



NEW YORK CITY DEPARTMENT OF BUILDINGS
TESTIMONY BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON HOUSING AND BUILDINGS
SEPTEMBER 13, 2021

Good morning Chair Cornegy and members of the Committee on Housing and Buildings. I am Melanie E. La Rocca, Commissioner of the New York City Department of Buildings (“the Department”). I am pleased to be here today to discuss construction safety, an issue of utmost importance to the Department, and periodic gas piping system inspections, which are required by Local Law 152 of 2016 (“Local Law 152”).

Construction-related injuries and fatalities on job sites throughout New York City are a painful reminder that more needs to be done to improve the safety of construction. I firmly believe that we – the Department, the City Council, and the construction industry – can work together to prevent avoidable injuries and fatalities. Construction workers, who are critical to the economic growth of this City, and who are working on the tens of thousands of active construction sites throughout this City as we speak, must go home to their families at the end of their shift. While the number of construction-related fatalities decreased for the first time in half a decade last year, there have been 75 construction-related fatalities since 2015. This is unacceptable and we must work together to do more to improve safety at construction sites.

Before I continue, I would like to take a moment to thank our construction workers for the critical work that they do, and to remember the workers who lost their lives building this City up, including the workers that have lost their lives on the job this year:

- Dave Battinelli during the alteration of an existing 25 story building in Midtown, Manhattan;

- Enri Kristo Dimo during the construction of a single-family home in Pleasant Plains, Staten Island;
- Elyon Sealey during the construction of a 26-story building in Chelsea, Manhattan;
- Juan Juarez during façade repairs at a six-story building in Flatlands, Brooklyn;
- Mauricio Sanchez when an elevator dropped during the alteration of a five-story building in Mott Haven, Bronx;
- Diego Lliguicota during the enlargement of a six-story building in Long Island City, Queens; and
- Jose Hernandez during the demolition of a two-story building in Flatbush, Brooklyn.

In 2019, for the first time in nearly a decade, construction-related injuries decreased. Last year, we saw another decrease in construction-related injuries, with 502 construction-related injuries in 2020, down 34% from the 761 construction-related injuries in 2018. While there was a decrease in construction-related injuries in 2020 for the second year in a row, it should be noted that the construction industry was impacted by COVID-19, including a pause on all non-essential construction, which resulted in a decrease in construction activity during 2020. As New York City recovers from COVID-19 and the construction industry gets back to work, we must continue to prioritize safety.

The decrease in injuries since 2018 comes after the launch of our Construction Safety Compliance (“CSC”) Unit, which is dedicated to conducting proactive, unannounced inspections of large construction sites. To date, the CSC Unit has conducted nearly 65,000 proactive inspections at over 25,000 unique construction sites. The decrease in injuries also comes after the multi-year implementation of Local Law 196 of 2017 (“Local Law 196”), which requires that workers on many of our larger construction sites receive comprehensive site safety training. As of earlier this year, workers at large construction sites are required to have 40 hours of safety training and supervisors at those sites are required to have 62 hours of safety training, including fall prevention training. Since the enactment of this law, the Department has conducted extensive outreach to the construction industry, including directly to the workers who are impacted. To date, our approved course providers have issued over 150,000 Site Safety Training Cards, most of which are Supervisor Site Safety Training Cards and Full Site Safety Training Cards, which

means that workers are completing the potentially life-saving site safety training required by this historic law.

Last year, the Department hosted its first-ever virtual construction industry conference, which focused on safety, innovation, and sustainability. In keeping with our continued focus on safety, for the first time, our annual industry conference included sessions dedicated to worker safety, which highlighted Local Law 196 and the importance of receiving site safety training. We held these worker safety sessions again in multiple languages this year. We have also started to issue Worker Alerts, which provide practical situational safety information and straightforward guidance for workers for those areas of construction where we see increased risk to safety. These Worker Alerts, which include information about preventing worker falls and performing façade work safely, are distributed directly to workers on construction sites by the Department.

Finally, in June, following multiple construction-related fatalities in May, the Department took swift action and announced the mobilization of teams of enforcement inspectors across the five boroughs to perform safety sweeps of larger and more complex construction sites, to ensure that they are safe for both workers and the public. The goal of this sweep was to send a strong message to the construction industry that safety lapses on sites will not be tolerated. While performing these safety sweeps, Department inspectors took appropriate enforcement actions if they observed any safety violations and shut down sites if they found serious safety lapses. As part of this sweep, which ended last week, the Department conducted inspections at nearly 7,500 sites, shut down work at 1,500 sites where serious safety lapses were identified, and issued over 3,600 violations for safety issues.

The package of construction safety legislation before the Committee today, which the Department fully supports, builds upon our collective efforts to improve safety, with the goal of further reducing construction-related injuries and fatalities by:

- Providing for greater oversight by the Department over general contractors who engage in construction or demolition work by licensing them.

- Reducing the threshold to require a full-time Department-licensed Site Safety Coordinator or Site Safety Manager to certain construction sites that involve buildings that are seven stories or greater and requiring that they submit Site Safety Plans to the Department for review and approval.
- Requiring Department-licensed Construction Superintendents to serve full-time alongside Site Safety Coordinators or Site Safety Managers at major construction projects and limiting the number of non-major construction projects for which a Department-licensed Construction Superintendent may be designated.
- Building upon a Buildings Bulletin issued by the Department, which prohibited the use of stand-off brackets for suspended scaffold installations, by making that prohibition permanent.
- Building upon a Buildings Bulletin issued by the Department, which improved the safety of cold-formed steel construction, by creating new safety requirements to prevent the overloading and improper installation of cold-formed steel.

Turning now to legislation that relates to Local Law 152, which mandates the periodic inspection of gas piping systems for most building types, with the exception of one- and two-family homes.

- Intro. 2259 extends the deadline for the second group of buildings that must comply with the inspection requirement. The Department has no objection to this extension, however, building owners should not delay compliance with this inspection requirement.
- Intro. 2321 creates a hardship program that would provide certain building owners with additional time to comply with the inspection requirement if they are not able to meet their applicable deadline. The Department is supportive of the creation of a hardship program, but would like to discuss the specifics of the program with this Committee further, including how a building owner demonstrates a hardship. Any program that is created should be helpful and responsive to the needs of building owners, while recognizing the importance of complying with this inspection requirement in a timely manner.
- Intro. 2361 requires that the Department create a questionnaire to seek feedback from building owners regarding the implementation of Local Law 152. The Department

already uses the questions and comments it receives from building to improve the materials used to conduct outreach to building owners about this inspection requirement and welcomes any additional feedback from building owners.

- Intro. 2377 expands the scope of this inspection requirement to include tenant spaces. This is a significant expansion of the scope of the inspection and will result in increased costs for building owners. Access to occupied tenant spaces for the purpose of conducting these inspections will also pose an issue and prolong the time it takes to complete an inspection in a building. This proposed expansion merits further discussion with building owners, and the plumbing industry, to better understand the impact it will have for building owners who must comply with this inspection requirement.

Thank you for the opportunity to testify before you today. I welcome any questions you may have.

Testimony of the
New York City Department of Housing Preservation and Development
to the New York City Committee on Housing and Buildings regarding
Introductions 1817 and Preconsidered Intro
Monday, September 13, 2021

Good afternoon, Chair Cornegy and members of the New York City Council Committee on Housing and Buildings. My name is AnnMarie Santiago, and I am the Deputy Commissioner of Enforcement and Neighborhood Services with the New York City Department of Housing Preservation and Development (HPD). Thank you for the opportunity to testify on this important and timely conversation on Local Law 1 of 2018 (LL1) and the status of the Certification of No Harassment Pilot (“CONH Pilot” or “Pilot”).

The CONH Pilot is one of the many unprecedented steps that the City has taken, in partnership with the Council, to combat tenant harassment and displacement. There is no silver bullet to address the difficult issue of harassment in all its many forms, which is why this Administration has adopted a range of new programs while using existing tools more aggressively to support tenants and address harassment through proactive inspections, targeted litigation, and improved coordination of inter-agency efforts. Those efforts are more important than ever in the wake of the COVID-19 crisis, which has made access to stable, affordable housing all the more critical. We very much look forward to continuing our work with the Council to ensure we have the tools we need to protect New Yorkers, who continue to face significant instability, and to support an equitable recovery.

LL1 grew out of the Certification of No Harassment Working Group (“Working Group”) convened in 2016 by Council Member Brad Lander and then-HPD Commissioner Vicki Been to respond to concerns of increased tenant harassment and displacement across the city. The Working Group, which included city council members, tenant advocates, and representatives from government agencies and the real estate industry, was charged with identifying building characteristics that might indicate harassment and exploring ways to further deter harassment through the longstanding anti-displacement CONH program. After considering many factors and performing a number of data analyses, the City introduced the CONH Pilot, modeled after the successful program employed by the City to deter harassment in Single Room Occupancy (“SRO”) buildings citywide and multiple dwellings in anti-harassment zones of Special Zoning Districts. The CONH Program seeks to disincentivize property owners from harassing tenants to vacate their homes by conditioning future building permits to convert or demolish the building on proof that no tenants were harassed during a prescribed period of time. The Pilot created a limited expansion in time and scope of the broader CONH Program, which has become an effective anti-displacement tool to deter tenant harassment.

The CONH requirement is a relatively narrow tool that is triggered only when a property owner whose building is subject to the program seeks permit applications for specific types of work. Therefore, the program functions best when it is precisely tailored to target buildings with a potential for harassment in communities identified to have a high risk because of existing housing quality issues or concerns about displacement pressures. Local Law 1 of 2018, which established the Pilot, sets forth criteria based on the findings of the Working Group to specifically target buildings in which tenants may be at risk of harassment, largely based on the building size, its physical conditions, and its location. Since introduction, HPD has focused on both the implementation and oversight of the Pilot, including the promulgation of rules; coordination across agencies; hiring of staff; regular meetings with advocates to discuss the program and for feedback from tenants living in Pilot buildings, the issuance of a Request for Proposal for community groups to assist with the Agency's investigation of CONH applications, the education and training of new and existing HPD attorneys and investigators, and the creation of an online portal for the submission of all CONH applications.

Among the requirements of the law is that the City determine whether the Pilot reduces harassment in order to inform the Council's next steps regarding the direction of the program. While three years is a relatively short period of time within which to measure impacts on owner behavior, the analysis has been further complicated by two major events that significantly impacted the City's housing market. The first was passage by the New York State Legislature of the Housing Stability and Tenant Protection Act of 2019 ("HSTPA"), which sought to reduce owners' incentives to encourage turnover through harassment of rent stabilized tenants in order to access rent increases. The second, of course, is the COVID-19 pandemic, which resulted in significant construction delays and constrained many building owners' ability to perform even routine maintenance. These factors likely contributed to the City receiving fewer CONH applications for buildings in the Pilot than expected and affected owner behavior overall. Construction permits for all types of work were down 34 percent citywide during this period.

Recognizing these challenges, the City used available data and a review of qualitative feedback to produce preliminary findings. HPD violations data indicates that buildings subject to the expanded CONH requirement have a higher decrease in the number of HPD violations than buildings citywide, a positive trend that may suggest the CONH requirement is disincentivizing harassment among owners of Program buildings. However, additional data is necessary to fully evaluate the overall effectiveness of the Pilot and to ensure that it is structured in a way that meets its intended purpose. Given the evaluation was based on findings limited by the short time period and complicating external factors, the City recommends the continuation of the Pilot upon its expiration this month in order to evaluate a complete five-year Pilot cycle. We are developing specific amendments to recommend if the Pilot was to be extended to better focus the criteria and reduce the potential for any unintended harm to tenants. The City believes the CONH requirement is an important initiative in the City's diverse range of anti-harassment tools to protect tenants. We are supportive of the goal to extend the Pilot Program and look forward to

working with the Council on the most effective and efficient way to continue the CONH Pilot and further deter harassment.

Int. 1817 would require HPD to promulgate certain minimum rules governing affordable housing lotteries. HPD's current marketing policies go beyond those described in the bill. We absolutely agree that it is essential that applicants to affordable housing opportunities have a clear understanding of both where they stand in the marketing process and their ability to appeal eligibility determinations they feel were made in error. Since the date this bill was originally introduced in 2019, the Agency has made significant revisions to our Marketing Handbook and in July 2020 rolled out a years-in-the-making new and robust housing portal (Housing Connect 2.0). Housing Connect 2.0 was designed with continued feedback from applicants, community groups, elected officials, HPD staff, marketing agents, and our development partners and we are continuing to adjust planned enhancements to Housing Connect based on feedback from these partners.

We do have concerns with Int. 1817. We want to ensure that as new local, state, or federal government requirements are implemented or significant changes emerge, such as those we've seen in the wake of COVID-19, we have the ability to respond nimbly in updating our marketing guidelines. In addition, the new portal allows applicants the flexibility to choose between a paper or digital notification system. The cost of complying with the written notice requirements would be significant for the Agency, as well as our partners, while also creating logistical and problems and reduce options for tenants.

HPD shares the goal of ensuring that the marketing, lease-up and sales effort process is fair and provides equal opportunity to all applicants and we look forward to having more discussions with the Council and all of our partners on finding ways to put in place policies that are more inclusive and further reduce barriers.

Thank you for the opportunity to testify here today and I look forward to your questions.



**Mayor's Office of Special Enforcement
New York City Council
Committee on Housing and Buildings
September 13, 2021**

Good morning, Chairperson Cornegy, and members of the Committee on Housing and Buildings. My name is Christian Klossner, and I am the Executive Director of the Office of Special Enforcement (OSE), which is overseen by the Mayor's Office of Criminal Justice. Thank you for the opportunity to testify today.

OSE's mandate, originating from a Mayoral Executive Order in 2006, is to coordinate efforts across City agencies to problem-solve around emerging issues adversely affecting neighborhood cohesion, livability, and safety. The vast majority of OSE's work since 2015 has related to addressing illegal short-term rentals occurring in the city's permanent residential housing stock.

Because this testimony will reference illegal short-term rentals repeatedly, let me state for the record what the current law is in New York City. The state and city laws that apply in New York City restrict rentals for fewer than 30 days to only those situations where up to two guests are maintaining a common household with the permanent occupant of the housing unit, whether in a multiple dwelling or in a one- or two-family building. Entire home rentals and rentals to more than two guests are illegal, living in one unit of a building while renting another to guests does not constitute a hosted rental.

By working to stop the proliferation of these illegal short-term rentals, OSE's enforcement efforts advance key goals of this administration: to help preserve affordability and community livability; to prevent harassment and displacement of permanent residents; and to increase access to permanent housing. Our enforcement efforts protect residents and visitors to New York City from dangerous violations of the City's building and fire safety standards, while striving to ensure that New Yorkers are not disturbed by illegal commercial activity in their residential neighborhoods and buildings.

As we have reported in the last five years' worth of annual reports, between 2016 and 2020, OSE received over 11,800 illegal hotel complaints, conducted more than 21,000 inspections, and issued just under 13,000 violations that have resulted in the imposition of 37 million dollars in fines. This field activity, driven and informed by both the complaints of tenants and neighbors throughout NYC and the data analysis of OSE's research team, has resulted in thousands of illegal rentals being addressed.

In select instances of illegal activity persisting in buildings, or where OSE research and investigations reveal operations that span multiple, sometimes dozens, of buildings, our legal team initiates litigation. OSE has brought 20 lawsuits addressing a wide range of illegal short-term rental operations, resulting in over 4.7 million dollars in settlements and penalties assessed against the operators of short-term rentals and the building owners that allow their buildings to be misused.

This work has not only directly impacted thousands of illegal operators and enhanced the livability of buildings and neighborhoods throughout the City, but it has also exposed several key truths about the short-term rental market:

- The chief tool of the illegal short term rental operator is the online marketplace created by the booking services
- Only through obtaining data from the online booking services can the full extent of an illegal operation be understood
- There are few restraints imposed by the booking services to stop the proliferation of illegal activity
- Lack of verification of host identities and addresses of listings, coupled with reluctance by platforms to ban facially illegal activity, have directly contributed to the rise of the illegal short term rental market.

Sadly, it took the worst public health crisis in memory to significantly disrupt the thousands of illegal rentals occurring on a nightly basis in New York City, with illegal short term rental activity declining significantly during the first wave of the COVID-19 pandemic. This disruption was further enhanced with the enactment of Local Laws 146 of 2018 and 64 of 2020, collectively known as the City's Booking Service Data Reporting Law, which went into effect this past January. The law had an immediate impact, resulting in a significant drop in the total number of illegal short-term rental listings. For example, on Airbnb, these rentals dropped from approximately 38,000 in October 2020 to approximately 14,000 in August 2021.

Unfortunately, illegal short-term rental activity in New York City is now rebounding. In the first quarter of 2021, across the several platforms reporting data to the City, there were approximately 3,600 illegal listings with high-intensity use covered by the reporting law, booked for a total of 135,000 nights. The average listing was booked for 32 nights in the reporting period (excluding outliers). The second quarter saw a significant increase in the number of illegal listings—up 33 percent to over approximately 4,800. But the intensification of illegal activity was even more pronounced, with the total number of nights booked increasing by 65 percent, to roughly 223,000. The mean nights booked for listings leapt from 34 to 46 nights for the quarter.

As we have seen for the past several years, this illegal activity is most rampant in areas of the city that have faced significant gentrification in the past two decades, including Williamsburg and Bedford-Stuyvesant in Brooklyn, and Chelsea, Chinatown, the Lower East Side, and the East Village in Manhattan.

Additionally, these observations do not include activity happening in listings that may appear on their face to be legal and therefore are not required to be reported pursuant to the reporting law. Broadly speaking, the reporting law only requires reporting on facially illegal listings – those that offer an entire unit or occupancy for 3 or more guests. There is a segment of the illegal short term rental market that is facilitated through listings that appear to be for a partial unit and only one or two guests, but may still be illegal, for example when several such listings are for rooms in the same unit, or when such rooms occur in multiple locations but are offered by the same host. Taken in combination, these unreported listings reflect de-facto illegal hostels and we estimate that in the last quarter, there were 2,400 listings indicating this type of illegal activity, which is heavily concentrated in the neighborhoods of Bushwick, Bedford-Stuyvesant, Harlem, and Hell’s Kitchen.

This and other data received from platforms combine with our enforcement to reveal one more key truth: the way to address the inherent challenges of scaling inspection-based enforcement is to add prevention to the cure, and support it with a robust registration framework where unpermitted activity is not allowed onto the online marketplaces.

Thus, OSE supports the intent of Intro 2309 to provide a registration system for short term rentals that comply with existing laws, and the tools to prevent unregistered activity from flourishing in a largely unregulated online marketplace. OSE looks forward to working with Council to suggest changes based on our expertise so that the focus remains on preventing transactions that are illegal, with enforcement resources directed at the marketplace that drives the extent of the activity, not just the individual actors.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON HOUSING AND
BUILDINGS
SEPTEMBER 13, 2021**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank Chair Cornegy and members of the Committee on Housing and Buildings for holding this very important hearing today.

Among the pieces of legislation being heard today is Introduction 2278-A, of which I am the prime sponsor. This bill requires all general contractors to be licensed by the Department of Buildings and mandates that license applicants meet specific qualifications. The bill requires the applicant for the permit to be the designee of the business performing the work, or enlist a subcontractor to perform the work, or be the designee of a City agency if said agency is performing the work. The exception to this rule would be permits for work that is being performed by licensees who are not general contractors. One of the most important aspects of Intro 2278-A is the requirement that an applicant to be a licensed general contractor — whether limited or unlimited — must have a valid Site Safety Training, or SST, Supervisor Card. As we know, Site Safety Training has a significant impact on the ability of our construction workers to work safely. When this bill, along with a few others being heard today, was introduced back in April, the DOB said in a statement that construction safety efforts, including the implementation of the construction safety training requirement, led to a 34 percent decrease in injuries on building construction sites in New York City from 2018 to 2020. Imagine the extent to which we could prevent more injuries, and even fatalities, on construction sites by passing and enacting Intro 2278-A.

My legislation stemmed from the need for effective enforcement. The DOB does not currently have the tools to adequately discipline the dangerous negligence of bad actor contractors, which unfortunately has led to the death and injury of construction workers. Although there has been a decrease in worker injuries over a recent two-year period as mentioned earlier, our City's worker fatality rate has increased. According to an annual report from the New York Committee for Occupational Safety and Health, also known as NYCOSH, New York City's construction fatality rate rose from 7.8 per 100,000 in 2017 to 10.0 in 2018, a statistic that is tied to a dangerous trend over the past decade. Over the past 10 years, an average of 20 construction workers died each year in New York City, with a total of 207 construction worker fatalities. NYCOSH's report also

highlighted the fact that among all work-related fatalities across our City, our State, and our country as a whole, our City has the highest proportion of worker fatalities. The prevalence of death on construction sites is alarming, and is a stark reminder that we must leverage our ability within City licensing and permitting processes to keep bad actor contractors from operating in a hazardous manner, thereby endangering workers and the public.

At the moment, general contractors who apply for permits from the DOB are not required to be licensed by the Department to perform construction. They are only required to register with the DOB or obtain a Safety Registration Number from the Department, depending on the type of work they are seeking to perform. Since they are not licensed by the DOB, there is no mandate to demonstrate any practical experience, that they obtain any training, or that they undergo any background checks. Intro 2278-A would grant more oversight to the DOB over general contractors who engage in construction or demolition work by licensing them, a requirement that several states and municipalities have already implemented.

When it comes to creating new buildings and infrastructure, safety is a non-negotiable. We must ensure that our workers can perform their duties at construction sites without putting their lives at risk. I look forward to hearing how the Department of Buildings envisions the implementation of Intro 2278-A, along with the other pieces of legislation being heard today. Thank you.



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Testimony of State Senator Brad Hoylman and Assembly Member Richard Gottfried before the New York City Council Committee on Housing and Buildings in Support of Intro 2309

This testimony is being submitted on behalf of State Senator Brad Hoylman and Assembly Member Richard Gottfried. We thank you for the opportunity to testify in support of Intro 2309, which would require applicants who plan to rent out rooms for a short term to register annually with the Mayor's Office of Special Enforcement (OSE) and to obtain a registration number before renting it and before listing it on Airbnb or other short term rental platforms.

The proposal will strengthen the City's ability to curtail illegal short-term rentals and to ensure compliance with the State's Multiple Dwelling Law, the City's Building Code and Housing Maintenance Code, and other State and City laws.

The City's housing affordability crisis has been compounded by the proliferation of illegal short-term rentals and the platforms that have facilitated them. By taking units out of the housing market, short term rentals have contributed to the rise in New York City's rents and have made it harder for New Yorkers to find an apartment. By opening up these units to transients, platforms like Airbnb have compromised the quality of life for people who live in apartments.

Illegal short-term rentals (STRs) first became a serious problem around 2004. Soon, Airbnb turned this practice into a big business. Since then, it has been estimated that about 15,000 units of housing have been removed from the market by STRs.

While we have made progress, thanks to the 2010 state Illegal Hotel Law, the great efforts of the Mayor's Office of Special Enforcement, and City Council legislation, we still have far to go. The encouraging news is that OSE has been tasked with combatting illegal short-term rentals and related businesses. In 2019, it reported receiving 3,871 complaints for over 2,500 different locations in the City. It issued over 3,500 violations at 683 different locations, and it imposed over \$7 million in fines on the offending parties.

It is estimated that 85% of all Airbnb active listings in New York City are illegal. This points to the inherent limits of the current system. And when neighbors complain, it is often at the risk of potential retribution from their landlords and others.

Intro 2309 will give regulators tools to go beyond the inherent limits of the current system by:

- Requiring people who wish to rent out a room or a housing accommodation in a building for a short term to register annually with the Mayor's Office of Special Enforcement and to obtain a registration number. The short-term rental must be legal.
- Requiring platforms such as Airbnb or HomeAway to have a valid registration number for any unit they advertise.
- Ensuring that only primary residents operate a short-term rental in their own home, while they are present, in accordance with City and State law.
- Requiring that the rental must have the approval of the owner of the unit.

These requirements will enable the city to manage the obligations of people operating short-term rentals.

While we support 2309, we suggest the following modifications

- To ensure that the bill's impact on short-term rental use is transparent, the bill should include
 - Making the Short-Term Rental Registry publicly available with registration numbers and complete address information
 - Requiring the administering agency to provide an annual report on the operation of the registration system to the City Council and the public
- To have the person renting out the unit to pay their fair share of taxes, the bill should require appropriate tax registration, collection, and payment mechanisms.

Similar laws have passed in Santa Monica and Boston. In Boston, its deterrent effects were felt immediately, and Airbnb had to withdraw more than half of its listings because they were not registered with the City.

Airbnb and similar platforms keep saying what good neighbors they are. By making sure that their practices live up to State and City standards, Intro 2309 will help make that so.

UNIFORMED
FIRE DEPARTMENT, CITY OF NEW YORK
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MEMORANDUM OF SUPPORT

RE: Introduction 2265 – A Local Law to amend the administrative code of the city of New York, in relation to stove safety knobs

The Uniformed Fire Officers Association (UFOA Local 854) of NYC, representing 8,000 active and retired Lieutenants, Captains, Battalion Chiefs, Deputy Chiefs, Medical officers and Supervising Fire Marshalls.

The UFOA Supports Int 2265 understanding it will provide a significant and impactful update to Local Law 117, giving New York City tenants a choice of stove safety equipment that may be more suitable for their safety needs. The New York City Council showed great leadership and foresight when they passed Intro 0610-2018, which required owners of dwelling units to provide stove knob covers on each gas-powered stove in an apartment where a child under six resides. However, Local Law 117 does not allow for tenants to choose options that may provide an optimal solution for their safety needs, including newly emerging permanent knob technologies. When new improved technology becomes available, it is only with great sense of responsibility and foresight by our city council representatives that allows it to be implemented in a timely fashion and to permit the people of NYC that we all serve to realize its benefits.

Allowing for new technologies and improvements will help New York City residents remain safe from accidental fire and injury. Standard stove knobs can be inadvertently turned on when brushed up against by all household members including pets, the result can be an unsupervised flame or extremely dangerous accumulations of flammable gas. This is an obvious and extremely dangerous fire risk that must be avoided.

Current law requires landlords to provide tenants with a child less than six years old with knob covers, these existing options are frequently inappropriately used, and often removed entirely. Permanent stove knob safety technology would help ensure that any tenant with small children who wishes to protect themselves, their families and their neighbors will be able to gain access to those devices free of charge.

The UFOA supports Introduction 2265 and commends Speaker Johnson and Majority Leader Cumbo and the committee members for their support. We encourage the swift passage of this bill.

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— AFFILIATED WITH —
NEW YORK STATE AFL-CIO *NEW YORK CITY CENTRAL LABOR COUNCIL AFL-CIO *
* UNION LABEL & SERVICE TRADES COUNCIL OF GREATER NEW YORK & LONG ISLAND *
NATIONAL SAFETY COUNCIL



www.escapeinc.org

A non-profit 501(c)(3) public charity dedicated to teaching children and adults techniques in fire prevention, CPR & first aid.

June 4, 2021

Letter of Support

Regarding Introduction 2265 – a Local Law to amend the administrative code of the City of New York, in relation to stove safety knobs.

E.S.C.A.P.E. Inc. is an award-winning fire safety and survival non-profit education organization founded in 1995 with the goal of providing safe and effective fire and life safety training to children and adults.

We strongly support Introduction 2265 (Cumbo). To date, we have trained over one million children and adults on fire safety, preparedness and evacuation techniques.

Emergencies happen when we least expect them. Updating Local Law 117 to provide New York City tenants the opportunity to choose from newly available technology to help prevent those emergencies is a common sense step to protect human life.

As currently written, Local Law 117 requires owners of apartments and homes who rent space to residents with a child under six years old to provide stove knob covers on each gas-powered stove. We applaud the Council for this thoughtful legislation which will provide important safety protection. However, Local Law 117 does not allow for tenants to request new technologies that have emerged and that may better suit their safety needs.

Knob covers are frequently inappropriately used, if not unused entirely, making their fire prevention benefits ineffective. Permanent stove knob safety technology would help ensure that any parent with small children who wishes to protect themselves, their families and their neighbors, will be able to gain access to those devices free of charge.

We commend Speaker Johnson and Majority Leader Cumbo for their foresight and thoughtfulness and ask the City Council to pass this legislation.

Respectfully,

Lt. Michael O. McLeieer, APIO
President / Certified Firefighter
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MEMORANDUM OF SUPPORT

RE: Introduction 2265 – A Local Law to amend the administrative code of the city of New York, in relation to stove safety knobs

Senior Safety Advice (SSA) strongly supports Introduction 2265 (Cumbo). We are a resource center and guide for seniors who are aging in place, caregivers of the elderly, and adult children who are caring for their aging parents locally or remotely. Our goal is to provide useful information and resources on how to make the living environment – the home – as safe as possible for older adults.

Our expertise as Certified Senior Home Safety Specialists as well as our own personal experience caring for our own elderly parents has given us a unique insight into the very important issue of how to make a home environment safer for older adults.

The home is where many people feel safest, but catastrophe can still strike. Accidentally tuning a stove on can have a number of serious ramifications for an elderly person, resulting in carbon monoxide poisoning that can bring headaches, dizziness, nausea, general weakness, shortness of breath, confusion, loss of consciousness and blurred vision, as well as potentially fire.

As currently written, Local Law 117, requires owners of apartments and homes who rent space to residents with a child under six years old to provide stove knob covers on each gas-powered stove. We applaud the Council for this important safety protection. However, Local Law 117 does not allow for tenants to request new technologies that have emerged and that may better suit their safety needs.

Updating Local Law 117 to provide New York City residents with the option of new technology that could help prevent these emergencies is great news for families with children but also helps protect caregivers and elderly residents as well.

Signed,

Esther Kane

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MEMORANDUM OF SUPPORT

RE: Introduction 2265 – A Local Law to amend the administrative code of the city of New York, in relation to stove safety knobs

The Firemen's Association of the State of New York (FASNY), representing 85,000 volunteer firefighters in New York State, strongly supports Introduction 2265 (Cumbo). Our association, on behalf of firefighters from all across New York, believes this bill will provide badly needed updates to Local Law 117, giving New York City tenants the opportunity to choose stove safety equipment that best reflects their safety needs.

The New York City Council showed great leadership and foresight when they passed Intro 0610-2018, which required owners of dwelling units to provide stove knob covers on each gas-powered stove in an apartment where a child under six resides. However, Local Law 117 does not allow for tenants to choose options that may best suit their needs, including newly emerging permanent knob technologies.

We believe that allowing for these new technologies will help keep New York residents safe from accidental fire and injury. Standard stove knobs can be accidentally and unknowingly turned by the elderly, by young children, by pets and many others, resulting in starting a flame or, equally dangerous, releasing a slow but steady stream of gas into an apartment. This is an obvious and extremely dangerous fire risk that must be avoided. Current law requires landlords to provide tenants with a child under six years old with knob covers, but these devices are frequently inappropriately used, if not removed entirely. Permanent stove knob safety technology would help ensure that any tenant with small children who wishes to protect themselves, their families and their neighbors will be able to gain access to those devices free of charge. This will save the lives of residents and prevent firefighters from being asked to rush into dangerous situations unnecessarily.

For these reasons, the Firemen's Association of the State of New York supports Introduction 2265 and commends Speaker Johnson and Majority Leader Cumbo for their support.

We urge the swift passage of this bill.



Comments on Gas Piping Systems Proposals

Intros. 2259, 2321 and 2377

The Rent Stabilization Association of New York City represents 25,000 diverse owners and managers who collectively manage more than one million apartments in every neighborhood and community throughout the city. We thank the Committee for giving us the opportunity to submit these comments on Intros. 2259, 2321 and 2377, all of which amend provisions within Article 318 Periodic Inspection of Gas Piping Systems of the New York City Construction Code.

These bills seek to clarify the inspection requirements that were implemented in Local Law 152 of 2016, which require the periodic inspection of gas piping systems of all buildings at least once every four years beginning in 2020. For multifamily properties, this includes exposed gas piping outside and inside the building, in boiler rooms, in all common spaces, rooftop mechanical spaces and publicly-accessible areas. The law also sets forth inspection schedules, penalties, and a timeline for reporting results.

The law's implementation has been problematic due to the complicated nature of the rollout, uncertainty as to the inspection scope and needed remediation, as well as COVID-19 limitations on access. The bills today seek to bring some needed clarity and simplification for owners, as the failure to comply can be steep with fines up to \$10,000. In addition, there also are revisions being suggested by the Master Plumbers Council that we urge the Council to consider favorably.

The RSA supports the extension from December 31, 2021 to June 30, 2022 for inspections in certain community districts proposed in Int. 2259 to allow for the Department of Buildings to conduct needed education and targeted outreach to building owners in these community districts and for owners to have the necessary time to undertake inspections and file the needed reports.

Correspondingly, we also support Int. 2321 with its required outreach six months prior to the periodic inspection interval and the establishment of a hardship program recognizing that certain owners may have complications meeting the compliance timeline. The current law does not provide for this possibility.

Int. 2377 makes it clear that the mandated inspections do not include piping that is located within an individual dwelling unit, as some have construed it to be. This is an important interpretation that should be immediately adopted.

Additionally, the proposal put forth by the Master Plumbers Council supports the above tenant-space clarification and it further provides a significant revision to the current law as to who can conduct inspections. The law requires that in the event a building does not have gas piping, a licensed professional - an architect or engineer- must verify this. The proposal would allow this determination to be made by a licensed master plumber. This commonsense revision is a simple

and cost-effective step that will increase compliance and make it easier and cheaper, particularly for small owners, to file the required paperwork and follow the law. Another contemplated change would allow other certified gas work professionals, not only licensed master plumbers, to conduct the required inspections. This change will ensure that there are sufficient gas-specialized entities available to owners to conduct the requisite inspections and who can do so in a safe manner.

Other changes, including settling forth how to handle abnormal operating conditions and immediately hazardous conditions and when gas cut-offs are needed, will help standardize the inspection process, provide operational guidance and bring assurances to owners that gas will not be cut-off except in the most urgent of circumstances.

The numerous changes proposed today, if adopted, will reduce ambiguity and in doing so increase compliance and safety.

