council Member Julie Menin to have her
24 political club, the Lexington Dems, refund a \$250
25 donation from Mr. Darren. Uh, I think it was Mr.
Darren... Darren Martin? Darren Martin who is... who

1 donated \$250 to the Lexington Democratic Club. I am
2 calling on Vanessa Aronson (phonetic) who is the
3 president of (INAUDIBLE)...

4
5 CHAIRPERSON FELIZ: Please say on topic...

6 (CROSS-TALK)

7 CHRISTOPHER LEON JOHNSON: I'm staying on topic.

8 Yeah, the... Return of the money because, yes,
9 she was right, and these council members are correct
10 about the abusive lawsuits that Mr. Jocelyn Pierre,
11 who has filed a 113 lawsuits against these
12 businesses, but at the same time, the lawyer donated
13 money to these... to that political club.

14 I'm calling on that political club to refund
15 that money or donate that money to a nonprofit that
16 is.. that's gonna be part of the Intro 1260... that's
17 gonna be part of 1260. That'll provide legal
18 assistance to any small business like NYLAG or Right
19 to Counsel.

20 My thing is that is that, look, we have a big
21 issue with we... I love my disabled people. Disabled
22 people need their rights, but at the same time, they
23 shouldn't be able to abuse these lawsuits. They
24 should put a bill in this intro, the City Council to
25 help the State Assembly where, the only way you could

3 sue a business, if you... if you even touched, if you
4 ever been around. You have to have proof that you was
5 at that business. You were at the business, not in
6 the picture, but you have to be like, the cameras and
7 stuff like that, you have to be at the business.
8 That's the... that's my opinion about this stuff.

9 So like I said, but going forward, like I said,
10 I'm calling on the City Council Member, Julie Menin,
11 to condemn Lexington Democrats and calling them to
12 refund the \$250 donation... \$250 donation from Mr.
13 Darren, uh, Mr. Darren, uhm, from the lawyers from
14 2023. It's on New York State (TIMER) Campaign Finance
15 Website, New York State Campaign Finance Board
16 Website. So I'm calling on them to refund that money.
17 And Mrs. Vanessa T. Aronson to refund that money, and
18 if she don't, the City Council, if she... whoever's
19 get elected by the City Council...

20 CHAIRPERSON WILLIAMS: Thank you.

21 CHRISTOPHER LEON JOHNSON: they should question
22 about that. Thank you.

23 CHAIRPERSON WILLIAMS: Thank you.

24 CHRISTOPHER LEON JOHNSON: Thank you.

25 CHAIRPERSON WILLIAMS: Have a good day.

CHRISTOPHER LEON JOHNSON: Thank you.

1
2 CHAIRPERSON WILLIAMS: You're welcome, bye.

3 CHAIRPERSON FELIZ: All right, thank you so much
4 for your testimony.

5 Now, I will call a few panelists who are going
6 to join via Zoom. So we will now turn it to virtual
7 panelists. For virtual panelists, once your name has
8 been called, a member of our staff will unmute you,
9 and the Sergeant at Arms will set the timer and give
10 you the go ahead and begin. Please wait for the
11 sergeant to announce that you may begin before
12 delivering your testimony.

13 Now I will call our virtual panelists, in this
14 order, Jonathan Hanon, Kathleen Collins, and Jessica
15 Walker.

16 We can start with Jonathan Hanon. Thank you for
17 joining us, and you may start when you are ready.

18 SERGEANT AT ARMS: You may begin.

19 JONATHAN HANON: Thank you. My name is Jonathan
20 Hanon, and I am a resident of Inwood in Manhattan. I
21 have Ehlers Danlos Syndrome, and use a rollator
22 walker to perambulate. I am an Access-A-Ride
23 customer, and am also a member of the MTA's Advisory
24 Committee on Transit Accessibility.

25

1 I am testifying today with regard to
2 accessibility in small businesses and its relation to
3 worker's rights. In many businesses across the city,
4 we see a disregard for accessibility. One such
5 disregard is with respect to portable ramps, which
6 put the onus of accessibility onto employees of a
7 small business, adding on an additional physical task
8 that should not be part of the employee's duties, and
9 are likely not part of their job description, simply
10 because the business does not want to install a
11 permanent ramp. This is not just an accessibility
12 issue for patrons with disabilities, but a labor
13 rights issue for employees with disabilities, who may
14 be discriminated against in terms of employment
15 because they would be unable to operate such a
16 portable ramp.

17
18 However, there is also the issue of businesses
19 that either have broken ramps or no ramp at all, for
20 those with permanent ramps. Additionally, even for
21 businesses in which the facility itself is
22 accessible, there are parts of the facility that are
23 not - for example, a restaurant with a wheelchair
24 accessible entrance but a restroom in the basement
25 down a flight of stairs.

1
2 I have complained to the Commission on Human
3 Rights about many of these issues, and most of the
4 time, they don't follow up. Over the years, I have
5 not seen one business repair its facility to be
6 accessible from any of my complaints through the
7 Commission on Human Rights.

8 However, I do want to add that just this
9 morning, my wife and I had a meeting with the
10 Commission relating to a grocery facility denying her
11 access because she has a service dog, and I hope that
12 this is something that is acted on. But I have seen
13 many places that deny both customers and employees
14 the right to bring their service animals, which is a
15 violation of the ADA.

