

**NEW YORK CITY COUNCIL
Committee on Housing and Buildings**

Proposed Bill to Amend the Administrative Code of the City of New York: Carbon Monoxide Alarms

**Testimony of Lt. Anthony Mancuso
New York City Fire Department, Bureau of Fire Safety Education**

December 13, 2011

Good afternoon, Chairman Dilan and members of the Council. I am Lt. Anthony Mancuso with the Bureau of Fire Safety Education at the New York City Fire Department. With me today is Assistant Commissioner James Colgate of the Department of Buildings (DOB) who will be available to answer questions at the conclusion of my testimony.

Thank you for the opportunity to speak with you today about a very important bill that amends the New York City Administrative Code to require owners to replace required Carbon Monoxide (CO) alarms when they exceed the manufacturer's suggested useful life and, significantly, also requires newly installed alarms be equipped with an audible "end of life" warning device. Existing CO alarms would be replaced the later of the manufacturer's suggested useful life or six months following enactment of this legislation.

In addition, the bill clarifies owners' and tenants' responsibilities: owners would now be required to inform tenants of an owner's duty to replace expired alarms and tenants would be required to reimburse owners for such replacement in the same manner as for newly installed alarms.

As you may be aware, Local Law 7 of 2004 mandated the installation of CO alarms in dwelling units in New York City. At that time, the industry average for a CO alarm's useful life was six years from the date of installation and most CO alarms did not have an audible end-of-life warning chirp. As a result, there was growing concern that alarms installed pursuant to that law would no longer be functioning properly if they have not been replaced during the seven years since that Local Law was enacted. Moreover,

without an end-of-life warning device, people with those expired CO alarms would be unaware that the alarms in their home were no longer functioning,

This legislation addresses these concerns. Accordingly, the Mayor urges the earliest possible favorable consideration of this legislation.

The Fire Department in particular supports this legislation for a number of reasons.

Carbon monoxide is a colorless, odorless, tasteless and non-irritating toxic gas. Sometimes called the “silent killer”, it is completely undetectable by human senses. As a result, hundreds of people are killed each year nationwide by accidental CO poisoning, and thousands are permanently injured. The risk of CO poisoning increases in the winter months in particular, when well-insulated, air-tight homes and malfunctioning heating equipment can produce dangerously high, and potentially deadly, concentrations of CO.

The Fire Department believes that our first line of defense is prevention: prevent or minimize the potential for exposure to CO gas by:

- (a) having your home-heating systems, fuel-burning appliances, flues and chimneys inspected, cleaned and serviced annually by qualified technicians;
- (b) refraining from using ovens and gas ranges to heat your home;
- (c) not burning charcoal inside your home; and
- (d) never idling your car inside a garage.

Our Fire Safety Education teams are constantly getting the word out to the public about these measures.

The second line of defense against the dangers of CO is a CO alarm. We know from experience that properly installed and working CO alarms can provide an early warning of the presence of CO, allowing sufficient time for occupants to either escape or take appropriate action, before the deadly gas can build up to dangerous levels.

By requiring non-working alarms to be replaced, and by requiring newly installed alarms to be equipped with audible end-of-life warning signals, the proposed legislation will ensure that lives will be saved and we fully support its enactment.

Please keep in mind that the Fire Department distributes thousands of donated smoke alarms each year to the public. We rely on the generosity of manufacturers and retailers of these alarms to carry out this program. In order to help facilitate compliance and awareness, we would like to distribute CO alarms as well, but they are ordinarily more costly than smoke detectors. If the City Council is interested in allocating any of its discretionary funds to help us in our efforts, the FDNY would very happily accept donations of CO alarms, or allocations from the Council to purchase them.

Again, I thank you for the opportunity to speak with you today about the proposed legislation.

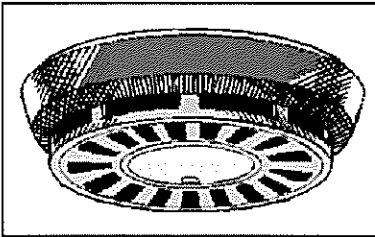


Fire Department, City of New York
FIRE SAFETY EDUCATION

Michael R. Bloomberg, Mayor
Salvatore J. Cassano, Commissioner

**SMOKE &
CARBON MONOXIDE
ALARMS**

**WILL YOUR SMOKE ALARM WAKE YOU AND YOUR FAMILY
IN THE MIDDLE OF THE NIGHT?**



Most fire deaths occur in the middle of the night. A smoke alarm is the single most valuable lifesaving device you can have in your home.

An operable smoke alarm will reduce your chances of dying in a fire, nearly in half.

Smoke alarms are designed to detect and warn that silent, but deadly smoke is in the air. The early warning will wake you and your family, allowing time to implement your fire escape plan.

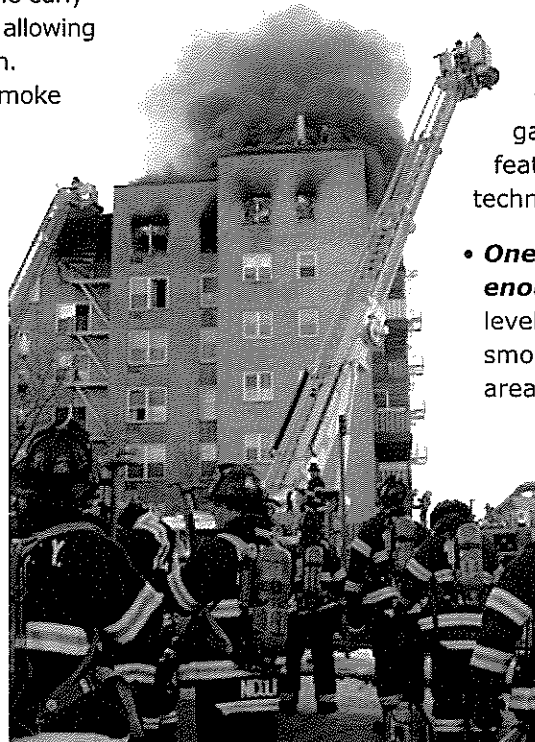
While 97 out of 100 homes have a smoke alarm, more than 33 percent of these homes are unprotected **because the smoke alarms don't work.**

When a smoke alarm fails to work, it is frequently because the batteries are missing. People often remove or disconnect batteries to prevent nuisance activation caused by bathroom steam or cooking vapors.

Disabled smoke alarms endanger your family, as well as your neighbors.

How to Protect Yourself, Your Family and Your Neighbors

- Install smoke alarms that have the Underwriters Laboratories (**UL**) **Mark**. The (**UL**) **Mark** tells you that the alarm has been evaluated according to nationally recognized safety requirements.
- There are two kinds of smoke alarms, **photoelectric and ionization**. Both are suitable for use in your home. The **photoelectric** alarms are the most reliable for smoldering fires, which may occur in bedrooms or sitting rooms. The **ionization** alarms are the most reliable for detecting flaming fires, which may occur in the kitchen or garage. Combination smoke alarms featuring both photoelectric and ionization technology also are available.
- **One smoke alarm in the home is not enough.** Install a smoke alarm on every level, including the basement. Place a smoke alarm within 15 feet of all sleeping areas. For added safety, install a smoke alarm in every room where people sleep.
- Smoke alarms should be installed on the ceiling, preferably in the center of the room, but not less than 4 inches from a wall. If the smoke alarm is installed on a wall, it must be placed between 4 and 12 inches from the ceiling.



SMOKE ALARMS SAVE LIVES

CARBON MONOXIDE ALARMS SAVE LIVES

SMOKE ALARMS SAVE LIVES

A Public Fire Safety Message From The New York City Fire Department

**FD
NY**

YOUR SAFETY IS OUR MISSION

PROUDLY SERVING NEW YORK SINCE 1865



- **Make sure everyone in your home can recognize and be awakened by the sound of the smoke alarm.**

Some children and the elderly may not readily awake to the sound of the smoke alarm. Consider installing interconnected smoke alarms so that when one alarm senses smoke and sounds, they are all triggered throughout your home. Installing an alarm in each bedroom increases each person's proximity to a sounding device. If someone in your home has a hearing loss, consider complementing your smoke alarms with a 520Hz bedside fire alarm and bedshaker device and a high density (visual) strobe light.

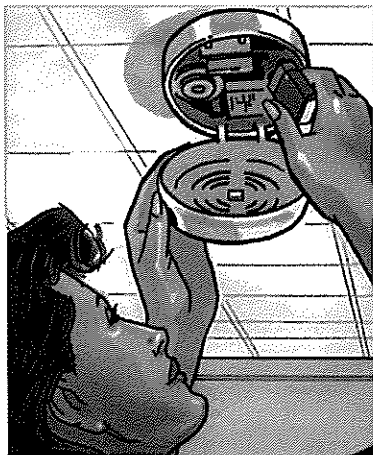
Nuisance Alarms

Smoke alarms frequently are set off by bathroom steam or cooking vapors. **Rather than take the battery out of your alarm, do the following:**

- Quiet the alarm by pushing the "HUSH" button, if equipped.
- Open windows and turn on vent fans to clear the air.
- Consider relocating the alarm farther away from the cooking area or bathroom.
- Consider installing a photoelectric or combination photoelectric/ ionization type alarm. The photoelectric and combination type alarms are less sensitive to cooking smoke.

KEEP YOUR SMOKE ALARM WORKING!

IT IS UP TO YOU TO MAKE SURE YOUR SMOKE ALARM WILL PROVIDE A LIFESAVING EARLY WARNING IN THE EVENT OF A FIRE.



CO

THE S!

Carbon monoxide (CO) is a colorless, odorless, tasteless and toxic gas. Nicknamed "**the silent killer**", carbon monoxide is totally undetectable by human senses. Hundreds of people are killed in their home each year by accidental carbon monoxide poisoning and thousands are permanently injured.

