

**Testimony of the
New York City Department of Housing Preservation and Development
to the New York City Committee on Housing & Buildings and Committee on Immigration
on the Certificate of No Harassment Program and
Immigration-related Tenant Harassment**

April 20, 2026

Good morning, Chair Sanchez and members of the Committee on Housing and Buildings and members of the Committee on Immigration. I am AnnMarie Santiago, Deputy Commissioner for the Office of Enforcement and Neighborhood Services at the New York City Department of Housing Preservation and Development (HPD). I am joined by my colleagues, Marti Weithman, Assistant Commissioner of Housing Litigation, and Tanaya Srin, Assistant Commissioner of Housing Policy. We are also joined by Lorena Lucero, Deputy Commissioner of Programs and Policy, and Derick Gomez, Associate Director of Programs, from the Mayor's Office of Immigrant Affairs, in addition to Salvatore Agostino, Assistant Commissioner for Strategic Enforcement from the Department of Buildings for questions. Thank you for the opportunity to testify today regarding Int. 839-2026 on the Certificate of No Harassment (CONH) pilot program and immigration-related tenant harassment.

All New Yorkers have the right to be safe in their homes and free from harassment. Harassing or discriminating against New Yorkers based on their immigration status is illegal, and the City will not tolerate it. Working with our sister agencies, HPD will do everything we can to identify and root out harassment and discrimination of any kind.

When the City received allegations that landlords were threatening to call ICE on tenants making housing complaints, HPD, the New York City Commission on Human Rights, the Mayor's Office for Immigrant Affairs, and the Public Engagement Unit began coordinating to educate immigrants about their housing rights as New Yorkers. We created educational materials in 11 languages, a social media toolkit, and convened a roundtable for reporters. The materials made clear that landlords cannot harass or threaten tenants, regardless of their immigration status. Twenty media outlets covered this public awareness campaign helping get our message out broadly.

Recommitting to this important work, on February 6th, Mayor Mamdani issued Executive Order 13 (EO 13), clearly stating the City's commitment to protect all New Yorkers, regardless of immigration status. It established a formal process for interagency collaboration and response to safeguard immigrant rights. Work through a multi-agency task force is now underway. HPD recently launched a targeted social media campaign to help tenants recognize City staff and identify individuals falsely and illegally posing as inspectors. This administration will seek out

every opportunity to identify and respond to bad actors. We look forward to continuing to collaborate with the Council on this critical work to safeguard the rights of immigrant New Yorkers.

Now we'd like to turn to the CONH program. This administration is focused on identifying and eliminating harassment. CONH is one of the City's most important anti-harassment deterrents. It is a targeted tool to protect tenants from landlords who might try to harass them out of the building in order to make major building renovations or redevelop the building.

The CONH Pilot Program (the "Pilot" or "Pilot Program"), first enacted in 2018 and expanded in 2022, was born out of a 2016 Council-led, multi-stakeholder working group. The working group conducted a thorough research process to identify the building characteristics most associated with harassment. Under the Pilot Program, the City would investigate buildings exhibiting these characteristics before granting permits for work that would allow owners to benefit financially from such harassment. This precise targeting can create a powerful disincentive for harassment.

The CONH Pilot launched in 2018 as a result of this rigorous and collaborative work. It included buildings with these research-backed risk indicators – physical distress, enforcement activity, and ownership instability. Buildings with the following characteristics were therefore put on the CONH list:

- Active in the Alternative Enforcement Program (AEP) and received an Order to Correct,
- Received full vacate orders issued by HPD or DOB,
- Harassment findings, and
- Identified through HPD's Building Qualification Index (BQI), which captures buildings with high levels of physical distress, measured through agency violations, and frequent ownership changes.

Once those buildings apply for permits, HPD conducts a thorough and tenant-focused investigatory process before determining whether harassment has occurred.

As the Council considers the future of the CONH Pilot Program, it is important to ground this discussion in the original design and the lessons we have learned. After the original 2018 Pilot, HPD identified important operational conflicts between CONH and the other enforcement programs. CONH sometimes delayed urgent repair work that certain buildings in AEP, 7A and those with vacate orders needed to do because of the CONH process. These delays ran counter to the program's core goal of protecting tenants, and at the expiration of the Pilot in 2022, working with the Council, we changed the criteria to fix that problem.

Based on HPD's analysis of program implementation since 2022, we believe that the CONH program is identifying the right pool of buildings, protecting tenants at risk without adding

unnecessary delays for critical repairs, and should be made permanent. The report provides a detailed accounting of our findings. We found that, while only a small number of buildings applied for a CONH, over 15% of applications were denied because HPD found harassment. This is a significantly higher rate than the CONH requirement for single room occupancy buildings or buildings in the Special Districts and suggests to us that the program is well-targeted.

As the Council considers next steps, HPD recommends transitioning to a permanent program, with the following refinements:

- Regularly updating eligibility criteria, including recalculating the BQI, to ensure the program continues to target buildings currently at risk without creating loopholes.
- Consider the CURE mechanism and ensure that it is a viable path for property owners who want to proceed with renovations while remaining a deterrent to harassment.
- Maintain a clear and evidence-based approach to eligibility, ensuring that any additional criteria, such as illegal eviction, meet high standards of data accuracy and enforceability.

As you know, the CONH program is one of many tools that we use to protect tenants from harassment. The Mayor's Office to Protect Tenants, HPD's Anti-Harassment Unit, the Department of Buildings' Office of the Tenant Advocate, the Mayor's Office of Immigrant Affairs and the City's Commission on Human Rights, work to address tenant harassment, independent of any actions by an owner to renovate their building. In particular, the Administration recognizes that tenant organizing is one of the most effective ways to prevent tenant harassment. We support tenants in forming tenant associations, which is one more way we can ensure negligent landlords will be identified and held accountable. Through our Partners in Preservation program, we support a network of 21 tenant organizing groups to knock on doors, hold workshops and organize new tenant associations.

The Administration views the CONH program as a targeted and very effective preservation tool. The data presented in our report indicates that the program is accurately identifying problematic buildings, incentivizing owners to maintain their properties and reduce violations, and protecting tenants from displacement. For these reasons, HPD supports making the program permanent. We look forward to working with the Council around the newly-proposed components of the CONH program outlined in the bill and to continuing our work together to disincentivize and stop harassment in all its forms.

Thank you for the opportunity to testify. We are happy to answer any questions.



JUMAANE D. WILLIAMS

**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEES ON
HOUSING & BUILDINGS AND IMMIGRATION
APRIL 20, 2026**

Good morning,

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. I want to thank Chair Sanchez and Chair Encarnacion as well as the members of the Committees on Housing & Buildings and Immigration for holding this hearing today.

The Certificate of No Harassment (CONH) pilot program, first established under Local Law 1 of 2018 and later extended until September 27, 2026 by Local Law 140 of 2021, was enacted with the aim of addressing the association between distressed buildings and suspected or reported harassment of tenants.¹ It also expanded the existing CONH program from limited enforcement around single room occupancy buildings and buildings in special zoning districts to include particular neighborhoods where buildings with the highest rates of physical distress or ownership changes are located, as well as buildings in city-sponsored neighborhood-wide rezoned areas.

According to publicly accessible records on NYC's Open Data, up to date as of April 1, 2026, there were 1,519 buildings in the program, with Brooklyn seeing the highest number of buildings in the program at 671.² The Bronx had the second highest number of buildings at 420, followed by Manhattan at 295. Queens had 125 buildings in the program and finally, Staten Island had just 8 buildings in the CONH. Having been a proud cosponsor of this bill during my time in Council, I support CM Sanchez' legislation, Int 839. This bill would make the CONH pilot program permanent and further expand the building criteria for inclusion in the CONH program. I look forward to learning more about the outcomes of the pilot, especially whether it has led to any reductions in harassment for tenants.

¹ <https://www.nyc.gov/site/hpd/services-and-information/certification-of-no-harassment-conh.page>

² <https://data.cityofnewyork.us/d/bzxi-2tsw/visualization>



JUMAANE D. WILLIAMS

I want to move now to the subject of protecting tenants from immigration enforcement. We know from various non-profit organizations that there has been an uptick in harassment based on immigration status; this is not new, it is a trend that we saw throughout the pandemic as well.³ Yet under this federal administration, it is a fear that weighs heavier on the minds of our immigrant communities, especially in light of reports of ICE impersonating housing inspectors.⁴

As a city, we need to ensure that tenants understand their rights—because they do have rights. Under New York City’s Human Rights Law, citizenship and country of origin are protected classes. My office has taken steps to provide [resources](#) around this issue, uplifting guidance and tools from many of the organizations doing work on this matter. I look forward to hearing from the administration today how my office can continue to support this work and how we as a city can better protect our fellow New Yorkers.

Thank you.

³ <https://www.thecity.nyc/2021/03/03/new-york-city-landlord-threatens-to-call-ice-what-to-do/>

⁴ <https://www.thecity.nyc/2026/02/27/ice-housing-inspector-immigration-enforcement/>

NEW YORK APARTMENT ASSOCIATION
Calibration, Not Expansion:
The 2026 Reauthorization of the Certification of No Harassment Pilot Program

NYAA represents the owners and operators of rent-stabilized apartments across New York City. We thank you for the opportunity to testify today on the reauthorization of the Certificate of No Harassment pilot program.

CONH is a legitimate tool. The version of CONH that has existed since 1974 in the Special Clinton District, and since 1983 for single-room occupancy buildings citywide, is a guardrail against owners who would empty a sound building in order to demolish it or convert it to a more profitable use. That is a real problem, and CONH is a real answer to it. We do not question the core program.

What we question is what happened in 2018 and 2021. Those two expansions took a pre-demolition safeguard and turned it into a day-to-day compliance overlay on the ongoing operation of rent-regulated buildings. They did so by expanding covered work to include ordinary material alterations—kitchen and bath renovations, boiler retrofits, electrical upgrades—and by expanding the listing triggers to capture buildings based on their violation profile rather than on any evidence of an owner's harassment intent. This matters because of three facts:

1. The City and State have, since 2019, built out a comprehensive enforcement ecosystem for tenant harassment that did not exist when the pilot program was first conceived. HPD's Anti-Harassment Unit was stood up in 2019. The Tenant Harassment Prevention Task Force has materially expanded. HSTPA strengthened the substantive protections in 2019. A tenant experiencing harassment today has at least eight independent pathways to substantive relief before CONH is even in the picture. The question for the Council is not whether there are enough tools. The question is whether *this particular tool* is still calibrated correctly.