In conclusion, RSA respectfully requests that the code be amended to reflect the comments set forth above.

REBNY Testimony | September 13, 2021

The Real Estate Board of New York to The New York City Council Housing & Buildings Committee

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association. Founded in 1896, REBNY represents commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople and other organizations and individuals active in New York City real estate. REBNY strongly supports policies that expand the local economy, grow, and improve the City's housing stock and create greater opportunities for all New Yorkers. Thank you to the City Council for the opportunity to testify on this important legislation.

BILL: Int 1817-2019

SUBJECT: This bill would require the Department of Housing Preservation and Development ("HPD") to promulgate certain minimum rules governing affordable housing lotteries.

SPONSORS: Council Members Cumbo, Barron, Cornegy and Kallos

Intro 1817 would establish new rules for housing lotteries including that HPD must ensure that applicants for affordable housing receive written notification stating whether they are accepted or rejected for occupancy in an affordable housing unit, be given sufficient time and information to respond to developers' requests for information and to appeal a rejection and be made aware of community-based service providers that may assist the applicant. The legislation also establishes that applicants may file a complaint with HPD or the New York City Housing Development Corporation (HDC), as applicable, if they believe their application was rejected in error. The bill also proposes that HPD provide guidance to developers regarding information it may consider in selecting applicants, specifically prohibiting developers from considering photographs of an applicant's current living situation or minor children's report cards, prohibiting developers from rejecting applicants based solely on credit score, and requiring developers consider all sources of an applicant's income. Finally, the bill establishes that HPD will provide developers training regarding applicant selection and maintain a compliance hotline for use by developers.

REBNY appreciates the Council's continued focus on NYC Housing Connect and affordable housing lotteries and welcomes opportunities to work together to further fair housing and housing access. This is particularly relevant considering New York City has an ongoing affordable housing crisis.

However, REBNY believes that Intro 1817 could have the unintended consequence of making the housing lottery process more rigid and arduous and will only postpone the renting of desperately needed affordable housing units. Specifically, the requirement that marketing agents provide every applicant written notification if selected or not, as well as the requirement to send copies of these notices to HPD and HDC are burdensome, unnecessary, and costly. Currently, marketing agents are already required to provide notice to applicants who submit paper applications and the new NYC Housing Connect system automatically notifies applicants. These requirements, in combination with an over 30-day appeal process, would be administratively burdensome, and the appeals process extension likely would lead to available affordable units being left vacant for an unnecessarily lengthy period as that process unfolds.

Furthermore, much of what is called for in this legislation is already required under HPD's existing fair housing rules, particularly as it relates to privacy, credit history and source of income discrimination. REBNY asks that the Council consider how this legislation interacts with and is duplicative of existing law. REBNY also suggests that the Council remove vagaries in the law that request marketing agents provide information to tenants regarding community-based service providers, without elucidating specifically which type of information they are intending to make more available to housing applicants.

Notwithstanding these concerns, Intro 1817 does provide certain sensible solutions to problems those familiar with affordable housing lotteries may have experienced. One sensible idea is the establishment of a compliance hotline for the purpose of providing information and guidance to marketing agents. Another is ensuring that marketing agents attend and receive sufficient in-person or online training regarding the resident selection process for housing units.

As REBNY and its members engage everyday with applicants of housing lotteries across the city, we look forward to continuing to discuss this legislation with the Council in the hope that we can continue to create affordable housing access opportunities for New Yorkers.

BILL: Int 2259-2021

SUBJECT: This bill would extend the December 31, 2021, inspection deadline for buildings in CD 2, 5, 7, 13, and 18 in all boroughs until June 30, 2022. The bill provides that for such buildings inspected between January 1, 2021, and December 31, 2021, the certification of correction may be submitted later than 120 days or later than 180 days following the inspection date, as applicable, but no later than June 30, 2022. This bill would also require DOB to conduct targeted outreach regarding complying with the requirements of Local Law 152 of 2016.

SPONSORS: Council Member Cornegy

BILL: Int 2321-2021

SUBJECT: This bill would create a hardship program that would allow a building owner, who is unable to timely comply with the inspection due to the inspection due, to apply to a hardship program. Upon acceptance to this hardship program, the property owner will receive a deferral of the due date for the inspection, and all associated due dates, for 90 days. If the property owner does not complete the inspection within that 90-day period, the property owner will be responsible for all noncompliance

penalties. This bill also requires the DOB commissioner to conduct outreach to buildings with gas piping systems that must be inspected six months before the associated due dates.

SPONSORS: Council Members Cornegy, Yeger, Gennaro

BILL: Int 2361-2021

SUBJECT: This bill would require DOB to create a questionnaire that could be shared with stakeholders and members of the public. Through this questionnaire, DOB could seek feedback on Local Law 152. Starting on March 1, 2022, and on every following March 1, DOB would be required to report to the Council, the Mayor, and post on its website the results of the questionnaires received during the prior calendar year.

SPONSORS: Council Members Cornegy and Yeger

In 2016, Local Law 152-2016 (LL 152) was enacted. The Local Law requires that gas piping systems in all buildings, except for buildings classified in occupancy group R-3, must be inspected by a Licensed Master Plumber (LMP), or a qualified individual working under the direct and continuing supervision of a LMP, at least once every four years according to a schedule established by DOB.

If an inspection reveals any unsafe or hazardous condition(s), the licensed master plumber must immediately notify the building owner, the utility providing gas service to the building, and the Department. The building owner must take immediate action to correct the condition(s) in compliance with the New York City Construction Codes and any required permits.

Late last year, the Council passed Intro 2151-2020 which delayed the inspection deadline six months until June 30, 2021. Moreover, it provided buildings inspected between September 1 and December 31, 2020, with additional time to remediate any issues and submit the certification of correction up to 180 days after building's inspection date.

Despite the delay enacted last year, it is still readily apparent that many property owners, particularly small property owners, are having trouble with compliance. The COVID-19 pandemic has caused significant disruptions to the industry in many respects, including scheduling the required inspections as well as hiring the qualified labor to remediate any issues found.

REBNY supports Intro 2259, Intro 2321, and Intro 2361. An additional extension for compliance, the establishment of a hardship program, and the gathering of additional data regarding potential hardship will allow for owners, particularly small owners, or homeowners, to ultimately comply without facing unnecessary penalties from the city. Of course, safety around gas connections and gas piping should be of utmost priority, and REBNY stands ready to work with the Council and DOB to best educate and assist in ensuring gas inspections take place as quickly as possible.

BILL: Int 2377-2021

SUBJECT: Currently, inspections conducted under Local Law 152 include exposed gas lines from point of entry up to individual tenant spaces. This bill extends the physical scope of inspection from individual tenant spaces to the point of connection for any equipment that uses gas supplied by gas piping.

SPONSORS: Council Members Cornegy and Holden

Intro 2377 also intends to provide clarity to LL 152 by better defining the scope that would be required for inspections and provides that inspections shall be required to the point of connection for any equipment that utilizes gas.

While REBNY appreciates the Council's intent to alleviate ambiguity surrounding LL152 to better ensure compliance, the scope as defined in this legislation unfortunately creates a process that now becomes much more costly and difficult to implement. The proposed legislation as written would require entrance into residents' homes in order to facilitate inspections. Residents, however, are under no obligation to grant access to their units, and for those that do permit access for the inspections will have to be coordinated and timed for their convenience, which would be very time intensive and costly in that it will require longer contracting for inspectors. Moreover, the installation of gas equipment in coops and condos is not controlled by the building management but rather that shareholder or unit owner. Expanding the scope of LL152 to cover in-unit equipment creates questions about responsibility in the context of coops and condos. In addition, in rent stabilized units, all inspections require at least five days' notice and must be arranged at the mutual convenience of the owner and tenant, which also poses compliance challenges.

REBNY believes that it was never the Council's intent to require this type of access and therefore recommends that Intro 2377 is amended to provide additional clarity to the work scope. It should be definitively established that all individual residential dwelling units that do not contain the point of entry into the building shall be exempt from the requirement to conduct these inspections, greatly alleviating the challenges that multifamily building owners would face to attain compliance under LL 152.

BILL: Int 2262-2021

SUBJECT: This bill would no longer require certain final inspections for temporary construction equipment, such as scaffolding, which would streamline the sign-off process for permits issued in connection with such equipment. It would also prohibit the installation and use of stand-off brackets, which the Department of Buildings has identified as a contributing factor in suspended scaffolding incidents.

SPONSORS: Council Members Cornegy, Kallos (by request of the mayor)

Intro 2262-2021, according to DOB, builds upon a 2019 Buildings Bulletin which prohibited the use of stand-off brackets for C-hook suspended scaffold installations, by making that prohibition permanent.

REBNY supports this legislation. Ensuring that temporary equipment, including scaffolding, is safe for both construction workers and the public should always be a priority. This is particularly true for more complex installations like suspended scaffolding.

BILL: Int 2263-2021

SUBJECT: This bill would lower the threshold for a major building construction site to include construction sites that involve existing or proposed buildings 7 or more stories or 75 feet or more in height. This change would trigger additional site safety requirements for more construction sites.

SPONSOR: Council Member Cornejo (by request of the mayor)

Intro 2263-2021 proposes dropping the threshold to require full-time DOB-Licensed Site Safety Coordinators (SSCs) or Site Safety Managers (SSMs) to seven stories and above, from the current ten stories and above. The bill also requires contractors to submit Site Safety Plans to DOB for review and approval before work on major projects in the seven to nine story range can commence.

REBNY broadly supports this legislation and believes that lowering the threshold could help to decrease safety incidents on smaller construction sites. However, it may behoove the Council to take into consideration how these additional costs could impact affordable housing construction.

According to the New York State Association for Affordable Housing (NYSFAFH), on average, full-time site superintendents, safety managers and safety coordinators for a two-year construction project are estimated to cost an additional \$500,000 for a seven to nine story building. This could result in more subsidies from the city being required to cover cost or could potentially result in fewer units of affordable housing. Furthermore, there currently is a shortage of site safety professionals, potentially driving up costs further.

To potentially solve this issue, the Council could consider a multi-year phase-in to allow for hiring and training of additional Site Safety Coordinators or Site Safety Managers, particularly to let the current shortage of personnel subside. Additionally, the Council could also consider allowing for a full-time construction superintendent with an SSM/SSC licensure to only be required when a building reaches 7 stories and not prior to help alleviate costs. Finally, the Council could also consider allowing higher licensed supervisors (construction superintendent or site safety managers) to act in dual roles on affordable housing sites, again lowering costs while still increasing accountability around safety.

BILL: Int 2264-2021

SUBJECT: This bill would amend certain existing requirements and establish new requirements for the use of cold-formed steel light-frame construction. This bill would amend special inspection requirements for the use of such construction. It would also create new requirements for the installation of cold-formed steel light-frame construction, the installation of decking on cold-formed steel light-frame construction, and the use of such framing and decking during construction and demolition.

SPONSOR: Council Member Cornejo (by request of the mayor)

Intro 2264-2021, according to DOB, builds upon a [2019 Buildings Bulletin](#) in creating new safety requirements for special inspectors, construction superintendents, design professionals, and permit holders who are performing cold-formed steel light-frame construction work in New York City.[3] This legislation is aimed at preventing the overloading and improper installation of cold-formed steel, which have previously resulted in injuries, fatalities, and property damage at construction sites in New York City.

REBNY supports this legislation. Clear and proper requirements that take into consideration the expertise of design professionals, engineers, and inspectors before, during and after erection are important, particularly as it pertains to structural materials like cold-formed steel. We stand ready to work with DOB to implement these requirements if this legislation is to pass.

BILL: Int 2265-2021

SUBJECT: This bill would amend the Housing Maintenance Code by requiring owners of units in multiple dwellings to provide to tenants the option of either permanent stove safety knobs with integrated locking mechanisms or stove knob covers for each knob located on the front of each gas-powered stove.

SPONSOR: Council Members Cumbo, Chin, Kallos, Louis and Rivera

Local Law 118 of 2017 requires owners of dwelling units to provide stove knob covers on each gas-powered stove in an apartment where a child under six resides. As is the case with any initiative that aims to strengthen fire safety, since the implementation of LL 118, REBNY and its members have worked to ensure compliance to the greatest extent possible.

While expanding options for compliance to benefit the utility or aesthetic of an appliance without compromising safety is merit able, REBNY believes that more time is needed to better understand how the cost, installation complexity and maintenance of an integrated locking mechanism for a stovetop compares to the stove knob covers widely used today. In addition, if it is found that integrated locking mechanisms take longer to install, it may prohibit the ability for an owner to meet the obligations in the timeframe outlined in Local Law 118.

With this said, we look forward to continuing the conversation with the Council to further opportunities for compliance as outlined in Intro 2265 if it is found to be a practical alternative to existing requirements.

BILL: Int 2276-2021

SUBJECT: This bill seeks to build on efforts to reduce construction-related injuries and fatalities by requiring additional site safety supervision at major building construction sites. Such sites would be required to designate a full time Construction Superintendent, who would be responsible for safety and code compliance, along with overall management of the construction project, in addition to a Site Safety Coordinator or Site Safety Manager.

SPONSOR: Council Member Moya (by request of the mayor)

Intro 2276-2021 states that DOB-Licensed Construction Superintendents would be required to serve full-time alongside Site-Safety Coordinators (SSC) or Site Safety Managers (SSM) at major construction projects starting at seven stories and above and assume responsibility for site safety and overall management of the construction project. The bill also limits the number of non-major construction projects for which a Construction Superintendent may be designated, with the goal of having a dedicated Construction Superintendent at non-major construction projects for which they are required by 2026.

REBNY broadly supports this legislation, however the Council must take into consideration practical implications relative to the day-to-day realities of a jobsite and its workforce, for example, in instances in which a superintendent is absent, sick, or otherwise unavailable. In these instances, the Council could include a provision where a “competent person”, which is the requirement today, can fill in for the Construction Superintendent on a temporary or part-time basis. This would alleviate issues for smaller sites or organizations in which superintendent personnel may be few and far between, thus avoiding a site having to shut down in the absence of the regular superintendent.

In addition, REBNY believes that while an individual should not be able to serve as both a superintendent and an SSM/SSC on the same site simultaneously, an individual should be able to hold both licenses concurrently. This allows construction professionals to only further their own marketability, skill sets and expertise instead of unnecessarily limiting an individual to either a superintendent or site safety trajectory. This also would help to alleviate personnel shortages that currently are driving up costs for smaller sites around site safety.

BILL: Int 2278-2021

SUBJECT: This bill would require general contractors to be licensed by the Department of Buildings (DOB) in a manner like how other trades are licensed under DOB and would prohibit any person from performing general contractor work unless approved by DOB. Applicants for permits from DOB must be licensed general contractors who are “designees” of approved general contracting businesses or, with respect to work performed by city agencies, the “designees” of such agencies. This bill would require applicants for a general contractor license from DOB to meet certain qualifications, including, but not limited to, possessing a valid Site Safety Training Supervisor Card.

SPONSOR: Public Advocate Jumaane Williams and Council Members Koslowitz, Holden, and Chin (at the behest of the mayor)

REBNY has significant concerns with Intro 2278 as currently written. While general contractor licenses in other municipalities are successful, the proposal for licensure as outlined in Intro 2278 is a one-size fits all model that assumes that all general contractors are smaller outfits with only a handful of construction sites simultaneously. This could not be further from the truth.

The crux of the largest concern with Intro 2278 is grounded in the issue that a license would be tied to a single individual in most instances per firm. As some of the largest construction management firms often operate as general contractors across dozens of sites simultaneously, it would be impossible for the single license holder per firm to meet the supervisory obligations of the license, which in part require an intimate understanding of the on-the-ground situation of each site daily. In addition, Intro 2278 as written fails to establish specific tasks or obligations for the license holder, leaving compliance ambiguous as it pertains to his or her actual responsibilities.

At the same time, REBNY appreciates the general importance of this issue. As such, REBNY suggests that the Council allow for construction management or general contractor companies to have multiple license designees based on the number of projects they supervise. It should also be allowed for the designee to be in the position of making safety decisions for a project site instead of an executive who often is not engaged with individual projects daily. Facilitating this type of licensure scheme in lieu of the current proposal could alleviate potential compliance concerns while better achieving what REBNY believes is

the overarching goal of identifying additional opportunities for safety supervision and code compliance across all construction sites. REBNY encourages the Council to seriously consider these suggestions.

BILL: Int 2309-2021

SUBJECT: This bill would require applicants seeking to rent out rooms in dwelling units, or housing accommodations within a building, for fewer than 30 consecutive days, as short-term rentals, to register annually with the Mayor's Office of Special Enforcement and obtain a registration number before being permitted to rent out rooms in such a manner. Booking services would be required to obtain a registration from the Mayor's Office of Special Enforcement and verify the short-term rental registration number of any accommodation before listing it on their service.

SPONSORS: Council Members Kallos, Rivera, Rosenthal, Reynoso, Gibson, Powers, Ayala, Brannan, Gennaro, Moya, Adams, Dromm and Levine

REBNY supports Intro 2309 with some recommendations, and fully stands against property owners who illegally engage in short-term rentals when these units are critically needed for the public. In addition, illegal short-term rentals create several safety and fire code issues due to the transient nature the practice promotes within residential buildings.

As short-term rental activity in Class A multiple dwellings without the host present for the duration of the stay has been illegal for over ten years in New York, REBNY members have diligently tried to help enforce this law but have been hindered from doing so because rental platforms are not required to disclose the addresses of units being rented. Requiring an individual, or "host" of a short-term rental to obtain a permit and follow specific procedures as established in Intro 2309 may deter illegal activity while also providing additional clarity for those who intend to list their units for short-term use under the parameters of current law.

With this said, REBNY believes that the bill could be strengthened. First, REBNY recommends the City allow for the creation of a rebuttable presumption allowing illegal short-term rental violations incurred by the owner be waived provided they demonstrate meeting certain good faith efforts to curb or prohibit illegal short-term rentals. These efforts could be defined as including lease terms or riders prohibiting illegal short-term rentals, providing notice to the residents of the law and their intent to enforce the law, or seeking injunctive relief from housing court. Providing such a mechanism allows owners who are aware of these activities to report violations to the city without fear of incurring fines themselves for illegal short-term rental violations by residents. Furthermore, the City should seek to penalize the party responsible for any violations associated with illegal short-term rental activity by granting the ability to pass on these fines. If a tenant is found to be the offending party, they should be subject to the penalties.

REBNY also recommends Intro 2309 be amended to allow owners to be notified when their building is posted on a listing platform to allow for greater transparency. Doing so will ensure this legislation does not disempower owners from helping to enforce the law within their own buildings while allowing the city greater effectiveness in identifying those, both owners and residents, who are breaking the law. Additionally, the City should seek to work with property owners by providing regular notifications when their buildings have been used inappropriately.

In addition, REBNY recommends the city require listing platforms to allow building owners to “opt out” of their services and prohibit residents from listing units in those buildings. Listing platforms with this information should be required to remove any units provided by these self-reported buildings and should face penalties for noncompliance.

REBNY appreciates the opportunity to provide feedback and is hopeful the city finally moves forward on these recommendations which will only strengthen enforcement of short-term rentals.

BILL: T2021-7888

SUBJECT: This bill would extend the certification of no harassment pilot created by Local Law of 2018 until September 27, 2026. Buildings where an Article 7-A administrator has been appointed, buildings where the department of buildings has determined there has been a failure to comply with any term of a tenant protection plan, buildings included on the speculation watch list, and buildings in any community district determined to be at a high risk for displacement by the equitable development data tool would be required to apply for the CONH for covered work. The Building Qualification Index (BQI) would be updated to include open and closed hazardous and immediately hazardous violations issued by the department of health and mental hygiene or department of buildings.

SPONSORS: Council Member Lander

In 2018, the City Council enacted a Certificate of No Harassment (CONH) Pilot Program that would apply to 11 Community Boards throughout the city (three in Manhattan and the Bronx, four in Brooklyn, and one in Queens) where they think tenant harassment is more likely to occur. As part of this program, HPD developed a building qualification index. Buildings within these community boards that are identified by the building qualification index need to receive a CONH before they could receive a building permit for substantial renovation or demolition. Other areas to be covered by the pilot program are areas subject to a city-sponsored neighborhood rezoning.

In general, a CONH requires an investigation into whether harassment has occurred during a prescribed period and is triggered when an owner makes a permit application to the Department of Buildings for a material alteration of a building. Prior to the pilot program, CONH requirements applied only to single room occupancy buildings and to all buildings in select special purpose zoning districts under the Zoning Resolution.

The pilot program established was enacted to stay into effect for 36 months and is slated to expire on October 2, 2021. T2021-7888 intends to extend the pilot until September 27, 2026. The legislation also expands the pilot to include buildings where an Article 7-A administrator has been appointed, buildings where the department of buildings has determined there has been a failure to comply with any term of a tenant protection plan, buildings included on the speculation watch list, and buildings in any community district determined to be at a high risk for displacement by the equitable development data tool recently implemented by the city.

REBNY stands with the Council in unequivocally condemning tenant harassment of any kind. Since the implementation of the pilot program, REBNY has continued to work with this Council, our members, and other stakeholders to work to prevent tenant harassment of any kind. With this said, it behooves the City

Council to ensure that any expansion of a pilot program is first reviewed holistically to ensure that the program indeed is protecting tenants, protecting good-faith actors aiming to complete construction to the benefit of tenants, and is supported by city and agency resources that allow for timely investigations and resolutions. REBNY stands ready to assist the Council in determining what can be done to strengthen this effort.

Thank you for the consideration of these points.

[1] <https://abc7ny.com/nyc-construction-safety-crackdown-zero-tolerance-sweeps/10837215>

[2] https://www1.nyc.gov/assets/buildings/bldgs_bulletins/bb_2019-006.pdf

[3] https://www1.nyc.gov/assets/buildings/bldgs_bulletins/bb_2019-011.pdf

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New York City Council
Committee On Housing & Buildings
Re: Opposition to Int. 2309

September 13, 2021

Members of The Committee:

My name is Tamara Rivera Council Representative for New York City District Council Of Carpenters. Thank you for allowing me the opportunity to testify today on behalf of the 20,000 members in my union. As New York City seeks to recover from the economic impact of the pandemic, it is vital that we incentivize and enable the growths, modernizations and most importantly, the recovery of our important tourism industry. I'm here to support Airbnb and its position on amending this bill.

Tourism is such an important part of New York -creating jobs, supporting local businesses and bringing much needed tax revenue to the city -- and we know that as tourism returns to New York, home-sharing must be an important part of ensuring tourism benefits for all New Yorkers in all of our diverse neighborhoods. The return of travel to the city is helping to drive important economic impact for a tourism economy that saw 67% less travel, \$1.2 billion in lost tax revenue and tens of thousands of jobs lost. It is also helping Airbnb hosts make ends meet. These are everyday New Yorkers who have turned to periodic hosting in their homes as an economic lifeline during the pandemic. Today I stand before you as a proud homeowner thanks to the benefits of a good union career however we all have to start somewhere. As a young adult like many New Yorkers my roommates and I depended on each other to survive. Sharing my home gave me the opportunity to save money and resources.

With the introduction of 2309, we are hopeful that New York City could finally move to clarify the law regarding home-sharing, and establish a clear regulatory framework for this industry. However, in doing so, we must also seek to protect the rights and abilities of residents to earn additional income that will allow them to remain in their homes, afford their taxes, make infrastructure repairs, and meet other financial obligations. As currently written, though, Int. 2309 would enact expensive, onerous, and redundant requirements on every day New Yorkers seeking to make ends meet. The legislation fails to provide requirements to the administering agency, the Office of Special Enforcement, on what types of units in New York City would be eligible for a permit. Further, it fails to require that home-share platforms collect and remit taxes to the city on their transactions -- an untapped funding source that is beyond necessary as we climb out of the economic devastation wrought by the pandemic.

New York City can establish a way forward in a modern economy that empowers residents to support local business, drive up tourism in their communities, and increase their income at a time of rising costs. Home-sharing has proven to be an important part of the growth of local economies across the globe, and it is incumbent on the city to enact a policy that will bring this benefit to New Yorkers in a clear and responsible way. Currently, Int. 2309 fails to deliver, but we join Airbnb and stakeholders across the city in imploring this Council to pass an amended bill that addresses the points raised today.

Thank you

Tamara Rivera
NYCDCC Representative

NEW YORK CITY COUNCIL
COMMITTEE ON HOUSING AND BUILDINGS
HEARING ON INTRO 2278-A , ET AL

9 / 13 / 2021

Good afternoon, Chair Cornegy and members of the Committee. I am Donald Ranshte, Executive Vice President, of the Buildings Trades Employer's Association (BTEA), The BTEA represents some 1,100 construction managers, general contractors and specialty trade contractors, including 108 M/WBE contractors (the most of any trade association in NYS), who put in place some \$50 billion worth of construction in NYC annually. Thank you for the opportunity to testify on Intro 2278-A, concerning General Contractor Licensing, which we oppose in its current form.

Prior to discussing this bill, I would like to offer some context. I was the Legislative Director for the NYC Department of Buildings for 11yrs, and I have worked in the private construction sector for more than 8yrs. I've participated in the conversation surrounding General Contractor Licensing for all those 19yrs, from both sides of the table. As you listen to my testimony, please note the attachment at the end of the testimony, which shows a wide-ranging coalition of Associations and industry groups that share our opposition to this bill.

Although the Department may want to position this bill as a safety bill. But we are already in favor of other bills being heard today that add safety personnel to sites and remove dangerous materials and practices. However, there is not one measure within the bill that would increase safety. Instead, it's an open-ended enforcement bill which would allow the Commissioner the right to suspend or revoke a license for any reason. With the revocation of the license simply left at the discretion of the Commissioner, a construction company in NY will see itself at risk of being taken out of business at the whim of a political official. In turn, with the potential

to be taken out of business over night and at a whim, it is unrealistic to expect investment in developing construction businesses, with the very existence of the company at such peril. DOB will say they want to build a “corporate safety culture”. I have here a corporate safety binder from just one company w represent. This is above and beyond what the Code requires. The C-Suite has delivered on their end of the corporate safety culture.

At best, I will say this licensing scheme is a square peg being hammered into a round hole. Unfortunately, this license doesn’t catch the BAD GUY! This license will never get to the bad actor, the person who creates multiple shell GC companies and licensees. Instead, it could potentially hurt the company that does the right thing, and has the same corporate name all the time, on all its jobs and works over many years.

The bill forces a Designee to be either the sole person able to pull permits from the Department, or one of perhaps, two. If a company were building 40 sites across the City, including (hypothetically) a huge commercial tower, does the DOB really think it’s safer to only allow that one person to be responsible for safety on all those sites rather than many, or multiples or a team?

What this bill does is create a one size fits all for small and large contractors, building every size project, by limiting the filing of building permits to one, or two, persons in each company for the purpose of holding someone responsible in the event of a fatality or injury is simply an unrealistic approach to improving public and worker safety.

Establishing responsibility without setting forth specific tasks or obligations is fundamentally unfair and unreasonable. The result is nothing more than creating a designated defendant. Other license schemes do not do this. Other bills require testing, specific tasks or record keeping for the individuals assigned, but this bill does nothing of the sort – it finds someone to blame without providing anything that actually supports safety. It is also unrealistic, since no one person can be on a project at all times or see literally everything that is happening, yet they are nonetheless “responsible” under this bill. We have proposed making designees those individuals closest to the decision-making process on site.

An unintended consequence of this will be DOB’s resources are directed to licensees, and those who really understand project safety are being driven out, construction safety suffers a serious setback, instead of improving.

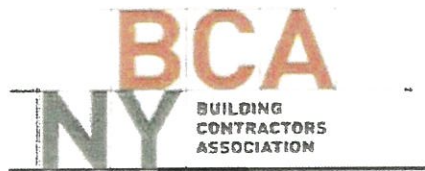
The DOB is focusing its attention on the wrong direction. DOB has data establishing that the overwhelming problem with construction safety is centered on projects 7 stories and under. But instead of targeting resources where the data indicates the problem to be, the DOB is proposing a grossly wide brush approach that overreaches and in turn will accomplish nothing, or worse, set construction safety back.

DOB unfairly punishes the big builder, operating under the same corporate name. They look at all CM/GC's as small companies building small buildings. They don't take into account a company that has 50 sites across the City working over many years. Every project is not for every GC. This License allows any GC to attempt to build a 40-story building, out of their garage office, simply because their business account has \$25,000 in its account. If this were a safety bill it would require more resources and internal infrastructure to build large, complicated buildings.

Finally, DOB wants every contractor to have a GC license. Not every contractor is a general contractor, not all work is general contractor work. There is no reason why one of your constituents who owns a small home, condo or coop would need a General Contractor to file a permit to remove or add to the layout of their home, its simply adding an unnecessary layer of bureaucracy and cost.

Members of the Committees, we will continue to work diligently with the Department on this issue. However, I must say this is not the best effort towards licensing. Thank you.

BTEA Partners in Opposition to Intro 2278-A:

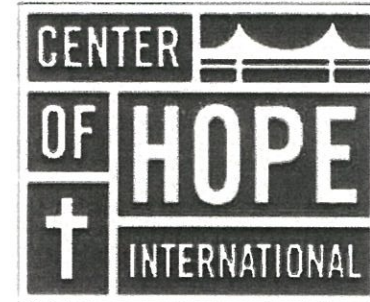


BTEA





Minority & Women
Contractors & Developers
Association



BTEA



URBAN UPBOUND
tackling poverty, changing lives.

List in formation:

- The Greater Harlem Chamber of Commerce
- Queens Chamber of Commerce
- Brooklyn Hispanic Chamber of Commerce
- BOMA



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www.hanyc.org

Good morning Chair Robert E. Cornegy and Council Members: Fernando Cabrera, Margaret S. Chin, Mark Gjonaj, Barry S. Grodenchik, Farah N. Louis, Bill Perkins, Carlina Rivera and Helen K. Rosenthal. My name is Vijay Dandapani and I am the President & CEO of the Hotel Association of New York City (“HANYC”). HANYC, is the oldest hotel association in the United States and represents approximately 300 hotels in New York City with over 85,000 rooms.

I would like to present the following in strong support of Int. 2309.

For years, illegal short-term rentals (“STR’s”) been a significant problem for New York City’s hospitality sector and harmed the quality and affordability of the City’s housing stock. These short-term rentals have threatened to undercut the economic vitality of the hotel industry in New York City and its vast contributions to the City’s tax revenue and tourism sector by competing for customers while avoiding the taxes leveraged upon brick-and-mortar hotels.

Prior to the pandemic, hotels raised \$3.2 billion in tax revenue and added \$22 billion in total economic benefits for New York City.

Illegal short-term rentals have also diminished the availability and quality of affordable housing in neighborhoods throughout the City by allowing bad actors to cater to tourists and travelers instead of permanent residents.

In addition, many of the illegal short-term rentals across the City are not up to Department of Building codes and can pose a safety risk to the travelers who stay at such rentals.

This bill would require applicants who are seeking to rent out rooms for fewer than 30 days as short-term rentals, to register with the Mayor’s Office of Special Enforcement and to obtain a registration number before being permitted to rent out their rooms.

The passage and implementation of Intro 2309 would provide a crucial step in curbing the problem of illegal short-term rentals, as well as aid in the overall recovery of New York City’s hotel industry, which has been decimated by the economic strains of COVID-19 and has been required to lay off tens of thousands of New Yorkers in the process.

This legislation would place hotels on an equal playing field to compete with short term rentals for customers in New York City, especially as the City begins to welcome more tourists and the hospitality industry begins to rebound from the pandemic.

Furthermore, booking service platforms would be required to verify the short-term rental registration number of any accommodation before listing it on their platform, thereby requiring

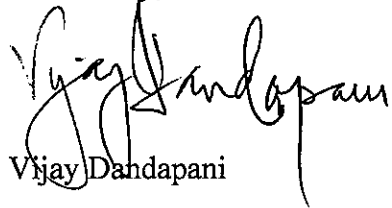
these booking services to take responsibility for those that utilize their platform and help in preventing bad actors from operating in this space.

In addition, by requiring owners of short-term rentals to register with the Mayor's Office, this legislation not only protects the City's hospitality and tourism industry, but also the guests who seek to utilize short term rentals.

This legislation requires a signed and notarized certification attesting that there are no outstanding or immediately hazardous violations of the housing maintenance or construction codes of New York City, which has become even more pertinent of an issue in the aftermath of recent flooding and inclement weather incidents.

Once again, HANYC urges that this bill be passed expeditiously as it will enable the revival of the nearly decimated hotel industry and restore the billions of dollars in taxes for the City as well as bring back employment to thousands of laid off employees.

Yours truly,

A handwritten signature in black ink, appearing to read "Vijay Dandapani". The signature is fluid and cursive, with the first name "Vijay" being more prominent and the last name "Dandapani" following in a similar style.

Vijay Dandapani



New York City Council
Committee on Housing and Buildings

Public Hearing

Intro 2309, Registration of Short-Term Rentals

Monday, September 13, 2021

**Testimony of Esteban Girón, Member
CHTU Organizing Committee**

Good morning. My name is Esteban Girón, and I am a rent-stabilized tenant and member of the Crown Heights Tenant Union (CHTU). We are a union of autonomous building tenant associations that was founded in October 2013 in response to rampant gentrification, displacement, illegal overcharges and rising rents in Crown Heights, Brooklyn. We use a "Unite and Fight" organizing model that brings together long-term tenants and new residents with the common goal of stopping the exploitation and harassment of ALL tenants.