Since carbon monoxide is a by-product of incomplete combustion, any fuel-burning appliance, vehicle or tool that is inadequately vented or maintained can be a **potential source** of carbon monoxide gas. Examples of fuel-burning equipment include:

- Fuel fired furnaces
- **Gas fueled space heaters***
- Gas ranges and ovens
- Gas clothes dryers
- Charcoal grills
- Gas water heaters
- Wood burning fireplaces and stoves
- Gas fireplaces, both vented and ventless
- Gas lawnmowers and power tools
- Automobiles

***The use of kerosene or propane space heaters is strictly prohibited in NYC.**

People are at an increased risk of carbon monoxide poisoning during the winter months. Well-insulated, airtight homes (primarily newer construction) and **malfunctioning** heating equipment can produce dangerously high and potentially deadly concentrations of carbon monoxide.

Why is Carbon Monoxide Dangerous?

If there is carbon monoxide in the air you breathe, it will enter your blood system the same way oxygen does, through your lungs. The carbon monoxide displaces the oxygen in your blood, depriving your body of oxygen. When the carbon monoxide displaces enough oxygen, you suffocate.

WHAT ARE THE SYMPTOMS OF CARBON MONOXIDE POISONING?

Long-term exposure to **low concentrations** of carbon monoxide can gradually build up in the blood causing flu-like symptoms such as headaches, fatigue, nausea and drowsiness.

Since the symptoms of carbon monoxide poisoning are so common, and often misdiagnosed, carbon monoxide poisoning should be suspected if **more than one member** of the family feels ill and if they recover after being away from the home for a period of time. Also, illness in your pets preceding illness in a family member may suggest carbon monoxide poisoning.

Exposure to **high concentrations** of carbon monoxide will cause throbbing headaches, breathing difficulties, confusion and loss of consciousness, cardiac problems and/or death.

CARBON MONOXIDE ALARMS SAVE LIVES!

ENT KILLER, CARBON MONOXIDE!

WHO IS AT GREATER RISK?

People may react differently to carbon monoxide exposure. Those particularly sensitive are:

- Senior citizens
- Infants
- Young children
- Pregnant women
- People with breathing or heart problems

The First Line of Defense is Prevention

Your first line of defense is to prevent or minimize the potential for exposure to carbon monoxide gas.

- Have your home-heating systems, fuel-burning appliances, flues and chimneys inspected, cleaned and tuned up annually by a qualified technician.
- Make regular visual inspections of fuel-burning appliances such as your gas dryer and hot water heater.
- Do not burn charcoal inside a home, cabin or camper.
- Do not operate gasoline-powered engines (generators, cutting saws) in confined areas such as garages or basements.
- Do not idle your car inside the garage.
- During and after a snowstorm, make sure vents for the gas dryer, furnace, stove and fireplace are clear of snow build-up.
- Never use gas ovens and ranges to heat your home!

The Second Line of Defense is a Carbon Monoxide Detector Alarm

Your second line of defense is to purchase and install a carbon monoxide detector alarm. A properly working carbon monoxide detector alarm can provide an early warning, before deadly gases build up to dangerous levels.

Effective November 2004, New York City law requires that every dwelling unit, including one and two family homes and multiple dwellings be equipped with carbon monoxide detector alarms. The law is known as Local Law # 7 of 2004 and applies to both new and existing dwellings.

This life safety legislation:

- Requires that CO detector alarms have the Underwriters Laboratories (**UL**) Mark, complying with the requirements outlined in Standard UL-2034.
- Requires that existing dwellings install CO detector alarms that operate on batteries alone or on household electric by a plug-in type with a battery backup, or are hard-wired to your household electric with a battery back-up.

- Permits combination smoke and carbon monoxide detector alarms.
- Requires that CO detector alarms be installed within 15 feet of the primary entrance to all rooms used for sleeping purposes.

Note: If you intend to install a combination smoke and carbon monoxide detector alarm to replace your existing hard-wired smoke alarm, the combination detector alarm must be hard-wired.

In addition to complying with the requirements of Local Law # 7, further protect your family by installing a CO detector alarm:

- On each floor of your home.
- In bedrooms or sleeping areas if you sleep with closed doors.
- In the area of any fuel-burning appliance (more than five feet away) such as a furnace or water heater.
- With a digital display that indicates the CO level.
- These additional installations will ensure rapid detection of any potentially malfunctioning appliance.

However, **do not install** a CO detector alarm:

- Near ceiling fans.
- In bathrooms or other rooms with long term exposure to steam and humidity.
- In kitchens or within 5 ft of any cooking appliance.

Carbon Monoxide Detector Alarm



Installing a carbon monoxide detector alarm does not eliminate the need for a smoke alarm in your home. Carbon monoxide detector alarms do not sense smoke and smoke alarms do not sense carbon monoxide gas.

CARBON MONOXIDE ALARMS SAVE LIVES!

What Should I do When My Carbon Monoxide Detector Alarm Goes Off?

If your alarm sounds, first and foremost, **STAY CALM**. Most situations resulting in activation of a carbon monoxide detector alarm are not life threatening, but an early warning of a potential problem. Carbon monoxide alarms are designed to sound before there is an immediate life threat. The alarm will also sound when the battery is low or the unit is malfunctioning.

FOR YOUR OWN PEACE OF MIND AND SAFETY YOU SHOULD FAMILIARIZE YOURSELF AND FAMILY MEMBERS WITH THE ALARM SOUND PATTERNS:

A LOW BATTERY or malfunction signal or warning will be a SINGLE "CHIRP " every 30 to 60 seconds. On some models there may also be a visual indicator, typically a flashing red light labeled Battery or Service.

A CO ALARM will sound a PATTERN of FOUR SHORT BEEPS every 5 seconds. There is also a red flashing light on the face of the unit when CO has been detected.

IF THE CO ALARM IS ACTIVATED:

- Silence the alarm by pushing the reset/silence button.
- Ventilate the house or dwelling space by opening the windows.
- Check to see if any members of the household are experiencing flu-like symptoms.
- **Call 911 and evacuate the household to a safe location.**

When calling 911, be prepared to provide the following information:

- Your address.
- Whether anyone in the household is feeling ill with flulike symptoms.
- The CO level reading on the detector, if equipped with digital display.

If your CO alarm reactivates within a 24-hour period, call 911 and move to fresh air. The source of the CO will need to be further investigated. Contact a qualified appliance technician to inspect all your fuel burning equipment and appliances for possible malfunction.

Exposure to the vapors of the following household substances may cause your CO alarm to sound falsely. Be sure to store and use these substances away from your carbon monoxide detector alarm or in a well-ventilated space. Paints and paint thinners, adhesives, hair spray, strong perfumes, plug-in and aerosol air fresheners and household cleaning solvents with strong odors such as pine.

Ventless Gas Fireplaces

Gas fireplaces are gaining in popularity based on their low cost, convenience and relative ease of installation. **Ventless or vent free** gas fireplaces are not vented to pipes or chimneys. The burned gases including carbon monoxide are put into the circulation of the air within your home.

BASED UPON THE HEALTH RISKS ASSOCIATED WITH THE USE OF VENTLESS GAS FIREPLACES, THEIR INSTALLATION IS ILLEGAL IN NYC.

How To MAINTAIN Your SMOKE AND CARBON MONOXIDE DETECTOR ALARMS

TEST THE ALARMS (alarms have test buttons) at least once a month, even if your alarm uses a long-life battery or is powered by household electricity.

REPLACE BATTERIES TWICE A YEAR, in the spring and the fall when clocks are changed for daylight saving time. **(Change Your Clock, Change Your Battery.)**

A "chirping" sound from the alarm is a warning that the battery is low. **REPLACE THE BATTERY** immediately.

- Never paint over alarms.
- Clean your alarms regularly by dusting or vacuuming.
- Replace smoke alarms at least every 10 years.
- Replace carbon monoxide detector alarms every 5 to 7 years.

The sole function of smoke and carbon monoxide detector alarms are to sound a warning.

Develop and practice an escape plan to use this precious time.

CARBON MONOXIDE ALARMS SAVE LIVES!



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**Statement of Kathleen McGee
Office of Special Enforcement
Office of the Criminal Justice Coordinator
New York City Council
Committee on Housing and Buildings
December 13, 2011**

Good afternoon, Chairman Dilan and members of the Committee on Housing and Buildings. My name is Kathleen McGee and I am the Director of the Mayor's Office of Special Enforcement. Thank you for the opportunity to be heard today.

In November 2006, the Mayor created the Office of Special Enforcement (OSE) by expanding the former Office of Midtown Enforcement. OSE was given expanded, citywide jurisdiction to enhance and coordinate enforcement efforts across City agencies in order to address quality of life issues in all five boroughs, including the illegal conversion of residential buildings into hotels. The proliferation of these illegal hotels was first brought to the attention of the Administration in April 2006 by the Illegal Hotels Working Group, whose members include several sponsors of Intro 404 including Councilmembers Brewer and Mendez, as well as Councilmembers Garodnick, Dickens, and Gerson; State Senators Krueger and Duane; and Assemblymembers Gottfried, Rosenthal, and Glick.

Beginning in the fall of 2006, OSE began handling complaints regarding illegal hotels as part of the City's enhanced enforcement strategy in an effort to facilitate an effective response to this emerging problem. OSE works in partnership with the Department of Buildings (DOB) by investigating complaints of illegal hotels. Those complaints can come from many sources, including calls to 311, letters and emails from members of the public and communications from elected officials and community groups. Regardless of the source, OSE arranges for an inspection team to visit the premises and attempts to determine whether a violation exists. If it is determined that a violation exists, the appropriate enforcement is taken, which can include issuing DOB violations and Environmental Control Board (ECB) Notices of Violation (NOV). OSE also issues Fire Department and Department of Health violations, where appropriate. When an ECB NOV is issued, we refer these cases to the DOB Administrative Enforcement Unit for prosecution.

The problem of residential buildings being improperly used as illegal hotels is of significant concern to the Administration and we have taken an aggressive stance against them. Converting residential units designated for permanent occupancy for use by transient guests creates serious problems for permanent residents: it limits the supply of available housing – particularly rent-regulated and low-income housing, creates unsafe conditions, diverts services intended for permanent residents to transient guests, and harms the character of residential neighborhoods.