2. The current pilot list is not, in fact, being actively maintained. A review of the NYC Open Data CONH Pilot Building List shows that only eight buildings have been added to the list in calendar year 2026. Against a universe of 1,412 buildings, that is an addition rate of approximately one-half of one percent. What we have is not a dynamic enforcement instrument. It is a static historical register of buildings whose selection criteria were fixed in 2018 through 2021. Buildings remain on the list indefinitely, regardless of whether conditions have been remediated, regardless of whether the building has been sold to a successor owner who has rehabilitated it. There is no published discharge mechanism.
3. The cost of this structure is not primarily absorbed by owners. It is absorbed by tenants. The covered-work definition captures the precise operations that pre-1974 rent-stabilized buildings most need in order to remain habitable: electrical upgrades, riser replacement, Local Law 97 mechanical retrofits, and vacant-unit rehabilitation. Every month that a pilot-program CONH application adds to one of those projects is a month that tenants in the building go without the repair. A program whose expansion delays essential habitability work for the tenants it is intended to protect is, on its own stated terms, *misfiring*.

We are not asking the Council to eliminate the pilot program. We are asking the Council to treat the September 2026 sunset as an opportunity for *calibration* rather than further expansion.

Three specific recommendations:

1. Remove ordinary material alteration from the trigger, from narrow covered work back to demolition, change of use, and conversion—the transactional work the program was built around.
2. Build in automatic discharge mechanisms. A building that has been granted a CONH should not remain on the list. A building whose AEP was cured by a successor owner should not remain on the list.
3. Require HPD to publish, on an annual basis, the specific factor supporting each building's continued listing. If the Council is going to impose a permanent regulatory

overlay on 1,412 buildings, those 1,412 owners deserve to know, on the public record, why.

In closing, NYAA appreciates the Council's continued attention to tenant harassment. We share that concern. And we believe the path forward is to preserve the core of what CONH does well, and to correct the features that are, today, producing tenant harm rather than tenant protection.

Thank you.



Testimony

New York City Council Committee on Housing & Buildings and Committee on Immigration

**Hearing on:
Oversight - Tenant Harassment against Immigrants and the Certification of No Harassment Program.**

Monday, April 20, 2026

**Immigrant and Refugee Services, and
Food and Housing Services
Catholic Charities Community Services, Archdiocese of New York**

INTRODUCTION

Thank you, Council Chair Encarnacion and Council Chair Pierina Ana Sanchez, and members of the New York City Council Committee on Immigration and Committee on Housing & Buildings, for the opportunity to submit written testimony regarding our work with immigrants and refugees experiencing tenant harassment in New York City.

Catholic Charities is proud of our long tradition of serving New Yorkers in need. For more than a century, an integral part of our mission has been to welcome and integrate immigrants—helping them reunite with family, secure safe housing, learn English, prepare for citizenship, and contribute their talents to our communities.

The scope and diversity of our services is exceptional:

- **Housing Services:** CCCS provides a range of housing supports to over 6,500 tenants annually. Services include eviction prevention, rental assistance, support with housing subsidies, home visits, landlord negotiations, court accompaniment, and case management for vulnerable households at risk of homelessness. We also provide workshops on tenant rights, financial management, and legal representation.



- **Housing Services:** We support tenants annually facing unsafe conditions and harassment through advocacy, referrals, and coordination with legal service providers and community-based partners.
- **Housing Services:** CCCS also operates and partners in shelter and supportive housing programs that serve individuals and families experiencing homelessness or housing instability.
- **Immigrant & Refugee Services:** Catholic Charities is a leading provider of immigration legal services, delivering representation, consultations, and pro se assistance to more than 7,500 immigrants annually, including over 2,500 individuals in active cases.
- **Immigrant & Refugee Services:** We operate major legal hotlines—including NYC’s MOIA Immigration Legal Support Hotline and the NYS ONA Hotline—serving more than 35,000 people each year.
- **Immigrant & Refugee Services:** Our programs also include workforce services for day laborers, English and citizenship classes, and refugee resettlement support reaching thousands of newcomers annually.

SCOPE OF PROBLEM: TENANT HARASSMENT AND HEIGHTENED FEAR

CCCS works across New York City communities to provide critical services, and we are well positioned to speak to the challenges facing immigrant tenants.

Tenant harassment is a widespread and persistent problem. Immigrants—among the city’s most vulnerable residents—are disproportionately targeted due to language barriers, limited support networks, unfamiliarity with systems, discrimination, and urgent housing needs.

We are also seeing a heightened climate of fear driven by increased immigration enforcement. Many immigrant families—particularly those in mixed-status households—are unwilling to report unsafe or illegal housing conditions out of fear that landlords will retaliate by contacting immigration authorities.

Landlords have exploited this fear by threatening to call—or actually calling—U.S. Immigration and Customs Enforcement (ICE) to silence tenants. These threats are used to force tenants to vacate their homes or to deter them from reporting serious housing violations. As a result, families often remain in dangerous conditions, including exposure to mold, lead, pests, and structural hazards.



The impact extends beyond housing. Immigrant communities are already experiencing increased anxiety, fear, and uncertainty due to heightened enforcement, detention, and deportation, contributing to depression and trauma-related symptoms. At the same time, enforcement actions are disrupting access to healthcare and essential services—families are avoiding hospitals, children are experiencing emotional distress, and critical care is being delayed.

Housing instability, fear of enforcement, and harassment intersect to create profound harm—not only for individual families, but for public health and community stability across the city.

POLICY RESPONSE: CERTIFICATION OF NO HARASSMENT (CONH)

Catholic Charities Community Services supports the introduction of legislation that would make the Certification of No Harassment (CONH) program permanent and expand its scope to better identify patterns of harassment across an owner’s portfolio.

The CONH pilot program, first implemented in 2018 and extended in 2021, is currently set to expire on September 27, 2026. Analysis by the Coalition Against Tenant Harassment shows that the program has been effective in addressing certain forms of landlord abuse—but must be strengthened to fully protect tenants.

We strongly support:

- **Permanency of the CONH program**, ensuring long-term accountability and stability
- **Expansion across ownership portfolios**, so landlords cannot evade responsibility by shifting abusive practices between properties

Critically, CCCS urges that the definition of harassment be expanded to explicitly include **threats or actions involving immigration enforcement**. Landlords who threaten to call—or do call—ICE for the purpose of interfering with tenants’ rights are engaging in coercive and harmful behavior that must be clearly recognized as harassment under the law.

Without this explicit protection, immigrant tenants remain uniquely vulnerable. Programs like CONH still rely, in part, on tenant reporting—yet fear of retaliation continues to prevent many from coming forward. Strengthening CONH to account for these realities is essential to ensuring equitable enforcement.



Tenant protection policies must reflect the lived experiences of immigrant communities. While nonprofit organizations like CCCS work to stabilize households, government action is necessary to create broader systems of safety, accountability, and housing security.

CONCLUSION & CALL TO ACTION

CCCS urges the Council to make the CONH program permanent and adopt the proposed expansion, including explicit protections for immigrant tenants facing threats tied to immigration enforcement.

Tenant harassment—particularly when fueled by fear of deportation—forces families into impossible choices between safety and survival. No New Yorker should have to endure unsafe housing conditions to avoid detention or family separation.

Strengthening CONH is a critical step toward holding bad actors accountable, protecting vulnerable tenants, and promoting stable, healthy communities.

We respectfully urge the Council to take this action and continue advancing policies that protect immigrant families, strengthen tenant rights, and ensure safe and dignified housing for all New Yorkers.

Thank you for your time and your commitment to the communities we serve.

April 23, 2026
New York City Council
Hearing Before the Committees on Immigration and Housing and Buildings
Oversight – Tenant Harassment Against Immigrants and the Certification of No
Harassment Program
Testimony of the New York Legal Assistance Group

Greetings Chairs and members of the New York City Council Committee on Immigration and Committee on Housing and Buildings. Thank you for the opportunity to testify in support of making the Certification of No Harassment Pilot Program permanent and adding criteria for the inclusion of certain buildings in the program. New York Legal Assistance Group (“NYLAG”) uses the power of the law to help New Yorkers experiencing poverty or in crisis combat economic, racial, and social injustices. We address emerging and urgent needs with comprehensive, free civil legal services, financial empowerment, impact litigation, policy advocacy, and community partnerships. We aim to disrupt systemic racism by serving clients whose legal and financial crises are often rooted in racial inequality.

NYLAG works closely with community organizations, agencies, and elected officials, and operates numerous legal clinics in locations such as community centers, courthouses, and hospitals. NYLAG’s Tenants’ Rights Unit (TRU), is one of the City’s largest Right to Counsel providers, with practices in Manhattan, Brooklyn, Queens, and the Bronx. provides a broad range of assistance to low-income tenants.

Our goal is to preserve safe and affordable housing for vulnerable residents, prevent homelessness, ensure economic security for families, and promote stability in our communities. We also work to educate community members about their housing rights and provide information on the options available for preserving their homes. TRU's Public Housing Justice Project is the first group of legal advocates in New York City dedicated to representing tenants living in federally subsidized housing from eviction.

All of our practice areas serve immigrant New Yorkers, with our Immigration Protection, LGBTQ Law, Domestic Violence Law, LegalHealth, and Community Access Programs Units providing immigration law services to New Yorkers across a breadth of legal matters: from humanitarian applications for survivors of sexual and gender based violence and people in need of medical support, to removal defense, to federal litigation and habeas petitions, to appellate work, citizenship, and more. In FY25, across NYLAG's immigration practice areas we provided services in 18,463 immigration cases, benefiting 48,721 individuals, including children.

Across New York City, the immigration enforcement crisis is causing immense stress and anxiety for New Yorkers based on their real or perceived immigration status. People are afraid to go to school, visit public hospitals, or attend court appearances. For many, the solution that feels safest is to stay home. Having your own, private, secure place can make a world of difference psychologically and

practically. However, for tenants whose landlords exploit their power dynamic to harass them based on their immigration status, there is no respite at home.

That fear that pervades every aspect of their public life invades their private life as well.

TRU represents many immigrants and their families as they face eviction. In our work, we see an alarming pattern of landlords attempting to circumvent the legal process for commencing an eviction proceeding by threatening retaliation against tenants based on their immigration status. This pattern emerges across boroughs and housing types: from rent stabilized, to public housing, to superintendent housing: which presents a triple-pronged threat to housing, employment, and immigration. For example:

- NYLAG represents Mr. J., who is undocumented and lives in a NYCHA unit with his minor son, A., a U.S. citizen. At the beginning of 2025, Mr. J. approached his management office to apply for succession on behalf of his son, whose mother, also a citizen, had recently died. Project management erroneously told Mr. J. he could not even initiate the process on his citizen son's behalf because he is undocumented. Mr. J. visited the office multiple times to begin the process, and each time was turned away, with a staff member eventually threatening to call ICE if he came back again. After NYLAG intervened, the issue was resolved. However, Mr. J. is his son's

only living parent, and the fear of deportation, and the feeling of being unsafe in their own home, was overwhelming for both of them.