I am here to share with you some observations and concerns about patterns emerging in South Crown Heights that appear to be related to short-term rentals. These are anecdotal and I am very much speculating as to their origin. That's one of the reasons we're here today. There is still a tremendous lack of available data that allows us to see what's going on in our neighborhood when it comes to these rentals. You have one example below of how we can find some of what we need to know until then

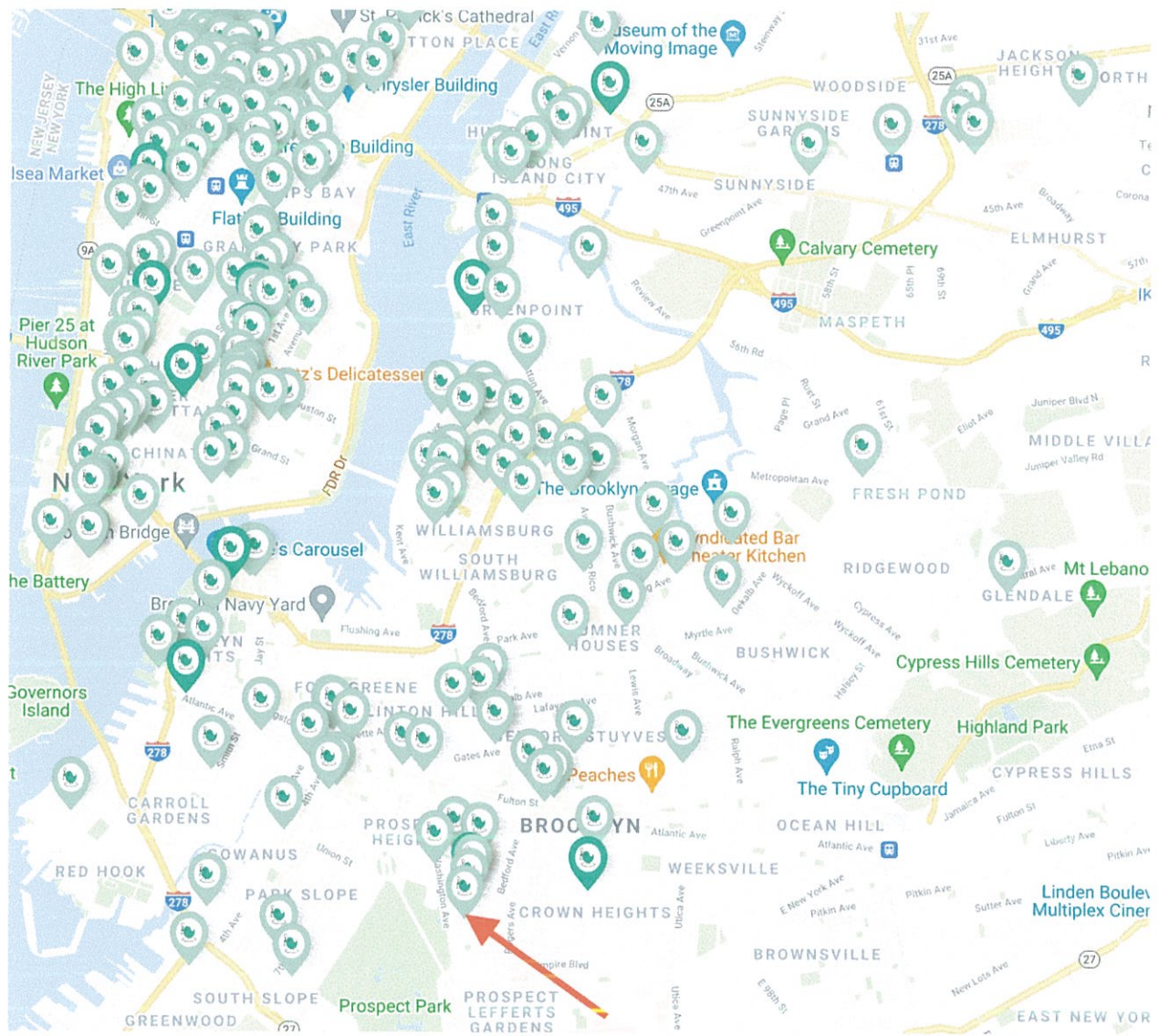
My building sits on the corner of Franklin Avenue and Carroll Street in Crown Heights, a block to the East of the Brooklyn Botanic Garden, and the Brooklyn Museum next to it. It also sits across the street from the former 2018 Franklin Avenue Rezoning Site, 2 blocks from 960 Franklin Avenue Spice Factory, and a block from the Bedford-Union Armory. To say that the past 4 years have brought major changes to my block would be quite an understatement. I have watched in horror as developers have descended on our community, convinced elected officials to sacrifice their constituents for power and profit, and systematically emptied Crown Heights of working class Black and brown folks.

I started to notice the changes in a significant way in 2017 shortly after the City Council approved the Bedford-Union Armory redevelopment project. The effect on my block was almost immediate. Young people with huge suitcases were getting in and out of cabs with increased regularity. We'd see demographic anomalies - in my neighborhood, it was rare to see a white couple in their 60's or 70's who isn't there helping their kids move in. But it was happening now. Then I noticed a peculiar sign posted at my corner bodega:



It's a simple service run by convenience stores, cafes, etc., which allows someone renting out their home on airbnb or other short-term rental apps to leave their keys with the store, where the renter can then pick it up with a secure code. At least that's what I thought. In preparation for this hearing I checked in with the owner of my bodega to see what kind of folks were leaving their keys with the attendant. He said it's not a lot of folks at all, just a few, some of them are service workers or maids doing their daily tasks for "serviced apartments." He didn't know how many units were operating out of the bodega but said that the stores had worked their way down Franklin Avenue. The next one up was exactly 2 blocks away.

I checked their website to see if I could find their locations and came up with this:



That’s my corner where the big arrow is pointing. Any tenant organizer in Brooklyn will see this and feel a pang of regret looking at this map, because this is a picture of what we’ve lost. It’s stunning to see it laid out like this, showing us very clearly that the places seeing an expansion of short term rentals and the neighborhoods that have lost the biggest number of Black and brown folks citywide are essentially the same. Another thing to note is that unlike a regular hotel, these short term rentals don’t seem to be placed alongside tourist attractions. They actually happen parallel to locations of increased land speculation, out of scale development, overleveraging of buildings, and other tell-tale signs of displacement.

This is all interesting data, but I also want to mention the way these changes manifest on a daily basis for tenants on my block. The single most obvious change is that there are FAR fewer Black, Latino, Caribbean, West Indian and African folks overall. Sometimes the change will be visible if you don’t leave home for a few days. The neighborhood is simply whiter. It sometimes comes as

a surprise to folks that the neighborhood is louder, especially late at night. As bars catering to younger, whiter crowds have opened up, there we see a lot more late-night frat house shenanigans. And then there's the suitcases. And busy hallways that are more reminiscent of a youth hostel than a residential building with kids and grandparents and longtime residents. All along my block folks have been reaching out with horror stories of loud parties, people coming in and out of larger apartments with suitcases and landlords unwilling to do anything about it.

All of these things were reduced in intensity when the pandemic hit. But as people begin traveling again and as rezonings, the most efficient engine of gentrification, begin passing again in this very chamber, I fear that we won't have the ability to see the problem clearly and address it once it picks up speed. This bill will help show us where we have work to do to improve tenant protections and focus the city's enforcement efforts. It is really the bare minimum. Please pass Intro 2309 without delay. Thank you.



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Testimony of Vivian Riffelmacher Abuelo

729 West 186th ST, #3C, New York NY 10033

Illegal Hotels Committee, West Side Neighborhood Alliance (WSNA)

Hearing: CM Kallos bill: Intro 2309 Mandatory registration system for Short-Term Rentals, Monday, September 13th, 2021

Thank you for holding this hearing.

My name is Vivian Riffelmacher Abuelo. I am member of the Illegal Hotels campaign for Westside Neighborhood Alliance. I strongly support Intro 2309.

In 2004 after my apartment building was turned into a commercial youth hostel by new management, I joined up with other tenants and West Side Neighborhood Alliance to combat transient rentals in residential buildings. 17 years ago there was no 311 code for an illegal hotel and Department of Buildings was not equipped to address the problem. In 2010 when Office of Special Enforcement was charged with cracking down on illegal hotels this proved effective against landlords looking to make a quick buck on tourist rentals.

When Airbnb provided a platform for ordinary people to monetize their homes, however, the problem quickly became too much for one agency to handle. A 311 complaint has to be called in, OSE has to visit the site when tourists are present in order to write violations and the violations must go through ECB before penalties can be imposed.

Conversely, if a Short-Term Rental operation is legitimate it should be recognized as such and able to operate without interference. By establishing parameters for the legal operation of Short-Term Rentals in New York city, Intro 2309's registration system would greatly reduce the guesswork.

BUILDING CONTRACTORS ASSOCIATION, INC.

STATEMENT IN OPPOSITION TO

INTRO 2278-A-2021

and

INTRO 2276-2021

A. INTRO 2278-A-2021:

The BCA and its 200 plus construction contractor members **oppose** Intro 2278-A-2021 for the reasons set forth below.

Intro 2278-A-2021: A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to the licensing of general contractors.

The plain language summary accompanying Intro 2278-A-2021 states:

“This bill would require general contractors to be licensed by the Department of Buildings (DOB) in a manner similar to how other trades are licensed under DOB, and would prohibit any person from performing general contractor work unless approved by DOB. Applicants for permits from DOB must be licensed general contractors who are “designees” of approved general contracting businesses or, with respect to work performed by city agencies, the “designees” of such agencies. This bill would require applicants for a general contractor license from DOB to meet certain qualifications, including, but not limited to, possessing a valid Site Safety Training Supervisor Card.”

1. Intro 2278-A-2021 is not safety legislation.

DOB has misrepresented the intended purpose of Intro 2278-A-2021. The proposal to license individuals as general contractors does not and will not increase safety on construction sites. The true purpose of the proposal is an impractical and unmanageable expansion of DOB authority to police and enforce a “full responsibility” strict liability policy against individuals and companies to drive them out of the NYC construction market.

For example, the proposal amends Section 28-401.19, “Suspension or Revocation of a License”, to include a new subsection 16 applicable to licensed general contractors or a general contractor business. The following non-safety related acts of a “designee” or a business’s

principals, officers or directors would be a basis for the DOB to revoke a license and put a construction contractor and its employees out of business

- (16)(1) Fraud, misrepresentation or bribery in securing a sign or CO
- (16)(2) Failure to timely perform or complete contracts or “bad faith”
- (16)(3) Approval or knowledge of fraud or misrepresentation
- (16)(4) Conviction of a crime
- (16)(5) Has been a principal, officer or director of a license general contractor business whose license or registration has been revoked.

How does the prior act of a member of a companies Board of Directors that never steps foot on a jobsite increase jobsite safety? What is “bad faith” and why does the DOB have unfettered discretion to use undefined “bad faith” as a basis to revoke or suspend a license?

2. Intro 2278-A-2021 imposes undefined and unarticulated “full responsibility” upon individuals named as “designees”.

Intro 2278-A-2021 makes individual “designees” fully responsible for all general contractor work, all permitted work and subcontractor work without any articulation of what responsibilities that person should perform. This failure to articulate responsibilities and duties imposes an unreasonable and unfair burden of “full responsibility” on a person who may simply sign an application for a permit and have no actual jobsite duties.

Who in their right mind is going to accept a job in the New York City construction market where the job description includes potential “full responsibility” for all work that is permitted for a specific job? No one.

3. Intro 2278-A-2021 empowers DOB with complete and undefined discretion to put individuals and contractors out of business.

There is no due process procedure anywhere in this proposal. As written, DOB can suspend or revoke a license at any time without providing any due process procedure to the individual or business. The unfettered discretion to put hundreds of employees out of jobs is patently unfair and potentially economically devastating to those impacted.

4. Intro 2278-A-2021 includes an overbroad and vague definition of general contractor work

Intro 2278-A-2021 defines general contractor work as “[w]ork requiring a permit pursuant to this code to construct, enlarge, alter, repair, demolish, or remove any building or structure in the city, or change the use or occupancy of such building or structure or an open lot or portion thereof.” This definition is overbroad and will result in forcing many individuals that are not otherwise engaged in traditional general contracting work to obtain a general contractor license. For example, commercial landlords doing in-house repair work on their buildings will be forced to have “designees” become a licensed general contractors and the business register with DOB as a general contractor business.

The practical impact of this definition is to force all people swinging hammers in New York City to become licensed general contractors. This is overbroad, unmanageable and will have adverse economic impact.

5. Intro 2278-A-2021 is vague and confusing

According to Intro 2278-A-2021, individuals will become the licensed general contractors. However, the bill includes confusing references business entities such as corporations in several places. For example, the definition of general contractor business says “a corporation authorized by the commissioner to conduct general contractor work...” What does authorized mean? Is this a separate application requirement?

New Section 28-401.19.16.5 states “has been or is a principal, officer or director of a licensed general contractor business...” How can there be a licensed general contractor business if the individual will be licensed?

New Section 28-418.2 refers to the unlawful use of the title licensed general contractor and states “... unless such, ... corporation, partnership or other business entity is licensed...” Again, this confuses whether the license will be held by an individual or a business.

Section 28-418.3 refers to applications for licenses by corporations and partnerships. How does this work if the license is held by an individual?

Section 28-418.4 refers to financial solvency of an “authorized general contractor business” shall exceed \$25,000 or “such higher amount as set forth in department rules”. Will the DOB have unrestrained discretion to impose arbitrary levels of adequate financial solvency? How will these financial impositions impact new startup or MWBE contractors?

Section 28-418.8, states that “[t]he application for approval of a general contractor business under a licensed general contractor shall be filed...” Is this a separate application process for businesses? What is the process? Does this require a separate piece of legislation setting forth the details of applying for “approval”?

B. INTRO 2276-2021:

The BCA and its 200 plus construction contractor members **oppose** Intro 2276-2021 for the reasons set forth below.

Intro 2276-2021: A Local Law to amend the New York city building code, in relation to construction superintendents, and repealing sections 3310.8.3 and 3310.8.6 of the New York city building code in relation to inspections required by site safety managers or coordinators, and in relation to reasonable prudence required by site safety managers or coordinators to ensure safety.

The plain language summary accompanying Intro 2276-2021 states:

“This bill seeks to build on efforts to reduce construction-related injuries and fatalities by requiring additional site safety supervision at major building construction sites. Such sites would be required to designate a full time Construction Superintendent, who would be responsible for safety and code compliance, along with overall management of the construction project, in addition to a Site Safety Coordinator or Site Safety Manager.”

The BCA objects to Intro 2276-2021 proposal to require a licensed Construction Superintendent on all major buildings. This is a duplication of the current requirements for licensed Site Safety Managers or licensed Site Safety Coordinators on major buildings. It will unnecessarily duplicate existing responsibilities and add more payroll costs to an already expensive industry.

The BCA recommends that the City Council request the Department of Buildings to conduct a cost benefit study to determine if the additional cost for requiring licensed Construction Superintendents increases jobsite safety and any adverse effects such a change could have on small disadvantaged general contractors. We do not believe Department of Buildings has studied the full ramification of this additional staffing mandate or established that expanding the requirements of Construction Superintendents as proposed will reduce injuries and fatalities as has been represented.



9/13/2021

Testimony of the Community Housing Improvement Program (CHIP)
Re: T2021-7888

Submitted to the NYC Council Committee on Housing and Buildings

Thank you for the opportunity to testify today. My name is Joseph Condon. I am testifying on behalf of the Community Housing Improvement Program, also known as CHIP. We are the true housing advocates – our members provide rental housing to hundreds of thousands of families throughout the five boroughs. CHIP members are long-term owners, have good relationships with their tenants, and have become part of the communities in which they provide housing. They want their tenants to be happy, they want to provide quality housing and excellent services, and they don't want to evict tenants.

This testimony is to call your attention to T2021-7888, a bill that was not on the original committee calendar and one that was added without much notice late last week. The bill would greatly expand the CONH Pilot Program, well beyond the recommendations of HPD and without any evidence of the current program being effective. We ask this committee to thoroughly review the pilot program findings and consider whether the program is worth the significant funding it has received.

We would like to call your attention to some of the negative impacts of the program, in on tenants and their communities. While the program intends to root out tenant harassment, instead it traps tenants in substandard building situations. Buildings placed on this list slowly become unoccupied, as tenants vacate organically and owners are unable to renovate a kitchen or a bathroom to upgrade the unit and make it available for rent. It also acts as a form of redlining – banks are unwilling to lend to buildings on the CONH list.

This is concerning to CHIP when looking at the communities where the CONH applies. 70% of CONH buildings are from only 11 community districts. Most of these communities are low- and moderate-income families where housing is the number one concern. But the CONH program locks tenants in to these bad situations because no new owner will buy a building on the CONH list. Arguably, the CONH serves to expedite gentrification by preventing upkeep of units and forcing owners to leave housing units empty rather than re-rent them. And some of these are small buildings. We recently learned of a 6 unit brownstone in Brooklyn where the owner has been essentially bankrupted by CONH because 5 of the units are vacant, cannot be re-rented in their condition and the owner is stuck in the CONH program.

We think the council should take more time to analyze the impact of the program and whether it is effective, or even necessary any more. The world has changed significantly since 2018. In particular the passage of the HSTPA - which changed the rent laws to prevent construction related rent increases in between tenants. The CONH was intended to target owners who were forcing vacancies in order to misuse those programs.

There are numerous other concerns with the CONH program, including whether it hinders the ability of housing providers to make an apartment lead free, due process concerns, and the BQI criteria used to put owners on the list.

PLATFORM ACCOUNTABILITY FOR SHORT-TERM RENTALS: What it is, why it works

By Dale A. Carlson, Co-founder, ShareBetter SF

Platform accountability is the most effective and efficient regulatory model American cities have adopted to ensure compliance with short-term rental (STR) ordinances. It makes it unlawful for Airbnb, VRBO, HomeAway and other third-party services to collect booking fees or commissions for facilitating rentals of housing units that are not legally authorized for use as STRs.

Cities include platform accountability provisions in their ordinances for two principal reasons. First, without them, staff charged with enforcing STR regulations are left to pursue scofflaws one-by-one. In jurisdictions with thousands of operators – or even in small towns with small budgets – that can prove a Sisyphean task. The model requires a data base that platforms can readily access to determine the legal status of all listings and fines sufficient to incentivize compliance.

Second, absent such provisions, platforms have repeatedly demonstrated that they will rent *anything*, regardless of governing law. Legal or illegal is of no concern. They will rent units without property owners' permission and even in the face of owners' explicit objections. Indeed, they offer no assurances that the units they rent are habitable or that they even exist.

San Francisco legalized short-term rentals in 2014. Its ordinance, however, regulated only operators, not platforms. By the end of 2015, fewer than a thousand had complied with licensing and registration requirements, yet Airbnb alone carried nearly 10,000 STR listings in the city. In 2016, platform accountability provisions were adopted, making it a misdemeanor punishable by fines (\$1,000 per day per violation in addition to administrative penalties) or imprisonment for collecting booking fees on illegal STRs.

Airbnb and HomeAway sued the city in Federal court, arguing that the amendments violated the companies' First Amendment rights as well as Section 230 of the Communications Decency Act of 1996. The court ruled in favor of the city, noting that the city is regulating commerce – booking fees – not speech, and it is well within its rights and authority to do so.

Santa Monica adopted San Francisco's model shortly after that ruling. Airbnb and HomeAway sued and lost, appealed and lost, and requested the Appellate Court to consider the case *en banc* – and lost again. The companies' legal challenges in Boston were similarly fruitless.

Platform accountability is now firmly in place and effective in those three cities (STRs dropped by more than two-thirds in Boston, for example), as well as Los Angeles, Washington, DC, Hawaii, Denver, Portland, San Diego and Toronto.

With their legal arguments meritless, the platforms have resorted to claiming that government shouldn't be "outsourcing" regulation and enforcement to private companies. But that's disingenuous. The model is designed to ensure that platforms have some "skin" in the regulatory game, just like other businesses in other industries. We expect clerks, for example, to check IDs before selling young people alcohol. We trust that Uber verifies that each of its drivers has a valid license and registered vehicle before adding them to its platform. Platform accountability simply requires companies to ensure that their offerings are legal; that their revenue isn't derived from aiding and abetting illegal activity.

TESTIMONY OF LUCY BLOCK BEFORE THE NEW YORK CITY COUNCIL REGARDING
THE EXPANSION OF THE CERTIFICATE OF NO HARASSMENT PROGRAM

September 13, 2021

To Chair Robert Cornegy and Members of the Committee on Housing and Buildings,

My name is Lucy Block and I'm a Research and Policy Associate at the Association for Neighborhood and Housing Development (ANHD). ANHD is a member organization whose mission is to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers. We believe housing justice is economic justice is racial justice. Our members are neighborhood-based affordable housing and equitable economic development organizations across New York City.

ANHD coordinates the Coalition Against Tenant Harassment (CATHnyc), which formed in 2016 and worked with Council Member Brad Lander to win the passage of the CONH Pilot Program in 2017.

I'd like to thank the Committee for holding this hearing on the expansion of the Certificate of No Harassment Pilot Program. The purpose of the program is to disincentivize tenant harassment, protect affordable housing, and stop the systematic displacement of New York City's low-income communities of color. CATHnyc's December 2020 evaluation¹ of the pilot program revealed a necessity for CONH to be expanded and adjusted to achieve its intended impacts. The CONH renewal under consideration does this, and CATHnyc urges the City Council to pass the bill.

Our recent research has shown that tenant harassment is not sufficiently disincentivized and landlords are not held accountable. CATHnyc's recent analysis of housing court records showed that between 2016 and mid-2021, at most 165 cases involving tenant harassment were resolved in favor of tenants. That is just 2.3% of all 7,126 cases, and is an average of just 30 rulings in favor of tenants per year. This is why we need a strong and effective CONH program. Along with this testimony, I have provided a fact sheet on our research for additional information.

ANHD and CATHnyc celebrate the expansion of the CONH program and would like to emphasize our position that two main components of the proposed legislation are critically necessary in order to ensure an expanded CONH achieves its intended impact:

1. Expansion of buildings that are included on the CONH pilot program list:

- **The proposed legislation includes adding buildings within districts that are determined by HPD to be at high risk for displacement pursuant to the displacement risk index that New York City is now developing after the passage of Int 1572-B.** The passage of requirements to comprehensively analyze displacement risk citywide was a major victory for equity and racial justice. The purpose of CONH is to disincentivize tenant harassment, which is most prevalent in areas with the greatest risk of

¹ <https://anhd.org/report/tenant-harassment-should-not-pay>

displacement – that is, the areas where landlords have the most profit to gain by harassing and displacing their tenants. **Therefore, the inclusion of buildings in these districts on the CONH pilot program list is of critical importance for making sure the program achieves its intended impact.**

- **The proposed legislation also expands which buildings are included on the pilot program list in additional important ways:** buildings with a 7A appointment, buildings where the landlord has failed to comply with a Tenant Protection Plan, buildings on the Speculation Watchlist, and buildings with significant Department of Buildings and Department of Health violations.

2. Compensation to tenants after a finding of harassment through the CONH process:

- The CONH process requires tenants to participate extensively in providing comments and potentially testifying in an administrative hearing in order to establish a history of harassment when a landlord applies for a CONH. Yet currently, there are no direct benefits to tenants for doing so; they have already experienced harassment and even with the denial of a CONH do not receive any redress. **Vitaly important to the proposed legislation is the provision that HPD's finding that a landlord has harassed tenants would result in direct compensation to the tenants who experienced such harassment.** The proposed redress will mean that tenants are not expected to devote their time and energy to the CONH process without any hope of remediation.

We thank Council Member Lander for his partnership in drafting strong legislation to support the program. We support the proposed legislation and encourage the Council to swiftly pass the bill. Thank you for the opportunity to testify.

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September 13, 2021

Testimony of the New York Building Congress before the New York City Council's Housing & Buildings Committee on Intro 2278-2021

Chair Cornegy, Jr. and members of the City Council Committee on Housing and Buildings, thank you for the opportunity to provide testimony regarding Intro. 2278-2021, which would establish procedures for the licensing of general contractors. While we support the intent of the bill, to enhance safety, we do not believe it has been written in a manner that explicitly accomplishes that objective and could have unintended consequences that hamper both safety and the growth of the building industry.

The New York Building Congress' membership consists of more than 550 constituent organizations and 250,000 skilled tradespeople and professionals, including architects, engineers, contractors and labor, many of whom design and build projects in your neighborhoods. For 100 years, we have sought to ensure that our city grows and is developed in a manner that is both safe and economically advantageous. The construction industry, ranging from small local businesses to multinational companies, employs over 281,000 New Yorkers and represents over \$50 billion in economic activity annually.

We are proud to have worked with this City Council and the de Blasio Administration to advance safety in the industry. Of note, in 2019 construction-related injuries decreased over 20 percent compared to the previous year as a result of the implementation of new laws and the creation of a safety division at Department of Buildings, and we are eager to continue to build on this success. We agree that all New Yorkers, including those who construct and occupy this city's buildings, should have confidence in construction process; however, we do not believe this bill will enhance safety or contribute to growth of the industry. Intro. 2278 not only ignores the complexity of supervising the construction process, but also has the potential to inhibit our economic recovery.

First, we question the intent of the bill. As written, it calls for a C-suite executive, a person who is significantly removed from the supervisory duties at construction sites across the five boroughs, to be responsible for the entire operation of their corporation and all subcontractors. Section 28-418.8 states, *"In the case of a partnership or corporation, only one licensed general contractor shall be the designee of such partnership or corporation."* While this may advance safety for small contractors, this cannot be the case for nationally or internationally incorporated businesses. We ask that this provision be revisited and that the Council take into consideration the vast diversity of companies, both with respect to size and corporate structure, that operate in New York City.

Second, the bill does not adequately address the complexity of activities that go into the building process, which varies from project to project. While the bill aims to create this distinction by creating a limited license and an unlimited license, it does not go far enough. Allowing one type of licensee to operate on all major buildings, essentially all buildings above 10 stories or 125 feet in height, or buildings with a footprint of 100,000 square feet or more regardless of height, does not capture the difference between building types. One license should not cover a 35-story commercial office building, a 500,000-square-foot industrial structure and a 70-story residential building. At a minimum, there should be additional license categories based on project type and their unique construction processes.

Third, the pandemic has caused tremendous harm to many sectors of our economy, including the building industry. With the State-mandated pause on non-essential construction and the reverberating market effects of the City and State's financial constraints, construction activity in 2020 and the first half of 2021 has been negatively impacted. In our *2020-2022 New York City Construction Outlook* report, NYBC forecasted construction jobs would drop to approximately 128,200 in 2020 and bounce back slightly to 136,650 in 2021 and 140,200 in 2022, which represents 14 percent fewer jobs than the previous three-year period.

While there were restrictions placed on the industry, rules were promulgated in a uniform way all across New York State and did not vary by region or county. By creating a new license for operating a business only within the boundaries of New York City, it is establishing a precedent where other counties may also follow suit. We believe the licensing of general contractors can be done more effectively on a state-wide basis. With the significant impact of COVID-19, we believe this is a precarious time to impose additional burdens on the building industry, which offers opportunities for companies large and small to provide good-paying jobs for a diverse workforce. As we emerge from this economic crisis, this legislation that would impose costly restrictions directly inhibiting our ability to gainfully employ thousands of unemployed or underemployed New Yorkers.

We agree that protecting New Yorkers from unscrupulous and unqualified contractors is a worthy goal; however, we ask that the City Council rely on existing legislation and safety programs to do so. For instance, since the launch of the Construction Safety Compliance Unit at the Department of Buildings, which is dedicated to conducting proactive, unannounced inspections of larger construction sites, injuries were reduced 20 percent from 2018 to 2019. This decrease in injuries also coincides with the implementation of Local Law 196 of 2017, which requires safety training for workers and supervisors at larger construction sites.

To protect all New Yorkers, we sincerely hope that the Council will examine the efficacy of existing regulations and explore alternatives to enhancing safety that do not hamper the building industry's ability to emerge stronger from the COVID-19 pandemic. The New York Building Congress and its members are committed to advancing policies that promote a safer and more productive New York. We look forward to a continued partnership with the City Council to achieve both of those goals. Thank you for your time and consideration.

Charlie Samboy
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Testimony of Felice Farber

Senior Director Policy and External Affairs

General Contractors Association of New York

City Council Committee on Housing and Buildings

September 13, 2021, 11:00am

Hearing on Intro 2278-A Licensing of General Contractors

Thank you Chair Cornegy and members of the Housing and Buildings Committee for the opportunity to testify today in opposition to Intro 2278-A, the City's proposal for licensing of general contractors. I am Felice Farber, Senior Director of Policy and External Affairs at the General Contractors Association of New York.

The GCA represents the unionized heavy civil contractors that build New York City's public works infrastructure – the roads, bridges, water and sewer systems, transit systems and parks that provide the very foundation for New York City.

In general, we are not opposed to general contractor licensing requirements. We are opposed to Intro 2278-A as drafted as we believe the bill takes the wrong approach to licensing. The bill tries to fit licensing of general contractors into a specialty trade licensing model which is not applicable to general contractor work – essentially trying to fit a square peg into a round hole.

The GC licensing proposal as drafted would apply to any contractor pulling a Department of Buildings Permit. Such a proposal would encompass City public works infrastructure contractors who may be required to pull a DOB permit for work that is ancillary to the overall project – such as a maintenance shed or sidewalk shed for a bridge or other infrastructure project. Work that is ancillary to the overall infrastructure project should be exempt from DOB general contractor licensing requirements.

Contractors working on City public works projects must undergo an extensive responsibility review and background check through VENDEX and the City's procurement award process thereby ensuring that only responsible contractors are awarded city projects. Performance or payment bonds are also required for City procurements ensuring that contractors doing business with the City have a base level of financial capability before they can be awarded a contract. The requirements of the GC

licensing proposal are therefore not relevant to a public works project further supporting the need to exempt public infrastructure work from the GC licensing proposal.

Intro 2278-A as drafted is not about protecting the worker by ensuring a safe worksite. If that were the case it would establish standards of care, testing, record keeping or the like. Other GC licensing bills across the country take this approach. Instead, the bill assigns blame to the person pulling the DOB permit without setting forth any requirements or standards relating to safety, in effect making that person the "designated defendant" that will allow DOB to have a photo op targeting a specific individual.

By taking this approach, the bill further negatively impacts safety by driving out responsible individuals from serving as the permit designee as no one in their right mind would accept the position to serve as the designated defendant for their company.

The bill fails to include any due process provisions. The revocation of the GC license is left to the discretion of the DOB Commissioner, leaving an individual or company at risk of being put out of business at the whim of a public official. There are no steps laid out for presenting a defense or for graduated enforcement proceedings.

The City Council and the Department of Buildings have taken a number of steps in recent years to improve worker safety. These actions include mandatory safety training for all construction workers, and certain supervisory requirements such as site safety managers. Worker safety is critically important and a priority for GCA members. The focus should continue to be on site safety, not on identifying a defendant for a headline grabbing photo op.

For these reasons, the GCA is opposed to Intro 2278-A as drafted and welcomes the opportunity to work in partnership with the Council and the City to develop a fair and balanced proposal.

Inside Airbnb Testimony for Intro 2309-2021, a mandatory registration system for all short-term rentals in New York City

*New York City Council Housing and Buildings Committee
Monday September 13, 2021*

Inside Airbnb
Adding data to the debate

INDEPENDENT, NON-COMMERCIAL,
OPEN SOURCE DATA TOOL

**How is Airbnb really
being used in and affecting
your neighborhood?**

Thank you Chairman Robert E. Cornegy, Jr. and the members of the City Council Housing and Buildings Committee for the opportunity to provide testimony in the hearing on Monday September 13, 2021 to consider **Intro 2309-2021, a mandatory registration system for all short-term rentals in New York City.**

My name is **Murray Cox** and I am the data activist founder of **Inside Airbnb**, a project which since 2015 has provided data to help understand the impact of Airbnb on hundreds of cities. The project has allowed me to work with communities, policy makers, city administrators and researchers around the world and I have become an expert on short-term rentals and platforms like Airbnb including giving advice on policy responses, effective regulations and enforcement.

I am also a member of the Coalition Against Illegal Hotels: a group of residents, tenants groups and affordable housing organizations fighting illegal hotels in New York City since 2004.

In my testimony, I will be providing support for Intro 2309-2021, and urge the city council to co-sponsor and pass the bill into law.

I thank Councilmember Kallos and his staff for their foresight in crafting and introducing this bill in partnership with the Coalition Against Illegal Hotels and other local and state elected officials and residents affected by short-term rentals.

For years the city has struggled to control short-term rentals, which in February 2020 numbered 50,000 across the city, including 26,451 (53%) entire apartment rentals where so-called "hosts" are not present - illegal under state and city laws designed to protect critical housing in apartment buildings and 1- and 2-family homes.

In December 2020, the city estimated that "up to 15,000 units of housing have been removed from the market by both single [short-term rental] hosts and property managers¹," and that as many as 35,000 of Airbnb's current listings break local laws².

Intro 2309-2021 has critical regulatory features that have been adopted in other cities like **San Francisco and Santa Monica**, which the bill is modeled after, and more recently in U.S. cities and states such as **Chicago, Boston, Washington D.C., Los Angeles, Hawaii, Denver, Portland and San Diego**; as well as international cities like **Toronto, Paris and Barcelona**.

¹ Interview with MOSE for [Platform Failures](https://left.eu/issues/publications/platform-failures-how-short-term-rental-platforms-like-airbnb-fail-to-cooperate-with-cities-and-the-need-for-strong-regulations-to-protect-housing/): How short-term rental platforms like Airbnb fail to cooperate with cities and the need for strong regulations to protect housing, December 2020.
<https://left.eu/issues/publications/platform-failures-how-short-term-rental-platforms-like-airbnb-fail-to-cooperate-with-cities-and-the-need-for-strong-regulations-to-protect-housing/>

² <https://www.bloomberg.com/news/articles/2020-06-12/airbnb-settles-lawsuit-with-nyc-over-providing-host-data>

The essential regulatory features of Intro 2309-2021 shared by other cities include **a) mandatory registration system** for all short-term rentals; **b) platform accountability** so that platforms like Airbnb cannot continue to profit from illegal hotels; and **c) data provided regularly from platforms** to allow the city to manage and enforce the registration requirements and conditions and vital New York City housing laws.

Santa Monica reported that after they introduced similar regulations, they were able to "**return 400 units to the permanent residential market**,³" in a city about 1% the size of NYC.

In **San Francisco**, as platform accountability took effect, **the number of short-term rentals dropped by at least 50%** across the major platforms⁴.

Intro 2309-2021 is required to finally reduce the number of full-time illegal conversions, hosting in unsafe buildings, the removal and misuse of rent-regulated properties and the incursion of tourists into residential buildings and communities.