In addition to the on-ground investigation and enforcement of illegal hotel complaints, OSE worked over the past two years with DOB, the Law Department, City Planning and Housing Preservation and Development to craft legislation that clarified the terms of transient occupancy for more effective enforcement against illegal hotels. This legislation was signed by

Governor Paterson in July 2010 and went into effect on May 1st of this year. This legislation clarified a previously grey area in the law regarding definitions of permanent and transient occupancy, enhancing our ability to enforce against illegal hotel use. Additionally, the City's affirmative civil action against property owners of 3 SRO's on West 94th and 95th Streets ("330 Continental case"), commenced in 2007, settled in Supreme Court just a few weeks ago and the terms of the settlement permanently enjoins the owners from operating the premises as illegal hotels.

Despite the success of our enforcement efforts to date, there are still ways the law can be improved so that our efforts could be more effective. Specifically the level of penalties that currently exist for illegal hotel violations should be increased. I appreciate the opportunity today to focus on this topic and state the Administration's support for Intro 404.

Under current law, the penalties imposed by ECB for improperly using residential buildings as illegal hotels may not even amount to a slap on the wrist. Intro 404 addresses the issue of inadequate penalties by clarifying the circumstances under which such violations will be issued in a separate section of the code and mandating that violations involving more than one unit in a building and repeat violations must be classified as immediately hazardous violations. The minimum civil penalty for an immediately hazardous violation is one thousand dollars and the maximum is twenty five thousand dollars. However that is not all. Additional penalties for immediately hazardous violations may also be imposed of up to one thousand dollars for each day the violation continues until it is certified as corrected. These mandatory penalties evidence the City's recognition of the seriousness of these violations. We also support the language in the bill that makes it clear that no physical change in the dwelling unit need be observed for it to be deemed converted from permanent to transient. We have a few technical suggestions regarding the language of the bill and will be happy to work with the Council to address these issues. We applaud the Council for taking this important step toward addressing the issue of illegal hotels.

I'll be happy to take your questions.

LIZ KRUEGER
SENATOR, 26TH DISTRICT

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Testimony of State Senator Liz Krueger
Before the New York City Council Committee on Housing and Buildings
Regarding Intro 404 to Increase the Fines Levels for Illegal Hotel Violations
December 13, 2011

My name is Liz Krueger and I represent the 26th Senate District, which includes the East Side and Midtown areas of Manhattan. I want to thank Chairperson Erik Martin Dilan and the members of the City Council Housing and Buildings Committee for providing me with the opportunity to testify today in support of Intro 404, which I believe is a critically important piece of legislation.

The proliferation of illegal hotel operations has removed thousands of affordable apartments from an already tight housing market, disrupted the lives countless permanent residents who live in the buildings where the illegal hotels are operating, decreased the revenue the City receives from hotel taxes, and ruined many tourists' visits in New York. The internet has made it easier than ever to advertise illegal hotels, which are residential units that are designated under the New York State Multiple Dwelling Law and City zoning rules as permanent residences but are improperly used as transient hotel rooms. Even a brief search of the internet reveals hundreds of advertisements for illegal hotels. Housing advocates estimate that there are many thousands of these units being operated in more than 300 buildings across New York City, primarily in Manhattan and North Brooklyn but increasingly in other areas as well. Building owners and third party managers convert residential units, the majority of which are located in buildings with rent-regulated and Single Room Occupancy tenants, into illegal hotel units in order to make more money on the apartments than the law allows.

Permanent residents living in buildings with illegal hotels regularly report significant increases in noise, harassment and crime, and decreases in building-wide services. Residents are frequently extremely concerned that the safety of their buildings is undermined by strangers coming and going from their buildings at all hours. Because illegal hotels do not comply with applicable fire and safety laws that are required for buildings used for transient occupants, they pose a serious threat to the safety of building residents, tourists, and any first responders who are called in to deal with emergencies. Tourists who sign up to stay in illegal hotels through various websites are generally not aware that the units do not conform to fire and building safety standards, and are often distressed to find that their accommodations are cramped, illegal, and do not provide hotel services. When tourists have bad experiences in illegal hotels, New York City's

international reputation as a tourist and business destination is harmed. In fact, just this week my office received a complaint from a visitor from Virginia who paid more than \$2,500 to stay in what turned out to be an unsanitary and unsafe illegal hotel unit that she found via the internet this past summer.

I have been working to understand and address the problems caused by the exponential growth of the illegal hotel industry ever since I started receiving large number of complaints from constituents in my district office more than six years ago. After discovering that many of my colleagues in the City Council and State Legislature were receiving similar complaints from their constituents, I, along with City Councilmember Gale Brewer and Assemblymember Dick Gottfried, formed an Illegal Hotel Taskforce which grew to include dozens of City and State elected officials, neighborhood organizations, and housing advocates. Over the next few years, the Taskforce held countless meetings with City and State agencies and hosted multiple town hall meetings across the City with hundreds of residents directly affected by illegal hotels operating in their buildings. These meetings enabled us to fully grasp the scope of the problem, determine why enforcement was so difficult, and figure out what legislative and/or regulatory changes were necessary.

Throughout this process the City's Office of Special Enforcement (OSE), along with the City Departments of Buildings and Housing Preservation and Development, provided invaluable input on what prevented City agencies from cracking down on illegal hotels and the types of legislative changes that would be necessary to empower the agencies to conduct effective enforcement. Two sets of problems were ultimately identified as those which needed to be remedied through legislation:

- there were conflicting definitions of the term "permanent residence" in various City and State laws, and there was a lack of clarity surrounding the number of units that had to be rented out on a transient basis in a building for a violation to exist
- the maximum fine that can be assessed for illegal hotel violations is \$800 regardless of the time and number of units being rented illegally, an amount so low that it is easily written off as a cost of doing business and so is not a deterrent to illegal activity.

In order to eliminate the first set of hindrances to the ability of the City's enforcement agencies to address illegal hotel operations, Assemblymember Gottfried and I introduced legislation (S.6873-B/A.10008-B of 2010) to clarify the ambiguities in the State Multiple Dwelling Law and the City Administrative Code. The bill, which was drafted with significant assistance from the City's enforcement agencies and was strongly supported by Mayor Bloomberg, created a single definition of "permanent residency," made it clear that all Class A multiple dwelling units must be rented by a person or household for 30 consecutive days or longer, and established that renting even a single Class A unit in a residential building for less than 30 days is illegal. After receiving strong support from City Councilmember Christine Quinn and other members of the City Council, Manhattan Borough President Scott Stringer, the *New York Times* editorial page, the Commissioner of the New York Fire Department, multiple tenant organizations, the Hotel Association of New York City, and the New York Hotel and Motel Trades Council, the bill was passed by the Senate and Assembly and signed into law by Governor David Paterson at the end of the 2010 legislative session. In the first month after the law went into effect on May 1, 2011, the OSE took action against 15 residential locations that were illegally converted into unsafe

hotels. The OSE found conditions at eight of these locations which were so imminently dangerous conditions that the agency issued full or partial vacate orders on the buildings.

The new State law removed many of the legal obstacles that prevented action against illegal hotels, and I believe that the City's OSE and other agencies are fully committed to cracking down on illegal operators. However, as long as the potential fines remain negligible, the City's enforcement agencies and Environmental Control Board (ECB) will not have the tools they need to permanently shut down existing illegal hotel operators or prevent others from opening. The passage of Intro 404 into law would finally ensure that the City has the ability to issue penalties to illegal hotel operators that are truly meaningful, and which will serve as real deterrents to those considering entering the illegal hotel business.

Intro 404 would significantly increase the fines the City can levy for the illegal conversion of permanent residential units in multiple dwellings into illegal hotel units by categorizing the conversion of more than one unit in a building, or a subsequent violation in a unit in the same building, as "immediately hazardous violations" under the City's Building Code. Adding illegal hotel violations to the list of 15 violations considered "immediately hazardous"-- a list which currently includes such violations as unlawful demolition and disobeying a stop work order-- would clearly signal the level of danger posed by illegal hotels. Classifying illegal hotel violations as "immediately hazardous" would also dramatically increase the fines that the ECB could impose from the current maximum of \$800 per violation to between \$1,000 and \$25,000 per violation (with the exact amount to be determined in each case by the ECB administrative law judge), plus an additional \$1,000 daily penalty for each day a violation is not corrected. Given the fact that many illegal hotel operators charge hundreds of dollars a night for units that could only be legally rented for a tiny fraction of that amount, it is absolutely critical for the ECB to have the power to impose substantial monetary penalties. While an illegal hotel operator who is earning \$200 a night for an apartment that can be legally rented for \$1,200 per month can easily write off an \$800 fine as the cost of doing business, the threat of a \$25,000 fine that escalates at \$1,000 per day dramatically changes the economic reality for illegal hotel operators. The threat of such significant fines would finally provide real leverage to the City's enforcement agencies and also serve as a deterrent to those currently considering entering the illegal hotel industry.

New York City's enforcement agencies need the tools provided by Intro 404 in order to effectively crack down on illegal hotel operations that are endangering public safety, taking desperately needed affordable apartments away from residents, and reducing tax revenue. I strongly urge the City Council to enact Intro 404 as quickly as possible.



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LINDA B. ROSENTHAL
Assemblymember 67th District

**TESTIMONY OF ASSEMBLYMEMBER LINDA B. ROSENTHAL BEFORE
THE NEW YORK CITY COUNCIL HOUSING AND BUILDINGS COMMITTEE
ON INTRO 404**

December 13, 2011

Good afternoon. I am Assemblymember Linda B. Rosenthal, and I represent the 67th Assembly District, which includes the Upper West Side and parts of Clinton/Hell's Kitchen in Manhattan. I am testifying today in support of Intro. 404 to amend the New York City Building Code to classify violations issued when buildings intended for residential use are illegally converted to hotel occupancy as immediately hazardous violations. The bill up for consideration by this committee would increase the penalties for each illegal hotel violation to between \$1,000 and \$25,000 and moreover adds a per-diem fine of \$1,000 for each day that the violation is not cured.