- Another client, Mr. C., was represented by NYLAG in a “superintendent holdover” in Housing Court. Mr. C. was an undocumented immigrant from the Dominican Republic who had come to the U.S. as a teenager. Mr. C. worked as a superintendent in a building where he was told that the law allowed his only payment to be the apartment he was living in. Eventually, Mr. C. discovered that his employment arrangement was illegal and sued his landlord for violating the law. His landlord retaliated by bringing a holdover case where he falsely alleged that he had fired Mr. C. After NYLAG intervened, the landlord discontinued the holdover, only to file a new case after President Trump was re-elected. Between the Housing Court proceeding, and an abusive landlord and employer, the anxiety that Mr. C. experienced eventually became too much. Through a settlement in his employment case, he agreed to move out, and then self-deported back to the Dominican Republic. Before our representation ended, Mr. C. shared that he knew his experience was not unique. Unscrupulous landlords make a habit of hiring supers that are recent immigrants or undocumented, targeting their vulnerabilities or perceived vulnerabilities and underpaying them, or not paying them at all.

- Finally, Mr. A. is a tenant in a rent-stabilized apartment. Mr. A. is undocumented and has lived in his apartment for over 15 years. His prior roommate, whose name was on the initial lease, was deported approximately 10 years ago. Mr. A., however, did not receive a lease in his name until 2020. Although the apartment is rent-stabilized and currently registered with DHCR, Mr. A. did not receive a rent-stabilized lease, only form leases. In late 2023, Mr. A.'s landlord stopped accepting his rent and tried to change the locks on the doors to force him to move out. Mr. A. contacted the police in order to be let back into the apartment. In March 2024, the landlord's wife called Mr. A. and said they would call ICE if he refused to leave. Since his original roommate was deported 10 years ago, Mr. A. has had several other undocumented roommates move out due to the ICE threats. Most recently, in September 2025 ICE was seen in the building. Not long after, Mr. A.'s landlord filed a frivolous holdover against him based on an alleged failure to sign a renewal lease, even though Mr. A. had never been offered a rent-stabilized lease in the apartment. Mr. A.'s landlord has refused to settle the case by offering him a lease. The matter is still ongoing.

These are just a few examples of what immigrant tenants across the City are facing.

These examples are illustrative of the ways in which anti-immigrant bias not only

causes fear and anxiety but has material impact on individuals' rights and their ability to access those rights.

The threat of retaliation deeply impacts our clients and leaves them vulnerable to exploitation and displacement. There is little recourse available for this callous and threatening behavior. Many of our clients are fearful to even enter the institutions where their claims would be heard, let alone have their immigration status discussed on the record given the terrifying times we live in and the targeting, unlawful detention, and mistreatment that our immigrant neighbors and their families and communities face day to day.

At a time of great uncertainty and instability, we thank the City Council for exercising its authority to conduct meaningful oversight and take steps to protect our immigrant clients and neighbors. The proposed legislation is a way to take a meaningful step of extending protection and accountability, and disincentivizing landlords from harassing immigrants who live in their buildings. With our immigrant clients being especially vulnerable to harassment and retaliation based on their immigration status, it is our sincere hope that the City Council will make the pilot program permanent, add criteria for the inclusion of additional buildings in the program, and develop mechanisms to protect undocumented supers from exploitation and harassment. Immigrant New Yorkers should be treated as what

they are: New Yorkers, essential members of our communities, and deserving of safe, secure homes. Thank you for your consideration.

Respectfully submitted,

Anna Luft
Associate Director for Housing Policy and Advocacy

Katie Anderson
Staff Attorney
Tenants' Rights Unit
New York Legal Assistance Group

NORTHERN MANHATTAN IMPROVEMENT CORPORATION (NMIC)

Written Testimony

Regarding

TENANT HARASSMENT AGAINST IMMIGRANTS

SUBMITTED TO:

New York City Council

Committee on Housing and Buildings

April 20, 2026

Northern Manhattan Improvement Corporation (NMIC) is a settlement house that was founded in 1979 to protect low-income and immigrant families in Upper Manhattan. Since then, we have expanded into adjacent Bronx neighborhoods and support 14,000 New Yorkers with a wide array of programs to address Housing, Immigration, Benefits Access & Finance, Education & Career, Health, and Holistic needs.

NMIC is a community-based settlement house founded in 1979 which has grown into a leading multi-service agency with a staff of over 120 employees, serving all of New York City. Our mission is to serve as a catalyst for positive change in the lives of the people in our community on their paths to secure and prosperous futures. We serve about 14,000 clients each year with a variety of programs to address Housing, Immigration, Education/Career, Finance/Benefits, Health, and Holistic needs.

NMIC regularly witnesses how housing instability and immigration-related fear intersect to create serious tenant exploitation in our communities. Long standing members of our communities are now vulnerable due to their immigration status; tenants are routinely targeted, intimidated, and pushed out of their homes. Recently, an individual came to our reception desk seeking urgent help after their landlord told them they must pay double the rent or he would call ICE.

Unfortunately, this is not an isolated incident. Many of the clients are living in constant fear of deportation or family separation. Landlords who understand that fear too often exploit it, using threats tied to immigration status to demand unlawful rent increases, force tenants to accept dangerous or unlivable conditions, waive basic rights, or vacate their homes without a proper court order. Because these tenants are indigent and lack immigration status, they are terrified of attracting attention to themselves or their families; many feel they have no choice but to comply with any illegal demands required by their landlords. Whether it is paying for arrears they do not owe, endure harassment, or abandon long-term, affordable apartments, landlords are taking advantage of the fact that tenants are too afraid to fight back. No New Yorker should lose their home or be extorted because of fear and vulnerability, yet for too many immigrant tenants, that is the reality they face every day.

This issue is a significant concern and reflects a serious breakdown in tenant protections and housing stability. It underscores the urgent need for stronger enforcement against landlord harassment, expanded access to legal services, and clear safeguards to ensure that immigration status is never used as a weapon to displace New Yorkers from their affordable homes.

Thank you to the members of the Committee for the opportunity to submit testimony on such a significant issue burdening immigrant tenants in New York City.



SPONY

THE SMALL PROPERTY OWNERS OF NEW YORK

RE: Proposed Local Law Expanding and Making Permanent the Certification of No Harassment (CONH) Program

Small Property Owners of NY (SPONY) is an all-volunteer organization of small rental housing providers founded over 40 years ago. We write to express opposition to the proposed legislation that would make permanent and expand the Certification of No Harassment (CONH) program.

While the goal of preventing tenant harassment is important and shared by responsible housing providers, this legislation will have significant unintended consequences for small property owners and the tenants they serve.

First, the bill dramatically expands the scope of buildings eligible for inclusion by relying on broad indicators of “distress,” such as violations, liens, or past ownership issues. These criteria could flag small property owners struggling with aging buildings, rising operating costs, and limited access to capital. As a result, many responsible owners will be unfairly placed into the program.

Second, the requirement to obtain a Certification of No Harassment before performing common categories of work including apartment renovations, system upgrades, and code compliance improvements creates substantial delays, costs, and uncertainty. Small owners lack the legal and administrative resources to navigate lengthy investigations, hearings, and tenant outreach processes.

Third, the penalties for denial are disproportionate. A denial results in a five-year prohibition on obtaining permits for essential work. This effectively prevents owners from making necessary repairs and improvements, leading to further building deterioration and negatively impacting tenant living conditions. Much of NYC’s housing in very old and delays related to this program will mean that essential improvements are delayed further impacting the quality of housing and impacting the tenants.

Fourth, the “cure” provisions are not economically viable for small buildings. Requiring owners to create 20–25 percent low-income housing without access to subsidies or tax incentives is infeasible for smaller buildings. In practice, this functions as a prohibition on redevelopment or rehabilitation.

Finally, the bill introduces significant uncertainty by allowing certifications to be rescinded and by expanding eligibility based on ownership relationships across multiple properties. This creates

risk that extends beyond a single building and undermines the financial stability of small housing providers.

Collectively, these provisions will:

- Discourage investment in aging housing stock
- Reduce access to financing
- Accelerate physical deterioration of buildings
- Force small owners to sell, often to larger institutional investors

We urge the Council to reconsider this legislation and instead pursue targeted enforcement strategies without imposing broad, punitive measures on responsible small property owners.

Submitted: April 22, 2026

Contact information

Ann Korchak

ann@spony.org



Testimony Regarding the Certificate of No Harassment program

April 20, 2026

The Association for Neighborhood and Housing Development (ANHD) thanks Committee Chairs Sanchez and Encarnacion, and members of the Committees, for the opportunity to testify on tenant harassment and the Certificate of No Harassment program. My name is Peter Estes, and I am ANHD's Senior Housing Policy Associate.

About the Association for Neighborhood and Housing Development

ANHD is one of New York City's lead policy, advocacy, and technical assistance and capacity-building organizations. We maintain a membership of 80+ neighborhood-based and citywide nonprofit organizations that have affordable housing and/or equitable economic development as a central component of their mission. We are an essential voice, bridging the power and impact of our member groups to build community power and ensure the right to affordable housing and thriving, equitable neighborhoods for all New Yorkers. We value justice, equity, and opportunity, and we believe in the importance of movement building that centers marginalized communities in our work. Across 5 decades and 5 boroughs we have consistently focused on addressing New York's housing affordability crisis, displacement, and economic inequity to build community power.

ANHD's work directly supports the needs of our members who develop, manage, and organize to preserve affordable housing, and who fight to bring equity into low-wealth communities in New York City—especially communities of color. Our groups rely on us for technical assistance and capacity-building resources that allow them to maximize their resources, skills and impact. The support services, research, analysis, public education, and coalition building we do helps to identify patterns of local neighborhood experiences and uplift citywide priorities and needs. Our work translates into the capacity to win new programs, policies and systems that ensure the creation and preservation of deeply and permanently affordable housing, and economic justice.

Tenant Harassment

One of the most pernicious tools of displacement, tenant harassment takes many forms. Landlords or property managers might neglect essential services, ignore repair needs, deny basic rights, or use direct physical intimidation – all forms of harassment that undermine tenants' sense of safety and stability in their home. Tenant harassment often manifests in conditions that threaten health and safety, from cutting off the heat in January to ignoring the mold spreading across leak-stained drywall. With unpermitted and after hours work, work that blocks entrances and exits, landlords also use construction as harassment – and the resulting hazardous dust and debris – to make tenants' homes unlivable. Or, leveraging the asymmetric access to financial resources that characterizes the typical landlord-tenant relationship, landlords inundate tenants with unsolicited buyout offers in an effort to pressure them to move.