Intro 2309-2021 is also vital to the post-COVID recovery of tourism, ensuring that illegal short-term rentals do not return to pre-COVID levels.

Features of Intro 2309-2021 that are deemed essential

The following important components of Intro 2309-2021 should be maintained and not watered down.

1. **Mandatory registration system** ensures that only primary residents may receive permission to operate a short-term rental in their own home, while they are present
2. **Platform Accountability** requires that platforms or booking services such as Airbnb or HomeAway would be prohibited from listing any accommodation without a valid registration and would be required to verify the registration number before listing on their platforms.

Airbnb sued the City and State in 2016 to remove platform accountability from the Anti-Advertising Law, and recently platforms like Airbnb have proposed registration systems without platform accountability, knowing full well that hosts will have no motivation to register if they can advertise and transact without getting caught.

3. **Data reporting from platforms** which link a short-term rental transaction to the registration system and physical address. The experience of other cities is that hosts will routinely and repeatedly use fraudulent or fake registration numbers, claim fake exemptions, enter fake addresses; and data is essential to manage compliance.

Non-anonymized data is already provided by platforms to most other cities that have effective mandatory registration systems with platform accountability.

³ Interview with Santa Monica Code Enforcement Analyst by the author

⁴ <https://www.sfchronicle.com/business/article/Airbnb-listings-in-San-Francisco-plunge-by-half-12502075.php>

4. **Tenants must seek the landlord or property owner's permission** to participate in short-term rentals, thereby protecting them from eviction, with for example, a lease like most New York City residential leases, which does not allow short-term rentals
5. **"Unhosted" short-term rentals restricted in housing units: in basement apartments and 1- and 2-family homes**, which number more than 800,000 across the city⁵.

These restrictions already exist in New York State and City laws⁶ and the Intro 2309-2021 registration system upholds them, ensuring New York City's precious housing is used primarily for residential purposes.

While the city's rent regulation laws rarely cover 1- and 2-family homes, outside of Manhattan, they are an important part of the city's affordable housing supply, and frequently utilized by renters and lower income New York residents, including non-family households.

Suggested improvements to Intro 2309-2021

The following improvements would make Intro 2309-2021 more transparent and fair:

1. **the Short-Term Rental Registry should be publicly available** with registration numbers and complete address information to allow for transparent observation of short-term rental activity and ensure that they do not continue to impact affordable housing
2. **the Administering agency should provide an annual report** on the operation of the registration system and effectiveness of Intro 2309-2021 to council and the public
3. To allow hosts benefitting from short-term rentals to pay their fair share of taxes, the bill should **require appropriate tax registration, collection and payment mechanisms**
4. Alternatives to the **requirement for certified inspections of properties** should be considered so that this does not present a burden for legitimate home sharing

In summary, I urge the city council to pass Intro 2309-2021 to help protect New York City's affordable housing stock.

Thank You.

Background

As a New York City resident and community activist, I founded the project Inside Airbnb in 2015 after concerns about gentrification and the contribution of the conversion of residential housing (rooms and

⁵ NYC PLUTO Database, September 2016.

⁶ NYC laws against short-term stays also apply to one- and two-family houses, court says
<https://www.brickunderground.com/rent/restrictions-short-term-rentals-nyc-single-family-two-family-30-days-not-present-own-airbnb>

entire apartments) into hotels in New York City neighborhoods. Highlights of the project and my advocacy include:

- insideairbnb.com has received millions of visits and hundreds of thousands of downloads of public, free data about Airbnb activity in more than 100 global cities, towns and entire countries.
- Inside Airbnb data has been used by activists, advocates, cities planners and has been cited in almost 1,000 research articles
- Worked with city officials around the world to provide data and advice, including New York City, the Cities of San Francisco, Amsterdam, Paris and Barcelona and many more.
- Participated in town halls, lectures, keynotes and panels at events on short-term rentals and data in New York City, Barcelona, Paris, Venice, Munich, Berkeley, Sydney, Melbourne and Hobart.
- Was an international guest of the City of Paris in June 2018 at a round-table discussing the announcement of the cooperation of the cities of Amsterdam Barcelona, Berlin, Lisbon, Madrid, Paris, and Vienna in confronting illegal short-term rentals and defending the right to housing
- In June 2020, co-authored "[Short-Term Rentals: Data, Negotiation and Collaboration Strategies for Cities](https://www.sharingcitiesaction.net/wp-content/uploads/2020/06/Short-Term-Rentals-Data-Negotiation-and-Collaboration-Strategies-for-Cities-Report.pdf)"⁷ for the [Sharing Cities Action task force](https://www.sharingcitiesaction.net/cities-task-force/)⁸ of which New York City is a member
- Conducted extensive research and interviews with cities, including New York City for "[Platform Failures](https://left.eu/issues/publications/platform-failures-how-short-term-rental-platforms-like-airbnb-fail-to-cooperate-with-cities-and-the-need-for-strong-regulations-to-protect-housing/)"⁹: How short-term rental platforms like Airbnb fail to cooperate with cities and the need for strong regulations to protect housing." a report commissioned by members of the Internal Market and Consumer Protection Committee of the European Parliament

In New York City, apart from providing data to the public, activists, elected officials and the city administration, I have been:

- A Member of the Coalition Against Illegal Hotels, a grass roots group made up of more than 30 affordable housing advocates, tenant rights activists and neighbourhood groups.
- The co-author of the report "[How Airbnb's Data hid the Facts in New York City](http://insideairbnb.com/how-airbnb-hid-the-facts-in-nyc/)"¹⁰ which discovered that Airbnb manipulated publicly release data in order to hide commercial operators.
- In response to Airbnb's 2016 report "[Airbnb and Economic Opportunity in New York City's Predominantly Black Neighborhoods](https://insideairbnb.com/downloads/airbnb/Airbnb-and-Economic-Opportunity-in-New-York-City-Predominantly-Black-Neighborhoods-2016-04-18.pdf)"¹¹, Inside Airbnb researched and published "[The Face Of Airbnb. New York City: Airbnb as a Racial Gentrification Tool](http://insideairbnb.com/face-of-airbnb-nyc/)"¹² which found that the majority of hosts in Black NYC neighborhoods were white (by a factor of 500%). The conclusion is that Airbnb is being used as a racial gentrification tool to displace housing for long-term Black residents.

⁷<https://www.sharingcitiesaction.net/wp-content/uploads/2020/06/Short-Term-Rentals-Data-Negotiation-and-Collaboration-Strategies-for-Cities-Report.pdf>

⁸ <https://www.sharingcitiesaction.net/cities-task-force/>

⁹<https://left.eu/issues/publications/platform-failures-how-short-term-rental-platforms-like-airbnb-fail-to-cooperate-with-cities-and-the-need-for-strong-regulations-to-protect-housing/>

¹⁰ <http://insideairbnb.com/how-airbnb-hid-the-facts-in-nyc/>

¹¹<https://insideairbnb.com/downloads/airbnb/Airbnb-and-Economic-Opportunity-in-New-York-City-Predominantly-Black-Neighborhoods-2016-04-18.pdf>

¹² <http://insideairbnb.com/face-of-airbnb-nyc/>

IMPACT

2016
Housing researchers find that 8,058 apartments likely taken off the rental housing market due to Airbnb

2017
Anti-racism and anti-gentrification research finds that Airbnb is 5 times more likely to be used by hosts that are unrepresentative of population, up to 10 times in some neighbourhoods.

2018
Researchers estimate 13,500 units of housing lost, US\$470 increase in rent due to Airbnb

2018
NYS Comptroller report finds that NYC renters paid an additional US\$616m in rent in 2016 due to price pressures created by Airbnb

2020
From analysis of data provided by platforms under subpoena and scraped data, city estimates that up to 15,000 units of housing have been removed from the market by both single hosts and property managers

COMMERCIAL
"Home sharing?"

February 2016
Airbnb caught manipulating claims about reducing commercial activity after quietly removing 1,500 commercial listings in the weeks prior to a major release of data and report.

Airbnb creates "One Host One Home" Policy even though it violates laws in NYC

2018
Report finds that 2/3 of Airbnb revenue is from illegal Airbnb listings and the top 10% of Hosts earned 48% of all revenue

PLATFORM ACTION
Negotiations / Legal Action / Self Regulation

October 2016
Hours after the Anti-Advertising Law is signed, Airbnb files a federal law suit, saying it will create the company "irreparable harm."

Airbnb had spent US\$11m in advertising to try and defeat the law

August 2018
Airbnb and HomeAway sue the city, state and mayor to block the Data Sharing law

January 2019
A federal judge orders an injunction halting the Data Sharing Law

June 2020
22 months after law-suit is filed, Airbnb and HomeAway agree to follow largely unmodified Data Sharing law in settlement with city.

Slightly modified law is passed by City Council and will go into effect January 2021

ENFORCEMENT COMPLIANCE

December 2016
Airbnb drops law suit against Anti-Advertising Law after city says it won't use it on Airbnb.

2019
US\$21m lawsuit filed by city against group who used 130 apartments across 35 buildings and 100 Airbnb accounts to run a massive illegal hotel network.

Airbnb facilitated and failed to stop activity despite its self regulation measures

2020
City estimates that up to 85% of Airbnb listings are violating New York City housing laws and are illegal

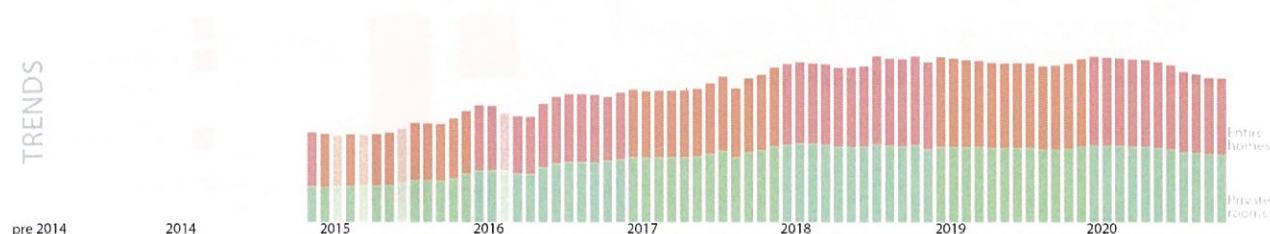
REGULATION

2010
New York State clarifies NYC housing laws that make unhosted Short-Term Rental listings illegal in apartment buildings

October 2016
Anti-Advertising Law signed by New York State Governor makes it illegal to advertise an illegal unhosted apartment. Prior to this law, the city had to provide evidence that an illegal stay had occurred.

July 2018
New York City Council unanimously passes Data Sharing law requiring platforms to provide monthly listing and activity data

TRENDS



Inside Airbnb: NYC Timeline showing key events and research related to impacts, commercial nature, platform actions, enforcement, compliance and regulation

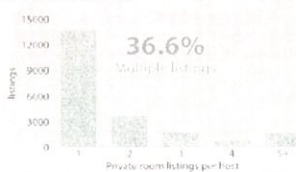


Multiple listings

Entire homes



Private rooms



Occupancy

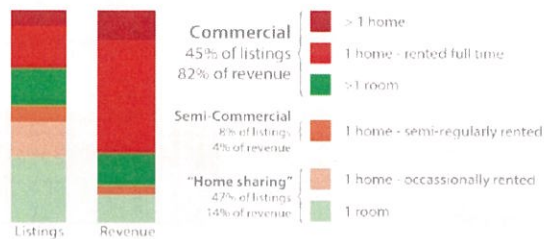
Entire home listings



Entire home revenue



“Home Sharing” vs Commercial



Inside Airbnb: NYC, February 2020. 45% of listings and 82% of revenue are from homes rented full-time, or in a commercial portfolio.



Testimony Before the New York City Council
Committee on Housing and Buildings RE Int. 2309
September 13, 2021

Good morning. My name is Julie Samuels and I am here on behalf of Tech:NYC. I would like to start by thanking Chairman Cornegy and the members of the Housing Committee, and also the advocates, organizations, and everyday New Yorkers who we at Tech:NYC work with to support our local economy in the wake of COVID-19. We are going to recover from this pandemic because our government, technology industries and local businesses are working hand-in-hand to not only revive but grow our economy.

Tech:NYC is a nonprofit coalition of more than 800 technology companies in New York. Our membership includes the largest tech companies in the world as well as hundreds of small and growing startups. We are committed to the city's enduring economic resilience and to ensuring that all New Yorkers can benefit from innovation. Tech:NYC and our members work with government and community partners to foster a dynamic ecosystem so that New York remains the best place in the country to start and grow a technology company.

Today, I'm here to submit testimony regarding Intro 2309, legislation that would establish registration requirements for short-term rentals and booking services in New York City.

The question is no longer whether homesharing has a role in New York City, the question we need to ask now is: how do we effectively regulate homesharing to support tenants while reviving New York's tourism industry to bring badly needed revenue to neighborhoods and families throughout all five boroughs.

New Yorkers and tourists alike want access to homesharing. For many New Yorkers, it provides a meaningful way to supplement their income. And for tourists, it opens up neighborhoods that were previously inaccessible and creates affordable options to visit, bringing tourists to the City who otherwise couldn't visit. Small shops and restaurants reap tremendous benefits in turn. In 2016, for instance, guests from Airbnb alone spent a total of \$1.8 billion in New York City, and one of every three dollars spent went to the local neighborhood where the guests stayed. With 89 percent of Airbnb listings located outside Manhattan's hotel district or Midtown, this money is flowing to neighborhoods that otherwise would not have seen the benefit from tourism.

New York City needs clarity on the rights and responsibilities when it comes to homesharing so that our neighborhoods can benefit from tourism and residents can earn needed income. Unfortunately, the proposal currently before you for regulating short-term rentals would undermine the economic engine of homesharing across the five boroughs and send a signal that New York is hostile toward new business models and the tech sector. This bill, as currently written, has a few critical issues that need to be addressed.



This bill prevents current hosts from utilizing their space for short-term rentals, but would also have a chilling effect on new, responsible residents who are seeking ways to earn extra money throughout the year.

First, requiring hosts to hire an engineer, architect, or inspector to certify their space would be cost prohibitive to most New Yorkers, making it financially impossible for local residents to use homesharing as a way to earn income and preventing lower income neighborhoods from benefiting from tourism. While the intent of this requirement might be to ensure safety, the result would actually harm lower income communities and nearly all families who want to host short term rentals, both of whom stand to benefit from local tourism.

There are many alternatives to ensuring safety in short term rentals that don't create a financial burden on every day New Yorkers trying to pay their bills.

Additionally, requiring renters to obtain written consent from their landlords is deeply problematic. As any New Yorker who has tried to reach an absentee landlord knows, requiring tenants to get written consent is tantamount to banning home-sharing for many tenants who need access to this industry the most. The alternative is simpler, more effective and more just for tenants: landlords can prohibit home-sharing in leases.

Right now, a year and a half into a global pandemic, our City and it's neighborhoods are hurting. Homesharing, and smart regulations to support the practice while ensuring safety, is exactly what New York needs right now. It's how we can bring badly needed revenue to residents who want to open their homes to guests and to neighborhoods whose small businesses and local restaurants need new customers.

New York is the greatest place on earth but to stay that way we absolutely must be able to compete with other large cities when it comes to homesharing. Growing tech companies—whether in travel or other spheres—need to know that NYC is ready to work with them. This doesn't mean that government should write a blank check to Airbnb and other homesharing platforms, but it does mean we need to have a more reasoned conversation about how to support responsible homesharing that New Yorkers want access to and how to take advantage of the millions of dollars of tax revenue currently left sitting on the table.

Returning to the question I posed earlier, how do we effectively regulate homesharing to support tenants while reviving New York's tourism industry to bring badly needed revenue to neighborhoods and families throughout all five boroughs? It's surprisingly simple, we need to create regulations that are aimed at supporting everyday New Yorkers and families, whether they want to open their homes to visitors or are running a local shop that needs new visitors. We can do this without sacrificing safety or the rights of landlords and tenants.



American Council of Engineering Companies of New York

Testimony - September 13, 2021
Committee on Housing & Buildings
Intro. 2276 & Intro. 2263

The American Council of Engineering Companies of New York (ACEC New York) thanks the Committee for this opportunity to submit testimony regarding Intro 2276, in relation to inspections required by site safety managers or coordinators, and Intro 2263, in relation to requiring DOB-Licensed Safety Professionals on major construction work sites.

ACEC New York represents close to 300 consulting engineering and affiliate firms (with 30,000 employees) throughout New York, with a concentrated presence in the city. Our members plan and design the structural, mechanical, electrical, plumbing, civil, environmental, fire protection and technology systems for New York City's infrastructure and buildings.

Concern related to the bills:

- It is our understanding the bills' proposed requirements are intended to be applied to work that is under the Department of Buildings' (DOB) jurisdiction, under a DOB permit, and *not* to NYC Department of Environmental Protection (DEP) and/or Department of Design and Construction (DDC) water infrastructure projects.
- In most instances, water infrastructure would not be under DOB jurisdiction as permits for such projects ordinarily come from NYC Department of Small Business Services (SBS).
- However, recently, some newer water infrastructure projects have gone through DOB for permitting to help offset caseload.
- It is our understanding, in these instances, these projects were processed through DOB to offset caseload and not to extend DOB oversight.
- It is important to note, DEP and DDC have their own internal safety departments which serve the same purpose as DOB from an enforcement perspective.
- Engineering firms experienced an issue in the past when Local Law 196 was enacted. It was not initially clear if DEP had to adhere to new requirements pursuant to the law. Ultimately, they do not, but it would be helpful if more-explicitly provided in the bill.

Recommended solution:

- Explicitly provide in Intro 2276 and Intro 2263 that these new requirements will not be applicable for all DEP and DDC water infrastructure projects.

Thank you for considering these comments and our request. Please let us know if there anything we can do to assist.

For further information please contact:

Bill Murray, Vice President of Metro Region, ACEC New York
bill@acecnyc.org



ASSOCIATED GENERAL CONTRACTORS OF NEW YORK STATE



The New York State Chapter of the
Associated General Contractors of America

**Testimony of Associated General Contractors of New York State
Submitted by Walter Pacholczak, Vice President of Government Affairs
New York City Council Housing and Buildings Committee - Int. 2278-A and Int. 2276
Monday, September 13, 2021**

Good morning, Chair Cornegy and members of the New York City Council Housing and Buildings Committee, I am Walter Pacholczak, Vice President of Government Affairs for the Associated General Contractors of New York State (AGC NYS). AGC NYS is the leading statewide trade association for New York's construction industry representing union and open shop businesses. We represent nearly 600 contractor, subcontractor, and related firms and have more than 80 years of experience working with public agencies and private developers to deliver quality projects that are the lifeblood of our communities. AGC NYS members perform the majority of the public and private transportation, building and environmental infrastructure work in every region of New York State.

Today's comments will discuss the performance of the New York City Department of Buildings (DOB), Int. 2278-A, and Int. 2276.

As the primary regulator of construction in the City of New York, the mission of the DOB is to aggressively enforce the City's Construction Codes, Zoning Resolution, and the New York State Multiple Dwelling Law to protect workers and the public. AGC NYS supports the stated mission of the DOB, however, it is becoming increasingly well documented that the agency has lost focus on its' primary mission.

Our substantive concerns about DOB's contractor licensing proposal, coupled with the "make it up as you go" approach we are seeing with inspections, citations and stop work orders, make this an existential threat for many in the construction industry particularly the smaller firms and M/WBE firms. Those who lose the most when DOB shuts down a job are, of course, the workers. It's all unfortunate.

We hope these proposals are rejected by the City Council and that the new Mayor will refocus the DOB on more important matters given recent weather-related events and a more judicious, standard based approach to inspection and enforcement.

1. Proposed Law to License General Contractors – Int. 2278-A. A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to the licensing of general contractors. **The Associated General Contractors of New York State strongly opposes Int. 2278-A.**

General Comments

- **Authority** – There is an underlying question that has yet to be satisfactorily answered – does the City of New York have the authority to enact such a law absent NYS authorization? It has been a longstanding view that they do not have such authority. When the City of New York enacted the “Safety Registration” rules in 2009, the approach and terminology was based on a belief that they were not authorized to enact a licensing requirement for general contractors. Indeed, over the years there have been multiple bills proposed in the NYS legislature to provide such authorization. Those laws have yet to pass. This is an important piece given the nature of the general construction market. If NYC were able to enact such a local law absent NYS authorization, what would stop every Town, Village and City throughout the State doing similar. The market impact and related effect on the economy of New York State would be catastrophic.

- **Justification** – What is the underlying need for such a law? More importantly, what is the desired outcome of this law? If it is safety—well within the purview of NYC DOB—that has been dealt with relative to the Safety Registration. If the aim is to measure core competencies or organizations or individuals, the legislation is woefully inadequate. In fact, the suggestion in this legislation that based on the mere fact that a Registered Architect is automatically assumed to possess the skills and background necessary to be a licensed contractor is laughable on its face.

- **Agency Purview/Preparedness** – As indicated above, if the aim of this law is to gauge the core competencies necessary to be considered a licensed general contractor, it could be argued that NYC DOB is not currently equipped to engage in such a significant effort. It could also be argued that NYC DOB should stick to their primary mission and perfect that before they venture into an area that will distract from that very important mission. With that said, is the City of New York prepared to make the investment of money and personnel – to NYC DOB or another agency - to effectively administer such a law? It seems that, particularly given the as NYC seeks to recover from the pandemic, this is not the time for such an expenditure or for the potential economic disruption such a law may pose.

- **Due Process** – Given the grave and irreparable harm that the denial or revocation of this license would have, that lack of due process contained within this legislation is glaring and concerning. Moreover, since even a publicized effort to revoke such a license, such power being granted to NYC DOB must have significant guardrails not currently present in this bill. Granting such power over whether a contractor lives or dies to any agency should not be lightly done.

Specific Comments

- **Section 1** – This section would seem to cast a very wide net as to who would be viewed as a general contractor. Indeed, if it applies to all those who presumably as a prime contractors to owners who would need to take out a permit, this could include a whole host of trade contractors (with the exception of other licensed trades) such as roofers, drywall contractors, window installers, etc. In addition, there is a specific indication that City agencies would fall into that category of, at the least, requiring such a designee

and, given that, it might be argued that a building owner who performs work requiring a permit would need to maintain a staff to serve as a “designee.” This would add to the costs and impact of this law.

- Sections 2 and 3 – The definitions in this section seem to confirm the concerns expressed relative to Section 1.

- Section 4 – The failure to denote fees associated with these licenses and to leave it to future rulemaking by NYC DOB is a flawed approach and represents an outlier to other licenses.

- Section 5 – This section lays out the reasons for denial or revocation of a license. Before we get into specific points, it is important to note that this section manages to greatly blur the lines between this being a license for an individual designee or the business itself.
 - o 16.2 – This clause would allow for NYC DOB to insert themselves in contractual matters between contractors, their clients and, potentially, subcontractors in order to revoke a license for late completion. NYC DOB is neither equipped to evaluate such matters nor welcome in the effort. They will put licensed contractors at a distinct contractual disadvantage in that the threat—veiled or otherwise—of a revocation of license will be used against them.

- o 16.3 – This would call for revocation based on “knowledge” of acts committed by agents or employees of the licensee. Agents would seemingly include subcontractors at various levels. What does the term “knowledge” mean in this regard? We are concerned that such term will be viewed as “reasonably should have known” which creates a great deal of unmanageable risk.

- o 16.5 – Effectively, this provision states that revocation of a license is forever.

- Section 7 – This section effectively replaces what had been the Article 418 “General Contractor Registration” provisions with “General Contractor License” provisions. In so doing, they have further blurred the lines between whether the license is for an individual designee or for the business itself. Besides making the entire piece of legislation flawed on its face, it creates confusion and danger for businesses.
 - o 28-418.1 – Here the confusion grows about what the requirement for work being performed “under the supervision of a person who holds such a license” means. Who is the “person?” Does it mean an employee of the firm, the designee? If the latter, how many places can one person be? It should be noted here that the comment above relative to “knowledge” (16.3) becomes more in focus and concerning.

- o 28-418.1.1 – At present, NYC DOB has trouble meeting deadlines for renewals now. This will make matters far worse and more problematic.

- o 28-418.4 – What will these rules look like? On what basis will NYC DOB analyze the financials of a contractor? What is their background and expertise to do so? It seems that an entirely new division within NYC DOB will be required. It should also be noted that based on the very broad definitions of what a “general contractor” is (noted above), this could have a significantly negative impact on minority businesses.

- o 28-418.6.1 – The notion that such lists will be provided to the Department at the start of the project (or within 24 hours of request) is problematic as the job may not have been bought out at that point and such a list would not be available or of value. Here again, the information to be provided would indicate a need for a whole new division within NYC DOB.

o 28-418.6.3 – What are the standards for this? How will such costly efforts be determined as required? Here again, we are subjecting ourselves the whims and vagaries of the Department.

o 28-418.7.1, Subparagraph 2.3 – The notion that the mere fact that a person holds an Engineering or Architecture License is automatically assumed to possess the skills necessary to be a licensed GC (or, it would seem, designee) is proof positive that this is not about quality or skill but, rather, about adding punitive capabilities to the Department’s arsenal.

o 28-418.8, subparagraph 2 – Only one designee per corporation? This presents a great deal of risk to the firm and any individual deemed the designee.

o 28-418.8, subparagraph 3 – While, admittedly, we don’t know what “member” means, this requirement seems unrealistic for corporations.

o 28-418.9, subparagraph 1 – Why would someone want to be deemed the “designee?” The personal liability will be tremendous.

o 28-418.9, subparagraph 2 – More responsibility for the designee, including responsibility for subcontractors is of grave concern. It further heightens our concern relative to “knowledge” (16.3).

2. Proposed Law in Relation to Inspections by Site Safety Managers and Coordinators. Int. 2276. A Local Law to amend the New York city building code, in relation to construction superintendents, and repealing sections 3310.8.3 and 3310.8.6 of the New York City building code in relation to inspections required by site safety managers or coordinators, and in relation to reasonable prudence required by site safety managers or coordinators to ensure safety. **The Associated General Contractors of New York State strongly opposes Int. 2276.**

Int. 2276 is a misguided attempt to require a licensed construction superintendent on all major buildings. The justification of the proposed law does not document any empirical evidence about increased safety at job sites or the ability of the NYC DOB to administer and enforce the additional mandates. Rather, the proposed law is a hodgepodge of bureaucratic red tape which, would establish a of duplicative standard of current requirements for licensed site safety managers or coordinators.

Thank you for the opportunity to testify at today’s committee meeting. We hope these proposals are rejected by the City Council and that the new Mayor will refocus the DOB on more important matters given recent weather-related events and a more judicious, standard based approach to inspection and enforcement.



The Building Owners and Managers Association of Greater New York (BOMA New York) appreciates this opportunity to submit the below comments for the record. BOMA New York represents more than 750 property owners, managers, and building professionals who own or manage 400 million square feet of commercial space in New York City. We are an association within BOMA International, a federation of 90 US associations and 19 international affiliates that own and operate approximately 10.5 billion square feet of office space in the United States. We appreciate the opportunity to submit testimony on the following proposed laws.

Int. No. 2276-2021: A Local Law to amend the New York city building code, in relation to construction superintendents, and repealing sections 3310.8.3 and 3310.8.6 of the New York city building code in relation to inspections required by site safety managers or coordinators, and in relation to reasonable prudence required by site safety managers or coordinators to ensure safety.

Int. No. 2276 seeks to build on previous construction safety regulations that have reduced injuries and fatalities at major construction sites. Among other things, it would require a designated Primary Construction Superintendent to oversee safety and code compliance, as well as manage all construction activities, at major building construction sites. By 2026, no person could be designated as the Primary Construction Superintendent for more than one site at a time.

Although BOMA New York generally supports the bill, the Council needs to take into consideration the day-to-day realities of construction work. In particular, it needs to provide for the need to continue to do work if the Primary Construction Superintendent cannot be on site due to illness or other reasons. Consequently, the bill should allow for a "competent person" to fill in temporarily under such circumstances, as is the case today.

In addition, although we agree that a person should not serve as a Primary Construction Supervisor and as a Site Safety Manager/Site Safety Coordinator at the same construction site simultaneously, he or she should be able to hold both licenses concurrently. This would allow for important personal professional development, as well as help resolve personnel shortages that are driving up construction costs.

Int. No. 2278-2012: A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to the licensing of general contractors.

Int. No. 2278 would require DOB licenses for general contractors, and it lays out the various requirements of to get such a license, including, but not limited to, the need to possess a valid Site Safety Training Supervisor Card. The bill would also require general contracting firms to

appoint a licensed general contractor as their “designee” to apply for all permits and to supervise all work.

BOMA New York strongly opposes this proposed bill as written. The law would basically attach the license to one person in a firm, and task that person with being responsible for all permitting and supervising all work. Many general contracting businesses are very large and perform work on many sites simultaneously. It is not appropriate, or even viable, to expect one individual to handle all of the responsibilities that this bill would require.

Furthermore, the actual supervisory responsibilities of the individual on each work site is not spelled out and so would be impossible to comply with. In addition, any such supervisory role would require intimate knowledge of the construction project and site, but the bill would require the designee to be a company executive.

As an alternative, BOMA NY suggests that the Council allow for multiple designees per firm, based on the number of projects they undertake. These designees should be on-site and have knowledge of the project being supervised, and not a company executive.

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communitiesresist.org

Chair Robert Cornegy and
Members of the Committee
on Housing and Buildings

September 13, 2021

Re: Testimony of Rachel Nager of Communities Resist Regarding the Expansion of the Certificate of No Harassment Pilot Program

Dear Mr. Chair and the Committee:

Thank you for the opportunity to testify today about expanding the Certificate of No Harassment Pilot Program. My name is Rachel Nager and I'm a senior staff attorney at Communities Resist, a nonprofit legal organization located in North Brooklyn supporting tenants for housing justice issues. I am also a member of CATHnyc, a city-wide coalition fighting against the displacement of low-income tenants through organizing and by advocating for stronger laws – like the Certificate of No Harassment – that prevent harassment and ensure tenants can stay in their homes.

Communities Resist represents thousands of tenants in Brooklyn and Queens and I mainly represent tenants in North Brooklyn, including Greenpoint, Williamsburg, and Bushwick. Tenant harassment is a real threat as gentrification continues to sweep through these neighborhoods.

Landlords have demolished structural beams in hopes to have the City vacate the building to force free evictions. Landlords have offered multiple buyouts while refusing to exterminate bedbugs or make required repairs. Landlords have made shoddy repairs in efforts to get City violations removed while not addressing the underlying issues, only to have the same problem recur soon after the “repair.”

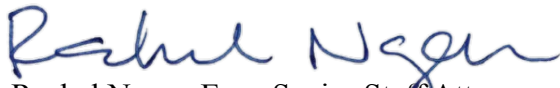
The Certificate of No Harassment program is a tool for the City to protect tenants and decentivize unscrupulous landlords from prioritizing profit over people.

Councilmember Lander's Certificate of No Harassment bill does two things that will protect countless tenants and discourage bad landlords from engaging in harassing behaviors: first, it provides compensation to be paid from landlords to tenants when there is a finding of harassment or when a Certificate of No Harassment is not issued. This new aspect of the Program would force landlords to put more thought into the risks of harassing tenants and affect their risk-assessment when launching harassment campaigns. The bill also supports tenants who suffer through untenable circumstances in their homes due to these same landlords. Compensation for tenants is crucial to the efficacy of this Program because it directly impacts the target of the harassment. Second, this bill expands the scope of the Program to reach more New

Yorkers by including buildings where there is already a sign of tenant harassment. These signals of harassment include buildings with an RPAPL Article 7A administrator, buildings where there are DOB violations for failure to comply with a tenant protection plan, buildings on the speculation watchlist, and buildings with violations from the Department of Buildings and Department of Health. This expansion of the Program would affect more landlords with bigger portfolios and deeper pockets, thereby protecting more of your constituents.

Councilmember Lander's bill as it is introduced is a prime example of legislation that will affect constituents in a meaningful and impactful way. I (we) encourage this body to adopt this bill as it stands.

Thank you,

A handwritten signature in blue ink that reads "Rachel Nager". The signature is fluid and cursive, with the first name "Rachel" and last name "Nager" clearly distinguishable.

Rachel Nager, Esq., Senior Staff Attorney
COMMUNITIES RESIST

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NEW YORK, NEW YORK

LABORER'S INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO

Angelo Angelone

President & Business Manager



Kieran O'Sullivan

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30-56 Whitestone Expressway, Suite: 320, Flushing NY 11354

September 10, 2021

Dear Speaker Johnson,

On behalf of the over 3,000 women and men who make up the Cement and Concrete Workers District Council, I am writing this letter of support for Intro 2278, sponsored by Public Advocate Jumaane Williams, Council Member Karen Koslowitz, Council Member Robert F. Holden, and Council Member Margaret S. Chin. This bill, which would require general contractors to be licensed by the Department of Buildings (DOB), a practice already in place for many other trades, can significantly improve protections for so many construction workers across the city.

Right now, many contractors in New York are not licensed, which results in significant challenges to monitor and track companies who have consistent violations or accidents on their job sites. Without a proper licensing system in place, particularly given the variety of company names and structures that can be involved on a given project, it is incredibly challenging for anyone, especially the Department of Buildings, to properly identify who is involved when an incident occurs or prevent a pattern of bad practices from continuing.

Governor Kathy Hochul signing the construction wage theft bill on Labor Day, which makes general contractors liable for wage theft by their subcontractors or labor brokers on their projects, was a crucial step in the right direction. However, without a proper mechanism in place for DOB to understand who exactly is on these projects, tragic accidents and wage theft will unfortunately continue.

For the safety of construction workers across the city, I urge you, the Council Committee on Housing and Buildings and the City Council to pass Intro 2278.

Sincerely,

Angelo Angelone
President & Business Manager

Testimony In Support of Intro 2309/2021

Prepared By: Yonatan Tadele, Housing Organizer, Cooper Square Committee

Based in Manhattan's Lower East Side, the Cooper Square Committee (CSC) is a membership-based nonprofit organization focused on the preservation of affordable housing & empowering tenants through grassroots organizing. We have a track record more than six decades long, working alongside tenants in fighting for & expanding their rights to safe, habitable homes.