Since I took office in 2006, I have waged a tireless fight alongside tenants, advocates and other elected officials to preserve our rapidly vanishing affordable housing stock from landlords who illegally use residential apartments as hotel rooms. Residents of illegally converted buildings not only face noise, safety and quality of life concerns from a stream of unknown strangers entering and leaving buildings not equipped for such use, but also face baseless eviction themselves, as landlords seek to bloat their record profits by any means necessary. In my first term in office, I checked into the Imperial Court, a notorious illegal hotel operating in a Single Room Occupancy (SRO) building on West 79th Street, to prove that the landlord's denials of the building's use as an illegal hotel was false and to call attention to the fact that illegal hotels were overrunning my district. Rent-regulated tenants in particular depend on the protections for their tenancy and rent to make ends meet; forcing them and other tenants out of the communities in which they have lived for decades simply to provide tourists with a cheaper room than offered by legitimate hotels is completely unacceptable and diminishes this great City.

Landlords of illegal hotels, however, were protected by a provision of Building Code which required that more than half of units in residential buildings be used illegally for transient occupancy before action could be taken. This loophole allowed for flagrant misuse of residential buildings in New York City to continue unchecked. To hold landlords like Imperial Court's accountable, I co-sponsored Assembly Bill A.10008 which was signed into law in 2010 to close the legal loophole and classify illegal occupancy of residential dwellings as occupancy for less than 30 days.

After its passage, the Mayor's Office of Special Enforcement has used this law to inspect illegal hotels throughout the City and issue violations and even vacate orders in cases of serious Fire Code violation. The law is a critical tool in fighting to rid our City of illegal hotels, and we have seen some great victories since it went into effect in May. In November, three SRO buildings in my district that were illegal hotels—the Montroyal, the Continental and the Pennington—settled with the City after a long and drawn-out legal battle to pay \$600,000 for the misuse of their property and commit to returning all units to permanent, affordable housing. This settlement shows that the use of SRO buildings as hotels is indeed illegal. Furthermore, the imposition of fines of \$750 per day for each unit found to be used as an illegal hotel should serve as a warning to other operators of illegal hotels that the same punishment may be in store for them. However, landlords who run illegal hotels reap record profits and see the fines they receive for illegal hotel violations as merely the cost of doing business. Simply put, stronger penalties will deter such thinking and help show landlords that running an illegal enterprise is not an option in New York City.

The New York City Building Code places specific requirements on buildings zoned as hotels for good reason. A lack of secondary egress or sprinkler system—required in all hotels but not under residential zoning—is an inherent safety hazard. Illegal hotels also frequently have insufficient security measures to ensure that persons entering the building are residents or guests. Compounding this is the simple fact that many of these residential units are illegally converted to illegal hotel rooms without proper permits from and without amending building plans on file with the New York City Department of Buildings. Serious safety hazards frequently emerge, such as illegal, full-height partitions which are put up in converted apartments to maximize the number of customers the hotel can serve while leaving guests potentially without access to a fire escape in case of an emergency. The savings that guests of illegal hotels get comes not merely at the expense of tenants forced out of their apartments, but also at the expense of critical safety measures and oversight the building forgoes in illegally converting an apartment.

The penalty for breaking New York law should not be regarded by landlords operating illegal businesses as an operating expense or cost of doing business in New York City. We must send a clear message that operating illegal hotels not only unacceptable and illegal, but is not and will not be a viable business for our City's landlords. I will continue to fight to prevent illegal hotel owners from robbing this City of its precious affordable housing stock and forcing tenants struggling to make ends meet into homelessness. Our tenants need to see that we stand with them rather than the landlords who are exploiting them, and so I urge the Council to pass this legislation to bolster this fight and help hold landlords accountable for their actions. Thank you.



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

DEBORAH J. GLICK
Assemblymember 66TH District
New York County

CHAIR
Higher Education Committee

COMMITTEES
Environmental Conservation
Rules
Ways & Means
Governmental Operations

**Testimony of Assemblymember Deborah J. Glick
Before the NYC Council Committee on Housing and Buildings
Regarding Intro. 404**

December 13, 2011

Thank you for the opportunity to testify before you today. I strongly support Intro. 404 which would increase fines for those who attempt to illegally convert residences to hotels in New York City. I believe that these changes to the City Code would complement the Illegal Hotels Law that was enacted in May 2011 by removing the financial incentive to break the law, and expand the number of offenders who can be cited for violations. Despite the existing legislation, illegal hotel rental of residential units is still a widely unchecked practice that poses a growing threat to our housing stock and our quality of life.

In order for this measure to be successful, increased fines are not enough. We must have appropriate inspection and enforcement, but must also make sure to have systems in place to enforce fines once they are administered. The deterrent achieved through the fear of fines will quickly be eroded by a failure to collect fines. We have seen that developers easily ignore Department of Building fines associated with building violations—raking up hundreds of thousands of dollars in fines and still being able to get new permits without correcting outstanding fines. This can not be allowed to be the precedent for fines assessed to illegal hotel operators. Illegal hotel operators must fear the fine and know that the fine can not be evaded.

Even with the new legislation, the issue of illegal hotels has been a constant problem in my district. Landlords who operate illegal hotels typically rent out rent stabilized apartments for transient use, which compromises the availability of rent stabilized housing for working New Yorkers. It is important that we do not place the needs of tourists over the needs of New York's residents. As we are all aware, the availability of affordable housing in New York City has been declining steadily for many years. This situation means that seniors and mid- to low-income families have to deal with wait-lists that can be several years long, or make severe compromises to their quality of life so that they can pay the rent. The large number of rent regulated units that are now being used illegally as hotel rooms would be returned to the roster of available units.

These illegal operations also disadvantage legitimate hotels that are held to high standards of cleanliness, have requirements that must be met regarding fire and safety, and are obligated to pay hotel occupancy taxes to the city. There are those who see illegal hotels as an affordable option for tourists who might not otherwise be able to afford to visit our city, but there are already legal options available for those who cannot afford to stay in large scale chain hotels, including legally operated hostels and dorm hotels.

In addition, a rotating flow of strangers are given keys to the buildings which puts residents' safety at risk. I have heard from tenants facing disruptive transients with little or no recourse to remedy that situation short of calling the police. Moreover, I have heard from several older women in my district who report being intimidated, and in some cases threatened, by their landlords in an attempt to get them to move out of their homes so that the landlord can use them as hotel rooms and make more money at their expense.

Illegal hotel operation is a shameful practice, and we must disincentivize avaricious landlords from taking part in it in every way possible and I believe Intro. 404 takes huge steps towards making this a reality. Thank you for the opportunity to testify.



GODDARD RIVERSIDE COMMUNITY CENTER

SRO LAW PROJECT

Testimony of Marti Weithman before the New York City Council on behalf of Goddard Riverside Community Center's SRO Law Project

December 13, 2011

Thank you Council Member Dilan for the opportunity to testify today. I would also like to thank Council Member Brewer for introducing Intro 404. My name is Marti Weithman and I am the Project Director of the SRO Law Project at Goddard Riverside Community Center.

Goddard Riverside's SRO Law Project works with some of New York City's most vulnerable residents through a combination of direct legal services, community education, and organizing and advocacy services. The SRO Law Project was formed as part of Goddard Riverside Community Center in 1981 to preserve Single Room Occupancy, or SRO, housing and to protect the tenants living in this housing. Generally, SROs are one-room residential units with access to a shared bathroom and/or kitchen in the common areas of the building. The SRO Law Project provides legal and organizing support to tenants living in SROs and some apartments on the West Side of Manhattan. SROs have been a staple of the affordable housing stock for low-income residents throughout New York City for over half a century. Residents of SROs include some of the most marginalized residents in the City, including the elderly, disabled and people who otherwise would be homeless.

I am here to urge you to support Council Member Brewer's proposed legislation, Intro 404. This legislation is an essential piece in the City's enforcement of the illegal conversion of residential dwelling units into commercial hotel rooms.



To provide some context, in July 2010, Governor Paterson signed into law A.10008/S.6873, which amended the Multiple Dwelling Law in that it clarified the existing laws relating to Class A multiple dwellings, which are to be used for permanent resident purposes. Specifically, the law amended the current law by specifically defining the term “permanent resident purpose” as occupancy by a person for at least thirty (30) consecutive days. This law was the first step in stopping the illegal conversion of residential units into commercial tourist hotels. However, in order to eliminate the incentive for landlords to illegally convert their residential units and provide the City with the leverage that it needs in order to effectively enforce the law, the fines for such illegal conversions must be increased.

Intro 404 is essential in the enforcement of this law because it will provide the City with the leverage it needs to assess meaningful fines to deter such illegal conversions. Intro 404 seeks to amend two (2) different parts of the City’s Building Code:

- Illegal use of permanent residence units and buildings will be classified as an immediately hazardous violation;
- Define conversion of permanent residences to non-permanent uses as a type of “illegal conversion” within the Building Code.

Operating hotels in residential units is already illegal. However, the existing penalties for landlords who are illegally using their residential buildings for tourist rentals are insufficient and merely a cost of doing business. Current fines for operating illegal hotels are a one-time fine that landlords can recover in a single day of illegal tourist rentals. Intro 404 would help deter the illegal conversion of residential units by giving teeth to the enforcement of the existing laws. Intro 404 would provide a fine structure already set forth in the Building Code for \$1,000 - \$25,000 for an illegal conversion in addition to a per diem fine of \$1,000.

Illegal hotels have come to plague SROs for nearly the past decade. Because of their layout, SROs are conducive to being used easily as hostels for tourists. Landlords put bunk beds in SRO rooms and fill them with higher-paying international tourists. To make this profit, landlords merely have to force out the permanent, rent stabilized tenants through systematic harassment.

In addition to the increased pressures put on rent stabilized tenants living in these buildings, illegal hotels create serious safety issues not only for the permanent tenants who are living in these buildings, but also for the unsuspecting tourists. Illegal hotels create a significant reduction in the quality of life for the tenants living in these buildings and their neighbors who are subjected to a constant flow of tourists at all hours of the day and night and not knowing who their neighbors are in their own communities. Even more concerning, is that illegal hotel use deprives New Yorkers from desperately needed affordable housing.