Our immigrant neighbors face additional layers of harassment. As part of amendments to the definition of tenant harassment in 2017, the City Council explicitly included additional protections against harassment for immigrants, affirming the critical importance of these protections.¹ Yet, in recent months, ANHD members have reported instances of landlords and property managers targeting tenants who they perceive to be undocumented – refusing to accept rent, extorting extra payments, and quashing attempts to assert various tenants’ rights – with underlying threats to report tenants to Immigration and Customs Enforcement (ICE). These intimidation tactics have targeted tenants as they organized to improve building conditions and have followed discriminatory profiling based on race and ethnicity. Raising the spectre of sudden deportation, they have a chilling effect: legal service organizations report that tenants who come in seeking support are often too fearful of retaliation to proceed and that more have begun to self-evict and/or self-deport. Faced with intensified federal attacks on immigrants, we have to do everything in our power at the local level to reaffirm and recommit to our fundamental beliefs in openness and opportunity, safety through community, and strong, stable neighborhoods. To remain a sanctuary and a beacon, New York must hear the testimony raised today and act.

Threats, pressure campaigns, and the denial of rights and services are wielded most effectively against those with the fewest resources to fight back and those who can least tolerate the stress: harassment puts elderly and disabled tenants, mixed-status and undocumented families, and low- and moderate-income New Yorkers at risk. Tragically, these tactics are too often successful at forcing tenants out of their homes. Upending lives and tearing at the fabric of our neighborhoods, this instability has consequences for all New Yorkers.

Through a combination of administrative and legislative mechanisms, the City and State have sought to clearly delineate what constitutes harassment, to remove loopholes that incentivize it, to curb the power of landlords to harass, and to enact stricter consequences for those that continue to do so. Among these, the Certificate of No Harassment stands out as a key tool.

CONH History

As the conveners of the Coalition Against Tenant Harassment (CATHnyc), ANHD and our members led the original campaign to make tenant harassment a housing code violation, enabling tenants to fight back against their landlords in the courts. Collectively, we were a driving force in the 2017 expansion of the definition of tenant harassment and in the development of the citywide Certificate of No Harassment (CONH) program, passed in 2018 and amended in 2021. My testimony today draws on this history and refers to the citywide CONH program, not the CONH programs for SROs or in Special Districts.

The CONH program was born from a multi-year organizing effort by tenants of rent-stabilized buildings against predatory equity-fueled speculators, dating from the early 2000s. It is intimately connected to the work to close loopholes in the rent laws that fueled rent hikes and displacement of longtime rent-stabilized tenants – work which culminated in the Housing Stability and Tenant Protection Act in 2019. Before these reforms, landlords could get around

1

<http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3123734&GUID=6927ADE8-EBF1-412B-8659-39A10348CD2B>



rent-stabilization caps on rental increases by getting old tenants out and bringing new tenants in, which allowed them to access lucrative “vacancy bonuses” and largely unaudited Individual Apartment Improvements (IAs), which allowed further rent increases. With clear and pernicious incentives to generate high turnover, many landlords harassed tenants by various means. For many landlords, this became a way of doing business, and though many incentives to harass tenants have been closed over years, tenant harassment remains a significant problem. Against this larger backdrop, the CONH program was specifically established as New York was negotiating contentious, large-scale neighborhood rezonings in communities of color, which exacerbated concerns about speculative buyers. Along with updating and expanding the legal definition of tenant harassment to better cover the range of tactics commonly used by landlords looking to push out existing residents in search of higher rents, the Certificate of No Harassment program was designed to combat the tenant harassment that our member organizations confront on a daily basis. The program harnesses data on building conditions, sales history, harassment cases, and more to generate a list of buildings where tenants are likely to be at elevated risk of harassment. These buildings are subject to a logical set of restrictions that effectively remove the incentives to harass tenants, replacing them with meaningful consequences if evidence of harassment is found. In the buildings on the CONH Program List, if the owner of a building wants to seek a permit for significant changes to the building (for example, its use or layout), they must seek a Certificate of No Harassment, which requires them to engage in a preliminary investigation to determine if there exists reasonable cause that harassment occurred; if reasonable cause is found, a case is brought at the Office of Administrative Trials and Hearings (OATH). Based on OATH’s recommendations, HPD’s Commissioner either grants a CONH, allowing permits to proceed or denies the CONH, freezing all non-essential permits for alterations to the building for 5 years. If the owner wishes to lift the freeze and pursue alterations during this time, they may “cure” the denial by setting aside 20-25% of floor area for permanently affordable housing affordable at 40-60% Area Median Income (AMI), giving preference to existing tenants.²

The underlying logic of the CONH Program recognizes that, though there are retroactive means for tenants who have been harassed to seek justice, these are insufficient deterrents against harassment and are often only accessed after tenants have been displaced, rendering the point mostly moot. And so, to disincentivize landlords from harassing tenants and prevent displacement, it is crucial that we proactively identify at-risk properties, extend protections and provide opportunities for tenants to be heard, and back these up with meaningful consequences.

CONH Today

Today, the CONH program provides a proactive pathway for addressing harassment, targets the worst actors, and has beneficial outcomes.

A key reason that retroactive solutions alone are not effective at deterring harassment is that tenants continue to face significant barriers in securing Findings of Harassment in courts.

² The cure requires a set-aside of 20% of floor area onsite or 25% offsite (any offsite location must be within the same Community District). The set-aside units must be affordable at 50% AMI, or may be evenly divided at 40%, 50%, and 60% AMI. These units are not eligible to be counted toward requirements for tax exemptions or abatements.



Reviewing data on over 4,000 tenant action harassment cases from 2021 to 2025, we find that tenants won a Finding of Harassment in fewer than 4% of cases where a harassment claim is brought – consistent with previous ANHD analysis which found tenants were only successful in 2-6% of harassment claims.³ **This lack of success is not, however, due to a lack of meritorious claims.** Tenant attorneys and ANHD members report that, although housing court judges have begun to demonstrate greater awareness of the definition of harassment in recent years, they prefer to focus on physical conditions even where there are strong co-occurring and related claims of harassment. As a result, in many housing court cases where a harassment claim is brought, the charge is not disproven but merely left unaddressed. This disconnect between legally prescribed tenant protections against harassment and their application in the courts is what makes it so important that the CONH program continues to leverage a broader (but still targeted) set of risk factors to identify properties where tenants are at risk of harassment. We cannot wait for the courts to catch up; we need the CONH program and other protections.

The current program is highly targeted. Out of roughly 60,000 eligible buildings (all with 6 or more units) in the five boroughs, only around 1,500 currently meet the criteria for inclusion on the CONH Program List – **just 2.5%**.⁴ These criteria are arguably too narrow, but it is clear that the buildings in the CONH Program List are uniquely troubled relative to most residential buildings in the city and thus warrant closer inspection.

Additionally, data on CONH applications show that the program is effective at identifying properties where tenants are at risk of harassment. Of 35 applications submitted during the pilot period, **5 were denied (14.3%) and an additional 5 were withdrawn or abandoned (14.3%)**. Compared to the denial rates for CONH applications through the longer standing programs for SROs (4.5%) and Special Districts (1.3%), this denial rate is significantly higher – indicating that the criteria are accurately capturing buildings where tenants are or were at elevated risk of harassment.⁵ Further, if some applications were withdrawn because owners suspected they would be denied a CONH, then the true rate is even higher.

The program's benefits extend further, with evidence that it encourages owners to improve building conditions – likely to get their buildings removed from the list in future years. In their recently released review of the program, HPD reported that Class B violations decreased in CONH buildings at a greater rate than in other similar buildings and Class C violations, which increased citywide at least partly due to changes in classification, increased less. **A building's placement in the CONH program was associated with a decrease in violations – 12 to 13 fewer.**⁶ This is heartening: while the primary goal of the program is to prevent harassment from

³ ANHD analysis (2026); https://anhd.org/sites/default/files/conh_report_dec_2020.pdf, p.23.

⁴ ANHD analysis (2026); HPD Report on the CONH Pilot Program (2026); There are approximately 1.8 million dwelling units in these 60,000 buildings and approximately 50,000 dwelling units in the 1,500 buildings on the CONH Program List.

⁵ HPD Report on the CONH Pilot Program (2026).

⁶ HPD Report on the CONH Pilot Program (2026); comparison is between buildings on the CONH list in the extension period (2021-present) and eligible buildings that were in the initial pilot but not in the extension (2018-2021). Improvements in conditions are not wholly attributable to the CONH program, but rather to the program in combination with other factors.



happening and hold harassers accountable, a secondary goal for the tenants and organizers who fought for its creation has always been to improve conditions.⁷

Key Proposed Amendments

Based on both the evidence provided in HPD's report and the experience of tenants and organizers on the ground, ANHD strongly believes the CONH program should be made permanent. To improve the program's effectiveness as a bulwark against harassment and displacement, we recommend a few additional targeted modifications. We agree with the recommendations made by the department in large part, except as they pertain to the "Cure." Similarly, we agree with the proposed changes from Chair Sanchez in the current draft of the bill, and have a few additional recommendations to strengthen the legislation.

First, **we recommend extending the protections afforded in buildings on the CONH Program List to other buildings with the same owners.** Landlords apply similar business tactics across their portfolios and past harassment is a strong indicator of potential future harassment – thus a building's presence on the CONH Program List is reasonable justification for closer scrutiny of other buildings in their portfolio. Councilmember Sanchez's legislation proposes taking a portfolio approach for any buildings where there has been a legal finding of harassment. We welcome this approach, and also encourage the Council to ensure that this portfolio approach is applied when a landlord is denied a CONH – requiring CONHs for other buildings owned by the same landlord or applying the permit freeze across a building owner's portfolio. Denial of a CONH should be understood to constitute a finding of harassment, and a clear sign that additional tenant protections are needed. Applying a portfolio-wide permit freeze would both strengthen the disincentive to harass tenants and increase the incentive to pursue the cure pathway. Further, a portfolio approach enables a more comprehensive understanding of a landlord's total resources, rather than a building-level perspective – a tool to help highlight distinctions between landlords with excessive resources from those with less ready access to capital and/or affordable financing. As ANHD's research has shown, the largely rent-stabilized buildings subject to CONH are often part of larger portfolios containing highly profitable destabilized buildings.⁸ If owners of multiple buildings are no longer able to pursue covered categories of work in their other buildings, those with resources will be more likely to pursue the cure option. This change will also facilitate tenant organizing and solidarity across buildings.