On behalf of CSC and the Coalition Against Illegal Hotels (CAIH), of which we are a member group, I would like to speak in support of Intro 2309. This bill would introduce a mandatory registration system for all short-term rentals in NYC, providing a framework for legal home-sharing operators to function in while identifying chronic bad-actors. Particularly those who operate multiple illegal short-term rentals across multiple buildings.

As one of NYC's most vibrant, culturally-rich neighborhoods, the Lower East Side has been a hub for tourism over the years. The area has seen some of the City's highest levels of illegal short-term rental activity over the past decade, rivalled only by Manhattan's West Side.

Though certainly not the root cause, the proliferation of illegal short-term rentals has exacerbated this neighborhood's already dwindling stock of deeply-affordable, rent-regulated housing. Following the 2008 financial crisis, a wave of speculation overrode the neighborhood, leading to overleveraged building sales and displacement of rent-regulated tenants, a phenomenon now labelled "[predatory equity](#)." This mass conversion of rent-regulated apartments to luxury/market-rate created a secondary market of short-term rentals, which has had the dubious effect of decreasing available housing to tenants of all income bands. As such, rents rose across the board.

Companies such as Airbnb, HomeAway, VRBO, et al. emerged during this time, acting as scavengers within the larger ecosystem of predatory equity; the environment fit their business model to a "t." Despite their vehement opposition to previous City bills targeted at curbing the issue of illegal short-term rentals, I am not aware of any comments and/or efforts made by any of these companies to address the deeper, more systemic issues which led to predatory equity: the mass displacement of long-term residents, removal of rent-regulated apartments from the housing market, and the transformation/gentrification of entire neighborhoods.

In addition to the above, we have also encountered (in our neighborhood) the problem of third-party, commercial operators - some of them, landlords themselves - who flout existing City & State laws booking services to operate multiple illegal short-term rentals within entire buildings. A [2016 report](#) published by MFY Legal Services found that 30% of surveyable Airbnb listings city-wide, roughly 15,400 units, were actually run by these commercial operators. In 2019, the Mayor's Office of Special Enforcement (OSE) identified one such operator, SoHo Lofts, running illegal short-term rentals in four East Village buildings. OSE's investigative efforts [led to a settlement](#) with SoHo Lofts across another portion of their "portfolio."

Over the past few years, CSC has worked with a variety of stakeholders - community members, elected officials, and City administrators - to address the numerous concerns that accompany extensive transient use of residential buildings. Tenants we work with living in buildings overrun by illegal short-term rentals often report numerous quality-of-life issues related to building security, personal safety, and a decrease in building services. Their buildings often become "illegal hotels," themselves, far beyond their zoned use.

We are encouraged by Intro 2309's transparency, and it's aim to provide a workable system in which legal home-sharing can flourish while penalizing consistent bad actors who continue to destabilize communities. The implementation of similar types of legislation in major cities such as San Francisco,

Boston, Chicago - as well as overseas, in metropolises such as Paris, Barcelona, et al. - should also serve as an encouraging reminder that regulation is not a death knell; it is a legitimate solution that many other locales have considered & legislated themselves.

With that in mind, I would like to reiterate our support for Intro 2309, along with our hope that the City Council strongly considers its merits & passes it into law. Thank you, once again, for the opportunity to submit testimony during this process.



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CSAC NY's Professional Membership includes over 300 Practicing Safety Professionals representing construction industry stakeholders throughout the NYC Metropolitan Area.

Testimony of Peter Amato, Vice President Construction Safety Advisory Committee of New York Before the New York City Council Housing and Buildings Committee

Concerning Introduction 2263-2021

Monday, September 13, 2021

Thank you, Chair Cornegy and Members of the Housing and Buildings Committee for holding this very important hearing. I am Peter Amato, Vice President of the Construction Safety Advisory Committee of New York, herein referred to as CSAC. CSAC's founding members and Board of Directors include past Presidents of the American Society of Safety Professionals (ASSP) NYC Chapter, Past President of the Safety Executives of New York, former Chief of the NYC DOB BEST Squad and other industry experts.

CSAC's mission is to advocate for safety on and around New York City construction sites. Over the last few years, we have worked closely with the NYC Council, Mayor's Office and Department of Buildings to help shape legislation like the Construction Safety Act, also known as Local Law 196. Our members rely upon us to be their voice in government and we are grateful for the opportunity to collaborate with our elected officials, and Commissioner La Rocca and her team at the Buildings Department.

Today we wish to testify on [Int 2263-2021](#), which would lower the threshold for a major building construction site to include those that involve existing or proposed buildings 7 or more stories or 75 feet or more in height. CSAC supports this bill, but respectfully suggests shortening the effective date to 18 months rather than

three years. Doing so will save lives.

All too often, everyday New Yorkers read about avoidable accidents and fatalities. Unfortunately, the majority of these accidents and fatalities occur on "low-rise" buildings, which are lower than 10 stories. In fact, DOB recently shut down 300 construction projects that were mostly "low-rise" buildings due to safety concerns. DOB and OSHA have consistently publicized the need to protect construction workers on these "low-rise" buildings since they are more likely to have accidents and fatalities.



Implementing this law, which will require contractors of all new buildings and full demolitions over 6 stories to designate a site safety coordinator/manager, is vital to improving safety throughout New York City. Doing so within an 18-month period will mean workers and pedestrians are protected from harm sooner. It will also provide enough time for Site Safety Coordinators/Managers to get licensed, thanks to the actions taken by the City Council to shorten this process to 90-days. As such, there will be sufficient Site Safety professionals available within this period to begin compliance and oversight. Any further delay is unnecessary.

Once again, CSAC supports Intro 2263-2021, and we applaud Council Chair Cornegy for all of his hard work with the Building Code Revision Team, of which we are members, to craft this legislation. This building code revision will ensure more workers, the majority of whom are people of color, will have stronger protections in place and, ultimately, it will save lives. CSAC's goal will always be to find ways to ensure workers go home to their loved ones safely at the end of each day.

The Construction Safety Advisory Committee of New York thanks you again for holding this hearing. We welcome the opportunity to work with you on our proposed amendment, and are available at your convenience to discuss this further.

Hebrew Actors' Foundation / Union
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New York, NY 10003
Hy Wolfe, Co-President
Stuart Zagnit, Co-President
September 13, 2021

To The Honorable Members of the NYC Council Committee on Housing and Buildings
Robert E. Cornegy, Jr. (Chair), Margaret S. Chin, Carlina Rivera, Helen
Rosenthal, Bill Perkins, Mark Gjonaj, Fernando Cabrera, Barry Grodenchik,
Farah N. Louis, Co-Sponsored by CM Yeger.

In Re: LL-152 of 2016 and Intro – 2321.

My name is Hy Wolfe. Stuart Zagnit and I are the Co-Presidents of the Hebrew Actors' Foundation ("HAF"), the successor to the Hebrew Actors' Union.

I am writing for assistance in connection with LL-152 of 2016. The proposed legislation, Intro – 2321, a proposed local law to amend the administrative code in relation to creating a hardship program for inspection and correction of building gas piping systems, does not address our particular hardship. **Intro - 2321 must include a waiver or exemption for vacant buildings that have no gas coming into the building. Also, a waiver of the \$10,000 penalty should be granted in the event that a hardship amendment to LL-152 is delayed, since such delay might trigger a \$10,000.00 penalty to be generated by the NYC system.**

The circumstances regarding our building are not addressed in LL-152 and we should be offered relief.

1. The HAF building is currently vacant and has been vacant since 2011.
2. We have "No Gas" in our building. We have NOT had gas in our building in 21.5 years. Con-Ed field inspectors, who were sent to our building to verify that we have no gas, provided that information verbally to me when they inspected our building.
3. We have "No Curb Cut Off Valve in the street". The buildings on either side of our property, numbers 29 and 33 East 7th Street, both have such valves.
4. We have "No gas feeder pipe to our building" as we have NO GAS! It serves no purpose and makes no sense to hire a Master Plumber at a cost of \$3000.00 in order for the Master Plumber to open a work order to "cut and cap our gas service at the head". The gas was cut and capped years ago.
5. Con Ed can confirm "No Gas in Building" only if we hire a master plumber to open a work order to confirm that we have no gas. The cost of hiring a master plumber and opening a work order is \$3,000. This serves no purpose except to enrich others.
6. We will update and renovate our entire building and HVAC system "One Day".
7. We hope to turn our historic building into a community space, a theater and museum dedicated to the immigrant experience and to Yiddish Theater. Our building is

of historic importance to New York City. Our Union predated the Actors' Equity Association by some fifteen years; we are the oldest acting union in the world, a unique piece of NY history. We enrich the fabric that is New York City's Lower East Side, the last physical remnant of the once vibrant Yiddish Theaters that populated Second Avenue.

Intro 2321, needs to address our situation by granting HAF a hardship exemption. No purpose is being served by having HAF hire someone to inspect our building's interior plumbing. The building's gas plumbing has not been used in 21.5 years and will never be used in the future. When we succeed and raise the money that HAF needs to renovate our building, we will demolish the old systems and install state-of-the-art HVAC systems for all utilities.

Having a Master Plumber remove or inspect our current exposed gas piping serves no purpose other than satisfying a council law that common sense shows has failed to address our situation. **LL-152 should take into consideration buildings with no gas.**

We were first informed of this new regulation on April 28, 2021. On April 29, 2021 we took action. We have invested 100+ hours of valuable time calling Council Members, emailing and personally visiting Department of Buildings. Representatives of the Department of Buildings, the NYC agency tasked with enforcing this law, told us that their hands were tied by this new law.

We requested that Con-Ed remove our two locked gas meters, that have not been used in years. Our thinking was that this would resolve the issue.

What does Con-Ed do? They sent three different crews to visit and inspect.

1. Crew # 1 from Con-Ed confirmed to us that our last meter reading was 21.5 years ago.
2. Con-Ed also confirmed the meter reading has not changed since that last meter reading 21.5 years ago.
3. Crew # 2 removed our old gas meter and replaced it with a new gas meter. When we asked why, their reply "that is what they were supposed to do".
4. No one at Con Ed will take any responsibility. They want HAF to hire a Master plumber, open a work order and confirm that we have no gas in order that Con Ed can confirm our plumber's report. This is done to avoid all and any liability on the part of Con-Ed.

If we may suggest some common-sense relief to LL-152.

1. Set some reasonable benchmarks for exempting buildings with no gas.
2. Have the Department of Buildings confirm with Con Edison that 31 East 7th Street has "NO GAS".
3. Prevent us from acquiring gas, until we have installed a compliant gas piping system.
4. Allow for buildings with No Gas and New Buildings that have yet to connect to gas service to be exempt until they request service. At that time, the building

can hire a Master Plumber and RDP (architect) to file proof of inspection and compliance with the law.

The application of the penalty for noncompliance is unfair. We never received notice during Covid-19 of this law being taken up to be discussed or of its passage. The Department of Buildings never informed us that LL-152 was to take effect 12-31-2020. We were notified for the first and only time on April 28, 2021 that the date of compliance had been extended to 6/30/2021. How is this fair?

Respectfully,

Hy Wolfe
Co-President, Hebrew Actors' Foundation / Union
212 233-3383
HyMoWo@aol.com



September 10, 2021

Robert Cornegy, Jr., Chair
Committee on Housing and Buildings
New York City Hall
New York, NY 10007

RE: Opposition Int. 2309 - Requiring registration for short-term rentals and booking services.

Dear Chair Cornegy:

Internet Association (IA) is the only trade association that exclusively represents leading global internet companies on matters of public policy. Our mission is to foster innovation, promote economic growth, and empower people through the free and open internet. We believe the internet creates unprecedented benefits for society, and as the voice of the world's leading internet companies, IA works to ensure legislators, consumers, and other stakeholders understand these benefits.

IA respectfully, but strongly **OPPOSES Int. 2309** as drafted. It violates the federal and New York State Constitutions, the Stored Communications Act ("SCA"), Communications Decency Act ("CDA") and encroaches on the rights of platforms and hosts. The bill would require hosts to register themselves and each short-term rental unit listed for rent in New York City with the Office of Special Enforcement (OSE). It also requires third-party hosting platforms to register with OSE and subjects the platforms to civil penalties for unregistered properties. In addition, the bill compels platforms and hosts to retain and share personal information (including financial information) and constitutionally protected, commercially sensitive business information with OSE. Moreover, the bill duplicates - but broadens - a preexisting NYC data reporting law and exceeds a settlement agreement with one platform (Airbnb) that led to the existing law¹.

Int. 2309 violates the Fourth Amendment to the U.S. Constitution and the New York State Constitution because it allows the city of New York, without a warrant, to raid Airbnb's private proprietary business records replete with commercial and personal data in which Airbnb has a reasonable expectation of privacy. Established legal precedent makes the illegality of **Int. 2309** clear. Similarly, hosts have privacy interests in the non-public personal information they disclose to platforms.

Section 230 of the Federal Communications Decency Act states, "no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information

¹ New York City's Booking Service data reporting law is contained within the New York City Administrative Code, under Title 26 "Housing and Buildings," Chapter 21 "Short-Term Residential Rentals," at §§ 26-2101 through 26-2105. The Law took effect January 3, 2021. Based on this law, platforms are already required to share certain information with OSE. See <https://www1.nyc.gov/site/specialenforcement/reporting-law/laws-rules.page>



provided by another information content provider.”² According to legal precedent applying this law, third-party short-term rental marketplace platforms cannot be held liable for the conduct of their hosts, and states cannot impose requirements on companies to police their platforms. This would include proactive monitoring to verify whether a listing is properly registered with the Office of Special Enforcement before allowing a host to operate on the platform, as well as imposing fines for failure to comply. Should this bill become law, its obligations imposed on platforms to verify registration by listings would be clear violations of CDA 230.

Under the Stored Communications Act, “a provider of remote computing service or electronic communication service to the public shall not knowingly divulge a record or other information pertaining to a subscriber to or customer of such service . . . to any governmental entity,” without a subpoena or other legal process, unless permitted by one of the exceptions, none of which applies here. See 18 U.S.C. §§ 2702(a)(3), (c)(1); 2703(c). Congress passed the SCA to protect the privacy of data belonging to customers of electronic communication service providers like Airbnb.

Int. 2309 would impinge resident hosts’ and platforms’ rights by compelling them to maintain and share personally identifiable information with OSE without any legal process. Additionally, New York is not governed by a comprehensive privacy law and therefore, there is no requirement or incentive for the agency to protect the information provided. IA also has concerns about the absence of cybersecurity standards in the bill for any government entity with which host data is shared that would at least offer some assurance that New York resident’s data is protected.

Finally, the requirements of **Int. 2309** would undermine and disrupt the compromise struck through an existing law which resulted from a June 2020 settlement agreement between New York City and one platform (Airbnb).³ The data that is currently provided by platforms operating STRs in NYC to OSE creates a legal scope of data sharing, and of a sufficient scope to ensure the enforcement needs of the city are already being met.

For these reasons, IA strongly urges you not to advance **Int. 2309**. Thank you for your consideration and I welcome any questions you may have regarding our position on this bill. I can be reached at olsen@internetassociation.org or 518-242-7828.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Olsen'.

John Olsen
Director, State Government Affairs Northeast Region

² 47 U.S. Code § 230 - Protection for private blocking and screening of offensive material

³ <https://www1.nyc.gov/office-of-the-mayor/news/432-20/city-new-york-airbnb-reach-settlement-agreement>



Cc: Housing and Building Committee Members



Master Plumbers Council of the City of New York, Inc.

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Leonard Williams

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Patrick Sementa

Secretary

To: NYC Council Committee on Housing & Buildings

From: George Bassolino, MPC Code Committee Chair

Date: September 13, 2021

Re: Testimony on Housing & Buildings Comm. Hearing Intro. 2377

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Harris Clark

James DeMaria

Robert Giuliante

Darren Lundin

John Martin

Robert McManus

Daniel Vessio

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Executive Director

John F. DeLillo, Jr.

My name is George Bassolino and I am the chairman of the Master Plumbers Council (MPC) Code Committee. For the past six years our members have been actively involved in the development and implementation of the training and inspection program that was the basis for the gas safety inspections. Since the law became effective, there have been some issues with the interpretation of both the scope of the inspection and the reporting process as well as what specific remedial work is required to be undertaken. We believe that these issues have created confusion among the stakeholders and decreased compliance with the law. The lack of compliance was the basis for the Council passing legislation to extend the deadline for inspections due in 2020. Our Code Committees have been working with both the Council and the Department in an attempt to provide clarity to the Local Law 152 inspection process. We have identified the four sections of the law that we believe require changes. The first is in the actual inspection scope. The MPC was privileged to help with the development of this law when it was drafted. The original intent was that the inspection should include all areas where exposed gas piping exists within a building with the exception of any residential dwelling units. Our proposed language clarifies this as well as provides a clearer work scope for the two distinctly separate processes.

The second area that requires clarity is the reporting process when an inspector turns up a condition that is non-Code compliant but does not pose an immediate hazard to life or property. This condition is a source of confusion for everyone involved in the process. The Department has taken the position that they will order gas to be shut down to remediate a condition that while not Code compliant does not pose a hazard to life or property. This creates a level of anxiety and uncertainty among owners that makes them hesitant to conduct the inspections. This law was created to identify and remediate conditions that are immediately hazardous. Conditions similar to those that caused both the Harlem and Second Avenue gas explosions. It was never the intent to force an owner to shut down a gas system to remediate a possibly forty-year-old condition that poses no immediate hazard to life or property. In our proposed changes to the reporting process, we have created a reporting and remediation process for these conditions on both the utility side and Department side of the gas meter.

The following are our proposed changes to the law with a brief explanation of how these changes will help the law meet its true intent of providing NYC residents with an effective gas safety inspection.



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Recommended Change #1

§ 28-318.1 General. *Commencing January 1, 2019, building gas piping systems, other than gas piping systems of buildings classified in occupancy group R-3, shall be periodically inspected in accordance with this article.*

Exception: *A building that contains no gas piping and for which the owner of such building has submitted to the commissioner, in a form and manner determined by the commissioner, a certificate of a registered design professional, licensed Master Plumber or a person satisfying other qualifications that the commissioner may establish, that such building contains no gas piping*

The MPC recommends this change to allow a *licensed Master Plumber* to conduct inspections under all circumstances. *Licensed Master Plumbers* are qualified to determine whether or not there is gas piping located inside of a building. This change will save owners both time and money in complying with these inspections at no loss in protecting public safety.

Recommended Change #2

§ 28-318.3.1 Inspection entity. *Inspections of gas piping systems shall be conducted on behalf of the building owner by a licensed master plumber or by an individual holding a department issued gas work qualification issued in accordance with Article 423 of Chapter 4 of Title 28 of the Administrative Code of the City of New York and working under the direct and continuing supervision of a licensed master plumber, with appropriate qualifications as prescribed by department rule.*

The MPC recommends this change to provide certainty that inspectors that are not actual licensed Master Plumbers have the required five years' experience to conduct these inspections. Persons holding this certification have had their experience verified by the Department. In addition, persons holding this certification have five years of experience in working with gas piping and a thorough knowledge of the NYC Codes that pertain to gas piping systems. This real-life experience is beneficial in that inspectors that hold this qualification are better suited to identify and address conditions encountered in the field. That includes taking the make safe actions required to protect the residents of the effected buildings.

Recommended Change #3

§ 28-318.3.2 Scope. *At each inspection, in addition to the requirements prescribed by this article or by the commissioner, all [exposed] visually accessible gas piping, meters and equipment from point of entry of gas piping into a building [, including building service meters, up to individual tenant spaces] through the point of connection to any appliance that uses gas supplied by such piping, shall be inspected for evidence of [excessive atmospheric corrosion or piping deterioration] abnormal operating conditions that represents [has resulted in dangerous] an immediately hazardous condition, illegal connection[s], [and] or non-code compliant installation[s]. The inspection entity shall also [test] conduct a leak survey of all visually accessible gas piping, meters and equipment from the point of entry of gas piping into a building through the point of connection to any appliance that uses gas supplied by such piping to determine if there is any indication of a gas leak. In addition to the above all public spaces, hallways [,] and corridors, [and mechanical and boiler rooms;] on floors that*



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contain gas piping or gas utilization equipment shall also be leak surveyed. [with a portable combustible gas detector to determine if there is any gas leak, provided that such testing need only include public spaces, hallways and corridors on floors that contain gas piping or gas utilization equipment]. The leak survey shall be conducted utilizing an instrument approved for leak surveys by the New York State Department of Public Service.

Exception: Other than as required to provide access to a point of entry location, gas piping or gas utilization equipment located inside of an individual dwelling unit as defined by section 1102.1 of the New York City Building Code; shall not be required to be inspected.

The MPC recommends these changes to provide clarity in the work scope. The terms *visually accessible*, *abnormal operating conditions* and *immediately hazardous* are terms defined in the gas safety inspection process. They provide the inspectors with a clear picture of what gas piping is required to be inspected, what conditions are to be identified and how to classify those conditions. The second phase of the inspection defines the process as a *leak survey* which is distinctly different from a test. The new verbiage clarifies that an inspector is looking for an *indication of a gas leak*. Inspectors are only trained to this level. Upon finding an indication of a gas leak the inspection protocols require them to notify the proper authorities who shall respond and conduct a *leak investigation* to determine if in fact there is a leak on the gas piping. The section also adds the requirement for inspectors to utilize a leak survey instrument specifically approved by the NYS Public Service Commission. This section is written in a manner that utilizes recognized inspection terms. This change affirms the requirement to identify all possible conditions that may be encountered. The proposed language only includes one exception. That is that all individual residential dwelling units that do not contain the point of entry into the building shall be exempt from the requirement to conduct these inspections. A gas safety inspection can only be deemed complete providing access to all required spaces has been achieved. Requiring access to all individual dwelling units within a building that have visually accessible gas piping would create a hardship for owners and inspectors alike. In addition to increasing the cost of an inspection, it would require a tremendous amount of coordination to provide access. When this law was drafted it was never the Council's intent to require this access and this change would provide clarity for all stakeholders.

Recommended Change #4

§ 28-318.3.4 Reporting and correction of [unsafe or hazardous condition.] *abnormal operating conditions that present an immediately hazardous condition.* *If an inspection reveals [any of the following conditions] an abnormal operating condition presenting an immediate hazard, the inspection entity shall immediately take safety actions to protect life and property. [t]The inspection entity shall notify the building owner, the utility; and the department immediately and the building owner shall immediately take action to correct such condition in compliance with the New York city construction codes:*

1. *[A gas leak;]*
2. *[Evidence of illegal connections or non-code compliant installations; or]*
3. *[Any other condition which (i) if verified by a utility company or utility corporation, would constitute a class A condition as described in part 261 of title 16 of the New York codes,*



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rules and regulations or (ii) constitutes an imminently dangerous condition.]

§ 28-318.3.4.1 Reporting and correction of abnormal operating conditions that do not present an immediate hazard. If an inspection reveals an abnormal operating condition that does not present an immediate hazard, the inspection entity shall:

1. For abnormal operating conditions occurring on service piping the inspection entity shall follow the requirements under Part 261 of Title 16 of the New York State Codes, Rules and Regulations, and follow the applicable utility procedure(s). The condition(s) shall be noted on the inspection report form submitted to the Department.
2. For abnormal operating conditions occurring downstream of the point of delivery, the inspection entity shall notify the Department in a manner prescribed by the Department as well as the utility in a manner prescribed by the utility. The inspection entity shall note the conditions on the report form. For abnormal operating conditions that do not pose an immediate hazard, where the remediation of which could potentially increase the risk of a piping system failure, or would require a disconnection of the gas piping system, the Department shall notify the building owner of the abnormal operating condition while allowing for it to remain in service. The Department shall determine by rule the corrective work that will be required to remediate the conditions. Gas piping systems shall only be disconnected when necessary to eliminate an immediate hazard to life or property. The Department shall notify the local gas utility company and the building owner of the decision to disconnect prior to taking such action. The owner shall remediate those conditions in accordance with Department rule. If the Department determines that no remedial work is required that information shall be noted on the report form by the inspection entity.

The MPC has recommend these changes to provide clarity in the reporting process. In addition to identifying immediately hazardous conditions, the scope of the inspection requires an inspector to identify non-Code compliant conditions. The original reporting requirements do not differentiate between immediately hazardous and those that do not pose an immediate hazard to life or property. The proposed changes make the distinction between the two conditions. The MPC along with our industry Gas Working Group have developed procedures and actions to be taken when a non-immediate hazard is encountered on gas piping. To date, the Department of Buildings has maintained that all non-Code compliant conditions must be remediated even if the actions required to correct them could create a system failure or require gas to be shut down to a system regardless if the condition does not pose an immediate hazard to life or property. Our proposed changes provide the Department with the ability to create a system whereby an owner will be notified of a non-Code compliant condition that poses no immediate hazard. It will require the owner to remediate the condition whenever the gas system is shut down for repairs or alteration. This change meets the intent of the gas safety inspection program and current utility practice. It would also provide owners with a comfort level knowing that their gas service will only be interrupted in response to an immediate hazard posing a threat to life or property.

The main reason the Council introduced and passed the ten gas 2016 laws was to protect public safety in regard to gas piping systems. Local Law 152 was a great first step in creating an inspection process that could prevent another tragedy similar to the Second Avenue incident. The only way the



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law can be effective is if the inspections are actually conducted. Besides having all of the qualifications to conduct these inspections, we are the only stakeholders with the legal authority to do so. Our Committees have almost two years of experience corresponding with the licensed Master Plumbers that have completed these inspections and brought their specific issues to our attention. Our members are uniquely positioned to recommend the changes required to make that a reality. If our proposed changes are adopted, we can alleviate our customers concerns that their building could be shut down due an existing condition that they do not even know exists. We can be assured that the inspectors have a clear and concise reporting process.

George Bassolino
Code Committee Chair
Master Plumbers Council



Northwest Bronx Community and Clergy Coalition

103 East 196th Street
Bronx, NY 10468
Tel: 718-584-0515
www.northwestbronx.org

Testimony North West Bronx Community and Clergy Coalition

Topic Committee on Consumer Affairs and Business Licensing
Intro. 2318 public hearing

Date Wednesday, September 15, 2021

Good morning. My name is Sandra Lobo and I am testifying today on behalf of the Northwest Bronx Community and Clergy Coalition (NWBCCC). First, I want to thank the Committee on Consumer Affairs and Business Licensing for the opportunity to testify today.

As an organization committed to breaking cycles of poverty, we at NWBCCC firmly believe that we must work alongside organized labor to bring more union jobs to the Bronx.

Systems of mass incarceration act in direct opposition to our goals of uplifting our community, because these systems have created a racial caste that inhibits formerly incarcerated Bronx workers from fully reentering society post release. As we move forward in the fight to undo racist drug laws and other racial disparities in the criminal justice system, we must also ensure those workers with a criminal record have a real chance to enter back into our communities, with good, safe jobs.

Non-union construction labor brokers, known as body shops, offer workers the opposite of a quality career. They prey off of an easily exploitable workforce, and treat these workers as if they were disposable. These companies are dangerous for the health and growth of our Northwest Bronx community; a community that has been the most affected by mass incarceration, and countless other racist policies. Body shops take those who need financial help, support with employment, kindness, and empathy, and give them nothing. They offer these workers a fake second chance, one that treats them as if they were in an extension of prison.

Body shops, with their poverty wages and egregious treatment of workers, don't create the kinds of jobs we need. This community has time and time again been over policed and offered too few resources. Body shops are just one more form of policing, one more form of trying to control a low income, justice-affected community. Body shops act in direct opposition to real reentry careers for workers. Our community needs careers, with access to healthcare and retirement security, not another means for black and brown bodies to be taken advantage of.

New York City must not allow employers to exploit workers simply because they have criminal records. The City Council must act now and pass Intro. 2318. Thank you for accepting my testimony and for your consideration.

A handwritten signature in blue ink that reads "Sandra Lobo". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Sandra Lobo, Executive Director



September 10, 2021

The New York Mortgage Coalition (NYMC) is a nonprofit collaboration of financial institutions and community housing agencies focused on expanding the opportunity for responsible and sustainable homeownership to minority, and low and moderate income individuals and families in the five boroughs of New York City, as well as the surrounding counties of Nassau, Suffolk, Dutchess, Orange, Rockland, and Westchester.

NYMC supports its neighborhood-based nonprofit members in their pre-purchase counseling, post-purchase education, and financial literacy programs. Coalition members provide the public with access to the tools to achieve the dream of homeownership including information on competitive, fixed-rate loans, closing cost grants, and down payment assistance. NYMC also supports its member agencies who play a leading role in preserving homeownership offering informational workshops and one-on-one counseling to troubled homeowners through foreclosure prevention programs. As one of New York's leading affordable homeownership agencies for over 28 years, The New York Mortgage Coalition has a keen interest in Int. 2309-2021 as a potential vehicle to positively impact both homeownership, tourism and the overall financial well-being on New York.

NYMC supports initiatives that make it possible for homeowners to remain in their homes and sustain their investment. We believe that home sharing does so as 46% of Airbnb's hosts reported that home sharing allowed them, to avoid foreclosure during the COVID-19 pandemic. The population of hosts also reflects our NYMC clientele—workers in health care, retail, trade, transportation, education, hospitality and food service. Our clients were impacted disproportionately by COVID and found home sharing to be a badly needed safety net.

Unfortunately, as currently constructed, this bill includes barriers to homeowners using their space for short-term rentals, and discourages future homeowners from doing so as well. In its current form, this bill includes barriers for hosts that are not seen in any other jurisdiction in our country, such as the requirement to get an architect/engineer to provide a notarized certificate of safety. This is not required for landlords and is very burdensome.

In addition to the impact on homeowners, we also understand that tourism is the lifeblood of our city and has a direct correlation to the quality of life of our residents.

We support Airbnb's recommended revisions to the legislation as enhancements to the original proposal which seeks to establish:

- That hosts are eligible to register and operate STR from one non-Class B address in the 5 boroughs;
- A registration requirement, so that the enforcement pool is narrowed, ensuring that enforcement agencies are better equipped to identify and enforce against illegal hotel operators and other bad actors;
- A three-strikes rule that would revoke bad actors' registration after three rule violations;
- A prohibition on STR in housing subject to the emergency housing rent control law, the rent and rehabilitation law, local emergency housing rent control law, emergency tenant protection act of 1974, public housing law or otherwise rent subsidized, rent controlled, rent stabilized, or otherwise considered affordable housing;
- A prohibition on STR for 1 year in any unit where a tenant has been evicted for non-payment of rent;
- Collection of the NYC Hotel Room Occupancy Tax and city sales tax by all platforms, which – based on Airbnb's 2019 bookings – would have generated \$36 million in revenue; and,
- A requirement that STR operators carry insurance for a minimum of \$500,000 or list on a platform that carries such insurance.

We know that one of the reasons so many New Yorkers aspire to be homeowners is that they want to have the right to use their property as they see fit. We believe that Airbnb's suggested amendments to this legislation would not only generate revenue for the city but would allow individual homeowners to financially benefit from their greatest assets—their homes. As we continue to deal with COVID-19 and its ramifications, we know that rising foreclosures and increased housing instability have been direct results of the pandemic.

Rebecca Senn
Executive Director
New York Mortgage Coalition



BUILDING & CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK

GARY LaBARBERA
PRESIDENT

AFFILIATED WITH THE
BUILDING CONSTRUCTION TRADES DEPARTMENT
OF WASHINGTON, DC

BUILDING AND CONSTRUCTION TRADES COUNCIL
OF NEW YORK STATE

AMERICAN FEDERATION OF LABOR OF CONGRESS
OF INDUSTRIAL ORGANIZATION

TESTIMONY

On behalf

BUILDING AND CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK AND
VICINITY

In Support of Certain Proposed Safety Legislation and Construction Code Revisions
September 13, 2021

Good evening. I am Santos Rodriguez, I am here to testify on behalf of Gary LaBarbera, President of the Building and Construction Trades Council of Greater New York & Vicinity. I am here to testify in support of certain proposed safety legislation and construction code revisions proposed by the New York City Department of Buildings.

The Building and Construction Trades Council is an organization of local building and construction trade unions that are affiliated with 15 International Unions in the North American Building Trades Union. Our local union affiliates represent approximately 100,000 union construction workers. The Building Trades mission is to raise the standard of living for all workers, to advocate for safe work conditions and to collectively advance working conditions for our affiliates' members, as well as all workers in New York City.

The Building and Construction Trades Council fully supports efforts to promote and enforce safety on construction sites. That is why our affiliates, and their contractors participate state of the art training facilities to teach apprentices the right way to safely perform their craft. This is also why union jobsites traditionally utilize shop steward to whom workers can freely bring complaints of unsafe working conditions without fear of being retaliated against. All workers, Union and non-union, deserve a safe place to work and the Department of Buildings enforcement efforts help ensure that unscrupulous contractors do not cut corners that put workers in danger. When workers go to work in the morning, their families should not have to worry if they will return at night.

The Department of Buildings provides a critical enforcement role to ensure that all construction projects throughout the City operate in a safe manner. The Building and Construction Trades Council supports Intro. 2263 requiring DOB licensed Safety Professionals on Major Construction Work Sites Between 7-9 Stories; Intro. 2276 Requiring DOB-Licensed Construction Superintendents on Major Construction Work Sites Seven Stories and Above; Intro. 2264 Strengthening Requirements For Cold-Formed Steel Construction; and Intro. 2262 Banning Stand-Off Brackets. We believe these four pieces of legislation will help keep construction

workers safe, keep construction sites safe, and support the Department of Buildings enforcement efforts.

The Building and Construction Trades Council supports the enforcement efforts made by Department of Buildings' to ensure that all construction sites throughout the City are operated in a safe manner. We thank you for the opportunity to testify in support today.



Testimony for the City Council Housing & Buildings Committee

Re: Ints. 2263, 1817, 2276, 2278, 2262, 2321, 2264, T-7888

September 13, 2021

The New York State Association for Affordable Housing (NYSFAH) like to thank Chair Cornegy and members of the Committee for the opportunity to provide the following testimony on a number of bills being discussed today.

NYSFAH is the trade association for New York’s affordable housing industry, with nearly 400 members, including developers, contractors, lenders, investors, attorneys, contractors, architects and others active in the financing, construction, and operation of affordable housing.