Illegal hotels continue to proliferate in New York City despite current laws prohibiting rentals for less than thirty (30) days. In fact, landlords are quite open in their use of their residential buildings as illegal hotels by advertising on Internet-based sites such as Orbitz, Expedia, Hotels.com and Yahoo Travel as inexpensive transient accommodations available to tourists. Passing Intro 404 will send a strong message to landlords that it will no longer be lucrative to illegally rent to tourists. Intro 404 is the essential next step to eliminating illegal conversion of residential units into commercial tourist rentals.

In light of these circumstances, we strongly support Intro 404, and urge the City Council to pass it, to provide the City with the tools that it needs to stop the proliferation of the illegal use of permanent residences to commercial tourist rentals. Passing Intro 404 would be an essential

step in holding landlords accountable for such illegal conversions, which create security risks and deprive New Yorkers of much needed affordable housing.

We hope that you will pass this bill, which will help thousands of low income tenants, like our clients. Finally, we thank you for the opportunity to testify here today on behalf of Goddard Riverside's SRO Law Project.

Charles Seelig
13 East 9th Street
New York, N.Y. 10003
212-982-6039 (H)

December 12, 2011

RE: Int. No. 404, A Local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences to hotels.

To whom it may concern:

I am writing in support of this necessary amendment. I have lived at the above address for the last forty years. Since, its purchase, by the present owner, there has been a gross disregard for the rules concerning multiple dwellings in New York City. Almost immediately after purchasing the building the present owner began renting out apartments to transients.

I began having problems almost immediately with strangers in the building trying to open my apartment door because they thought it was the "garbage room", knocking on my door at all hours to make complaints about the service, asking directions and the like. I have had to put up with a particularly horrible odor coming from the next door apartment on numerous occasions from a repeat transient customer. The maids that clean up have to leave that apartment's door open to the hallway with that apartment's windows open for days afterward. I once had an English woman knock on my door at one am to complain about noise. I have a recurring leak in my living room from the bathroom of an illegally subdivided apartment on the top floor (no permit). This apartment was subdivided this last summer after the law went into effect so that the owner can make even more untaxed income from two transient hotel rooms rather than one.

None of this compares to the fact that there is no security in the building. That front door keys are given out to every transient and that the front door locks and door handles are often broken from the extra wear and tear of having dozens of different people using them. I constantly worry that we will get bedbugs from so much transient usage. There is simply no safety and security in a building with transients. Hotel guests don't have to care about a hotel room the way long term tenants do.

In closing, yes I have confronted the owner about this problem, and I have been withholding rent from the owner since May 1 to encourage compliance with the law. All to no avail since the loss of my rent is more than compensated by the money that can be made from owners continuing to break the law. The owner hasn't even brought a non-payment case. When I confronted the owner about this she just said the laws a joke and so are the people that enforce it. This would seem to be true. I have called in complaints about both the illegal hotel (complaint # 1303885 on June 6, 2011) and the illegal conversion (complaint # 1309342 on September 11, 2011) neither complaint has been

addressed either by the Mayors Office of Special Investigations or by Department of Buildings.

Obviously, if owners regard enforcement of the law as a joke then they are not going to be deterred by the implementation of a small fine on the very rare occasions that they are caught.

Both enforcement of this law and a very large economic penalty for violating it is the only way to combat this illegal activity that robs the citizens of this city of both safe and secure housing and robs the city coffers of much needed taxable income since neither the income derived from this illegal practice is taxable nor the hotel taxes that most of the owners charge and therefore go uncollected by the city. In my particular case, the owner receives tax abatements under the DRIE program for part of my rent. The formula that DHCR uses to calculate the portion of the rent that city pays as a tax abatement is dependant on the owner's income and expenses. With higher expenses and lower REPORTED income the rent increase is higher and therefore the tax abatement the owner receives is higher. Talk about adding insult to injury.

Additionally, I volunteer as a phone counselor for Metropolitan Council on Housing and the type of complaints I have mentioned are ones I hear quite often and I have no one to refer them to except their city councilmen.

December 13, 2011

City Council Committee on Housing and Buildings

Re: Intro 404 – A local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences to hotels.

To whom it may concern,

The following three bullets points are descriptions of some of the problems I have encountered living in a building that has many illegal hotels. Also, please see my letter (below) to Senator Duane and staff regarding the endless drama in my building . Thank you for reading my testimony.

- 1.) Weekly flow of undocumented people who pay cash in the building, in the hallway, lots of luggage. I am a single woman living alone. Confused/disoriented tourists who do not know the building literally trying to come into my apartment. I called the police since all 3 of my cases with 311 proved to have little recourse. They told me it was a personal matter between me and the landlord since the building is private property.
- 2.) Vomit in my front hallway, besides a wallet on the ground. I retrieved the wallet and found an Ireland student ID. I knew she this must be a hostel guest, so I returned the wallet that evening to one of the apartments I know was used as a hostel and said please spread the word that this is NOT a hotel/hostel, and that it was quite gross to inhale her vomit first thing in the morning, let alone anytime.
- 3.) Young man sitting on the steps in the hallway, eager to speak to me when I arrived home. Apparently, the "Times Square Hostel" managers failed to pay the electric bill. I was accompanied when I came home and I decided to allow this young, naïve, 21 year old boy to use my computer to contact the TSQ people in exchange for information, including the correspondence between he and they. In addition to this being unsafe for me, it's also very unsafe to the young travelers who visit the city this way.

Dear Senator Tom Duane and Staff,

Hello, my name is Yolanda Octavia Dunderdale and I have resided at 529 w. 48th st between 10th and 11th avenues for a year and half. I believe I am a permanent tenant. I attended a Block Association Meeting where Tom Duane spoke a few months ago. Establishments Traffic, Fairy Tales, and Boxers were some of the issues discussed.

I am writing in hopes of gaining information/advice. The building in which I live has recently been sold by Mr. Allan Stein and the new owners, Jacob, Steven and Roni Oved have elected to terminate the tenancies of myself and others in the building who do not have leases, since Mr. Allan never renewed them and sold the building. I did request a new lease, Mr. Stein told me he would send me one at a new rate, but he never did. I received notices of new ownership months later. The new owners will offer me a 3 month lease only, which I did not agree to.

Prior to the change of owners, the building was rented weekly as an illegal hostel. I have multiple case numbers with 311 reporting the situation during my year and a half tenancy under Mr. Allan Stein's ownership. The only result has been that my cases "have been forwarded to the mayor's office".

Both landlords are/have been involved in using these types of apartments as hostels/'boutique hotels'. As stated, the new owners are offering only 3 month leases. I am a working professional and native New Yorker who has paid her rent in full on time every month.

Is there something that can be done? Is it worth it? People say "it's business". I feel disregarded as person and disheartened by the greed. I am a businesswoman myself but I don't agree with business that seems to have little regard/respect to humanity as well as obvious imbalances. I have trouble understanding why some apartments in the same building are rented to tourists as a weekly hostel, others are rent stabilized with tenants paying under \$1000, and here I am in the same thin-walled 5th floor walk-up building struggling to pay \$1600 and offered only a 3 month lease at \$1750 since my apartment is de-regulated.

Am I wasting my energy if I try to stand up to this? I have a lot to spare. I realize that my overall situation may not be unique, but I am.

I found this article which has some relevant situations:

http://www.thevillager.com/villager_115/turningtenementsinto.html

I also received the recent newsletter noting the changes that have recently been implemented favoring renters and the continuing effort to save the affordable housing left in NYC. I am willing to offer my support in any way I can.

Any input regarding my situation would be greatly appreciated.

Kindest Regards,

Yolanda Dunderdale

FOR THE RECORD



New York Hotel and Motel Trades Council, AFL-CIO • 707 Eighth Avenue, New York, NY 10036 • Telephone: (212) 245-8100 • Fax: (212) 977-5714

Memo Of Support

Int. 404-2010

Hotel Trades Council supports Int. 404-2010, a Local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences to hotels. In an economic downturn that has challenged New York's hospitality industry, hotels and hotel workers have been doubly harmed by an unexpected menace: the proliferation of illegal hotels in residential buildings.

These illegal hotels, sometimes occupying significant portions of residential buildings and operating with virtual impunity, provide unfair competition to legitimate hotels: they typically do not pay taxes, fail to maintain the safety and visitor service standards expected of legal hotels, and employ untrained workers at substandard wages. Competition from illegal operators effectively suppresses wages industry-wide, undermining unionized workers' attempt to maintain their standard of living through the difficult economy.

In addition to their effect on workers' wages, illegal hotels undermine the safety of workers, guests and tenants in the buildings they occupy. Illegal hotels generally fail to comply with more stringent fire safety requirements that apply to legitimate hotels, and workers generally are not trained to care for guests and hotel staff in emergencies. Additionally, long-term tenants in buildings that are undergoing partial or total conversion to illegal hotel use experience compromised building security—protective relationships between neighbors are replaced by a regular flow of strangers and visitors through the building. Furthermore, illegal hotels fail to pay City & State taxes, including the occupancy tax, costing the City millions in much needed revenue.



To: Committee on Housing and Buildings
The New York City Council

FOR THE RECORD

From: Brian Chesky, CEO & Co-Founder
Airbnb, Inc.

Date: December 13, 2011

Re: Testimony Regarding Int 0404-2010

Dear Council Members,

I write this letter on behalf of the 6,351 residents of New York City that depend on Airbnb to stay in their homes. These are ordinary people who rent out their permanent residences occasionally in order to afford the increasing costs of living. If this proposed legislation is enacted, the City of New York will lose out on billions of dollars of economic activity and will drive thousands of homeowners into foreclosure and bankruptcy. I'd like to bring three important points to your attention as you consider this proposed legislation:

1. **The state law passed in June 2010 was not targeted at permanent residents who occasionally rent their homes**—the bill's sponsors acknowledged this repeatedly. However, the bill was so poorly conceived and broadly written that it applies an overly broad brush to an acute problem—conversion of entire buildings into unsafe illegal hotels. Increasing fines and enforcement on a community that was not the intended target of the bill is unreasonable and ineffective.
2. **Short-term vacation rentals are good for New York City residents, and good for the city.** Airbnb hosts rent the extra space in their homes for additional income that helps pay their rents and mortgages, and avoid foreclosure and bankruptcy. Airbnb not only helps New York City residents afford to stay in the city, it also helps New York's local economies. Airbnb travelers spend money at local businesses throughout the five boroughs, providing the many neighborhoods with access to the city's strongest economic driver—tourism.
3. **The state law has not been effective at regulating the vacation rental industry in New York City.** Increasing the fine would not increase the effectiveness of the law nor the city's enforcement action. Rather than throw good regulatory mechanisms after bad, the Council should consider how to permit and regulate the "good actors" while removing the "bad actors." Policies should accommodate the growing vacation rental demand while also regulating it effectively.