We also believe that, **in addition to requiring a CONH for an owner to pursue the covered categories of work, a CONH should be required before the sale of a building on the Program List.** Many of the buildings where harassment occurred are the same where landlords overleveraged, taking out inflated mortgages that could not be justified with the current rent rolls.⁹ As these owners go underwater due to high debt payments, they will likely seek to sell and cut their losses. These sales are key moments to conduct an investigation, reveal past harassment, and disrupt cycles of displacement. Importantly, though, sales to Qualified

⁷ https://anhd.org/sites/default/files/conh_report_dec_2020.pdf

⁸ <https://anhd.org/report/dont-take-us-back-examining-history-and-ownership-in-rent-stabilized-housing/>

⁹ <https://jwmason.org/slackwire/after-the-rent-freeze/> ;

<https://anhd.org/report/dont-take-us-back-examining-history-and-ownership-in-rent-stabilized-housing/>



Preservation Buyers should be exempted, to steer buildings toward trusted owners that are committed to long-term investments in the buildings and current tenants.¹⁰

Additionally, we recommend two changes to the Building Qualification Index (BQI): first, retaining the set of buildings where harassment occurred before 2021, and second, recalculating on an annual basis.

- The period prior to the passage of the Housing Stability and Tenant Protection Act of 2019 (HSTPA), which curtailed many of the loopholes that incentivized rampant tenant harassment, should be understood as one of uniquely intense speculation and tenant harassment. While we agree with making rolling additions to the CONH Program List, we are concerned that some of these buildings would be removed as a result. The owners who repeatedly engaged in systematic harassment with the intent to destabilize entire buildings cannot be allowed to simply age out of the system because the findings of harassment occurred too long ago. Specifically, in addition to the rolling 60 month lookback window that will be used moving forward, we recommend amending paragraph (3) of subdivision b to retain language to the effect of “60 months prior to October 31, 2021”. As findings of harassment are relatively rare, and most buildings qualify for the CONH Program List via the BQI or by AEP discharge, this will not overly inflate the list – of buildings on the current list, just 4% qualify solely based on a harassment finding. Keeping these buildings on the list affords a greater sense of protection and justice to tenants who, at significant personal risk and at the height of deregulation, stood up to predatory equity landlords and secured findings of harassment.
- Rather than re-calculating the BQI every five years, as proposed by the department, or every month, as proposed by the Councilmember, we recommend recalculating the BQI annually. Calculating too frequently runs the risk of incentivizing landlords to attempt to game the system and could contribute to confusion among tenants about their building’s placement on the Program List. On the other hand, allowing too long to pass between re-calculations would allow the index to become out of date and may mean that some buildings, with conditions that would otherwise qualify them for inclusion, are able to proceed with work in one of the covered categories without seeking a CONH. We believe an annual calculation balances these concerns and aligns the program with HPD’s other major enforcement programs, which are calculated annually.

Lastly, we disagree with HPD’s proposed change to the “Cure.” The current “Cure” process requires the owner to set aside affordable units. Recognizing that no owners have pursued the cure option, HPD’s proposal would instead require that a building owner “hire an independent monitor to ensure harassment is not occurring on an ongoing basis.”¹¹ As demonstrated by the well-organized tenants at 109 East 9th Street, investigations of harassment are fraught and imperfect. An independent monitor is not a strong enough guarantee that harassment is not happening moving forward; further, it does not act as a meaningful deterrent to harassment, nor is it a sufficient consequence in cases where tenant harassment has occurred.¹²

¹⁰ <https://www.nyc.gov/site/hpd/services-and-information/qualified-preservation-buyers.page>

¹¹ HPD Report on the CONH Pilot Program (2026).

¹² <https://www.amny.com/news/east-village-housing-battle-tenants-landlord-disrepair/>

Additional Recommendations

- **Improve implementation of the existing definition of tenant harassment in law.** As described above, the definition of tenant harassment was expanded in critical ways over the years, particularly in 2010. Yet, it is still too difficult for tenants to prove harassment in court. On the whole, though, the existing definitions could be made to go further by ensuring that courts follow harassment claims all the way through; too many harassment claims are simply dropped in favor of reaching a settlement on repairs – too many of which never happen. Efforts to further the implementation of the law in practice, starting with education of judges and more aggressive litigation of HP-Harassment cases from HPD, could bear fruit.
- **Consider additional criteria for the Program List and/or CONH denial.**
 - **Unlawful eviction.** Including findings of unlawful evictions as a criterion for adding a building to the CONH Program List, as proposed by Councilmember Nurse in Fall 2025, would be a logical addition to the program. In their recent report on the CONH Pilot Program, however, HPD expressed reasonable concerns about the quality of existing data on unlawful evictions.¹³ As a first step toward addressing this data gap, the City should study the feasibility of improving the data quality available on unlawful evictions. Solutions may require combined action from the State and City, but a robust study will inform the approach.
 - **Source of Income Discrimination.** As proposed by VOCAL-NY and TakeRoot Justice and recently by Councilmember Krishnan, at least with regard to the CONH program, source of income discrimination against current or prospective tenants should be considered harassment and a cause for CONH denial.¹⁴ More broadly, all cases where the New York City Commission on Human Rights (CCHR) finds that an owner has engaged in discrimination in violation of the New York City Human Rights Law against a tenant should be considered tenant harassment.
 - **Other topics.** As described in previous ANHD reports on the program, the definition should also encompass the following, which are not explicitly identified under the city’s current tenant harassment law: action or inaction by a landlord that has precipitated a set of conditions that has led to (or that would predictably lead to), a vacate order; a landlord entering or forcibly entering an apartment without advance consent of tenants or a court order, except for certain emergency matters; and failure to comply with a Tenant Protection Plan (TPP) or to provide a TPP or Construction Bill of Rights.¹⁵
- **Continued regular reports.** As it does with other core programs, HPD should produce regular reports on the CONH Program – at a minimum, the department should publish reports three years and six years after the program is made permanent. This report should include data on buildings that were previously on the CONH list but exited over time due to the expiration of the lookback period, improvements in conditions, etc, in

¹³ HPD Report on the CONH Pilot Program (2026).

¹⁴ [VOUCHERS TO NOWHERE: How Source of Income Discrimination Happens and the Policies That Can Fix It](https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=7258671&GUID=86631639-E47B-4437-9901-234B40CBE0CA) ;
<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=7258671&GUID=86631639-E47B-4437-9901-234B40CBE0CA>

¹⁵ <https://www.nyc.gov/site/buildings/tenant/tenant-protection-plan.page>;
https://anhd.org/sites/default/files/conh_report_dec_2020.pdf



comparison to buildings that remained on the list and buildings that were eligible for assessment for the list but did not meet the criteria to be included. In addition to the analyses presented in the most recent report, future reports should examine landlord behaviors and outcomes for tenants in these different categories of buildings.

- **Expanding awareness and supporting organizing.** Tenants and organizers, even those who live in or have worked in CONH Pilot Program Buildings, report confusion around the ways in which the program works and how it affects tenants. Proactive education for tenants in buildings on the CONH Program List (and in CONH-eligible buildings more broadly) should be expanded. In CONH Program List buildings that are simultaneously participating in other programs, cross-program coordination should be further developed, with a priority on alignment with the Anti-Harassment Unit. Critically, the program should be tied to robust funding to compensate CBOs for organizing in CONH Program List buildings, with an emphasis on contracting with groups in the Community Districts where the highest number of Program List buildings are located. With appropriate data privacy agreements in place, the City should facilitate sharing contact information for current and former tenants in CONH Program List buildings with community organizers. With stronger infrastructure to connect with and support tenant organizing and education, the CONH program will better respond to the emerging needs of tenants and support long-term change.
- **Greater transparency.** To support public understanding of, and confidence in, the program, the department should work to improve public disclosure around CONH decisions.
 - Our current understanding is that HPD intends to publish their findings of reasonable cause (or lack thereof) on HPDOnline (in addition to the ultimate CONH decisions which are already publicly accessible), but that there are some technological fixes that need to happen before they can publish. At this time, they have said they will only be able to publish the decision and will not include details that informed the decision, but organizers have previously identified instances where a CONH was granted despite expectations that it would likely be denied.¹⁶ To enhance transparency and trust in the process, we recommend that HPD include additional information on the reasons for denying or granting a CONH, including the documents and reports from investigations, redacted for privacy as needed.
 - HPD sends notices to interested parties about new CONH Applications. These notices should be updated to include not only the buildings that have recently applied for a CONH but a status update on all buildings currently or recently in the CONH application process, with listing of: recent CONH Applications, pending OATH hearings on CONH Applications, notices of final decisions on CONH Applications, any CONH suspensions / rescissions, and any applications to “Cure” a CONH denial.
- **Clarify the process for challenging a granted CONH.** In some cases, tenants and organizers have reported difficulty getting HPD to re-open a case where a CONH has been granted but credible evidence of harassment emerges after the decision has been made. Recognizing that tenants may not initially be aware of the full scope of the definition of tenant harassment and face interlocking pressures that may hinder or

¹⁶ https://anhd.org/sites/default/files/conh_report_dec_2020.pdf



dissuade them from reporting evidence of harassment in a timely manner, HPD should continue to clarify the process for appealing or re-opening a CONH case.

- **Study the relevance in Good Cause buildings and units.** The Good Cause Eviction law is not explicit about whether owners can reset rent to market rate upon a vacancy, and as of yet this question has not been resolved in the courts.¹⁷ In the absence of clarity, or if courts determine that there is no provision against marking-to-market at vacancy, the same type of mass harassment against rent stabilized tenants that CONH was designed to address could be used against tenants in homes where rents are regulated under Good Cause. Policymakers should watch closely.

ANHD is proud to have played a leading role in establishing the Certificate of No Harassment program. It has proven to be a powerful tool for protecting tenants' rights and has helped to improve conditions for tenants, and there is a clear rationale for permanently codifying the program into law. With a few modifications outlined above, the program can better fulfill its purpose. We look forward to continued engagement and partnership around the program and thank the Committees for the opportunity to testify. If you have any questions or need additional information, please contact Peter Estes: peter.e@anhd.org.