Int. 2263 — Oppose, Changes Recommended

Ensuring safety on construction sites is among the Department of Building’s most serious responsibilities and the affordable housing industry commends Commissioner La Rocca for her leadership on this issue. Through renewed attention, heightened enforcement, additional sweeps and policy changes, injuries and deaths have been reduced, and the industry stands ready to work together with the agency to continue that trend.

To that end, we acknowledge the justification for Int. 2263. However, it is our responsibility to inform the Council and the Administration when even well-intentioned policies will have an impact on affordable housing production and preservation—itsself a vital public policy need in the midst of a housing and homelessness crisis. This bill will increase costs significantly in 7- to 9-story projects that are newly categorized as Major Buildings. These building heights happen to represent a huge percentage, roughly half, of the HPD New Construction pipeline.

Our members estimate that the cost of additional site safety staff to comply with LL 196 of 2017 is around \$700,000 per project.

NYSFAH has asked for reporting data to better understand the remedies and causes for persist injuries and deaths. For example, how many happen in excavation or foundation work? Given the prevalence of fall-related injuries, how many falls are happening from stories 1 to 6 and what is the justification for not extending the law to those sites? What is the breakdown of gross square footage for jobs that see the most injuries and is that a more appropriate way to target safety measures than strict building height? How many injuries are persisting at sites already subject to additional site safety measures?

Better data leads to better policy. If a proposed policy is going to contribute to increasing costs for affordable housing, we feel it critically important to explore any and all alternate measures

that may exist.

Recommendations

- We support exploring a recommendation made by numerous other industry groups, which says that if a 6 story building is not subject to enhanced site safety, then a 9 story building should not be subject until construction reaches the 7th story.
- There needs to be a five-year phase-in period to allow for more training and hiring of Site Safety Coordinators and Site Safety Managers.

Int. 1817 — Oppose, Changes Recommended

A major challenge in affordable housing currently is the amount of time it takes to fully lease up a property through the lottery. The numerous categories of set-asides and preferences, the compliance requirements, the multi-agency approval processes and physical inspections needed for certain subsidy programs and more all work to create layers of bureaucracy.

While many of these layers are necessary, such as those dealing with safety or allowing residents to appeal incorrect decisions, suggestions of additional measures must be balanced against an affordable housing crisis and tens of thousands of homeless New Yorkers sitting in unsafe shelter conditions while new, safe units sit unoccupied for sometimes more than six months in the lease-up process. We suggest that finding ways to expedite the placement of families experiencing homelessness, overcrowding conditions, and/or rent burden, rather than delay it, is the correct course of action in the midst of this crisis.

To that end, we oppose the elements of this bill that lengthen the lease up process, extend appeals deadlines beyond what is reasonable, or impose paper requirements even for tenants who do not prefer it, and take other measures that go beyond HPD/HDC's already extensive marketing handbook. For certain projects, NYSAFAH members and their marketing agents have received over 100,000 applications for at most a few hundred available units. The time and cost associated with the outreach and 30 day appeal periods for that number of people is not reasonable.

Other elements of this legislation, for example the provision that that prevents solely considering an applicant's credit history absent other factors, are current HPD/HDC policy and supported by NYSAFAH.

In addition to opposing measures that keep affordable units vacant for longer, it is also important to note that making into law policy items and processes already in the marketing handbook removes HPD/HDC's flexibility in the future, preventing them from changing policy to fit tomorrow's problems as opposed to today's.

We recommend the Council work closely with HPD/HDC as well as the affordable housing industry and tenant representatives to find ways to make the lease up process both more efficient and fair to applicants. As it stands now, Int. 1817 does not appropriately strike that balance and will result in applicants waiting longer for ready and available units.

Int. 2276 - Support with Conditions

NYSAFAH appreciates and supports the intent of this bill, which creates additional levels of oversight and accountability on job sites. We recommend the following common sense measures to ensure it can be implemented effectively:

- Currently, there is a shortage of licensed construction superintendents. We recommend a 5 year phase in period (to 2026) to allow for the licensing of more construction superintendents to avoid a shortage that leads to increased costs.
- Include a provision where a competent person can be named to fill in for the construction superintendent in cases of sickness or PTO.
- Make clear that the construction superintendent can oversee seven major buildings at one time, not one as inferred by the legislation.

Int. 2278 - Oppose

NYSAFAH is concerned with this legislation and would require clearer parameters on who can be a designee, how many may be named a designee and the flexibility and process for changing those individuals. Additionally, suspension or revocation of a license effectively puts the contractor out of business and so we request the strongest of guardrails and highest of thresholds for such a dramatic action.

Int. 2262, Int. 2264 and Int. 2321 - Support

NYSAFAH supports these pieces of legislation and thanks the Council for their consideration.

T-2021-7888 - Support

NYSAFAH supports extension of the Certificate of No Harassment pilot, which advocates and providers feel has had an impact in disincentivizing speculation related harassment. Representing developers of primarily 100 percent affordable developments, NYSAFAH supports efforts to isolate bad actor owners and contractors in a way that does not punish developers generally, particularly developers who are providing affordable and supportive housing. The CONH pilot strikes that balance and should be extended.

Contact: Patrick Boyle, Director of Policy, patrick@nysafah.org



**Testimony of the Partnership for New York City
New York City Council
Committee on Housing and Buildings
Int. 2309 - Registration for Short-term Rentals and Booking Services
September 13, 2021**

Thank you Chair Cornegy and members of the committee for the opportunity to testify on Int. 2309 which would require registration for short-term rentals and booking services. The Partnership for New York City represents private sector employers of more than 1 million New Yorkers. We work together with government, labor and the nonprofit sector to maintain the city's position as the preeminent global center of commerce, innovation and economic opportunity.

The Partnership supports a registration system for home sharing but cannot support Int. 2309 as currently drafted. The bill would substantially burden hosts who share their homes by requiring that hosts:

- certify that there are no significant outstanding violations of building and fire codes, or any other law determined by the administering agency;
- hire a licensed architect, engineer or inspector to certify that the property listed for rent complies with city, state, and federal law; and
- pay a potentially high fee not specified in the legislation.

Moreover, the bill lacks clarity about, among other things, what spaces would be covered by the certification requirements. As we all work to help the city and its residents emerge from the pandemic, we should avoid putting up more regulatory barriers for small businesses, residents or tourists.

In 2020, because of the COVID-19 pandemic, the city experienced a 67% decline in the number of visitors. This ended a 10-year period of record growth in tourism. This decline has cost the city an estimated \$1.2 billion in lost tax revenues. Home sharing is an option that many visitors depend upon and brings revenues to neighborhoods around the city that do not typically attract tourists (and may not have hotels). The legislation, as written, would make it harder for diverse communities to share in the economic benefits of tourism.

Home sharing is also an important source of extra income that families depend on to subsidize New York's high housing costs and other expenses. Almost half a million New York City residents have lost jobs during COVID-19, and many are still out of work. Home sharing is an economic lifeline that we should not cut off. The city's unemployment rate is still high and an estimated 750,000-800,000 city residents lost unemployment benefits on Labor Day. There is no good reason to make their lives more difficult through a cumbersome registration process.

We urge the Council to make changes that streamline and clarify the requirements in the current version of Int. 2309 to make registration an easy process for home-sharing hosts.

To: New York City Council Housing/Building committee
From: Tanya Helfand
Date: 9/12/2021

Members of the Council:

I am an attorney at law in the State of New Jersey and New York.

In 2018 I purchased a condominium unit in the Atelier building at 635 West 42nd street. It is a physically beautiful building centrally located- near Broadway and Hudson Yards (great tourist attractions). There was little to no indication in the board meeting minutes or standard searches to indicate the enormous management and financial issues that truly exist in this building - one being the large Airbnb problem.

Soon after I moved in, I realized that, on weekends primarily, hundreds and even thousands of people occupying the building were tourists and visitors. I stay in the building primarily on weekends only- but "turnover" occurs on the weekends. Hundreds of suitcases, Individuals going up and down the elevators with tablets to "check" apartments before being occupied by short term rentals. The "cleaning service" available for residents clearly became maid and turndown service for dozens of apartments on every floor. I observed open doors in the front and the back of the building to permit these "tourists" in although there is a "doorman and front desk." These tourists were sometimes entering from the ground floor and also sometimes asked to go up service elevators- most were out in the open. I spoke to a few - typically from Europe. I believe many did not know that Airbnb was illegal in nyc. They were met by a "greeter" a few blocks away as the address often was not clearly posted when they paid. It was a scam seemingly on many visitors also- uncomfortable and embarrassing for them. They were also advised not to disclose what was going on. I observed hundreds of folks over a period of months (even just on weekends) with luggage, passports, keys with the unit #s on them not knowing where they were going when they got off the elevators. Spoke to several on my floor on their way out to explore the city.

As to our own security and system - no one would check identification at the "doorman guarded lobby" to keep people out-the goal in this building (for the board/management) was very apparently to bring illegal tourists in. I am not trying to be sarcastic- but truthful based on my observations. I spoke directly in a reasonable fashion to the board President who repeatedly denied the veracity of my observations . I suggested some basic security measures- checking ID - have a security firm come in to set up a system. Many owners were frustrated. The President mocked me, threatened me and sent out emails to the unit owners naming me individually and my unit asserting I was causing enormous problems. He repeatedly sends out emails to other unit owners disparaging those owners who have tried to take action to correct the problems here at Atelier. Those who make a positive effort to have a better, legally compliant well managed property are vilified and constantly threatened. Many owners are therefore obviously afraid to say or do anything to correct what occurs. It effects all and has devastated the values in the building.

Right across the street at River Place - rental- the front desk clearly checks all identification, calls owners, works to prevent this Airbnb problem and ensure security. Our building is self managed by a board that, based on all evidence, was running and supporting an Airbnb hotel. The building has almost 500 units and the vast majority appear to be unoccupied by full or part time residents- seemingly "investment" properties for overseas investors.

I personally spoke to and collected data from owners who gave their units to the "board President" of Atelier to "rent out properly. "

He also manages the building and owns River to River realty and I believe owns in excess of 20 units in the building himself under various entity names.

The other owners I have data from learned when they returned to the US that in fact their property was being rented out for Airbnb - short term rentals without their knowledge.

OSE thankfully came into our building to do an investigation. 30 units I believe were found right away having engaged in Airbnb including units owned by board members. It appears the board members and others simply paid their fines-“cost of doing business.”

The city’s involvement notwithstanding, made an enormous difference. Thank you. Airbnb has not been a primary issue recently- but obviously Covid keeps this limited as well. I thank all the city employees and leaders including but not limited to Christian Klossner, Corey Johnson and Linda Rosenthal who took the time to help the situation and take action.

The Wall Street Journal and NY post engaged in significant investigations to also help clean up the issues.

There is a pending lawsuit currently in the city of New York that sets forth many specific details regarding Airbnb issues at Atelier as well as other issues. It is initiated at this time by other caring and brave owners in the building. This Airbnb problem along with other illegal/improper activities has cost owners significant value and tens of thousands of out of pocket legal fees to protect and defend their property and safety. I am a witness that may be called in with the above data as well as other information.

It is certainly frightening if Airbnb can start again as it had before. It is terrible for the owners who are given no real/proper control or input in this building. The building suffers tremendous wear and tear that it was not designed to withstand, and it puts the travelers clearly into a dangerous and bad position as well. There are clearly a multitude of insurance problems with random tourists illegally in a condominium. Laws are different around the world. Hotels are designed for tourists including proper fire and escape systems. Our building is not.

All that can be done to limit and restrict this illegal Airbnb/short term rental situation would make sense. I support Intro 2309.

I certify that the above statements are true and accurate as are the photos/video attached.

Respectfully submitted,

Tanya Helfand

Helfand & Associates

575 Route 10 East, Suite 1

Whippany, New Jersey 07981

(Phone) [973-428-0800](tel:973-428-0800); (Fax) [973-428-0830](tel:973-428-0830)

Please Note: To email the attorney use the appropriate address below;

TanyaH@tanyahelfand.com

JacquelineP@tanyahelfand.com



September 10, 2021

Members of the Committee on Housing and Buildings

Ref: Int. No. 2309: Short-Term Rental Legislation

Dear Councilmembers:

On behalf of the Travel Technology Association (Travel Tech), whose members include the world's leading short-term rental (STR) platforms Airbnb, Vrbo, Booking.com and many others, I write to you today regarding Int. No 2309, a bill that aims to establish a new regulatory and registration regime for STR hosts and platforms. As you are well-aware, travel and tourism are drivers of New York City's economy and STRs play a significant role in the travel and tourism ecosystem in the city and beyond.

- According to a recent Travel Tech poll, one-third of travelers indicate that they will stay in a short-term rental this year.
- Nearly 75% of consumers who are very likely to travel in 2021 believe short-term rentals provide a valuable alternative to other lodging options when considering travel priorities like safety precautions.
- 73% indicate that they plan to travel in-state this year

Our industry supports reasonable and fair regulation of short-term rentals. In fact, the world's leading STR platforms have worked and continue to work with city and state leaders across the country to establish regulations that balance the interests and rights of all stakeholders including homeowners, hosts, platforms, communities, and travelers. Unfortunately, Int. No 2309, in its current form, raises serious and significant concerns and challenges for STR platforms and hosts. While we are highlighting these issues in this letter, we hope to continue the fruitful and productive dialogue with the sponsors of the legislation to identify a fair, reasonable, and workable path forward that works so the city can reap the benefits of a well-regulated and thriving STR ecosystem.

Scope of the Legislation

The scope of the bill is undefined as it is not clear what property types would be eligible for STR registration. If the intent of the bill is to establish a regulatory regime for STRs to operate across the city, the legislation should clarify which property types it applies to, and which are eligible to be registered and become compliant. Specifically, the legislation should clarify that all private dwelling units are authorized to operate as short-term rentals, including those in Class A buildings.

Registration Verification by STR Platforms

Requiring hosts who rent their homes to register is a reasonable approach, however, requiring platforms to pre-verify registrations is neither necessary nor feasible, and violates federal law.

The bill requires STR platforms to pre-verify a property's registration status with the city and only list properties that are deemed compliant. In addition to imposing obligations on platforms that violate federal law, this is unnecessary because there are many other ways to accomplish the goal of ensure that only registered short term rentals are operating in the City. And, pre-verification is operationally infeasible because of the volume of properties listed, the timing, and tenure. Further, homeowners, hosts and property managers list properties for rent and take them down frequently based on bookings, availability, and other factors, which further complicates the verification requirement.

Beyond the infeasibility of pre-verification, it is even more important to recognize that holding short-term rental platforms accountable for the user-generated content in an operator's listing violates the very underpinnings of the federal law that has governed the liability of platforms and users for more than two decades. Legislation which seeks to deputize Internet platforms for enforcement purposes, by either stating or implying the need for these platforms to police and regulate third party users under the threat of punitive consequences from government, is a flawed and short-sighted approach to enforcement. It is also a violation of Section 230 of the Communications Decency Act. The legal certainty provided by Section 230 of the Communications Decency Act established an environment that promotes innovation and has allowed the Internet to thrive.

Congress passed Section 230 in 1996, addressing the treatment of online service providers and platforms, stating, "No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider" (47 U.S.C. § 230). This ensures that an Internet service or platform is not recognized as the publisher when facilitating the speech of a third party. Many courts have upheld a broad interpretation of this law, declaring that intermediaries are not held liable for user-generated content. In short, Section 230 has been enormously important to the growth of the Internet by providing legal certainty to an ever-expanding world of Internet services, including but not limited to social media, blogs, consumer review sites and forums, search engines, audio and video hosting platforms, online marketplaces, and in the case of our members, travel and accommodations intermediaries and platforms.

The legislation clearly imposes a level of liability and punitive penalties on short-term rental platforms which undermines the preemption contained in Section 230 that "no liability may be imposed under any State or local law." by the passage of laws in direct conflict with it.

Data Sharing Requirement

The requirement to require short-term rental platforms and Booking Services to remit to the city transaction-level data is also unnecessary. Pursuant to Local Law 146 in 2018 as amended by Local Law 64 in 2020 the City already has a mechanism in place to receive data from the platforms and is currently getting the data that Int. No 2309 would require of platforms. Any additional data disclosure requirement is unnecessary and would certainly run afoul of the Stored Communications Act ("SCA") and governs "access to stored communications and records" and establishes a private right of action for unauthorized disclosure.

In order to comply with the SCA, online platforms, like our member companies, that provide users the ability to "send or receive wire or electronic communications" and that store those communications may not disclose user data without the appropriate process. The SCA requires that governmental entities use an administrative subpoena to obtain user information.

For these reasons, the data sharing provisions in Int. No 2309 are unnecessary and should be removed from the draft.

Burden on Hosts

While Travel Tech represents the leading STR platforms, we also support the millions of STR owners, managers and hosts who partner with us to list and advertise their homes. There are several host-specific provisions in Int. No 2309 that are unprecedented, unfair, and unworkable for STR hosts. The requirement to obtain a costly inspection by a licensed engineer or architect is wildly unfair, especially since this is not a requirement for long-term landlords and tenants. There is no other jurisdiction in America that requires such an inspection, and this provision should be removed from the bill. Secondly the requirement for STR hosts to maintain and store transaction level data for a period of 7 years is burdensome and unnecessary. We believe the city should be working with hosts to establish an easy

registration system and not burden them with costly, unfair, and unnecessary inspection and data retention obligations.

Conclusion

We remain hopeful that the Council will continue to engage in a productive dialogue with stakeholders to address your objectives and priorities and identify a reasonable and fair path forward.

I, along with my members, would welcome the opportunity to meet with you and your staff to discuss the legislation.

Thank you for your consideration.

Sincerely,

Steve Shur

President

sshur@traveltech.org

703-842-3754

**Variations Theatre Group; DBA Chain Theatre Commercial Rent
Stabilization Testimony
Tuesday, September 13th Department of Cultural Affairs Hearing**

Dear New York City Council Members and Commissioner Gonzalo,

My name is Christina Perry and I am the Director of Development for the Chain Theatre, a small theatre venue in midtown Manhattan. I am proud to say that since we reopened in June of this year we had over 3000 masked and fully vaccinated patrons attend our programming with fully vaccinated artists. It's been an uplifting reopening. A re-opening with a long road ahead.

I'm writing in support of Intro 1796, the Commercial Rent Stabilization bill introduced by Council member Levin. I'm a member of the independent theatre community. I make and enjoy theatre in small venues throughout the city, and due to the pandemic, our venues have been shuttered since March, with no clear timeline on when they can re-open. Myself, the League of Independent Theater, and my fellow artists have been advocating for months for rent forgiveness, to be sure that our venues can survive. Intro 1796 will help to make sure that when our venues do eventually re-open, they'll be able to stay open. After such a turbulent year, this legislation will provide stability for small businesses and indie theaters. We need your help to keep our independent arts spaces alive.

Our company is no stranger to the vicious nature of New York City real estate. We built and renovated our first space (when Hurricane Sandy hit) in Long Island City only to have our landlord break our lease, reduce the theatre to rubble and put up luxury condos. Now in our new space we find ourselves once again at the mercy of our landlords. An uncomfortable but common place for small non-profits like the Chain. I don't have the backing of lawyers and lobbyists so I come to you today to ask for your support on this very important bill. We are at the mercy of our landlords now and throughout the pandemic and now I seek your support during the worst housing crisis this city has seen for commercial rent relief.

The Chain Theatre is home to thousands of artists and dozens of theatre companies. I've joked with my colleagues that 'we are like an endangered species, we are, and we are crucial to the cultural ecosystem that makes this city. Help us preserve our spaces. We are one of the lucky *few* to still be open. Making affordable art spaces for artists that much more difficult. Commercial rent stabilization would keep venues from having to rebuild every time we are displaced. It will allow us to plan help us grow our futures based around predictable rents. 60% of our income goes to rent alone. Imagine if that could go into programming and more community events. Make it so it's not so easy for landlords to remove local cultural institutions such as ours.

If ever there was a time, now is it.

Sincerely,
Christina Perry
Director of Development
Chain Theatre
312 W. 36th Street 4th Floor
New York, NY 10018
chaintheatre.org

Housing Court Answers
Written Testimony Presented in Support of Intro 2309
By Jenny Laurie, Executive Director 9.15.21

Housing Court Answers provides information and assistance to New York City tenants facing eviction in Housing Court. Since the start of the COVID 19 pandemic, our hotline has been getting 200 to 500 calls a day from tenants in terrible housing situations. Many are months behind on rent payments and fear eviction. Many are in apartments they can no longer afford and remain in their apartments only thanks to the COVID related moratorium on evictions. Many others are living with terrible housing conditions. All of these are symptoms typical of a city with an affordable housing crisis. Rents are too high for tenants' incomes, there are no available affordable apartments for those who need to move, and the scarcity of affordable housing means that low income tenants are trapped into badly maintained or illegal apartments.

Illegal short term rentals have not caused our affordability problems but they've certainly exacerbated them. You can now go into almost any neighborhood in the city and see the out of towners with their rollies looking at their phones trying to identify the address for their one or two night stay. Estimates are that over half of the short term rentals in the city are illegal – tens of thousands of apartments or rooms rented out by the owner of the building or a company renting groups of apartments and re-renting them as short term rentals.

Intro 2309 would require any host seeking to rent out rooms in dwelling units, or housing accommodations within a building, for fewer than 30 consecutive days, to register annually with the Mayor's Office of Special Enforcement and obtain a registration number before being permitted to rent. Only legal short-term rentals would qualify. Platforms or booking services such as Airbnb or HomeAway would be prohibited from listing any accommodation without a valid registration and would be required to verify the registration number of any short-term rental before listing it on their platform. Intro 2309 is modeled on a local law in Santa Monica, California that has essentially eliminated illegal hotels in that city.

Housing Court Answers joins with other affordable housing advocates in supporting Intro 2309 and pressing the Council to pass it before the end of 2021.

AirBnB Testimony

Garbage stacked up everywhere. Homeless access and drug dealers access. Covid-19 and the Delta variant. Safety and Security.

My home of 27 years feels unsafe and dangerous. AirBnB came to our building as a scourge 4 years ago. People have leases without actually living in these apartments. Complaints to 311 go that far back. We in this building have been battling the unlawful use of AirBnB for many years. It's caused great unrest amongst most legal tenants in the building. This problem has been addressed to the management company who is unwilling to uphold the law. Their criminal activity is another story for another day. We suspect they are actually renting units to AirBnB themselves.

Safety and security. This residential building has had at any given time a half dozen to dozens of people with access to directory passcodes and sharing them without any precautions. Anyone can get into the building by just following an AirBnB into the building because AirBnB do not know who lives in the building or take any kind of precautions. We have had numerous homeless people camped out in our stairwells over the years as a result including one drug dealer who set up office in the stairwell. We have no idea of who is in our home at any given time of the day because they are not vetted.

Hygiene and filth in the garbage room which is barely large enough for the 40 or so legal tenants let alone the weekly throngs of AirBnB who have no sense of responsibility as if they are in a hotel and someone else will pick up after them. Garbage stacked up in the hallways on the curb and overwhelming the garbage room where rats have access. It's unlivable.

Most "guests" are from other countries and anywhere from 2-8 people crowd into two bedroom units. On weekends younger people rent out these AirBnB to host all night parties not respecting any noise ordinances. 30 people could be packed into apartments for these parties. Obviously this is a breeding ground for contagion of Covid-19 and The Delta variant.

Friday morning travelers are greeted by agents and shown to apartments and given instructions to answer any question by saying they are visiting relatives or friends. 3-4 day and occasionally week-long stays are finished off by a cleaning crew coming in to prepare for the next booking.

This is enough to cause harmful stress emotionally and physically and something has to be done to eliminate this problem once and for all.

Submitted respectfully,

Alfred M. Roach
440 West 47th Street Apt.5E
New York, NY 10036

Testimony of Kyle Ishmael, Airbnb
Committee on Housing and Buildings
New York City Council
In Opposition to Int. 2309
Monday, September 13, 2021

Good morning. My name is Kyle Ishmael and I am representing Airbnb today. I'd like to thank Chairman Cornegy and the members of the Housing Committee for the opportunity to submit testimony regarding Intro 2309, legislation that would establish registration requirements for short-term rentals and booking services in New York City.

Airbnb's Comments on Int. 2309-2021

With regards to this legislation, Airbnb agrees with the belief of the sponsors that New Yorkers have the right to share their own space and that short-term rentals are an important element of a growing and recovering tourist economy that democratizes the tourism industry and shares the economic impact across neighborhoods throughout the five boroughs.

With the pandemic changing travel behavior, Airbnb is enabling the type of travel across the city that people feel comfortable with right now. Travel to the city has not been limited to a single borough, while Manhattan has been a popular borough for Airbnb guests, the majority of travel to New York City on Airbnb in the last year happened outside of Manhattan¹.

With Airbnb, visiting families can access an alternative way to experience New York City — one that delivers economic benefits not only through the income earned by hosts, but also via the money guests spend near their listings — at local cafes, restaurants, shops, attractions and other small businesses.

As the city seeks to recover from the economic impact of the pandemic, Airbnb is helping drive the important return of tourism. New York City has emerged as one of the top destinations across the US this Fall on Airbnb.

The return of travel to NYC, enabled by Airbnb, is helping to drive important economic impact for a tourism economy that saw 67% less travel, \$1.2 billion in lost tax revenue and tens of thousands of jobs lost².

- Airbnb guest spending has helped support jobs across NYC's tourism sector. According to a [recent study by Oxford Economics](#), in 2019, Airbnb guest spending totaling \$2.2 billion, supported 17,000 New York City jobs across the restaurant, retail, entertainment

¹ According to internal Airbnb data between August 2020 and August 2021

²www.crainsnewyork.com/economy/city-loses-12b-after-tourist-spending-drops-73&sa=D&source=editors&ust=1631141013737000&usg=AOvVaw1Mr1fPbvZDMvtcpjJ3zb1V

and transportation sectors.

It is also helping our local host community, many of whom are everyday people who turned to hosting as an economic lifeline during the pandemic.

- According to the latest survey of our Host community, nearly 15 percent of NYC Hosts work in education or health care, 10 percent work in retail, trade, transportation and utilities, 8 percent work in arts, entertainment and recreation and 5 percent work in hospitality and food services.³
- Nearly one-third of our New York City Hosts received a pandemic-related pay-cut or lost hours, while 27 percent reported losing their jobs or being laid off.⁴
- As a result, over 60 percent of New York City Airbnb Hosts stated that they used the money they earn from home sharing to stay in their home, with nearly 40 percent of hosts reporting that home sharing has helped them avoid eviction or foreclosure⁵.
- Between March 2020 and June 2021, New York City Hosts with only one listing and who welcomed their first guests during the pandemic, have earned more than \$13 million.⁶
- In 2019, more than half of Airbnb listings were located outside of Manhattan and Hosts in each borough made significant amounts of money with typical Host income of approximately \$8,500 in Brooklyn, \$8,700 in Queens, \$9,000 in the Bronx, \$12,000 in Staten Island and \$11,000 in Manhattan⁷.

With the introduction of 2309, we are hopeful that New York City could be on the verge of clarifying the law and protecting the rights and abilities of residents to earn additional income that will allow them to remain in their homes, afford taxes, make infrastructure repairs, and meet other financial burdens. However, the bill would require some fundamental amendments to achieve this.

As currently constructed, this bill places undue burdens on New Yorkers that would not only impede current hosts from utilizing their space for short-term rentals, but would also have a chilling effect on new, responsible residents who are seeking ways to earn extra money throughout the year.

While we fully support a registration system for short term rentals in New York City, the bill would also require that hosts hire an engineer, architect or inspector to certify the premises. Not only is there no other city in North America that requires this onerous obligation – which could cost hosts upwards of \$500 and place NYC at a competitive disadvantage – but it singles out STR hosts with an expensive burden that does not apply to the countless transactions that landlords and tenants enter into in NYC’s rental market every day. If the intention is to ensure safety, New York City is already fully equipped to enforce safety standards given the extensive data STR platforms are required to provide to the city quarterly. Additionally, Airbnb has numerous policies and systems in place to promote trust and safety through our platform.

³ According to a survey of Airbnb Hosts from February 1, 2021 to March 3, 2021

⁴ According to the survey cited above

⁵ According to the survey cited above

⁶ According to internal Airbnb data between March 2020 and June 2021

⁷ According to internal Airbnb data from 2019

Fundamentally, 2309 is a registration bill. However, not only does it impose expensive, onerous, and at times redundant requirements on every day New Yorkers seeking to make ends meet, but the legislation fails to provide requirements to the administering agency, OSE, on what types of units in New York City are eligible for a permit, devise a registration process that the average New Yorker can navigate, or ensure good-faith engagement by any agency that has unfairly and arbitrarily targeted homeowners and renters for years.

We're also concerned that the current registration requirements in the bill rest the authority to set the registration fees with the Office of Special Enforcement, but set no statutory cap. This is a slippery slope that would open the door to high registration fees that would overburden the very New Yorkers we are seeking to empower to remain in their homes. And it should be the priority of this Council, not a bureaucratic agency, to set a reasonable cap on registration fees in order to protect New York consumers.

Further, the current iteration of the bill requires STR hosts who are renters to obtain written consent from their landlords. This is another onerous requirement placed on would-be hosts who would more often than not find it difficult to obtain any additional written permissions from their landlord outside of their already extensive lease. Instead, at the point of registration, Airbnb supports providing hosts who are renters with a mechanism to attest that their lease does not explicitly prohibit home-sharing.

It does, however, with amendments, represent an opportunity for one of the last major cities in the world to establish a clear registration and regulatory framework for short term rentals.

As written, this bill also contains provisions that are illegal under federal constitutional and statutory law as well as numerous prior settlement agreements between Airbnb, New York City and New York state.

Positively, Airbnb has had productive conversations with bill sponsors and supports the following:

Achieving clarity under the law for New Yorkers through legislation that establishes:

- That hosts are eligible to register and operate STR from one non-Class B address in the 5 boroughs;
- A registration requirement, so that the enforcement pool is narrowed, ensuring that enforcement agencies are better equipped to identify and enforce against illegal hotel operators and other bad actors;
- A three-strikes rule that would revoke bad actors' registration after three rule violations;
- A prohibition on STR in housing subject to the emergency housing rent control law, the rent and rehabilitation law, local emergency housing rent control law, emergency tenant protection act of 1974, public housing law or otherwise rent subsidized, rent controlled, rent stabilized, or otherwise considered affordable housing;
- A prohibition on STR for 1 year in any unit where a tenant has been evicted for non-payment of rent;

- Collection of the NYC Hotel Room Occupancy Tax and city sales tax by all platforms, which – based on Airbnb’s 2019 bookings – would have generated \$36 million in revenue; and,
- A requirement that STR operators carry insurance for a minimum of \$500,000 or list on a platform that carries such insurance.

We’re aware of the unique challenges faced by cities like New York, which have struggled with housing affordability long before Airbnb came into existence. What is best for New York City won’t be the same as what’s best for traditional vacation rental markets on Long Island or the Hudson Valley or emerging tourist economies like the Adirondacks or the Southern Tier.

Rather, policy needs to be carefully crafted to protect affordable housing, preserve quality of life, and – most importantly – to target enforcement resources to individuals who abuse home sharing by kicking tenants out of buildings to run illegal hotels.

As evidenced by countless meetings between our hosts and members of this Council, and our years-long efforts to enact comprehensive regulatory reform at the state level, we firmly believe that the Council can and should address issues related to short-term rentals with a reasonable framework that allows responsible home sharing in NYC.

It’s clear NYC voters agree. In a poll conducted of New York City voters last year, the overwhelming majority said they see tourism as being a positive influence in their communities, and that people should be able to rent out their homes on Airbnb.

- Eight-seven percent of New York City voters believe that tourism was good for the City, including 7 out of 10 who believe that it was very good.
- More than two-thirds of New York City voters believe that New Yorkers should be allowed to rent out their home or a portion of their home through Airbnb⁸.

Intro #2309, if amended to address the problems and include the solutions we’ve raised today, presents the best opportunity for New York City to finally get this right for all New Yorkers.

Thank you again for your time.

⁸ DBR conducted a separate online survey of 1,000 adult New York City residents living outside of New York City from December 9-17, 2020. Participants in this survey were reached via online panel. The margin of error for the survey is +/- 3.1%

I am a lifelong resident of Jackson Heights – East Elmhurst in Queens, NYC. My family are the original owners of a single-family East Elmhurst, Queens house purchased by my grandparents in 1938. I'm also a meteorologist, whose primary focus areas are Tropical Forecasting and Biometeorology. I'm a graduate of Penn State Meteorology Dept's Weather Forecasting program, and a NWS Skywarn Spotter.

This area was planned and built in the early-to-mid 1900's to be a "garden community" with plenty of green space. In the past 20 years or so, people have begun to remove curbside trees (city trees) that have died. The city does nothing to replace the trees & then the homeowner lays concrete over the patch of soil where the tree is supposed to be. People have dug up their grassy lawns, rather than put in the effort to maintain them, and laid concrete that covers their entire front and back yards. Not only is this a terrible eyesore that affects everyone's property value, but it has also become a major contributing factor to Climate Change, Global Warming, and the increased flooding that has become more & more widespread in this area. It's called the Urbanization Effect. Soil and vegetation help to absorb water. Concrete allows the water to build up and, eventually, flow into people's homes causing catastrophic destruction of personal property and loss of lives. Trees absorb carbon dioxide from the air and, in exchange, provide us with oxygen... not to mention beauty and the glorious shade that helps lower our summertime electric bills by reducing air-conditioning use.

Granted, the unprecedented events surrounding the remnants of Hurricane IDA flooding many parts of NYC would not have been entirely prevented by restoring green spaces like curbside trees, or front & back yard lawns, but it would have helped lessen some of the accumulation. The flooding from IDA was not SLOSH (sea, lake & overland surge from hurricanes). It was a very rare & extreme amount of PWAT (precipitable water) that fell from the sky over a short period of time. This area of Queens received nearly two months of rainfall in just one night! But we can do better for the future...

Please help our community restore its former beauty and make it safer for everyone by providing homeowners with resources & funding to replace curbside trees, remove concrete yards and replace them with grass, flowers, shrubs, or trees. Thank you.