We agree with the spirit of regulations that seek to protect the availability of affordable housing in the city, and support measures to ensure the health and safety of residents and visitors. However, the current laws and their enforcement mechanisms are not effective at addressing such concerns. Rather than increase enforcement of a law that was poorly conceived, we encourage you to reconsider the purpose of such regulations and find mechanisms more effective at protecting the health, safety and affordability of New York City's housing stock. Many cities have made room for this new economy to flourish safely, and we are sure New York City can do the same.

In considering what appropriate enforcement action may be, I encourage you to ask three questions corresponding to the points above:

1. Who is the target of this legislation?

The state law was intended to put an end to professional property managers converting entire buildings into unsafe “illegal hotels.” However, there are also thousands of permanent residents in New York City who rent out their extra space occasionally—and safely. Ninety percent of Airbnb hosts in your city list only one property—these are not people who make a business out of vacation rentals. Rather, these are people who afford to live in New York by putting their Airbnb earnings toward rent, mortgages, paying off loans, and sending their kids to college. The success of these hosts depends upon the cleanliness, safety and security of their properties. Additionally, the Airbnb Trust & Safety Center provides many resources to help protect and monitor the conditions of properties listed on our site. Such excessive enforcement of this poorly conceived law would result in significant economic hardship for thousands of these New York residents who are “good actors,” pushing many into foreclosure and bankruptcy.

2. What are the benefits of short-term rentals in New York City?

The benefits of “collaborative consumption” and the “sharing economy” have been extolled recently by media around the globe, including The New York Times, Harvard Business Review and The Economist. These movements represent an emerging economy fueled by increasing costs of living and environment consciousness, and made possible by new network technologies. Airbnb hosts in New York have not only conserved resources through sharing in this manner, they’ve also survived tough economic times by using their greatest assets—the roofs above their heads—to earn additional income. Conversely, travellers have gained access to affordable accommodations, enabling them to visit one of the most expensive cities in the world.

The benefits of this model aren’t limited to hosts and guests. As the Mayor himself has acknowledged, tourism is a primary driver of the city’s economy. However, not all tourism is created equal—tourist dollars spent at larger chains rarely stay in the local economy. Airbnb travelers not only put money directly in the pockets of New York residents, they also spend money outside the “tourist bubble,” patronizing small locally owned businesses in neighborhoods throughout all five boroughs. It would be a shame for New York to unnecessarily limit such an innovative new economy.

3. What are the unintended affects of the law?

The state law has not been effective at regulating the vacation rental industry in New York City. The City needs to find a way to embrace Airbnb-style hosts, instead of limiting the growth of the sharing economy. Not only is the City turning its back on the economic activity this internet-based form of commerce can bring, it’s also ignoring new trends in the way people want to, and afford to, live. City-dwellers are increasingly mobile and looking for flexible and temporary living accommodations, which are easily found online. Policies should accommodate this new demand while also regulating it effectively.

Rather than use a broad brush to address an acute problem, we encourage the City to work with good actors, like ourselves, who are eager and able to help address the City’s concerns. We encourage the Council to think creatively about a solution to the problem, as it would be a shame to stifle this new economic activity that your constituents have pioneered in New York City.

We request that you reconsider not only the proposed fine, but also the existing legislation. We appreciate your consideration of this testimony and look forward to collaborating with all stakeholders in the City in the future.

Sincerely,

Brian Chesky,
CEO & Co-Founder
Airbnb, Inc.

FOR THE RECORD

December 9, 2011

Statement by Dan Margulies, executive director
Associated Builders and Owners of Greater New York, Inc.

Re: Proposed Local Law to amend the Administrative Code of the city of New York, in
relation to carbon monoxide alarms

ABO understands the need to have working carbon monoxide detectors and recognizes the
need for property owners to replace units that have reached the end of their useful life. In
fact, we believe this is required by current law.

One provision of the proposed legislation, however, creates an unnecessary administrative
burden on owners to retain records of the useful life of each detector – which can be
different for each unit in a building – and, by implication, to attempt to track the
replacement schedule for every unit. This could involve anywhere from dozens to
thousands of varied dates as detectors have been replaced for varied reasons since 2004 and
will continue to be randomly replaced on into the future. Owners currently must keep a
record of each installation available for inspection, but do not need to create a tracking
database.

UL 2034 has required an end of life signal since March 2007 and this proposal reiterates that
all new installations must meet this standard. The Department of Buildings has always
required that new detectors meet UL standards, so it seems likely that a significant number if
not most of the detectors in use already have it. Given this built in alert, a separate useful life
tracking requirement seems excessive. Simply complying with the UL standard eliminates the
need..

Thank you for the opportunity to comment and your consideration.

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George Meyer
**Herbert Warshavsky
Jack Parker
**Paul Milstein
Philip Rosen
Richard Scheuer
Sheldon H. Solow
**Stanley Berman
**deceased



A NYSO DESIGN



HOTEL ASSOCIATION OF NEW YORK CITY, INC.

320 PARK AVENUE, NEW YORK, NY 10022-6838

(212) 754-6700 FAX (212) 754-0243

FOR THE RECORD

MEMORANDUM IN SUPPORT NYC Council Int. 404

The Hotel Association of New York City supports the passage of City Council Int. 404 which will enhance the penalties the City can levy for those who illegally convert dwelling units from permanent residences to hotels. The Hotel Association represents over 260 of our City's finest hotels which account for over 70,000 rooms, employing over 32,000 workers.

For a number of years the Hotel Association has worked cooperatively with the Administration, City Council and Albany to develop measures to eliminate illegal hotels while protecting legitimate hotel operators. We think that Int. 404 is another important step in the enforcement of illegal conversions.

Illegal hotels not only cut into the business of the hundreds of legitimate hotel operators in the City, these conversions are often not safe for visitors, are not regulated by the various City agencies with oversight over the industry, and diminish the City's ability to collect critical hotel and sales tax revenue from those who stay in illegal hotel rooms.

Whether the illegal unit is one rented out by an occupant looking to make extra cash on a holiday week or an entire building converted to hotel use—when it should not be—visitors are at risk, the City is left in the dark, and neighbors encounter a nuisance that may be right next door. Also, these illegal conversions exacerbate the low apartment vacancy rate in New York City.

Currently the City is only able to enforce an illegal hotel conversion by investigating if there is a violation of a buildings' certificate of occupancy. Int. 404 would permit the City to penalize those not in compliance with an additional and greater fine for an illegal conversion.

The members of the Hotel Association operate their properties with the safety of guests and staff as one of the highest priorities. We thank the City Council for considering this important measure and look forward to continuing to work with the Council and other interested parties on this very critical issue facing our industry.

*Senator Adriano Espaillat, 31st SD
Ranking Member, Senate Committee on Housing, Construction and Community Development
Testimony – NYC Council Int. 404
December 13, 2011*

Hello, and thank you for allowing me to testify before you today at this important hearing on how to better protect New York City's tenants, by expressing my support for Intro. 404 in the New York City Council.

As the Representative of the 31st Senatorial District of New York, and as the Ranking Member on the New York State Senate committee on Housing, Construction and Community Development, I am very aware of the problems faced by tenants, and the many practices by building owners to drive down the already limited supply of housing.

The practice under consideration today is one where landlords rent what are supposed to be residential units to tourists for short periods of time.

By adding to existing state legislation passed in Albany last year, which clarified the Multiple Dwelling law to better define "permanent residents" versus "transient use", and ways by which a certificate of occupancy has been exceeded, Intro. 404 seeks to further deter landlords from diminishing the number of rental units in this manner.

As residential units are illegally converted into hotels, tremendous problems are created for the permanent residents and neighbors of the building. When these circumstances arise, construction is often done to alter the layout of the building. This creates incredibly dangerous circumstances for city inspectors and emergency personnel in the case of an emergency. These alterations are not done in conformity with city building code, posing great risk to everyone who steps foot inside.

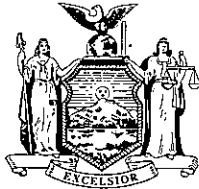
The key purpose of this legislation is to impose more meaningful fines on building owners who convert residential units into illegal transient hotels. Such fines do exist today, however under this bill, by describing "immediately hazardous conditions", these fines are significantly increased in size, and allow for an additional per diem fine, discouraging a delay in addressing the violations.

By creating significant fiscal deterrents and defining "immediately hazardous conditions", I hope that landlords will be discouraged from continuing to convert these units, further decreasing the housing stock in New York City, in addition to conducting illegal alterations, putting all of us at risk.

There are hundreds of such examples across New York City, a number of which are in my district. The devastating toll on the quality of life and general safety to residents cannot be overlooked. Not to mention the tactics of harassment, which are often employed to get these residential units to be vacated in the first place.

There is nothing more important than protecting tenants, and I believe this legislation takes significant steps forward in protecting those who live in this great city.

Thank you.



THOMAS DUANE
SENATOR, 29TH DISTRICT

RANKING MINORITY MEMBER:
SENATE COMMITTEE ON HEALTH

COMMITTEES:
CODES,
CULTURAL AFFAIRS, TOURISM,
PARKS & RECREATION
FINANCE
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THE SENATE
STATE OF NEW YORK
ALBANY

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ALBANY, NEW YORK 12247
PHONE (518) 455-2451
FAX (518) 426-6846
 E-MAIL:
DUANE@NYSenate.GOV

**Testimony of State Senator Thomas K. Duane
Before the New York City Council
Committee on Housing and Buildings
Regarding Introduction 404 – Fines for Illegal Conversions
of Permanent Residences to Hotels
Tuesday, December 13, 2011**

My name is Thomas K. Duane and I represent New York State's 29th Senate District, which includes the Upper West Side, Clinton/Hell's Kitchen, Greenwich Village, and part of the East Side, including the East Village, Stuyvesant Town, Peter Cooper Village and Waterside Plaza. Thank you for the opportunity to present testimony before the New York City Council's Committee on Housing and Buildings today regarding Introduction 404, which relates to the fines for illegal conversions from permanent residences to hotels. I applaud Council Members Gale Brewer and Speaker Christine Quinn for this bill and ask the Committee to support this vital piece of legislation.