¹⁷ <https://www.nysenate.gov/legislation/laws/RPP/A6-A>



199 Water Street
New York, NY 10038
(212) 577-3300
<https://www.legalaidnyc.org>

Alan Levine
President

Lynn K. Neuner
Chairperson of the Board

Twyla Carter
Chief Attorney
Chief Executive Officer

**Testimony of
The Legal Aid Society on
Oversight - Tenant Harassment
against Immigrants and the
Certification of No Harassment
Program before
The New York City Council
Committees on Housing and
Buildings and Immigration
April 20, 2026**

Submitted on behalf of The Legal Aid Society by
Twyla Carter, CEO
and
Adriene Holder, Chief Attorney, Civil Practice

INTRODUCTION

The Legal Aid Society (LAS) welcomes this opportunity to testify before the New York City Council Committees on Housing and Buildings and Immigration regarding the Certificate of No Harassment. We thank Chairs Sanchez and the members of the respective Committees for their continued leadership and commitment to advancing equity, stability, and access to justice for the City's most vulnerable residents.

With an annual caseload of nearly 200,000 legal matters, LAS takes on more cases for more clients who cannot afford private counsel than any other legal services organization in the United States. Through our Civil, Criminal Defense, and Juvenile Rights Practices – supported and amplified by a robust Pro Bono program – we deliver comprehensive, high-quality legal services while pursuing systemic reforms that improve outcomes far beyond individual cases. LAS's unique value is our ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to our annual caseload, LAS's law reform representation for clients benefits millions of low-income families and individuals in New York City. The landmark rulings in many of these cases have a statewide and national impact.

The Legal Aid Society Supports Intro 839

The Legal Aid Society represents low-income tenants and tenant groups in eviction proceedings, illegal lockout cases, HP cases for repairs, harassment claims, and other housing court matters across New York City. We strongly support the proposed legislation to make the Certification of No Harassment (CONH) program permanent and to expand its scope to include additional buildings linked by common ownership or corporate control.

I. The Reality of Tenant Harassment in Legal Practice

In our daily representation of tenants, we see that harassment is often part of a coordinated strategy used to displace long-term residents from rent-regulated and low-income housing. These tactics frequently include persistent failure to make repairs, construction intended to destabilize occupancy, intentional disruption of essential services, intimidation by building staff or contractors, threats of violence, and repeated buyout pressure.

While these practices are unlawful, they are difficult to prove and even harder to remedy once displacement occurs. Tenants in housing court and other judicial and administrative forums often arrive after significant harm has already taken place, including illness from unsafe conditions, loss of income due to destabilized housing, or emotional distress from prolonged intimidation.

For immigrant tenants, these harms are compounded by fear and vulnerability. A significant number of our clients are immigrants, mixed-status families, or individuals with limited English proficiency. A recurring theme across these cases is that tenants endure severe harassment but do not report it due to fear of retaliation. Housing providers are often aware of this dynamic and exploit it strategically, knowing that tenants may be unlikely to engage HPD, the courts, or elected officials.

The experience of one family we represented illustrates the kind of harassment this legislation is intended to prevent. After living in their home for years without incident, the tenants asserted their rights in housing court, including raising defenses related to rent stabilization and unsafe conditions. What followed was a

sustained and escalating campaign of retaliation.

The landlords first pursued eviction while continuing to accept rent, attempted to pressure the tenants to provide false information in court, and engaged in repeated acts of intimidation. The tenants were subjected to threatening gestures and confrontational encounters both inside and outside their home. The landlords created a constant presence around the building that interfered with the tenants' sense of safety while failing to timely address essential services, in an effort to force tenants to give up their rights and claims and leave.

As this conduct intensified, the tenants endured not just housing instability but a profound disruption of their daily lives. They became increasingly fearful in their own home, withdrawing from neighbors and their community.

The harassment escalated further when the landlords began weaponizing immigration status by making repeated, baseless complaints to federal immigration authorities and went so far as to post those complaints within the building, ensuring the tenants and their neighbors would see them. As a result, the tenants lived with constant anxiety about encountering immigration authorities, feared leaving their home, and even became apprehensive about appearing in court to defend their rights.

Ultimately, the situation became so severe that the tenants had to seek legal representation and bring affirmative claims to stop the harassment and protect themselves. Their experience underscores how landlord harassment, particularly when intertwined with immigration-based threats, can quickly escalate beyond ordinary disputes into coercive conduct that effectively strips tenants of their ability to safely assert their legal rights.

II. The Role of CONH as a Preventive Enforcement Tool

The Certification of No Harassment program is one of the few proactive regulatory mechanisms that attempts to address harassment before displacement occurs. Unlike traditional housing court remedies, which are reactive and depend on tenant-initiated enforcement, CONH shifts part of the burden to building owners, requiring them to demonstrate compliance before undertaking significant alterations, demolition, or major construction work.

In our experience, this pre-clearance requirement is critical because many harassment campaigns are directly tied to redevelopment pressure. Whenever a landlord seeks to convert, renovate, or reposition a property, tenants often experience escalating pressure to vacate. Without a mechanism like CONH, tenants are frequently left to resist these pressures alone while navigating complex legal systems with limited resources.

The Department of Housing Preservation and Development's own findings reinforce the importance of this program. As noted, more than 15% of CONH applications have revealed harassment sufficient to result in denial of certification. This demonstrates that harassment is a recurring condition that can be identified through proactive investigation.

III. The Importance of Making CONH Permanent

The current CONH framework has proven its effectiveness. However, pilot programs create uncertainty in enforcement continuity and risk weakening compliance incentives for building owners. Making CONH permanent ensures that HPD can maintain consistent enforcement capacity and staffing expertise and that harassment prevention becomes a stable part of the city's housing policy infrastructure. Given the demonstrated effectiveness of CONH in identifying and preventing harassment, there is no policy justification for allowing the program to lapse or remain temporary.

IV. Expansion to Include Portfolio-Based Accountability

We strongly support the bill's expansion of CONH eligibility to include buildings that share ownership or head officers with properties where harassment has been substantiated within the past 60 months. We suggest the addition buildings that share the managing agents to this list as many management agents and/or companies are notorious for committing acts of harassment against tenants. In our legal practice, we frequently encounter repeat actors who own and manage multiple buildings and who adopt similar patterns of neglect or coercion across their portfolios. Under the current structure, enforcement is often limited to the specific building where harassment is formally documented, allowing the same actors to continue problematic practices in other properties that are functionally under the same control.

This bill appropriately recognizes that harassment is often a systemic, portfolio-level practice. Extending CONH coverage based on ownership linkage is a necessary and rational response to this reality. It closes a significant loophole that allows bad actors to shift operations between properties while avoiding regulatory consequences.

V. Impact on Immigrant and Vulnerable Tenants

The expansion and permanence of CONH is especially significant for immigrant tenants, who are disproportionately affected by housing instability and underreporting of landlord misconduct. In our experience, many immigrant tenants are unfamiliar with housing rights and enforcement mechanisms. They experience language barriers that limit access to complaint systems and legal remedies. Further, their fear of retaliation, eviction, or immigration exposure discourages reporting as they often believe that speaking out will worsen their situation rather than improve it. As a result, harassment in immigrant communities is significantly under-documented. CONH helps address this gap by shifting enforcement upstream, relying on systemic indicators and agency investigation rather than individual tenant complaints alone.

This proactive structure is essential for communities where fear suppresses reporting and where reliance on tenant-initiated litigation alone is insufficient to prevent displacement.

VI. Recommendations

In addition to the suggestions above, we suggest the following:

- Eliminate the word “only” from the last sentence of §27-505(8)(b) regarding criteria used to select buildings in the program.
- As stated above, that buildings with the same managing agent/company be added to §27-505(8)(b)(3)(ii)
- That buildings discharged from HPD’s AEP program be added to §27-505(8)(b)(4)
- That every unit in buildings where a certificate of no harassment is sought be notified of the application
- That the application for a certificate of no harassment and the notice to tenants and others about the application include a summary of the work the owner is proposing to do
- That the criteria for determining whether a CONH is granted include complaints of harassment in addition to final determinations or adjudications of harassment.

VII. Conclusion

For the tenants we represent, harassment is a lived reality that leads directly to displacement and community destabilization. The Certification of No Harassment program is one of the most effective tools the City has to interrupt these patterns before irreversible harm occurs.

By making CONH permanent and expanding it to capture ownership-linked patterns of abuse, this legislation strengthens the City’s ability to protect tenants who are least able to protect themselves. We strongly urge the Council to adopt this legislation.

Make the Road New York
Written Testimony on Landlord Harassment against Immigrant Tenants in
New York
New York City Council Committees on Housing and Buildings and
Immigration
April 21, 2026

To the New York City Council Committees on Housing and Buildings and Immigration:

Make the Road New York is a community-based organization that represents hundreds of tenants each year across Brooklyn and Queens in eviction proceedings, illegal lockouts, HP cases for repairs and harassment, and 7A actions for buildings with dangerous conditions. Make the Road fully supports the proposal to expand and make permanent HPD's Certificate of No Harassment pilot program.

Indeed, in the past year we have seen a worrying uptick in landlord harassment and threats related to tenants' actual or perceived immigration status.

Particularly, we are very concerned with the increasing number of tenants who have been subjected to threats by their landlords to call ICE, or who have, in fact, had their landlords call ICE on them. These threats and actions are often leveled in an attempt to secure an outcome for the landlord that they are otherwise not entitled to.

- For example, we have had a landlord threaten tenants with calling ICE if they did not vacate the premises within 10 days, with no regard for the lawful process or timeline of carrying out an eviction.
- We have also had a landlord who has threatened to call ICE if a tenant did not pay a new higher rent that the landlord decided they now wanted to charge, without offering a corresponding lease agreement.

There are laws in place that are meant to provide a remedy for this kind of harassment, namely the Fair Housing Act, the State and Local Human Rights Law, the City's Housing Maintenance Code, and, most recently, the inclusion of threats to call ICE into the Criminal Code as a Class A Misdemeanor.¹ There are also venues, of course, like Housing Court, where tenants can raise claims as to this unlawful behavior.

However, these laws, and their corresponding institutions, can sometimes feel inadequate:

- For starters, we are in a political climate wherein immigrant tenants are, understandably, very hesitant to seek out the State or Local Agencies, Law Enforcement personnel, and other resources that are meant to help them in these situations—we've had members at Make the Road who have shared with us that their landlord threatened to call ICE on them, but who were too afraid to give us the full story, even anonymously, for fear of retaliation.
- Moreover, the forums that are designed to deal with these issues are often understaffed and underfunded, and/or are not set up to provide a suitable and timely remedy, at least not on their own.
 - Fines imposed in Housing Court, for example, ranging from \$2,000.00 to \$11,000.00—to the extent that they are assessed—are paid to the City, which does not directly benefit a tenant²; the Court *is allowed* to grant tenants at least \$1,000.00 in compensation, but, depending on the amounts, these sums may not deter landlords from continuing to engage in this unlawful behavior.³

¹ Fair Housing Act, 42 U.S.C. § 3601 et seq.; NYS Human Rights Law, Ch. 18, Art. 15, § 290 et seq.; NYC Human Rights Law, NYC Admin. Code, Tit. 8; NYC Housing Maintenance Code, NYC Admin. Code, Tit. 27, Ch. 2, Sub. Ch. 1, Art. 1, § 27-2001 et seq.; NYS Penal Code, Ch. 40, Part 3, Tit. H, Art. 135, § 135.60(10).