Allyson Becker
(City Council District 25 constituent)

Sept. 13, 2021 testimony and assertions by tenant Alex Yong (page 1/2) made to the NYC Council re: Intro 2309

- Intro 2309 would help remove a specific barrier to due process which some tenants would face in housing court
- Intro 2309 would be of help in other ways in the legal realm, for example for legal discovery teams, audit teams, etc.

Good morning and thanks for letting me speak. My name is Alex Yong, I'm a tenant in Midtown in a rent-regulated building, and a member of the West Side Neighborhood Alliance, also known as WSNA. There's an aspect of Intro 2309 which I love, plus one downstream benefit that isn't as obvious. I'd like to give my thoughts on both.

In 2018, the building where I live changed hands. Lack of heat issues in winter began to pop up because the new landlord gave heating preferences to the hotel rooms and didn't wish to heat apartments which were "sometimes-empty-sometimes-not" under FHO apps run by short-term rental companies (under the guise of long-term rentals (meaning rentals that are greater than 30 days though still not the "traditional leases" everybody's familiar with)). The opaque way of the landlord choosing who gets heat and who doesn't affected tenants in my building in a tangible way, and I had to confront them about it. Furthermore there was, and still is, no efficient way to hold landlords accountable when real tenants are made to suffer so that guests have "a hotel experience."

In this building, the hosts hosting the guests were never physically present and are still never physically present. Intro 2309 would make it clear that unhosted stays are illegal.

Unhosted stays also severely impede tenants' right to due process. For example, if a tenant union wants to do a "7A petition" to remove the current property manager in favor of a new one, then empty apartments and guests, especially short-term ones without leases, should never be regarded as tenants. To refresh your memory, a 7A petition (actually any petition) requires that a tenant or tenant union presents to housing court: a petition where the gathered signatures represent 30% of the totality of lease-holding individual tenants. At the risk of stating the obvious, I must reemphasize that empty apartments are not tenants. Guests certainly aren't tenants either. An accurate headcount of actual tenants is in this case crucial, but because landlords want confusion and difficulty and ultimate failure in tenant petitions reaching the mandatory 30% (which housing court requires), landlords will continue to withhold as much residential data as possible, while also encouraging guests to be in buildings. This is done to increase confusion so that guests are mistaken for tenants, which tilts the odds

to landlords' advantage as the 30% goal becomes an unclear and uphill climb for tenant unions. Intro 2309 would help to mitigate landlords' reluctance to give information. The big takeaway from my testimony is that illegal hotel activity stands in the way of the right to due process.

It's almost certain that aspects of Intro 2309 will be vehemently attacked by landlords arm-in-arm with Airbnb and their crony-FHO-shell-apps. With that in mind, it behooves members of the City Council to pay close attention to the details within those pushback arguments. Because in doing so, you will be able to infer ways in which Airbnb plans to collude with landlords to unethically profit and deceive, in clandestine ways, like they always do, to outfox New York City and State. Please turn Intro 2309 into law. Thank you. I can be reached at alex.yong.nyc@gmail.com or via your contacts at WSNA.

Resources:

Some big FHO names to keep on your radar (Please note: there are *more* than just these seven: <http://qq.qq/popular-FHO-in-nyc>)

Proof of Airbnb's collusion with FHO's: <http://qq.qq/AirBnb-collusion-with-proof>

Online copy of this testimony: <http://qq.qq/AlexYong-downstream-benefit-of-Intro-2309>

Testimony for Intro 2309 Coalition Against Illegal Hotels Monday, September 13, 2021

I'm Kitt Garrett, a resident of Chelsea and support Intro 2309 Coalition Against Illegal Hotels

45 Christopher Street is a condo. Owners rent their units. I rented one unit for 8 years. When Airbnb opened, each weekend people with backpacks entered our building. They booked apartments for short term stays using Airbnb or One Fine Stay, a luxury booking site that offered multiple units in our building, all illegally. As a single woman I was extremely uncomfortable with strangers entering the building.

My apartment was the first of 18 units to be burglarized all using a key without forced entry. When I asked to see the security footage, I was informed that the cameras were not working that day. When I asked the front desk person why all these people were coming and going, I was told that they were instructed to hand over the keys to whomever asked for them. I moved to a rental building with a strict policy that forbids short term rentals so I could feel safe.

For the security of the residents, the safety of the people wishing to use short term stays, there should be a legal system that lists units which have been certified for safety, cleanliness, and security. They should be equipped with sprinklers and smoke detectors. Keys should be turned over in a safe manner rather than being left in a bodega where anyone can make a duplicate.

+ carbon monoxide

Airbnb now has over 100 people employed as crisis managers who handle horror cases dealing with clients who booked a property and have been raped, robbed, had property destroyed, and even died.

For the safety of the guests, the image of NYC as a safe tourist destination, please pass Intro 2309. It will benefit the people who want to rent their properties legally, help keep people safe and increase our tax base.

Kitt Garrett
450 West 24th Street
NY, NY 10011
kittgarrett@outlook.com

21.docx

Testimony of Joy Williams. 10/13/21

Thank you for the opportunity. I'm Joy Williams. I've been a host using the Airbnb platform since 2013. I was shocked by this bill. In this age of re-imagining policing, this is a step in the wrong direction. I want to be sure this committee is aware of the draconian nature of the Office of Special Enforcement, an office with no oversight. And no, I am not given to hyperbole.

The OSE comes to your door in a group of four or more. One of whom is always an active member of the NYPD. I know this. This happened to me more than once.

Let me take you back. In January of the pre-COVID year, when the commissioner of , OSE held a hearing to get public comment before determining how they would interpret and enforce the 2016 law. I testified. I gave my name and address. We were informed that we would receive a determination in about a month to six weeks. In March, I could find nothing on the City website. I decided to call the OSE to learn the outcome. I gave my name and number. I was never called back. About two or three weeks later, an OSE team showed up at my door.

I refused to let them inside. My parents taught me long ago never to let any law enforcement in without a warrant. Nothing good can come of it. The lead officer was the last of the four to leave my door. As he reached the last stair, he turned over his shoulder and said, "We have other ways of getting in your house." Another host told me this very

officer said the same thing to her.

Weeks after the hearing, I received a response in the mail that half of the charges against me were dismissed. I erroneously believed that all of them were dismissed as I had never received any other communication. Within days, four different members of OSE were at my door. I did not let them inside either, but retrieved the mailing to share. They proceeded to give me additional violation citations without providing an opportunity to remedy the issue. OSE even appealed the violations that were dismissed. Resulting in fines of more than \$10k. Add this to the \$30k loss from deadbeat tenants that got me started in short- term rentals.

I met with the Commissioner of the OSE along with two other host leaders in October 2016. He let me know that I should have read the small print on the back of the citation that held me responsible even if no notice arrived. He also let us know that his office was behind in publicly sharing how his office was enforcing the law.

We had a pleasant conversation. The commissioner is committed to the notion that short-term rental is at the core of the demise of affordable housing. His passion on this point translates into the aggressive approach his team members take.

I completely disagree. I am blessed to live on a street where red-lining kept my ancestors away. Buildings were vacant for years because white people didn't want to live in them and Black people were forbidden to receive mortgages. Housing discrimination is a factor.

There is significant growth in developers buying small buildings and permanently reducing the number of rentable units as they build more

luxury homes.

Rent stabilized units are regulated on a premises basis and not the income of the tenant. Savvy high-income renters seek out these units. There is no incentive for a landlord to rent to a lower income tenant.

In 2018, Comptroller String reported on the over 1,000 units the city is "dragging its feet" on city own properties. Hundreds of which have remained vacant in excess of 50 years.

The other hosts and in particular, home owning hosts, feel we are the target and believe the latest proposed law to be unfair, severe and cruel. Simply put draconian.

Thank you.

GM Council members, I am Daniel Arbeeny and my family of 6 has lived on the same block in Cobble Hill Brooklyn for 5 generations. Please let that sink in for a moment, we have lived on the same block for 5 generations and with your help I hope another 5 generations.

I have also had the privilege of meeting many of you in my capacity of volunteering bringing help and hope through the arts to NYC schools. In fact, the last time I was here was when I was invited, as part of that non-profit, to receive an award by this council. Additionally, my family volunteers in several ways in our local church helping those that are hurting and in need.

We have been hosting my upstairs apartment for 6 years. My Airbnb story is, I hope, one that you will inspire you to how Airbnb enables great things in NY.

The way we began hosting starts with today. As I speak, we have a former Brooklyn couple along with their two young children staying with us for free. Why free you might ask?

They left Brooklyn two years ago to volunteer in Lebanon working with the Syrian refugees. They gave up great jobs and security in the medical field to pour their lives out for others. So, they have been with us, for free, for the last 5 weeks to be refreshed in what is a very hard place to live doing a very hard job.

That is why we are hosts on Airbnb. From the very beginning we have opened our home to friends, friends of friends and church friends mainly from developing countries that could never afford to stay in NY. We have done this hundreds of times.

In between those special guests, and it is a real honor to be a part of their stories, we host on Airbnb so we can pay our mortgage.

Additionally, I lost my job so the extra income from Airbnb has been the only reason we are able to stay in our house. I cannot understate how important it has been in keeping my family of 6 living here.

I have a real concern that more regulation and legislation will only serve to harm us. It is a real burden and is very vague which leads to abuse, and finally is restrictive since we are just simple families living our lives rather than being a business.

We were visited by the Mayors Office of Special Enforcement once and it was a harrowing and scary experience. Being law abiding citizens who give back to our community you may find this hard to believe but they literally went throughout my building taking pictures and looking at every apartment and ROOM. Being a minority household, we were pretty shaken up by it. In fact, my wife stayed completely away because of how it made her feel. The history books are replete with this and it is never a good thing. Another way to think about it is stop and frisk was rejected by you and yet in our own home it is happening because of the laws recently passed in NYC.

Another way to look at this is that making all hosts suffer because of the 1% of bad actors never makes good laws.

Please please stop the bad actors but help the 99% of good actors, like us, thrive. Regulation will stifle any chance of us thriving. Many will suffer and NYC will be less for it so I look to you to treat us as valued citizens and help us rather than harm us.



Council of New York Cooperatives & Condominiums

TESTIMONY TO THE NEW YORK CITY COUNCIL COMMITTEE ON HOUSING & BUILDINGS

September 13, 2021

The Council of New York Cooperatives & Condominiums (CNYC Inc.) is a membership organization providing information, education and advocacy for housing cooperatives and condominiums located throughout the five boroughs of New York City and beyond. More than 170,000 New York families make their homes in CNYC member buildings, which span the full economic spectrum from very modest, income-restricted housing to solid middle class apartment complexes to upscale dwellings. The shareholders and unit owners who make their homes in New York cooperatives and condominiums are not only the collective owners of their buildings, they are also responsible for meeting all costs of operating the building and complying with the law. The boards that govern cooperatives and condominiums are elected by their neighbors; their volunteer job includes planning prudently to run their buildings safety and efficiently, in compliance with all applicable laws, and budgeting to meet expected needs, with a regard for the ability of all their neighbors to meet ever growing costs.

To protect New York City buildings from possible gas hazards, Local Law 152 of 2016 was enacted, requiring inspection of exposed gas lines from the gas main up to individual tenant spaces. There has been confusion in the implementation of this well-intentioned law and concern that complying buildings have had the gas shut down in instances where the inspection revealed conditions that were non-Code compliant but that did not pose any immediate threat to life or property, and where remediation could easily have been performed without shutting down the gas. CNYC respectfully suggests that Local Law 152 be amended to clearly distinguish the circumstances that would require full shut downs.

CNYC strongly supports Int. 2259 and 2321 which extend compliance deadlines in the light of delays caused by the Covid-19 pandemic and by the confusion described above regarding the intent and possible ramifications of Local Law 152.



Council of New York Cooperatives & Condominiums

Int. 2361 instructs the Department of Buildings to create a questionnaire for the public and to report annually in March to the Council on comments it receives on Local Law 152. We would respectfully suggest that these comments are likely to be rather harsh if Int. 2377 is passed in its present form.

CNYC has serious concerns with Int. 2377, which would extend the scope of physical gas pipe inspections. Local Law 152 requires inspection of exposed gas lines from the point of entry up to individual tenant spaces. This allows for regular inspection without burdening building owners or management (often the resident owners in the case of smaller housing cooperatives and condominiums) with the task of securing entry into each individual tenant space for the inspection. It is our understanding that the framers of Local Law 152 never intended it to require inspection inside individual units. This modification is invasive; compliance will be costly in time and effort; with an outcome of minimal benefit at best. CNYC respectfully requests that the Council amend Int. 2377 to eliminate from inspection requirements all individual dwelling units that are not the point of entry into the building for gas lines. This would greatly alleviate the significant costs and burdens of testing buildings covered by LL152.

We strongly support Int. 2309 and the registration of short-term rentals. We would like to see language added that would require any short-term rental in a coop or condo building present written approval by the Board of that building prior to registration.

Thank you for the opportunity to testify today.

Mary Ann Rothman
Executive Director

-- Sent from **Jose Guerola** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Stop the abuse and burdens on short term rentals to favor the large hotel companies, small str bring jobs and tourists into the city and airbnb provides a safe platform for users

Sincerely,
Jose Guerola
Resident of Williamsburg, Brooklyn
jgueroladr@gmail.com

-- Sent from **Mike Han** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please support our livelihood through fair legislation for STRs in NYC!

Sincerely,

Mike Han

Resident of Gramercy, Manhattan

youngmichaelhan@gmail.com

-- Sent from **Sean Muellers** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I am not supportive of the City's new short-term rental proposal. This will financially impact us in a way that will force us to sell our home and move out of New York City. This will cause NYC to lose tax revenue and put downward pressure on real estate pricing. This is a bad idea. Maybe Peter Ward/Rich Maroko can think of another way to support the hotel unions.

Sincerely,

Sean Muellers

Resident of Tribeca, Manhattan

seanmuellers@yahoo.com

-- Sent from **ARTY ALMONTE** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Hey hi there!

We are still struggling out here and this new restrictions will push us back even further!

Please put politics aside and people needs in perspective!!

Thanks for taking the time to read this short email!

Thanks in advance!!

Sincerely,

ARTY ALMONTE

Resident of Fordham Heights, Bronx

artyhouseofstyle@gmail.com

-- Sent from **Rose Siegel** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

My family is fully dependent on my airbnb income. These measures are absolutely burdensome. We are already struggling because of the pandemic. I take care of my elderly parents with the money made from airbnb. Please.

Sincerely,
Rose Siegel
Resident of Riverdale, Bronx
piaohua.han@gmail.com

-- Sent from **Erica Marcano** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I'm writing in response to the new guidelines proposed for AirBnB hosts in NYC. I became a host just this year after a nightmare situation with a roommate. I love my neighborhood and apartment, but cannot afford to keep a 2BR alone, and don't personally know anyone who needs a place, especially with so many people having left the city for work. So far, all of my guests have been great - they are primarily here for either tourism or apartment hunting for themselves. AirBnB-ing my second bedroom, which I got approved by my landlords of course, has allowed me to keep the apartment I love, show others the vibrancy of my neighborhood, and live without the drama of a bad roommate situation. I truly hope that the city does not act to put further restrictions on hosts here.

Sincerely,

Erica Marcano

Resident of Williamsburg, Brooklyn

eri.marcano@gmail.com

-- Sent from **Swipe Aroom** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

This new restriction is crippling the, what's left of the economy. These are deliberate restrictions to gain control and cripple low to mid class working people. How dare you enforce such restrictions to homeowners. Homeowners are already paying a price of unpaid tenants that we can not evict, high property taxes, and more. We have voices and rights also.

Sincerely,

Swipe Aroom

Resident of Mill Basin, Brooklyn

noelc64@icloud.com

-- Sent from **Kerri Shapiro to Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

We are against the proposed burdensome rules making it more difficult to rent out an Airbnb in NYC/Queens. Our income that supports our family would be greatly diminished by these rules. Say NO to these proposed rules.

Sincerely,

Kerri Shapiro

Resident of Rego Park, Queens

kerri_shapiro@yahoo.com

-- Sent from **Margarita Saplala** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I am absolutely against proposed for Short-term rentals!!! As a property owner I had struggled during the pandemic. Finding permanent tenants was difficult because people had left the city. I have been able to make ends meet through short term rental. These new restrictions will further hinder my ability to cover the mortgage.

Further more the city never requires inspected by a licensed engineer, architect. I have rented some apartments in NYC that was definitely not up to code. Those slum lords don't have to go through anything like this. The city should spend more time cracking down on all the slum lords rather than making it impossible for individuals to do short-term rentals.

Sincerely,

Margarita Saplala

Resident of Prospect Lefferts Garden

margaritasaplala@gmail.com

-- Sent from **Miguel Contreras** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I want to urge City Council to protect Hosts like me as I rejecting the burdensome measures being taken against host like myself. We deserve the right to provide services and run our small business from our home. It seems like this is rooted in wanting to cash in on our business and protecting landlords who already make so much money off their tenants. I ask that City Council not go through with these so called "measures" that are only a new form of systemic oppression.

Sincerely,

Miguel Contreras

Resident of Mott Haven, Bronx

migtrain25@gmail.com

-- Sent from **Aaron Fedor** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

AIRBNB is important to foreign students and those unable to afford high priced NYC hotels . It is vital to encourage these visitors to NYC ! - Aaron

Sincerely,
Aaron Fedor
Resident of UES, Manhattan
aaronfedor@hotmail.com

-- Sent from **Marina Korenfeld** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

The new restrictions are damaging and unreasonable. I'm considered to be a good host, but the new rule will eliminate me as one completely. Hosting is a huge part of my survival. Please, consider my family's future wellbeing. Thank you for your consideration.

Sincerely,

Marina Korenfeld

Resident of Rosebank, Staten Island

marinakorenfeld@gmail.com

-- Sent from **Sol Bergman** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please don't pass this bill! I'm only renting for 30 days or more and generating a lot of taxes and income to NYC

Sincerely,
Sol Bergman
Resident of Upper East Side, Manhattan
solbergman@hotmail.com

-- Sent from **Ron Baron** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

To whom it may concern:

I own a two family home for 20 years. I supplement my income by Airbnb'ing out our place periodically. This new law will prevent me from doing so and is wrong. Please stop this policy from injuring small home owners like myself.

Regards,

Ron Baron

Sincerely,

Ron Baron

Resident of Williamsburg, Brooklyn

baronstax@yahoo.com

-- Sent from **Lixia Guo** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Dear Housing and Building Committee,

I wanted to express my gratitude for being able to host my apartment on Airbnb during this very difficult time during Covid. Our Airbnb income was able to help my family to pay our monthly mortgage. Hosts like me, I support reasonable regulation, but this new bill provides no details on who is eligible to receive a permit, creating more confusion. As tourism is bouncing back in New York, now is not the time to make things more difficult by passing additional burdens without any clarity. It's time for New York to finally make the rules clear, protect responsible Hosts like me from unfair enforcement and support the return of tourism throughout all 5 boroughs.

Sincerely,

Lixia Guo

Resident of East Flatbush, Brooklyn

lixia.guo@gmail.com

-- Sent from **James Benson** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I need this ability to pay my rent. If not I will be evicted. Is this what you want? Tourism is key to this city. If you do this. You will kill it.

Sincerely,
James Benson
Resident of Crown Heights, Brooklyn
jambenzz95@gmail.com

-- Sent from **Mathew Dillman** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I rent on airbnb because it is safe and secure way to vet individuals. I cannot afford to live in the city where I work without airbnb. Rent is so expensive that many are not investing in their futures, forgoing proper healthcare, retirement savings, or the ability to save for a home. New York should expect individuals to sacrifice the opportunity to take care of ourselves just because we don't earn enough to keep our heads above the water. Airbnb affords me the ability to live and work in this city.

Sincerely,

Mathew Dillman

Resident of Harlem, Manhattan

mathewdillman@gmail.com

-- Sent from **Thea Habjanic** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Let Airbnb hosts keep hosting in NY without extra rules!

Sincerely,

Thea Habjanic

Resident of Chelsea, Manhattan

theahabjanic@yahoo.com

-- Sent from **Christopher Grunke** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I have been an Airbnb host since June 5, 2010. I rent out a second bedroom within my home and stay here while I have guests. I needed Airbnb back when I started and thought I would host for 6 months to a year. With each guest I grew more and more fond of sharing my home with people from around the country and world. My condo board allows short term rentals and I've never had a bad experience while hosting and not a single guest has caused a disruption to my building. If anything, NYC needs to simply enforce laws already on the books rather than adding new, more onerous ones that do nothing more than put a burden on hosts who are well within the existing laws.

Sincerely,

Christopher Grunke

Resident of Clinton Hill, Brooklyn

TheGrunk@mac.com

-- Sent from **Casandra Hunte** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please do not pass this regulation law for NYC. Since the pandemic my husband and I have loss our income va employment. This has helped us pay our rent and the landlord knows about this.

Sincerely,
Casandra Hunte
Resident of Far Rockaway, Queens
casandra_hunte@yahoo.com

-- Sent from **Samantha Lowe** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Don't do a blanket rejection off Airbnb..it helps New Yorkers, and brings tourist to the city. Who can afford for a family to stay in a hotel for a week, impossible. This stringent bill will do more harm then good

Sincerely,
Samantha Lowe
Resident of Rockaway, Queens
slowe22@mac.com

-- Sent from **Marisabel Schumacher** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Dear Committee Person,

I would ask that you kindly reject the proposed burdensome measures. Airbnb provides my family with necessary supplemental income. We appreciate your consideration.

Sincerely,

Marisabel Schumacher

Resident of Harlem, Manhattan

maribel@maribelschumacher.com

-- Sent from **Lance Lundberg** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please do not pass these new rules.

Sincerely,

Lance Lundberg

Resident of Hells Kitchen, Manhattan

llundber@gmail.com

-- Sent from **Samantha clarke** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please reconsider these restriction on Airbnb hosts. It will kill any hope to have Airbnb in the city..it's great for tourism and for New Yorkers. Yes some regulation, but don't kill it. It has been fantastic for this city. A family could never afford to spend a week in a hotel and explore nyc, impossible. !!!!!

Sincerely,
Samantha clarke
Resident of Williamsburg, Brooklyn
slowe22@me.com

-- Sent from **Meghan Kelleher** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Using airbnb allows me to host travelers and locals alike who need a place to stay. Instead of finding a stranger to be a permanent roommate, I'm able to vet the folks staying in my home through the Airbnb network of hosts, and only have guests who received positive reviews. This provides me with a lot of peace of mind as I had a squatter in my home, who paid nothing for 6 months and damaged my living space. This caused a huge amount of debt that I'm still paying off. With airbnb I have accountability and protection from these situations.

Sincerely,

Meghan Kelleher

Resident of St George, Staten Island

onebloodorange@gmail.com

-- Sent from **Ryan K** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

During Covid, our office in Williamsburg has closed. I own my house in the area and use it when I am in town. When I am not around, I like to have the opportunity to rent it out to help me pay my mortgage. I had been trying for 30 day + rentals for the last year but with an increasing need for me to be in NY more often, this will be harder going forward. Rather than adding more restrictions, it would be great if you could allow airbnb and other to collect tax so short term hosts are in compliance with laws. there is a need for short term housing, let's not over regulate it and let people who own their own places do what they want with it in a fair manner. Thanks!

Sincerely,

Ryan K

Resident of Williamsburg, Brooklyn

groovin@rocketmail.com

-- Sent from **Stephen cole** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Every one is having a hard enough time dealing with covid me myself haven't work in over a year struggling to pay bills we don't need these ridiculous burdens were regular good people who uses this outlet to make a honest extra income to put food on the table cloth and shelter for or babies these burdens will just. Cripple and undermine good tax paying people from providing for our families there are so many other areas of society that you can look into your job is to serve the people not police were there is no crime happening]

Sincerely,
Stephen cole
Resident of East New York, Brooklyn
sahir421@gmail.com

-- Sent from **Sean Alder** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I am 50 years old and have been hosting guests the last few years since my very unfortunate divorce. Needless to say, following that very tragic event, hosting via airbnb has provided a number of benefits such as a reasonably comfortable way to briefly meet folks from all walks of life, provide very much needed supplemental income, and knowing that although I love my dream home, it's a joy knowing others beside me can enjoy it as well. These now proposed restrictions/rules seem like it will create an unnecessary burden on honest hosts that aim to do the right thing. Please reconsider. Thanks for providing an opportunity to be heard.

Regards,
Sean Alder
Resident of Queens Village, Queens
salder1234@gmail.com

-- Sent from **jessie davis** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please do not make things more difficult for New Yorkers as we are still in the midst of this crisis.

Sincerely,

jessie davis

Resident of Bedstuy, Brooklyn

jessiedavismusic@gmail.com

-- Sent from **Jennifer Ayres** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I use Airbnb to find roommates. Why cause more unnecessary burdens on me? If you vote for this, I will remember on Election Day

Sincerely,
Jennifer Ayres
Resident of Bedford Stuyvesant, Brooklyn
pixxiemeat@mac.com

-- Sent from **Jenna Shapiro** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please protect hosts like me and my husband and reject the burdensome measures proposed. We wouldn't be able to pay our mortgage without the income from the Airbnb in our home.

Thank you for your consideration.

Sincerely,

Jenna Shapiro

Resident of Prospect Park South, Brooklyn

jennawshapiro@gmail.com

-- Sent from **Brian Chen** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I've lived in nyc my whole life. If i would like to rent out my extra room, i should be able to without such drastic measures. If apartments are "unsafe", why are they being rented to NYC renters in the first place. Also, the airbnb reviews would mention that. If landlord does not want Airbnbs in their buildings, the lease agreement would already state that. There are already checks and balances for short term rentals with out these drastic new terms.

Sincerely,
Brian Chen
Resident of Hell's Kitchen, Manhattan
brianshortys@hotmail.com

-- Sent from **Damien Sarrazin** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I am a landlord and own a small condo in Brooklyn.

The income that I generate via Airbnb helps me pay for my mortgage and New York Property tax, as I have been struggling recently with my job due to the Covid situation.

I am afraid that new burdensome rules will impact my ability to generate additional income to support my family and pay for the monthly utility bills and other cost of living.

I am asking for you to take into consideration my message as I can imagine I am not the only one in this situation.

Sincerely,

Damien Sarrazin

Resident of Bushwick, Brooklyn

damien@homerunpr.com

-- Sent from **Angeliki L. to Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I won't use logical fallacies here, but this may be the one time I'd love to use the red herring argument, because of all the problems New York faces, especially with housing, the fact that a council would choose to focus on the niche community of short term renters is almost unbelievable. Onto an actual issue I have with this: I'm sure that you will hear many arguments about tourism being essential to New York and its economy, all of which I believe myself, but because I believe these responses will be common, let me instead bring up the issue of the environment and climate change. Can we please, please be the city that actually takes steps to ensure the human species does not face extinction? Scientists are no longer proposing or discussing how to circumvent or mitigate climate change, that's how inevitable our warmer planet is. Instead, the focus is now on adaptation. The hotel industry's carbon footprint is devastating. Globally, the hotel sector accounts for around 1% of global carbon emissions, which is a shocking statistic considering it doesn't exist in every city, this stat doesn't account for related industries that the hotel industry supports and relies on, and that the industry is expected to grow, which would grow the percentage. I think we need to think boldly about how we are going to survive as a human species- no micro changes a baby could do like drinking out of a reusable water bottle and using reusable tote bags are going to suffice at this point. We need to rethink entire industries and decide- are they valuable? Are they worth their energy consumption? Short term rental platforms like Airbnb and Vrbo are very often used by both the individual renting it out (one common reason: they went on vacation, are renting the space in the interim) and the guest visiting. Instead of a huge hotel chain open 24/7, consuming resources to heat and cool hundreds of rooms, you have already existing houses serving a dual purpose. In cases like mine, if someone rents from me, they are supporting an environmentally conscious person and are living in a home that focuses on sustainability. I don't incorporate AC, I don't keep a washer and dryer on the premises, my thermostat is set reasonably, no paper towels or other wasteful products are ever used, and composting is a regular practice. Suppose those same individuals who rent through me now go and rent through the Marriott. Their room is now kept cold with energy intensive AC, their money is going to a building with a carbon footprint a mile long. It may seem equivalent- who cares if someone is occupying a hotel room vs an apartment or house? Hotels rarely achieve 100% occupancy rates. That means that regardless of their vacancy, even if 50% vacant, personnel are available for guests, lights and appliances run, and spaces are kept temperature controlled. Not so with a single unit- if a guest rents it, the space consumes energy, and if no one does, it doesn't. Do we want energy efficient homes rented seasonally, serving a dual purpose, existing in more locations than a single hotel could, or do we want to keep funneling money to a dying industry that is often responsible for gentrifying neighborhoods? I know NYC looooooves the hotel industry, but think about it.

Sincerely,
Angeliki L.
Resident of Flushing, Queens
pchirayu925@gmail.com

-- Sent from **Cynthia Acevedo** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I host in Jamaica Queens NY using the Airbnb platform to rent the spare rooms in my home. This platform allows me to be financially stable to pay my bills and mortgage on time during this COVID crisis. I'm able to buy food and make the necessary repairs I need to my home. I also have a tenant that has not been paying his rent before the pandemic and now the eviction moratorium has been extended up until January 15, 2021. I'm a single woman. If I can't use Airbnb anymore for my home I won't be able to pay my mortgage and I will go into foreclosure. I don't want to lose my home if I can't support myself financially. Airbnb has helped me to become financially stable. I already have to work two jobs to cover my monthly costs of living. Plus my property taxes are paid through my mortgage company and I report my Airbnb earnings to the IRS when it's time to do my taxes. Please don't add anymore burdens on me by removing my ability to use Airbnb as a necessary honest additional earned income. I just want to keep my home and live the American dream. NYC Metro has the third lowest homeownership rate in the US. As a minority home owner I urge City Council to protect hosts like me.

Sincerely,
Cynthia Acevedo
Resident of Jamaica, Queens
nicebrowng@icloud.com

-- Sent from **James Braithwaite** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

These changes are unnecessary, onerous, expensive, and create more challenges to maintaining my home and sustaining my family during a pandemic.

Sincerely,

James Braithwaite

Resident of Flatbush, Brooklyn

jamesbraithwaite@gmail.com

-- Sent from **Nikolas Zasimczuk** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Since the Pandemic, renting out my guest room on Airbnb has helped out tremendously pay off all the debt if incurred because of Covid.

Creating a system will be more difficult for me to wrap my room out will severely impact my finances, and may force me to move.

I really hope you reconsider this new bill against Airbnb.

Sincerely,

Nikolas Zasimczuk

Resident of Astoria, Queens

nikolas.zasimczuk@gmail.com

-- Sent from **McArthur Damis** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Dear Housing and Building Committee,

I have been a host with air bnb since July 2021, only two months. I decided to become a host because of the very difficult circumstances under current NYC eviction legislation that favors tenants with extended occupancy in apartments due to unemployment with COVID-19. Now, with this new policy for Air bnb hosts, I will be subjected to new policies, that again, hurt home owners and prevent us from staying financially stable. I am urging you to please reconsider this new law and understand that landlords and home owners need stability to provide housing for the public. Thank you.

Sincerely,

McArthur Damis

Resident of Canarsie, Brooklyn

mark.damis@hotmail.com

-- Sent from **Paul Briscoe** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

The rules you're proposing are unreasonable in the face of all of what our city has endured.

These rules are a money grab for your corrupt council and makes it very obvious that DeBlasio is "in bed" with the developers in our neighborhoods, but also with the Hotel establishments.

This will not go unchallenged. NYC residents are fed up with the stripping of our rights and ability to make an honest living.

Stop killing NYC.

You should be ashamed of yourselves. And just so you know, we as New Yorkers, will be taking our city back.

My only solace is that you have to wake up every morning and look at yourself in the mirror. Feels good right?

Sincerely,

Paul Briscoe

Resident of Cobble Hill, Brooklyn

pjfodera@aol.com

-- Sent from **Kenneth Sawyer** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Your proposed regulations are not in the best interest of New Yorkers. Sensible regulations are welcomed - inspection and notarized letters are unnecessary and not solving a problem that exists or isn't resolved by private parties. Detailed records for seven years is crazy and even longer than what is required by the IRS. It's unclear the problem that the regulation is trying to solve and strongly suggest that this is not approved.

Sincerely,
Kenneth Sawyer
Resident of Soho, Manhattan
kbsawyer@yahoo.com

-- Sent from **Jennifer Triest** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Creating unreasonable barriers for short term rental hosts like my self would affect my ability to provide a life for my family. I use my property as a means to make additional income and this would negatively impact my capability to do so. Now is not the time to make things more difficult that tourism is making a return in the city and I do no support this proposal.

Sincerely,

Jennifer Triest

Resident of Bushwick, Brooklyn

brooklyngardenoasis@gmail.com

-- Sent from **Janneliz Barragan** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please do not pass this burdensome bill. It will lead to less tourism and NYC thrives on tourism. We need to bounce back after two hard years. If this passed, it will deter us from doing so.

Sincerely,
Janneliz Barragan
Resident of The Bronx
janneliz.barragan@gmail.com

-- Sent from **Leecia Manning** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Hosting guests in my home is the only way I can pay my mortgage. It brings much needed revenue to my neighborhood as well. These rules accomplish nothing except make it even harder to live in this town. Why are you doing this to us?

Sincerely,

Leecia Manning

Resident of Bed Stuy, Brooklyn

leeciamanning@hotmail.com

-- Sent from **Lise Ghorn to Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I won't be able to pay my mortgage with this new implementations since I usually shared my room with a guest from Airbnb. Please vote against this new rule!!

Sincerely,
Lise Ghorn
Resident of Jamaica, Queens
Lghorn@gmail.com

-- Sent from **Monika Krynska** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

The measures being proposed add additional financial hardship to operating a short term rental , I am a responsible host and make sure my home is safe for my guests.

Sincerely,
Monika Krynska
Resident of Far Rockaway, Queens
monikakrynska@yahoo.com

-- Sent from **ELIANA YARIAN** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please support Airbnb hosts like me! With these burdensome regulations I will loose an essential form of income which helps me make ends meet!