The problem of apartments in Class A residential buildings being converted into transient hotel units should not be understated. For close to a decade my district and many other parts of New York City have seen an explosion of such conversions. These "illegal hotels" create hazardous conditions for short-term visitors and permanent residents alike, and undercut the legitimate hotel industry that is such an important part of New York City's economy.

Illegal hotels are dangerous to those who stay in them because residential buildings are not bound by the same strict fire and building codes as are legitimate hotels. Illegal hotel rooms also tend to fall far below standards in terms of security, room quality and amenities. These conditions not only leave visitors vulnerable to harm, but also damage the city's reputation, and therefore harm tourism and the legitimate hotel industry.

Further, as you will no doubt hear from many tenants, advocates, and legislators today, illegal hotels are bad for New Yorkers. Their proliferation greatly exacerbates our already severe lack of affordable housing by taking literally thousands of residential units off the market. Moreover, tenants living in buildings with illegal hotels suffer from the lack of security and excessive noise that result from transient guests coming and going

without regard for their neighbors. Tenants in these buildings also commonly face extreme harassment from landlords who have realized that their apartments would be worth much more as illegal hotel rooms than as homes for permanent tenants.

This widespread illegal practice needs to be attacked accordingly. In 2010, the New York State Legislature passed legislation that I co-sponsored that clarified that Class A multiple dwelling residential buildings may only be used as long-term residential housing. Then-Governor David Paterson signed this bill into law and it went into effect on May 1, 2011. Regrettably, despite the new law, illegal hotels continue to proliferate in my district and across the city.

While the Mayor's Office of Special Enforcement ("OSE"), which has the task of investigating and prosecuting operators of illegal hotels, works tirelessly to combat this scourge on New York City's affordable housing stock, the agency is overworked and underfunded. Currently, it only has enough staff for a single enforcement team to investigate illegal hotel complaints throughout the City. I am very grateful to OSE Director Kathleen McGee as well as her predecessor at the agency, Shari Hyman, for their exceptional dedication to this fight, but they have not been given the resources needed to succeed.

One crucial tool that would significantly aid enforcement efforts is increased and graduated penalties. We cannot put an end to the operation of illegal hotels in our City when the punitive measures facing landlords who are found guilty of this crime are pitiable. Under the current fine structure, a building's owner may be assessed a one-time fine of \$800 regardless of how many illegal hotel units he or she operates. Considering that illegal hotel rooms may rent out for several hundred dollars a night, and there are often multiple rooms being used in this fashion, an \$800 fine is a laughable punishment that a landlord could easily write off as a cost of doing business. By allowing fines to be issued for every unit used illegally, with compounding fines for repeat offenses, Introduction 404 would establish penalties that are sufficient to compel lawful conduct.

I thank the City Council's Committee on Housing and Buildings for allowing me to submit this testimony and urge you to pass Introduction 404.

Metropolitan Council on Housing

Met Council, Inc. | 339 Lafayette Street | New York, New York 10012 | 212-979-6238 (staff) | 212-979-6997 (fax)

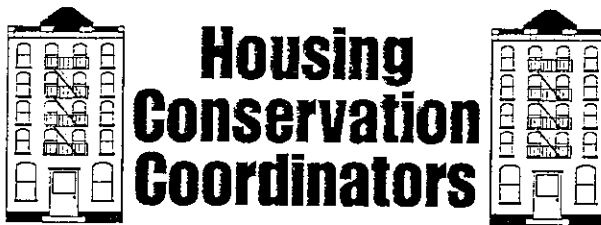
My name is Jackie Del Valle and I am testifying as the Board Chair for Met Council on Housing.

Met Council on Housing is a city-wide tenant advocacy group that has been around for over 50 years. We run a twice-weekly call-in hotline for tenants and regularly get calls from tenants reporting that there are illegal hotels in their residential buildings. The tenants are frustrated and scared and are confused as to how this can be happening. We advise them to call 311 to make a complaint and reach out to their local elected officials.

Illegal hotels are a serious threat to our city's scarce affordable housing as owners and management companies push out long-time tenants in favor of more lucrative, yet illegal, daily and weekly vacation rentals. We were in full support of the bill passed by the State in July of 2010 clarifying the long-standing illegality of renting out Class A apartment buildings for transient use.

It's been our experience that the state bill alone has not been sufficient to stop illegal hotels. Tenants who make complaints often find it takes months to get illegal hotel violations written and, from once the violations are written, it's unclear as to how effective the violations are at stopping the illegal use. Often the illegal use stops, but then restarts again. Sometimes, the owners simply switch business models. Instead of finding permanent residents, there are now college students, or corporate rentals, or families from shelters who are there only temporarily.

To this end, we have four recommendations. First, the City Council must pass Intro 404 to make illegal hotels immediately hazardous violations and raise the fines. As it stands now, the fines that the City would ultimately collect from a landlord, assuming the case is successful and doesn't drag out indefinitely, would only be \$800. This is a joke. Further, making the violation immediately hazardous sends a message that the City takes the safety of its residents and tourist seriously and will not tolerate abuses from landlords. Secondly, we recommend the City hire more inspectors. Although we know that the city budget is tight, the new higher fines should help the City pay for more inspectors. Third, the Department of Finance should be heavily involved in enforcement efforts in order to collect the back hotel taxes on the illegal operators. And last, the units must be closely regulated by the City and State to ensure that they are returned to the housing market as permanent housing.



777 Tenth Avenue, New York, NY 10019 T: 212-541-5996 F: 212-541-5966

December 12, 2011

City Council Committee on Housing and Buildings

Re: Intro 404 – A Local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences to hotels.

Good Afternoon,

My name is Matt Klein and I am an organizer for Housing Conservation Coordinators, a tenant rights and services group that has served the neighborhood of Clinton/Hell's Kitchen for almost 40 years. We have been fighting illegal hotels in our neighborhood and throughout the city for the past seven years as landlords turn apartment after apartment into hotels rooms. We assist tenants who are being harassed and scared out of their apartments by neglectful owners or management companies that run the illegal hotels and/or by the nuisance of the tourists themselves who come and go, loudly, at all hours of the night.

More often than not, these hotel rooms have been illegally converted, partitions put up, staircases added, illegal duplex and offices made and no additional safety features for running a hotel or hostel, not to mention overcrowding. As we worked with the affected tenants and brought their issues to the attention of the media and our elected officials, we became the go-to organization for tenants throughout the city struggling with this issue. Tenants throughout the city call us weekly to report illegal hotels in their buildings. We tell them to call 311 and wait.

We have also led the organizing efforts to strengthen City and State enforcement to stop illegal hotels. When a court ruling in early 2009 stymied enforcement efforts by calling into question the definition of transient use and city law outlawing transient use since 1929, we mobilized dozens of tenants to fight to pass State legislation clarifying this definition. Getting this bill passed was a major accomplishment for our Campaign to Stop Illegal Hotels and I thank all the City Council members who sent a letter to the Governor in support of the legislation. I'd also like to thank the Bloomberg administration for their leadership in crafting the state bill as well as the bill we are discussing today to raise the fines. As it stands now, the fines that the City would ultimately collect from a landlord, assuming the case is successful and doesn't drag out indefinitely, would only be \$800! This is hardly a penalty nor a financial deterrent. Intro 404 would make an illegal hotel violation immediately hazardous and would put the fines well into the thousands. We strongly support this.

It's been our experience that the state bill doesn't go far enough to stop illegal hotels because of the low penalties. Intro 404 needs to be passed to give the legislation to stop illegal hotels the teeth it needs. Other enforcement issues we have encountered are: One, we need more inspectors. Tenants describe waiting months to get a violation written. Two, the violations need to move more quickly through the ECB court—there a several month lag time which allows the illegal hotel to keep operating. And three, the City and State need to ensure that the units used for illegal use become permanent housing again.

The longer we hold off on passing this legislation, the more apartments we will continue to lose to this illegal practice. This is not just a Manhattan problem, as we continue to receive calls from many neighborhoods in the outer boroughs. We need to increase the penalties for operating illegal hotels that are hazardous to tenants and tourists, and take away from our already depleting affordable housing stock. Thank you for your support.

Sincerely,

Matt Klein

FOR THE RECORD

Testimony In Support of Intro Bill 404-2010

First of all I want to thank the members of the city Council for bringing Intro 404 2010 up for a vote. This bill would increase the fines on landlords who use residential buildings for illegal transient hotels.

My wife and I are former tenants of Dexter House, a residential SRO which is one of the most notorious offenders on the upper west side. The management of the building has been thumbing their noses at the Illegal Hotels Law which passed during the summer of 2010 largely because they know that, at most, they will only have to pay a one-time \$800 fine for violating the law. They, like so many other big time operators, can easily recoup this small loss in less than a single night, especially during the holidays when they are taking in thousands every week. An \$800 fine is nothing more than the cost of doing business. As a result they have adopted harassment as a business model in order to empty out their buildings so they can collect more than what each room can be legally rented out for.

The second reason these landlords continue to operate with impunity is that Mayor's Office of Special Enforcement, the agency in charge of investigating illegal hotels, has only 1-2 inspectors for all five boroughs and building owners know they can operate for years before enforcement ever hits these buildings. I urge you to add more inspectors to OSE with the passing of this bill so we can put an end to this particular method of killing off rent regulated housing.

Thank you again.
Sincerely,

Matthew Abuelo
Steering Committee, West Side Neighborhood Alliance
maab30@yahoo.com
T: (212) 579-0856

December 12, 2011

RE: Int. No. 404, A Local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences to hotels.