² Scherer, Andrew and Fisher, Fern A., "Residential Landlord-Tenant Law in New York, 2025-2026 ed." (October 2025), § 4:203.

³ NYC Housing Maintenance Code, NYC Admin. Code, Tit. 27, Ch. 2, Sub. Ch. 5, Art. 2, § 27-2115(o).

- As a result, it is often the case in our practice that harassment counterclaims are joined together with other issues during settlement negotiations, as there was historically not a strong incentive to seek out a harassment finding specifically (punishing the landlord), versus simply obtaining rent reductions and/or related abatements (benefiting the tenant).

Therefore, we welcome the Council's efforts to expand upon, and make permanent, the CONH pilot program, as it provides another avenue for tenants to play a meaningful part in holding landlords accountable for harassment and in helping to stem this unlawful behavior. Also, this program enhances our practice as legal providers, giving us a much stronger incentive to try to obtain harassment findings, given the real, tangible consequences *of* such a finding under this program, as well as the increased public scrutiny and oversight that comes with it. Finally and relatedly, this program will give harassment claims much more weight, which will, in turn, empower tenants and strengthen their bargaining position in Court or in DHCR proceedings.

We are grateful for your continued efforts to address this burgeoning issue, and to safeguard the rights of all tenants across New York City.

Sincerely,

Ibrahim Ramoul Menendez
Staff Attorney, Housing and Benefits
Make the Road New York

Isaiah Fisher
Pro Bono Scholar
Make the Road New York

My name is Shiras Beckwith. I have been a tenant at [REDACTED], which is a single room occupancy building since 1992.

When we got a new landlord a few years ago, I learned about the CONH program from the HPD investigator who was responsible for determining if the landlord should get a Co NH or not.

The Landlord was successful in getting a CONH - and as soon as he got it moved to evict me and some of the other tenants, and significantly stepped up his harassment in other ways.

My building's tenant's association was successful in having his CONH rescinded this year with a ton of help from Take Root Justice and Cooper Square Committee. Without this help, I would have already lost my home and I think the other tenants would be way worse off.

Even though we had a bumpy road with the CONH program, I believe the CONH program is good and necessary. Since the CONH has been rescinded the landlord hasn't been able to do any further major work on the building, where he had proposed construction including removing the roof and having all the tenants move out for an unspecified period of time.

I am definitely in favor of landlords needing Certificates of No Harassment. In my experience the current program is far from perfect and needs some work, my Landlord shouldn't have been able to get one in the first place and it required a full trial at OATH to get it rescinded, but at the same time I can imagine that without the program, tenants in situations like ours would be way worse off.

I hope you will vote to make the CONH program permanent and will work with tenants who have gone through it to improve it so it can better protect us.

Housing Harassment in Rent-Stabilized Housing: A Failure of Enforcement and Protection

Good morning, Chair and members of the Committee.

My name is Dr. Tabitha Julien. I am a public health researcher and journalist focused on housing instability, housing insecurity, and housing policy as drivers of health, and I am also a rent-stabilized tenant in New York City. I am a first-generation immigrant. My family came to this country and into a rent-stabilized apartment, which was meant to provide stability and protection.

Rent stabilization is the law, and my research examines patterns of landlord rent-stabilization non-compliance. I conducted a study from 2016 to 2021 analyzing these trends, including lease renewal failures, rent overcharges, and reductions in services across gentrifying and non-gentrifying neighborhoods.

What I found is that landlord rent-stabilization non-compliance is not random. It is concentrated.

It is significantly more common in rent-stabilized units located in gentrifying neighborhoods, where there is increased pressure to displace tenants. These patterns reflect what I describe as structural harassment. Systemic practices that destabilize tenants and create ongoing threats of displacement, even within a regulated system.

This is especially concerning because immigrants make up a substantial share of rent-stabilized tenants in New York City, meaning these patterns disproportionately impact immigrant communities.

So when we talk about harassment, we are not only talking about isolated incidents. We are talking about a broader system of landlord rent-stabilization non-compliance that creates sustained instability, displacement pressure, and harm.

These conditions are not only structural. They are also physical and psychological, producing chronic stress, fear, and a loss of safety that directly impact tenants' health and well-being.

And I want to be clear. This is not just something I study. It is something I am experiencing.

For the past several years, my neighbors and I, an organized tenant body, have taken the appropriate steps to address ongoing harassment in our building. We partnered with a community-based legal organization, Communities Resist, and filed a harassment case in Housing Court.

That case has now been pending for approximately three to four years with no meaningful movement. It is not on the calendar. We have not been called to testify, and we have received no updates.

At the same time, the harassment has escalated.

I have experienced tampering and theft of my personal mail containing highly sensitive information, interference with my personal property, and incidents that have made my living environment feel unsafe.

As a lead tenant organizer, I have also experienced retaliation. My management company has called the police on our organizing efforts at least twice.

In the context of this hearing, that is deeply concerning.

For many immigrant tenants, any interaction with law enforcement carries fear of exposure or potential entanglement with immigration enforcement. The presence of police alone can silence organizing efforts and discourage tenants from asserting their rights.

When landlords use law enforcement in response to organizing, it creates a chilling effect, particularly in immigrant communities already living with fear of ICE and deportation.

I reported these issues to my local police precinct and was told to take them to landlord-tenant court. I also contacted the New York State Attorney General's Office and was told they could not intervene because the case is already in court.

So despite going through every appropriate system, Housing Court, law enforcement, and the Attorney General, no system has taken responsibility, and the harm continues.

As a result, I am currently displaced from my home.

And while the Certificate of No Harassment program is an important step, it is limited by design. It is a pilot program. It applies only to certain buildings. It is triggered only when landlords seek permits, not when tenants are actively experiencing harm.

A system that activates only during redevelopment cannot address ongoing, structural harassment or protect tenants in real time.

I urge the Council to recognize that landlord rent-stabilization non-compliance and housing harassment, especially in immigrant communities, are public health crises that require urgent, real-time enforcement.

Specifically:

- Make tenant harassment reportable through 311, creating an immediate pathway for intervention
- Ensure rapid-response enforcement by HPD, similar to emergency repair responses
- Expand CONH beyond a limited, reactive pilot
- Strengthen protections for tenant organizers and immigrant tenants, particularly against retaliation involving law enforcement

Because without enforcement, rent stabilization is not protection. It is a promise that is not being upheld.

As a researcher, I also want to emphasize that there is strong opportunity to partner with community-based organizations to better document and address these patterns, ensuring policy responses are grounded in both data and lived experience.

No tenant should have to endure systemic harassment, fear, and displacement while waiting for help.

Thank you for the opportunity to testify.

Dr. Tabitha Julien MPH, PhD

www.TabithaJulien.com

TabithaJulien@gmail.com

NYC Council Intro 0839-2026
Housing and Buildings Committee - 20 April 2026 - Testimony
Thomas Dukleth

Thomas Dukleth, resident at 109 E 9th Street, Manhattan.

I raise some difficulties from the experience which residents have endured in the building in which I live. 109 E 9th Street is an SRO, one of the types of buildings for which Certification of No Harassment [CONH] program was created. We have endured harassment; followed by the landlord's CONH application over which our landlord coerced us into cooperating with the application; and ongoing problems since CONH suspension and extraordinary rescission following a finding of harassment, at Office of Administrative Tribunals and Hearings [OATH] court after a trial lasting several months.

1. CONH Utility.

The CONH program can provide some useful check against some bad practises. In the absence of checks such as the CONH program, it is all too easy for a landlord's concentration wealth and power to overrun even tenants with moderate income and drive them out before they understand what is really happening.

2. Responding to Harassment.

Tenants almost never want to confront landlord harassment. A fundamental principle of evolution and economics is that assuming a cooperative stance is an optimal strategy. Yet, the cooperative always strategy is a losing strategy against a determined aggressor.

What starts as a systematic practise of withholding heat and repeatedly neglecting vital repairs can escalate. Tenants need to be informed of common forms of harassment and their protections against retaliation for properly reporting complaints when landlords fail to meet their most basic obligations and protection from retaliation must be effective.

2.1. Complaint and Violation Process.

2.1.1. Signage Rule.

An entryway signage rule should be considered to direct tenants to information about how to recognise and report harassment, and protections for doing so.

NYC Council Intro 0839-2026
Housing and Buildings Committee - 20 April 2026 - Testimony
Thomas Dukleth

2.1.2. Complaint Process.

Complaints need to allow some free form text for when dropdown forms are inadequate to describe a problem attempting to be reported. HPD complaint forms are particularly problematic in not allowing important complaints to be filed merely because the dropdown field does not provide a means to properly identify the location or nature of the problem.

2.1.3. Access Needed.

Inspectors should be able to gain access in due course of time and not merely close complaints for landlord refusal to provide access.

2.1.4. Inspection Effectiveness.

Effective protection for tenants should not have some complaint or violation inspectors presumptively giving landlords the benefit of doubt despite evident problems. Tenants have almost always exhausted the cooperative approach when they have finally made complaints. Some inspectors presuming that tenants generally overstate complaints and that landlords should not be bothered by complaints relating to fundamental building functions simply ignore the real world, and sadly I have met some repeatedly.

2.1.5. Obvious Violations Not Upheld.

Landlords should not have blanket allowance to self-certify curing violations especially when they have a problematic pattern of complaints or suspicion of harassment.

Tenants should have some means of providing information to violation hearings. Landlords all too easily act with impunity for having violations repeatedly dismissed for being given the benefit of doubt when falsely claiming that violations have been cured or never actually existed in the first place.

2.1.6. Violation Enforcement.

Outstanding violations should have enforcement. There should be no presumption that landlords are above enforcement for ignoring violations.

NYC Council Intro 0839-2026
Housing and Buildings Committee - 20 April 2026 - Testimony
Thomas Dukleth

2.2. Harassment Escalation.

It is generally too late to stop landlords by the time they move on from no heat to removing essential facilities; such as destroying housing units, toilets and showers which everyone needs to share, and the only kitchen in the building which everyone needs to share. In the experience of the building where I live, CONH law has not prevented improper actions by landlords for which improper action should have required a CONH. CONH law is merely a legal check on the legal process for landlords following the law instead of a more common practise of mere pretence at following the law if they even bother with pretence.