16 In any case, I hope that this testimony will
17 make a difference in the responsiveness and
18 responsibility of the Commission on Human Rights in
19 response to accessibility and disability issues
20 across the city. Thank you.

21 CHAIRPERSON FELIZ: Thank you. Thank you so much
22 for your testimony.

23 Next, we will hear from Kathleen Collins.

24 SERGEANT AT ARMS: You may begin.
25

1
2 KATHLEEN COLLINS: Hi, my name is Kathleen
3 Collins, and I am a person with a disability. I've
4 lived my whole life in New York, and also I'm an
5 attorney.

6 I'd just like to say, I find this a little bit
7 sad today, and ironic, that on a day that we're also
8 having resolution to support Justice Marshall Day,
9 that we are now saying this thing about these
10 frivolous lawsuits with people with disabilities. I
11 support my local businesses, the ones that are
12 accessible, and I really do believe in them.

13 We have some problems with these bills. One is
14 with 282, how are you going to implement it? How are
15 going to make sure that the money is properly used in
16 that? Also, I noticed that it only includes the
17 number of employees and there's nothing about it
18 based on revenue, which is significant. Where's this
19 funding to come from when the City has its own
20 obligations that it's not complying with and has had
21 several lawsuits from the disability community?

22 Also, there's no outreach to DIA (Disabled in
23 Action of Metropolitan New York) with respect to any
24 of these bills, and I'm the Treasurer of DIA and I
25 haven't heard anything from any of the councilmen

1 asking us what is our opinion and how could we help
2 in writing these bills.

3
4 Another thing with 1260, there's a problem in
5 that you have to realize that free legal services, as
6 a lawyer, you have to go for the best interest of
7 your client. The client would be the business and not
8 the, the City that's paying for the funding. So it
9 may not be in the best interest of the client to make
10 it as accessible as the City would like it to be. So
11 that's the problem there.

12 I do support the other Introduction 639-2024.
13 because that is something that we should have. And
14 you should have been doing this all along, the
15 Commission. And I know that Jonathan Hannon, I've had
16 similar results with the Commission when I've... one
17 time I did a complaint in 2018. And the first time I
18 called in, they said I didn't even have a complaint.
19 And the second time, and then (TIMER) I asked for a
20 supervisor, the supervisor...

21 SERGEANT AT ARMS: Thank you, your time has
22 expired.

23 CHAIRPERSON FELIZ: Thank you for your
24 testimonial.

25 Next, we will hear from Jessica Walker.

1
2 SERGEANT AT ARMS: You may begin.

3 JESSICA WALKER: The Manhattan Chamber of
4 Commerce represents the 129,000 businesses throughout
5 the borough of Manhattan, both large and small. As
6 you may know, May is Small Business Month, and you
7 are making a lot of small businesses happy with this
8 hearing.

9 Our chamber runs a storefront business
10 coalition. One of its co-chairs owns a boutique
11 flower shop near City Hall, and he desperately wanted
12 to join today's hearing. But of course, this is a
13 very, busy time of year for him with, Sunday being
14 Mother's Day. He is one of the impacted small
15 business owners we're discussing today. His store was
16 targeted by a lawsuit. The business was actually sued
17 for having an entrance that was out of compliance
18 with the federal disability laws. He didn't even own
19 the building, but their business was named in the
20 lawsuit, because standard leases in New York have a
21 catch all language saying that the business must
22 comply with all laws. So it kind of puts them on the
23 hook even if they don't own the building. He had to
24 pay a \$5,000 retainer just to have a lawyer appear

25

3 with him in court to answer the summons and clear up
4 who was accountable and ultimately obtain a stay.

5 And as you know, \$5,000 is not a small expense
6 for the average small business owner. And that's just
7 the starting point, because the business can also be
8 forced to pay the plaintiffs' attorney fees, which is
9 another incentive to move right to lawsuits as
10 opposed to giving the business an opportunity to
11 correct the violation. And in fact, often small
12 businesses are targeted for that very reason, that
13 they just don't have the wherewithal to defend
14 themselves.

15 So that's why, in essence, we strongly support
16 Intros 282, 639, and 1260, uh, legislation to provide
17 small business owners with education, legal
18 assistance, and funding to comply with local and
19 federal laws governing accessibility.

20 A special thank you to Public Advocate
21 Williams, Chair Menin, Chair Feliz, and Council
22 Member Narcisse. We would love to see these bills get
23 passed as soon as possible, and we will help in any
24 way that we can. (TIMER) Thank you.

25 CHAIRPERSON FELIZ: Thank you so much for your
testimony.

We have now heard from everyone who signed up to testify. If we inadvertently missed anyone who would like to testify in person, please visit the Sergeant at Arms' table and complete a witness slip now.

If we inadvertently missed anyone who would like to testify virtually, please use the Zoom Raise Hand Function, and a member of our staff will call you in the order of hands raised.

All right, who registered testify has testified. Seeing no one else, I would to note again that written testimony, which will be reviewed in full by committee staff, may be submitted to the record for up to 72 hours after the close of this hearing, by emailing it to testimony@council.nyc.gov.

Thank you to everyone who has testified. This hearing is hereby adjourned. [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 9, 2025