First of all I want to thank the members of the city Council for bringing up bill intro 404 for a vote which would increase the fines on those landlords who use their buildings for illegal transient hotels. My wife and I are former tenants of the SRO building Dexter House which is one of the most notorious violators on the upper west side. The management of the building has been thumbing their collective noses at the Illegal Hotels Law which passed during the summer of 2010 in large part because they know that at most they will only have to pay \$800 violating the law. They, like so many of the other big time operators can make up such an insufficient fine in less than a single night, especially during the holidays when they are taking thousands of dollars at any given time. Most of these landlords now consider this fine nothing more than the cost of doing business. As a result they have adopted harassment as building model in order to empty out their buildings so they can collect more than what each room can be legally rented out for.

The second reason that these landlords continue to operate is that OSE the, the agency up in charge of investigating illegal hotels has only 1-2 inspectors for all five boroughs and building owners know that they can operate for years before or an agent ever hits these buildings. I urge you to add more inspectors to the Mayors Office of Special Enforcement along with passing this bill so we can put an end to landlord's practice of killing off rent regulated housing and we can finally move onto the next fight.

Sincerely,

Matthew Abuelo

December 12, 2011

Committee on Housing and Buildings

Re: Intro 404 - A Local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences to hotels.

I urge the City Council to support this legislation, and to seriously consider the impact that the increase of illegal hotel rentals is taking on affordable housing.

Our neighborhoods are feeling the loss as units are taken over by landlords for short term rentals. Tenants are frustrated and angry as we watch the number of these units increase. Transients with no investment in our neighborhood are replacing stable tenants. Because of it's proximity to Times Square, the 300 block of West 47th Street alone has at least a dozen buildings that have become mini-hotels. Instead of working families we have short term tourists and vacationers, arriving in party mode. They cluster in confused groups in front of the building, luggage in hand, awaiting the landlord's rental agent, or the van to the airport. Even the best behaved groups can be a nuisance to tenants, since the number of occupants generally exceeds any rational C of O levels. There are no 24 hour security personal or concierges in these buildings; most do not even have a live-in super.

The keys to our front doors have been distributed world-wide.

Please vote to increase the fines for illegal transient use of our homes.

Gerry McCarthy
324 West 47th Street
Apt 3A
NY, NY 10036

TEMPO HOTEL TENANTS ASSOCIATION

(Formerly The Commander Hotel)

240 West 73rd Street, Apt. 920

New York, NY 10023

212-787-1260, ext. 7920

Testimony in Support of Intro 404

Anne Cunningham, Director

12-13-11

My name is Anne Cunningham. I am a Housing Specialist and advocate for tenants. Since 1979 I have been assisting SRO and residential hotel tenants with housing issues. Today, I am testifying on behalf of the Tempo Hotel Tenant's Association, formerly the Commander hotel, located on the upper west side.

The Tempo Hotel is a "Class A" Residential Hotel with SRO units. Units have been rented on a transient basis since 2003. Abuses and harassment against tenants have escalated and building services have declined.

The presence of transients in the Tempo Hotel has lead to hazardous conditions; a high element of crime, drugs, prostitution, fires, inadequate security, constant elevator breakdowns, illegal construction, falsifying and recycling work permits by AIMCO the building owner. One tenant describes feeling unsafe with hookers, strippers and call-girls in the hallways and finding pimps with gold front teeth waiting in the laundry room while the hookers service their clients.

I strongly support the passage of Intro 404-2010 which would increase fines for illegal conversion of residential units into commercial hotel rooms. This bill would make violations immediately hazardous, increase the penalties and hopefully shut down the illegal operations once and for all.

The bottom line is that New York City is losing thousands of affordable permanent housing. Intro 404-2010 must be voted upon and enacted immediately.

Thank you for the pleasure of participation, for your work in the past on Illegal Hotels and for your continued commitment.

Anne Cunningham

cc: Council Member Gale Brewer, West Side SRO Law Project, West Side Neighborhood Alliance
Tempo Hotel tenants, All interested parties, File

Testimony in Support of Intro 404 – 2010

My name is Vivian Riffelmacher. I am a founding member of West Side Neighborhood Alliance and have served on the Steering Committee since 2007. I was first alerted to menace of illegal hotels after Dexter House, the residential SRO where I lived was taken over by new management in the spring of 2004 and converted into a commercial youth hostel.

The effect of transient rentals is alarming enough in a regular apartment building but in an (SRO) where tenants live in single rooms and share common bathrooms facilities in the hall, the effect is catastrophic. On a regular basis 8 – 10 backpackers were crammed into bunkbeds in rooms big enough for occupancy by one or two persons. The exit doors open against egress creating a potential for lethal disaster in the event of a fire.

The people who run these dangerous and slipshod operations have no regard for the health or safety of tourists or tenants. What was obvious was that the transient traffic was being used as a weapon by the management, against the rent stabilized tenants living in the building. The building was open at all hours, drug dealers made rounds, and like all other commercial hotels, we were hit with infestations of bedbugs. Never knowing if the room next to you would be used by hookers to service clients or for a drunken party of screaming teenagers effectively made life unbearable for the long-term tenants. Complaints to the front desk were met with abuse and ridicule. For the tourists there was no screening process for young people looking for a cheap place to stay, nothing to indicate that this or that “Youth hostel” might be illegal or even dangerous.

I am hopeful that Intro 404 will empower city and state agencies to finally put a stop to these operations. Raising the fines for these penalties will help discourage do-it-yourself hostels as a business model.

Thank you.

Sincerely,

Vivian Riffelmacher
Steering Committee, West Side Neighborhood Alliance
vir2002@med.cornell.edu
646-400-8194

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 404 Res. No. _____
 in favor in opposition

Date: 12/13/2011

(PLEASE PRINT)

Name: Paul Sawyer

Address: 230 West 72nd Street, Suite 2 F

I represent: Assembly member Linda E. Rosenthal

Address: 230 West 72nd Street Suite 2 F

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 404 Res. No. _____
 in favor in opposition

Date: 12/13/11

(PLEASE PRINT)

Name: Sarah Malloy-Good

Address: _____

I represent: Assembly member Deborah Glick

Address: 853 Broadway 1518 NY NY 10003

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

4101

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

Date: _____

(PLEASE PRINT)

Name: Monica Oliveira

Address: 36 W. 35th St. N.Y., N.Y. 10001

I represent: myself and the other co-owners & tenant

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

404

I intend to appear and speak on Int. No. 404 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)
Name: ANNE CUNNINGHAM

Address: 240 WEST 73ST Apt 920 NY 10023

I represent: TEMPO HOTEL TENANTS ASSN

Address: 240 W 73ST #920 NY 10023

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 404 Res. No. _____
 in favor in opposition

Date: 12/13/2011

(PLEASE PRINT)
Name: Marti Weithman

Address: 51 West 109th St NYC 10025

I represent: Goddard Riverside Comm. Ctr. / SRO Law

Address: Project

**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: LT. ANTHONY MARCUSO

Address: 9 MEMORIAL CTN Bklyn

I represent: NYC FIRE DEPT.

Address: 9 MEMORIAL CTN Bklyn

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: 12/13/11

(PLEASE PRINT)

Name: ALLISON TUPPER

Address: 526 West 46th St - 1

I represent: WSNA SELF

Address: 500 W 52

**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: 12/13/11

(PLEASE PRINT)

Name: Pam Wyman

Address: 36 Riverside Dr

I represent: self

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: 12/13/11

(PLEASE PRINT)

Name: Kathleen TREAT

Address: Hell's Kitchen Neighborhood Ass'n

I represent:

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 404 Res. No. _____

in favor in opposition

Date: 12/13/11

Name: Math Klein (PLEASE PRINT)

Address: _____

I represent: Housing Conservation Coordinators

Address: 777 10th Ave 10019

**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: Jackie Delvaile (PLEASE PRINT)

Address: _____

I represent: net council on housing

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 404 Res. No. _____

in favor in opposition

Date: 12/13/11

Name: Sarah Meier-Zimber - Sen. Duane's off. (PLEASE PRINT)

Address: 322 8th Avenue

I represent: Senator Tom Duane

Address: 322 8th Avenue

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: Jayne Silver

Address: _____

I represent: Humaris - Civ Society

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: Asst. Commissioner James Colgate

Address: NYC DOT

I represent: (Intro 404)

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: Director Kathleen McGee

Address: Mayor's office of Special Enforcement

I represent: Int. 404

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: Asst. Commissioner James Colgate

Address: NYC DOB

I represent: (pvc - considered)

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: Larry Morris

Address: 56 Perry St NY, NY

I represent: myself

10014

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: Mel Wynne

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

404

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

in favor in opposition

Date: Dec 13, 2011

(PLEASE PRINT)

Name: PAUL STEMIN

Address: 44 EAST END AVE. APT 3C

I represent: MYSELF WYC 10028

Address: ABOVE

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: 12-13-11

(PLEASE PRINT)

Name: CHARLES SEGLIE

Address: 13 EAST 9TH ST

I represent: MYSELF

Address:

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 404 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Pierre Defendini

Address: 125 W127 NYC

I represent: MYSELF

Address:

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

404

I intend to appear and speak on Int. No. 1 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Gini unknown

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 404 Res. No. _____

in favor in opposition

Date: 12/13/11

(PLEASE PRINT)

Name: Tom Cayler

Address: 525 W 45 St 10036

I represent: West Side Neighborhood Alliance

Address: 300 W 52 10019

**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: Senator Liz Kruger

Address: 211 E 43rd Street

I represent: Senate

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: Renaldo Milton
Address: Directa Enforcement
I represent: Dept of Buildings
Address: 280 Broadway

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: 12/13/11

(PLEASE PRINT)
Name: Maria AKIiki
Address: 260 man west
I represent: SELF
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: Vivian Riffelmacher

Address: 710 W 173rd St #28 NYC 10032

I represent: West Side Neighborhood Alliance

Address: 500 W 52nd St #2E, NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 404 Res. No. _____

in favor in opposition

Date: 12/13/2011

(PLEASE PRINT)

Name: Ben Schachter on behalf of State Senator Esfaiilat

Address: _____

I represent: _____

Address: _____

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