3. CONH Application Investigation.

Tenants in my building had been coerced into cooperating with the landlord's CONH application after impermissible removal of essential facilities as the claimed only route to restore facilities which could never have been removed in the first place.

The few public interest attorneys I could reach who have had experience with the CONH process do not know of any case in which the CONH was not abused. Public interest legal organisations are overwhelmed with eviction cases with the Right to Counsel program and no longer have time for staffing legal clinics to guide tenants about landlord CONH applications.

3.1. Notices for CONH Application Investigation.

The CONH application process should be accompanied by notices posted in common areas and individually distributed to tenants guiding tenants to resources describing the function and the risks of the landlord having a CONH; and how to effectively allow or oppose a CONH which will be recognised by the CONH issuing agency. Risks identified should include how to discover real world information about what landlords can do and have done to undermine tenant protections after being granted a CONH.

3.2. Training for CONH Application Investigators.

CONH application investigators enquiring with tenants should have training about recognising tenant intimidation and coercion and acting appropriately in such cases.

NYC Council Intro 0839-2026
Housing and Buildings Committee - 20 April 2026 - Testimony
Thomas Dukleth

4. Post CONH Harassment.

Tenants in the building where I live experienced accelerated efforts to drive us out of the building after the landlord was granted a CONH. We experienced attempts to subtly scare us out; repeated attempts to urge DOB into issuing an order to vacate us; unpermitted demolition throughout the building; continued neglect of essential maintenance; threats of eviction and court cases started without proper foundation; etc.

CONH suspension and rescission is possible despite the rarity of its use. Processes which avoid mistakenly granting a CONH in the first place would be better than ever having to use the suspension or rescission process.

5. Problems Without CONH Use.

There are problems about repairs which rescission of CONH has left tenants in the building in which I live, landlord, and DOB contending about a process to provide for repairs in a regulatory compliant manner without giving a harassing landlord unlimited license to abuse tenants. The landlord has continued to harass tenants with or without a CONH.

5.1. Difficulty of Some Repairs without CONH.

When the landlord has impermissably destroyed housing units and essential facilities without a CONH, there should be some process for restoring those facilities without granting a CONH. Granting a CONH for harassing destruction would be rewarding the landlord for that destruction for which we regret having previously been coerced into being cooperative.

There is no obvious resolution yet for the impasse with DOB rules over some types of repairs and lack of a CONH. HPD legal has the position that at least what has been impermissably destroyed without a CONH can be restored without a CONH. The landlord pushes for a CONH to resolve the impasse for the landlord's own improper motives of abusing tenants with a CONH. Granting the blanket power of a CONH to a landlord found to be harassing as a remedy to a DOB rules impasse is an obvious problem.

s

In considering possible resolutions for impasses over DOB rules and some repairs, City Council should be cautioned against opening a loophole for abuse of the CONH process. A possible resolution might involve a very limited exemption with a carefully constrained contract to which all parties agree but the law may not allow for such contracts. Changing the law to provide for an exception could too easily make any CONH protections meaningless.

NYC Council Intro 0839-2026
Housing and Buildings Committee - 20 April 2026 - Testimony
Thomas Dukleth

6. Housing Security.

Some schemes for housing security, such as CONH, are essential for the healthy functioning of any local economy in a world where housing supply exceeds demand because of the already natural monopoly created by a finite local resource. The problem of that natural monopoly is enormous whether the market is regulated or not and merely becomes worse without regulation.

7. Contact.

Please contact tenant association advocates at Cooper Square Committee and legal representatives TakeRoot Justice and other such organisations for more information.

Anna Baker-Heans
tenant organizer
Cooper Square Committee
61 East 4th Street, 1st Floor
New York, NY 10003
Telephone: (212) 228-8210
Fax: (646) 602-2260
annab AT coopersquare.org

Jenny Akchin
[currently on sabbatical with Michael Grinthal standing in
but contact Anna at Cooper Square Committee currently]
attorney
TakeRoot Justice
123 William Street
Suite 401, New York, NY 10038
(212) 810-6744

My name is Zachary Hall, I am a tenant in an SRO building that until recently had a CONH.

CONH programs help protect tenants from predatory landlords by ensuring they cannot obtain permits or drastically alter their buildings if they are engaging in harassing conduct. I believe that CONH programs are an important tool not just for SRO buildings but also other forms of affordable housing. I feel the CONH program should be expanded and redesigned to further protect tenants that have affordable housing.

This program protected me and other tenants in my building from having our homes taken from us by the landlord. To my mind, the person who bought our building five years ago had a predatory intention. Because I am an SRO tenant I rent a private room but share common area facilities with my neighbors in the building, like showers, toilets, and kitchen. When our landlord purchased our building he removed two of our shared toilets, 1 of our showers, and the building's only kitchen. He told us he did this to cure an old DOB violation and that he needed to secure a CONH to restore the shared facilities. At the time he applied for the CONH I wasn't aware this conduct counted as harassment. I was under the impression that harassment was in the more common sense of the word.

After he secured the CONH the landlord started doing construction on vacant units in the building, but did not restore our shared facilities, and he started trying to convince my neighbors and I to move out. We became concerned that the landlord might be trying to displace us.

After months of organizing with my neighbors and diligent communication with HPD about the issues we were facing HPD found probable cause for harassment and initiated a case in the Office of Administrative Trials and Hearings to rescind the building's CONH. During the trial the OATH judge concluded that the landlord provided no credible evidence that he removed our essential services to clear a DOB violation, even when the landlord was supposed to prove it in court. The judge concluded that tenant harassment had occurred by the landlord and the building's CONH was rescinded which means that our landlord can no longer pursue redeveloping our building until for at least 3 years after which he will be eligible to apply for a CONH again.

One way I think the CONH program can be improved is by helping ensure NYC tenants are better informed of the various forms of tenant harassment that can occur. There are a vast array of tactics and loopholes that new landlords can use to pressure long standing tenants with affordable rents. In fact, I have seen multiple websites that

reference the CONH as just a mere formality to acquire in the pursuit to redevelop a building.

Had we been better informed by the city and the CONH program about all the possible forms of harassment we may have been able to prevent the landlord from receiving a CONH in the first place. However the CONH program still protected us in the long run by creating important checks and balances that help protect tenants.

I hope that you will vote to make the CONH program permanent, and if anything, figure out

methods to expand it. I hope you can also find ways for tenants to be made better aware of their rights, and help them identify and understand the true meaning of what constitutes tenant harassment.

Thank you.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: IBRAHIM RAMOUL

Address: [REDACTED] BK, NY 11237

I represent: Make the Road New York

Address: 872 4th ST 2R BK NY 11274

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20/26

(PLEASE PRINT)

Name: Katie Anderson

Address: 100 Pearl St 19th Flr NY NY 10004

I represent: New York Legal Assistance Group

Address: 100 Pearl St 19th Flr NY NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0839 Res. No. _____

in favor in opposition

Date: 4-20-26

(PLEASE PRINT)

Name: Sebastian Perez

Address: 2090 7th Ave 3rd Fl, NY, NY 10027

I represent: The Legal Aid Society

Address: 2090 7th Ave 3rd Fl, NY, NY 10027

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

Name: Zachary Hall (PLEASE PRINT)

Address: _____ NY, NY 10003

I represent: Myself

Address: _____ NY, NY 10003

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2026-1705 Res. No. _____

in favor in opposition

Date: 4/20/26

Name: Divya Korade (PLEASE PRINT)

Address: 70 Rector St. Fl. 9, New York, New York 10006

I represent: Urban Justice Center - Safety Net Project

Address: 70 Rector St. Fl. 9, New York, New York 10006

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0839-2026 Res. No. _____

in favor in opposition

Date: 4/20/2026

Name: Peter Estes (PLEASE PRINT)

Address: _____ Brooklyn, NY 11216

I represent: ANHD

Address: 50 Broad Street, Suite 1501

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Momodou Niang

Address: _____

I represent: Myself

Address: 4/20/2026

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20

(PLEASE PRINT)

Name: DERICK GOMEZ

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20

(PLEASE PRINT)

Name: LORENA LUCERO

Address: DERICK GOMEZ

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20

(PLEASE PRINT)

Name: TANAYA SRIOS

Address: LURENA LUCERO

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20

(PLEASE PRINT)

Name: TERESA ANTONIO SANTIAGO

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20

(PLEASE PRINT)

Name: SALVATORE AGOSTINO

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Van Xelo

Address: [Redacted] Brooklyn, NY 11220

I represent: Mixteca

Address: 245 23rd St. Brooklyn, NY 11215

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20/26

(PLEASE PRINT)

Name: AMAR Pieng

Address: _____

I represent: _____

Address: [Redacted]

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20/26

(PLEASE PRINT)

Name: CHEIKH DIAW

Address: [Redacted] Lexington AV

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

4/20/26

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

Date: _____

(PLEASE PRINT)

Name: Anna Baker Hains on Behalf of Shiras Beckwith

Address: _____

I represent: Cooper Square Committee

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: MIERNO NDIAYE

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: 4/20/26

(PLEASE PRINT)

Name: MAMADOU NIANG

Address: _____

I represent: _____

Address: _____



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



**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20/26

(PLEASE PRINT)

Name: GORA NDIAYE

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20/26

(PLEASE PRINT)

Name: MODOU DIOP DIOP

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms
**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20/26

(PLEASE PRINT)

Name: ALPHA BALDE

Address: _____

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: 04/20/2016

(PLEASE PRINT)
Name: IBRAHIMA KEKODE

Address: [REDACTED] DANOR AV

I represent: _____

Address: _____

Interpret

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: _____

(PLEASE PRINT)
Name: Abdou Tall

Address: _____

I represent: _____

Address: _____

interpret

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: _____

(PLEASE PRINT)
Name: POPAMAMA THIENG

Address: [REDACTED] ROSEDALE

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: RUIHRA LUBEGA

Address: 10ngislandcity QUEENS

I represent: TRANSgender marginal ISSUES

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MOUSTPHA KANE

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Mdeya Sive Mduka

Address: _____

I represent: _____

Address: _____

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

interpret

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Ibrahima Diallo

Address: _____

I represent: _____

Address: _____

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

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 838 Res. No. _____
 in favor in opposition

Date: 28 April 2026

(PLEASE PRINT)

Name: Thomas Duklett

Address: _____

I represent: myself

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/20/26

(PLEASE PRINT)

Name: SERIGNE FAYE

Address: _____

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Amadou Ly

Address: _____

I represent: _____

Address: _____

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

*Wants
to go
last if
possible*