Thanks

Sincerely,

ELIANA YARIAN

Resident of Midtown west, Manhattan

yarian64@gmail.com

-- Sent from **Agata Scarlen** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

The proposed bill adds unreasonable barriers for Hosts. These burdensome rules would impact the ability to make important extra income during the COVID-19 pandemic.

Hosts support reasonable regulation, but this bill provides no details on who is eligible to receive a permit, creating more confusion.

As tourism is bouncing back in New York, now is not the time to make things more difficult by passing additional burdens without any clarity. It's time for New York to finally make the rules clear, protect responsible Hosts from unfair enforcement and support the return of tourism throughout all 5 boroughs!

Sincerely,

Agata Scarlen

Resident of Washington Heights, Manhattan

agata.scarlen@gmail.com

-- Sent from **ISABEL VARELA** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I have been hosting for over 6 years and this helped me to pay off my debt from all of the illnesses and diseases I have had. It helps me to have enough time to take care of myself because I am very sick and not able to maintain a full time job. My landlord has known that I do this and is fine with it because I live in my apartment where I rent which is completely legal.

Sincerely,

ISABEL VARELA

Resident of Manhattan Valley, Manhattan

ivarel2@gmail.com

-- Sent from **David Doran** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please do not add more regulations this really helps us pay our rent in these troubling times

Sincerely,

David Doran

Resident of Bed stuy, Brooklyn

realestatenyc2020@gmail.com

-- Sent from **Carlos P** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

[Guys.. stop trying to get a penny from people working and trying to make a living.. in harlem I receive tourist in my house, for a quarter of what they would pay in a hotel, they eat and move the harlem economy.. what do you guys want? let us survive in a city that thank to politicians is being build for foreigners and we are being pushed out.. let us work, let us receive tourist that can not afford to come to NYC. we pay taxes over what we do.. let us alone]

Sincerely,

Carlos P

Resident of Harlem, Manhattan

carlosbuying@hotmail.com

-- Sent from ***linda cheung*** to ***Housing and Buildings Committee*** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

The new Airbnb laws will cause huge issues and burden to the average middle or lower income people just trying to make ends meet in this day in age of Covid and they keep trying to close us small business owners out. Please help us smaller people by not putting such restrictions on us Airbnb owners

Sincerely,

linda cheung

Resident of Richmond, Staten Island

lindalcheung@gmail.com

-- Sent from **Cindy Brown** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please do not pass these burdensome restrictions on AirBnB hosts. The income earned from AirBnB is heavily relied upon by my family and I and these restrictions will severely limit our ability to support ourselves. It is unnecessary and far too burdensome. If one owns their home, they should not be told what they can and cannot do with it. Please do not impose such regulations.

Sincerely,

Cindy Brown

Resident of Pelham Gardens, The Bronx

cbrownie19@gmail.com

-- Sent from **Matthew Fletcher** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

These restrictions are unreasonable and would impact vital income for me

Sincerely,

Matthew Fletcher

Resident of Chelsea, Manhattan

gofletch@gmail.com

-- Sent from **Farouk Chemam** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

[To whom it may concern,

Hello and hope this letter finds you well. Most Airbnb Hosts agreed already to the previous law that was acted in regards to short and long term stays.

Additionally, the Airbnb Hosts do live in the property or listing where they do welcome guests and it is a very good way to promote tourism and bring money to the City.

Please take into consideration that Hotels are way too expensive for most people and the Hotel Standards are declining especially since COVID. Most people that I talk to are getting robbed by Hotels and mismanagement and lived in very lousy Hotel Rooms.

Also hosts are very aware and take COVID restrictions seriously by cleaning and disinfecting the rented bedroom or space each time, wearing masks and even sometimes refusing to rent if the guest is not fully vaccinated.

Please do not make it harder for working and honest people which are already struggling during these difficult times.

Thank you for taking the time to read this letter and understanding, I really appreciate it.]

Sincerely,
Farouk Chemam
Resident of West Harlem, Manhattan
chemamfarouk@gmail.com

-- Sent from **William Gomez to Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Unacceptable that our elected officials want to restrict supplement income to the middle class specially after the economic struggle this pandemic times is leaving on us.

Sincerely,
William Gomez
Resident of Astoria, Queens
wwwilliam1939@gmail.com

-- Sent from **Kemar Swaby** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I The proposed bill adds unreasonable barriers for Me as host, this is my Extra livelihood to help survive during the pandemic. As minority and immigrants it's hard to make a living in New York and Airbnb has been able to let me find a livable apartment in a area that is usually priced out by gentrification. Even thou I have lived here for 8 years rent around the area continues increase and my pay has not Airbnb is the only way I am able to stay where I live. Please review this bill carefully and bare in mind small business owners who are trying to survive in a ever more disparate society that favors rich majority of well established social class.

Sincerely,

Kemar Swaby

Resident of Park Slope, Brooklyn

1kemarswaby@gmail.com

-- Sent from **Arlene Messer** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

I object to unreasonable restrictions and permits.

We only have the one apartment which helps to pay the mortgage.

Don't make us jump through all kinds of hoops to just stay above water.

Thank you

Sincerely,

Arlene Messer

Resident of Williamsburg, Brooklyn

messerarlene@gmail.com

-- Sent from **Rupi Arora** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

Seniors like me need to be protected by the city .

Not panelized for making some extra money to pay our bills and property taxes. So please reject this bill
we do not need more policing of our homes.

Rupi Arora

Sincerely,

Rupi Arora

Resident of Forest Hills, Queens

rupi48@gmail.com

-- Sent from **Feginse Youance to Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

These new restrictions will add addition barriers to struggling New Yorkers who need this income to survive. It isn't fair and is making it extremely hard for me to make ends meet.

Sincerely,
Feginse Youance
Resident of Mount Hope, The Bronx
feginse_youance@yahoo.com

-- Sent from **Jean-Paul Buthier** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

To whom it may concern,

I find the new proposed regulation very restrictive. It will stop most New Yorkers from being able to Airbnb their apartments which can really help cover the high cost of living in NYC.

It is also a fun way for visitors to stay in the city, to meet New Yorkers and see how they live.

Sincerely,

Jean-Paul Buthier

Resident of East Village, Manhattan

jpaolob@gmail.com

-- Sent from **YURY SKALET** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

In such time of COVID and increased property taxes every year - the proposed new rules very unreasonable additional burden on everyone who is trying to use short time rental to survive!!

Sincerely,
YURY SKALET
Resident of MIDWOOD, Brooklyn
baiskeep@yahoo.com

-- Sent from **Zoraida Delgado-Sanchez** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

We are trying to stay a float with all the cuts . Please do not apply more regulations.

Thanks.

Sincerely,

Zoraida Delgado-Sanchez

Resident of North Bronx

dzory1@optonline.net

-- Sent from **Nikolai kokanovic** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

If this bill is passed it will put me in serious financial concern. Please be conscious of your citizens, not just the hotels that line your pockets.

Sincerely,

Nikolai kokanovic

Resident of Bedstuy, Brooklyn

nikolai.kokanovic@gmail.com

-- Sent from **Daniel Pailes-Friedman** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

The proposed regulations are going to be a huge hardship for those of us who rely on the income from renting in our home to Airbnb guests. I urge you not to support these oppressive measures and support home owners over the hotel lobby. Small business are the heart of the economy- with out this income we wouldn't have made it through the past 2 years.

Sincerely,

Daniel Pailes-Friedman

Resident of Bed Stuy, Brooklyn

danfri_nt@yahoo.com

-- Sent from **Alexander Heim** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Airbnb makes it easy for the city to accommodate tourists/tourism. It is affordable, easy, and accessible (in that it serves all neighborhoods, all parts of NYC). It helps people to pay their bills and to maintain their property. I understand the criticisms of Airbnb, but these burdensome restrictions are not what the city needs right now. Thank you!

Sincerely,

Alexander Heim

Resident of Rockaway Beach, Queens

alheim@gmail.com

-- Sent from **Luis Berumen** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please don't approve regulations ,barriers or additional bounderies for short term rentals/ airbnb

Thanks

Sincerely,

Luis Berumen

Resident of Long Island city, Queens

luis.morales.berumen@gmail.com

-- Sent from **Maria Faria** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

Please support Airbnb hosts like me! If this burdensome regulation passes it will jeopardize the extra income that is essential to pay my bills.

Thanks

Sincerely,

Maria Faria

Resident of Midtown West, Manhattan

fariamaria291@gmail.com

-- Sent from **Humie Hugginton** to **Housing and Buildings Committee** on Sep 8, 2021 --

To: Committee on Housing and Buildings,

It is absolutely direrespectful and ridiculus that NYC is not giving a possibility to his residence to use their home for short term rental. Either for owner or tenant.

Make a limit of the house we are able to list but not making hard or impossible to do so.

You are playing with our money and life. We already pay so much for living here.

Stop take more money from us or making complicated to make or save money please.

Sincerely,

Humie Hugginton

Resident of Brooklyn

humhugs@gmail.com

-- Sent from **Genesis Martinez** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

After COVID impact in our state, the rise of the prices of the rent and the lack of employment, this is basically the only help that we have to survive in NYC!! This will only lead to tons of empty apartments, lack of housing, because a lot of us CAN NOT AFFORD after Covid impact the lifestyle that we use to have. It's unfair! It's heartless! It's a headshot on economy of thousands of hosts in New York! Our government should help us to survive all this, it shouldn't condemn us to get a life even harder.

Sincerely,

Genesis Martinez

Resident of Ridgewood, Queens

gamt1301@gmail.com

-- Sent from **Lovelynn Gwinn** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

I support reasonable regulation, but this bill provides no details on who is eligible to receive a permit, creating more confusion. As tourism is bouncing back in New York, now is not the time to make things more difficult by passing additional burdens without any clarity.

Sincerely,

Lovelynn Gwinn

Resident of Harlem, Manhattan

lovelyng@gmail.com

-- Sent from **Jhovana Samano** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

By adding this restrictions puts a even heavy burden to those of us that share our homes through Airbnb . It lessens the quality of of life that we live w is already work to pay the rent .it would force everyone to move out of the city and possibly state in search for affordable housing.

We pay very high taxes on the Airbnb income as it is.

Why is this a witch hunt?

Go after delivery services that exploit both businesses and delivery people

Not home sharing w has made it possible for so many people who otherwise they could only afford to dream of foreign lands to travel the world. This has brought so much income to the city.

Sincerely,

Jhovana Samano

Resident of Alphabet City, Manhattan

jhovanasamano@gmail.com

-- Sent from **Carl Robichaud** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

Please reject the new short-term rental ordinance, which places unnecessarily burdensome regulations upon home owners. Short term rentals are an important way that homeowners and renters can make living in NYC affordable. Moreover, they are a lifeblood for our city. We have hosted young people getting a start in the city who didn't know where to live and couldn't commit long term. We have hosted guests from around the world visiting a newborn child and mother. We have hosted medical professionals coming to NY to help fight the Covid pandemic. Please do not take any steps that would make short term rentals more burdensome--the existing process (which requires certificates of occupancy and generates significant taxes) is sufficient. Thanks, Carl

Sincerely,

Carl Robichaud

Resident of Windsor Place, Brooklyn

carlrobichaud@gmail.com

-- Sent from **Geraldine Levine** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

I understand that you have to protect the hotel industry but the additional money earned by renting a part of my apartment gives me the possibility to pay the outrageous college tuition of my son. For the people, it will be more fair to investigate how university could ask such a big amount of money ... thank you for your comprehension.

Sincerely,
Geraldine Levine
Resident of Park slope
bluecorner163@gmail.com

-- Sent from **Jeffrey Franco** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

It's unreasonable to require such things from someone just renting out the extra room in own apartment! Can't you see tomar of us only do it out of necessity, accept strangers in to the places we live, risking our welding at this time of covid to accommodate travelers and maintain a good rating? This helps most of us to stay a float and gives us a purpose. Do you want us to go homeless and die out there. Being an Airbnb host helps us live a dignified life, socialize with guests. There are not many hotels in my area. Most of my guests are people visiting friends and family who doesn't have the extra space for them to stay or people who have some short business in the very neighborhood, traveling clergyman, and every once in a while I host some foreign guest looking for an affordable stay, who would never be able to afford a NYC trip if it wasn't to me. I provide a warm, safe, clean and affordable place for them. Have you inspected the hostels and cheap motels in NYC? They are dangerous, drugs dens, full of bugs and mentally ill people. I opened up my home, I have full stars cleanliness rating. I provide a cultural experience. Guests get to meet a nice New Yorker with me. I let them know about good restaurants, clubs, museums, parks and local gems that no city brochures can match up. I'm no competition to your hotelier buddies, please leave me alone. How come you never instituted such requirements to landlords at the first place! They are allowed to rent out us (New Yorkers) dilapidated spaces as small as rat holes, on the other hand you require people like us to get that very same rentals through these high end inspections. Why are you so eager to give more power to the landlords and take away from renters? They want landlords to rule every aspect of our lives? How further evil will you get? Will it take for you to eat all of us to satisfy your hunger! Constantly pushing us further down, closing more doors, taking away more and more opportunities by legislation. You should keep in mind that it's not that hard for you or your loved ones in the future to find yourself in our shoes. By neglecting, weakening and hurting us you are actually hurting yourself and your loved ones.

Sincerely,
Jeffrey Franco
Resident of Midwood / Gravesend, Brooklyn
jeffieny@aol.com

-- Sent from **Andrew Isaacson** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

Our Airbnb rental helps us pay for the high NY property taxes. Without this option, we wouldn't be able to. Please make it easier -- not harder -- for us to do so.

Thank you.

Sincerely,
Andrew Isaacson
Resident of Brooklyn Heights, Brooklyn
yakshee@hotmail.com

-- Sent from **Brigid Auguste-George** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

As a airbnb host, I am just trying to make a decent living so that I could take care of my family by earning an honest income and offset the tax burdens and red light cameras and speed traps erected all over our city. The city continues to burden with legislation, making it very difficult to keep income earned in the pockets of its residents like myself. Please do not burden us with more unnecessary "indirect" tax burdens. We are suffering enough already as New York residents.

Sincerely,

Brigid Auguste-George

Resident of Jamaica, Queens

mauguste_99@hotmail.com

-- Sent from **Peter Laurent to Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

Please help us and do not burden those who want to do business in the city. I support reasonable legislation, but \$15,000 per violation does not say how much you need hosts like myself to do business in the city.

As of To day's date, I have spent over Thirty-six thousand dollars of my own money; to get my business up and running, and for you to add another burden on me is helping New Yorkers like myself move out of the city, now I know this is not what is best for our city. Be clear that I do support reasonable regulation, but don't push us out. And do what is right for New Yorkers, in all fairness.

Sincerely Peter of New York

Sincerely,

Peter Laurent

Resident of east flatbush, Brooklyn

growrichl@aol.com

-- Sent from **Helen Morley** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

At a time where so many New Yorkers are struggling to make ends meet, do not penalize Airbnb hosts who rent out one room in their actual homes or their entire apartment for less than 10 days a quarter or 40 days a year. These actions are to help pay the the expensive rent in NYC and stay in their homes. Many Hosts who rent their entire apartments out when on vacation do so because many New Yorkers no longer work traditional jobs that provide vacation or sick pay. If they take tie off, they could not make the rent.

Professional Hosts who do not live in the apartment renting rooms or renting multiple rooms in one unit should be regulated. Same as entire apartments being rented out more than 10 days every three months. That is not longer a supplement an income but a hotel.

Sincerely,
Helen Morley
Resident of East Village, Manhattan
hlm29@aol.com

-- Sent from **Emily Kane** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

As a host on Airbnb I agree with the proposal that rental spaces should be inspected but instead of putting this onus on hosts, this should instead be better regulated at the city level to fully protect all residents, not just those hosting short term rentals.

I look forward to supporting revised legislation that appropriately protects all renter types and their hosts or landlords.

Sincerely,
Emily Kane
Resident of BedStuy / Clinton Hill, Brooklyn
emy.p.kane@gmail.com

To: Committee on Housing and Buildings,

These new guidelines are unfair and over the top. I use Airbnb to help pay my rent and these guidelines will impede that income. I do not make any money on, I use it to pay half of my rent. Please oppose these restrictions.

Sincerely,
Tiffany Braby
Resident of Washington Heights, Manhattan
tiffanybraby@gmail.com

To: Committee on Housing and Buildings,

Airbnb has been a lifeline for our family in the last few years. Having to register and have our listings inspected by a licensed engineer, architect, or inspector is ridiculous! This needs to be rejected.

Sincerely,
Gregory Worley
Resident of Harlem, Manhattan
gworley@nyc.rr.com

To: Committee on Housing and Buildings,

These proposed rules are burdensome and draconian. As a homeowner and tax paying citizen I should be allowed to rent my property how I see fit without further rules and regulations being forced upon me by a city agency (Mayor's office) that clearly does not have my best interest in mind. The proposed bill is designed to discourage and ultimately set homeowners such as myself up for failure and to financially cripple my family in an already struggling economy. It's a shame that the city is trying to offset their budget deficit and side with the hotel services union and their supporters by implementing rules and penalties that will sink entire families and negatively effect NYC tourism by implementing such rules. As a landlord of a small three family home I've managed to survive financial fatality by turning a unit into a short term rental otherwise I would've been stuck with tenants who themselves were struggling and unable to pay their rent and me left with absolutely no immediate recourse due to the pandemic rent moratorium. I stand firmly against this proposed legislation and I ask that the city council take this opinion into consideration and stop this proposal.

Sincerely,
Troy Graham
Resident of Morrisania section, The Bronx
tvq128@aol.com

To: Committee on Housing and Buildings,

We all trying to survive extremely high rent in the city for ages. This gives us a bit of support if we need it. especially after loosing regular business or jobs in other cases. I'm doing it only because I have to. It's not something I want or I planned to do. I can't wait to not do it at all but first I need to get back to my feet. So these extremely vicious acts from hotels lobbies it's absolutely irrelevant. Also these lobbyists need to understand that some guests can't afford or don't like to stay in hotel room for f.e. 2 weeks etc.

So this is perfect solution for these guests such as family w a kid.

So make Airbnb legal for stays longer then 5 nights f.e. and tell them to stop pushing us into extremely difficult situations. No one wants people really sleep in your own bed but sometimes you have no choice.

Sincerely,

Patrik Petr

Resident of Harlem, Manhattan

petr.patrik@gmail.com

To: Committee on Housing and Buildings,

The Airbnb host community is essential to the success of the city's recovery as a tourist destination. We comply with all existing rules and regulations, follow enhanced COVID cleaning protocols, pay taxes on rental income, and generally act as the welcoming face to visitors from all over the world. Please don't make short term rental hosting any harder than it already is.

Sincerely,
Ninja von Oertzen
Resident of Clinton Hill, Brooklyn
noertzen@hotmail.com

To: Committee on Housing and Buildings,

This is not only very restrictive but completely unclear regarding who will be able to rent out their own private property. Every other city has figured it out. Stop pandering to the hotel industry. Travelers overwhelmingly would rather stay in a short-term rental if given the choice.

Use a specific zoning or create an overlay. The city is missing out on tens of millions of dollars in tax revenue. You'll spend way more money trying to regulate the industry.

Sincerely,

Thomas O'Reilly

Resident of Rockaway Beach, Queens

tommyo1023@gmail.com

To: Committee on Housing and Buildings,

The proposed new rules for STR hosts are both vague, but more importantly are a massive burden on hosts trying to garner supplemental income just to support our livelihoods. These proposals feel both punitive and redundant to approvals already required by the DOB.

Sincerely,
Christian Redding
Resident of Williamsburg, Brooklyn
ctredding@gmail.com

To: Committee on Housing and Buildings,

The possibility to rent my place is the only way I can continue to live and pay taxes in the city. With the rise of remote work I am spending more time with family and if I can't rent my place in the city I will ultimately have to leave NYC.

This is an important source of income for my family and the only way we can afford to live in NYC.

Sincerely,

Andre Farias

Resident of Upper West Side, Manhattan

andrefarias@gmail.com

To: Committee on Housing and Buildings,

This is unreasonable and adding on to already difficult laws regarding housing. Many landlords work in this business full time and are small businesses, they don't have the resources to follow these laws to the extent that larger landlords are able to. People will lose vital income from this.

Sincerely,
Andrew Gonzalez
Resident of Ridgewood, Queens
andrewbb.gonzalez12@gmail.com

To: Committee on Housing and Buildings,

Good morning Congressman,

Hope all is well with you and your loved ones.

I'm reaching out to plead with you on this matter of crucial changes for Air B&B owners. As we go thru these extremely difficult times, this is the only means of income for me. Also because of Air B&B I can employ someone to clean the apartment. I see this as a great help to our City and Community, as I help to employ. Please help us with this fight so that we can earn an honest living while helping others to do the same as well. I am, and all other hosts are depending on you to stop these extremely harsh rules that is going to hurt us.

Respectfully yours,

Anslem Ramjohn

Resident of Bedford Stuyversant, Brooklyn

anslemramjohn@gmail.com

To: Committee on Housing and Buildings,

Dear City Council,

I will ask you to please re-consider the new rules imposed on airbnb in NY. The month-rentals we do between people are based on the community trust and it is not the same than hotel services.

Sincerely,

Genevieve detroz

Resident of Harlem, Manhattan

genevivedetroz@aol.com

To: Committee on Housing and Buildings,

Greetings City Council,

I hope you will consider that most people who do short-term renting in the outer boroughs of New York City are visiting family who live in the respective area. Many of these areas do not have any other options for short term accommodations. NYC then benefits from the halo effect as these guests typically will venture into Manhattan to take in the sites. I recommend putting together a task force that includes hosts from these communities with a goal to find a comprehensive and inclusive plan so as to move forward in a transparent and meaningful manner.

Sincerely,

Joy Newhouse

Resident of Flatbush, Brooklyn

joy_newhouse@yahoo.com

-- Sent from **Michael Endacott** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

My wife and I are retired and own a 2 family house. I am writing to express concern over proposed legislation to make it more difficult for us to operate an Airbnb. Complex regulatory burdens and the potential for crippling fines are not how we expect to be treated by our City Council.

Airbnb has an efficient rating system that allows every guest to rate their host and host to rate their guest. This simple mechanism makes for a good experience for both guests and hosts.

Why must more onerous regulations be imposed.

Sincerely,

Michael Endacott

Resident of Park Slope, Brooklyn

mike_endacott@hotmail.com

-- Sent from **Ammon Orgill** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

Dear Housing and Buildings Committee,

I implore you to avoid adding more unnecessary and burdensome restrictions and regulations to Airbnb listings. Airbnb is the future and should not be treated as the enemy. Our city is finally bouncing back and adding more regulations and red tape is the exact opposite of what we need in order to encourage tourism. Please reconsider creating any new regulations around Airbnb.

Sincerely,

Ammon Orgill

Resident of Chelsea, Manhattan

ammonorgill@gmail.com

To: Committee on Housing and Buildings,

Hello ,

I heard about the new restrictions on Airbnb. My apartment is my life saving. Without Airbnb I would have to let it go and move from the city to an other place . Why always take to the poor in favor of the lobbies ? We all k ow that those new rules will benefit the hotel lobbies . We do nothing wrong by renting out places with passion and make a little extra money especially in those difficult times . I really hope we can count on your good sense and leave us alone a little bit .

Thank you

Yann

Sincerely,

Yann Dandos

Resident of Soho, Manhattan

yanndandois@gmail.com

To: Committee on Housing and Buildings,

This is an honorable and respectful way to make an extra money and have a better living in NYC. If you take out short terms will be very aggressive for our incomes

Sincerely,

Arthur adamzyck

Resident of Williamsburg, Brooklyn

artyadamczyk@gmail.com

To: Committee on Housing and Buildings,

These proposed rules are burdened to hosts like myself. I'm a host that rents out a room to visitors that come from all over the world. Rent is skyrocketing and jobs are not paying enough to sustain everyday living, Airbnb helps me pay my rent and maintain a living. Also, Airbnb helps tourist and the city. It provides friendly budgeting for tourists to come to NYC and enjoy what NYC has to offer. It helps the city to thrive. Kindly ask not to add these rules that will become a burden to New Yorkers that need to make ends meet.

Sincerely,
Danette Arble
Resident of Harlem, Manhattan
danette.arble@gmail.com

To: Committee on Housing and Buildings,

These rules are too burdensome for the families trying to do the best they can.

Sincerely,

Martin Glenn

Resident of Bedford-Stuyvesant, Brooklyn

martin.glenn@gmail.com

To: Committee on Housing and Buildings,

These burdensome rules and measures will negatively impact me.

Sincerely,

Patricia Motus

Resident of Lower East Side, Manhattan

transitionsot@gmail.com

-- Sent from **Claudio Baz** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

I don't agree To people try to make it we are leaving to make it so hard to small community small company

Sincerely,
Claudio Baz
Resident of Queens
claudiobaz34@yahoo.com

-- Sent from **Karine Laval** to **Housing and Buildings Committee** on Sep 9, 2021 --

To: Committee on Housing and Buildings,

I am a Brooklyn resident who owns a 2-family townhouse in BedStuy. As an immigrant with family in Europe, I need to have the flexibility to use my rental apartment to host my family and friends when they visit me. They couldn't otherwise as they cannot afford to stay in expensive hotels in NYC. Airbnb provides that flexibility. But most of all, Airbnb provides a reliable source of income, which helps me pay my mortgage. I know too many stories of small homeowners like myself who are ruined or end up not being able to pay their mortgage with tenants stopping to pay rent and refusing to leave the premises. This was even worse since the pandemic started.

Also, as a homeowner, I believe I should be allowed to use and rent my property the way I wish as long as I declare the revenues of this income. We are not a communist country yet. Instead of punishing and making it harder for small owner and middle class New Yorkers, you should go after developers and large real estate owners who turn entire buildings into Airbnb rentals.

Another suggestion would be to add a tourist tax similar to the one tourists pay when they stay in hotels.

But please don't take away our freedom in our own homes and a precious and reliable source of income.

Sincerely,
Karine Laval
Resident of Bedford-Stuyvesant, Brooklyn
klaval@yahoo.com

To: Committee on Housing and Buildings,

Hi, I am an Airbnb host in Long Island City in Queens. I enjoy hosting for two reasons. One is that I enjoy meeting people from around the country and from around the world, even though I don't get the opportunity to travel much myself, this is the next best thing. More importantly, hosting guests allows me to afford my apartment. On my own, renting a 1-bedroom or even a studio apartment in NYC would be a struggle. Being able to share my home, however, allows me to afford my apartment that I otherwise would be unable to. I hope you will reconsider adding these proposed burdensome rules that would only be a hinderance to hosts such as myself who live in these apartments full-time. Thank you for your time.

Sincerely,
Henry Salinas
Resident of Long Island City, Queens
hrs201@nyu.edu

To: Committee on Housing and Buildings,

Please don't put restrictions on short term rentals I already spend money to build this and I see no profit yet.

Sincerely,

Marie Pyrol

Resident of Old Mill Basin, Brooklyn

mariemp355@gmail.com

To: Committee on Housing and Buildings,

It is absurd to add these additional regulations and limit my economic freedom at a time when me and so, many people in the City need alternative sources of income to support ourselves while housing costs continue to skyrocket and the impact of COVID continues. Please turn your attention to other matters that impact housing. My ability to rent my room temporarily and support my housing costs should not be more further put upon.

Sincerely,

Jay Juergensen

Resident of Bedford-Stuyvesant, Brooklyn

jjuergensen@j-assoc.com

To: Committee on Housing and Buildings,

Don't you have bigger fish to fry than going after people trying to make ends meet during a pandemic?
When people visiting the city explicitly want to stay in private homes rather than hotels, or they won't
come at all?

Sincerely,
Rachel colbert
Resident of Gramercy, Manhattan
rcolbert1226@gmail.com

To: Committee on Housing and Buildings,

These new regulations will be a huge burden on people who depend on the extra income especially during covid and high unemployment.

Sincerely,

Michael Kremer

Resident of Williamsburg, Brooklyn

mjkremer@syr.edu

To: Committee on Housing and Buildings,

I am a new host in Bushwick, BK. When I lost my job because of Covid last year, Airbnb was a way for me to recoup part of my lost income.

Without Airbnb, I would have not be able to pay my rent and my bills.

I have a background in tourism and I am actually a super host. That means that people who stay at my place get a great experience. They are safe, happy and enjoy their time in NYC.

Additionally, I employ 4 cleaning ladies and one handyman. My guests spend money eating at the local restaurants and buy groceries at the local stores.

What else do you need from people like me? I lost a 6 figures job and Airbnb was a way for me to keep my mind busy and be part of a great adventure.

Do you want to push us more towards the bottom?

I ask you to please do not kill entrepreneurship and let us chose our own destiny!

Be with us and no against us!

Sincerely,

Lindsay Cavero

Resident of Bushwick, Brooklyn

lindsay.bnb1@gmail.com

To: Committee on Housing and Buildings,

I do not support this bill because it will stifle My business as an Airbnb Host. I do not like the fact that we have to register with the city when we did not have to before. I do not like the fact that we will have high fines imposed on us as well as also having to have the property certified by the city. Also I am private house owner who should be allowed to do what they please with thier property. I also live at the residence where the Airbnb rental is performed. I am also on a fixed income and Airbnb hosting assist me with paying Bill's and utilities as a retiree.

Sincerely,

Cheryl Woolford

Resident of Wakefield, The Bronx

cheryl.woolford@yahoo.com

To: Committee on Housing and Buildings,

Please protect hosts like myself and my mom, who host on Airbnb to help pay our home mortgage. We urge you to please not pass these burdensome rules. Thank you.

Sincerely,
Jenny Alcaide
Resident of Astoria, Queens
jenny.alcaide@gmail.com

To: Committee on Housing and Buildings,

My Short Term Rental is Very Very Crucial, Essential and Important to Us & Clients/Guests. This is where I Depend on it Solely for an Income to Pay my Bills and to Float, Stay above water .To Avoid From Being HOMELESS on the Street. Especially; in this CRUCIAL DIFFICULT TIMES with COVID-19, Pandemic; Delta Variant, Hurricane IDA, Mental Illness; Lost of Jobs,Employment; Homes, Apartments,;Deaths and Many Many More to Mentioned..We Sincerely, Deeply DEPENDS on SHORT TERMS RENTALS for Our SURVIVAL. ENOUGH Is ENOUGH We're SUFFERING. NYC , Please HELP US
THANK YOU!

Sincerely,
Jean Lewis-baptiste
Resident of Brooklyn
jean.lewisb@gmail.com

To: Committee on Housing and Buildings,

This new proposed bill adds unreasonable barriers for Hosts like me. When I lost my job in the pandemic, Airbnb did more than provide me with extra income, it prevented me from being evicted and alleviated tremendous economic burden. I make a personal connection with every person I host, and meeting visitors has greatly enriched my life and community. I support reasonable regulation, but this bill provides no details on who is eligible to receive a permit, creating more confusion. As tourism is bouncing back in New York, now is not the time to make things more difficult by passing additional burdens without any clarity. It's time for New York to finally make the rules clear, protect responsible Hosts like me from unfair enforcement and support the return of tourism throughout all 5 boroughs.

Sincerely,

Kaitlyn Stubbs

Resident of Bed Stuy, Brooklyn

kaitlyn.stubbs@gmail.com

To: Committee on Housing and Buildings,

Please, help to stop this.

Sincerely,

Ala Al-Samawi

Resident of Flatbush, Brooklyn

a.assamawy@gmail.com

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: 9-13-2021

(PLEASE PRINT)

Name: Christopher Vdean

Address: East hawlem

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kitt Garrett

Address: 450 West 24th St. 10 B. NY NY 10011

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tom Cavallo

Address: 525 W 43

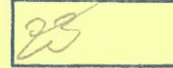
I represent: West Side Neighborhood Alliance

Address: 710 Tenm Ave

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. 2309 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ZANDRA MINGO

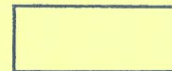
Address: 11708

I represent: SELF

Address: BROOKLYN

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: 9/13/21

(PLEASE PRINT)

Name: NIKI J. FRANZITTA

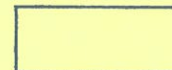
Address: 34 E. 51ST ST., NY, NY 10022

I represent: HOTEL ASSOCIATION OF NYC

Address: 34 E. 51ST ST., NY, NY 10022

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: VIJAY DANDAPAN

Address: 34 EAST 51ST NEW YORK NY 10022

I represent: HANYC (HOTEL ASSOCIATION OF NYC)

Address: 34 EAST 51ST NEW YORK NY 10022

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. 2377 Res. No. _____

in favor in opposition *see summary*

Date: 9-13-2021

(PLEASE PRINT)

Name: April McIver

Address: 535 8th Ave, 17th Fl NY NY

I represent: The Plumbing Foundation

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Joy Williams

Address: 260 W 130th Street

I represent: ME

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: 9/13/2021

(PLEASE PRINT)

Name: AIMEE THRASHER

Address: QUEENS 11106

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. 2309 Res. No. _____

in favor in opposition

Date: 09/13/21

(PLEASE PRINT)

Name: JONE BROXTON

Address: NY, NY 10026

I represent: MYSELF

Address: MANHATTAN

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: 8/13/2021

(PLEASE PRINT)

Name: Victoria McLeod

Address: 11234

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 9/13/2022

(PLEASE PRINT)

Name: Hy Wolfe

Address: 310 Greenwich St 20F 10013

I represent: Hebrew Actors' Foundation / Union

Address: 31 E. 7th Street 10003

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. 2309 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Christian Klossner, OSE

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____
 in favor in opposition

Date: 9/13/21

(PLEASE PRINT)

Name: Daniel Arbeeny

Address: Brooklyn, NY

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____
 in favor in opposition

Date: 9/13/21

(PLEASE PRINT)

Name: TAMARA RIVERA

Address: 395 HUDSON ST. 1ST FLR NY, NY 10014

I represent: NYC District Council of Carpenters

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: 9/13/21

(PLEASE PRINT)

Name: Kyle H. Ishmael

Address: 549 W. 159th St, NY NY 10032

I represent: Airbus

Address: 888 BRANNAN ST SAN FRANCISCO CA

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Richard Gottfried

Address: 250 BWAY

I represent: 75th A.D.

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2263 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: PETER AMATO

Address: _____

I represent: CONSTRUCTION SAFETY ADVISORY

Address: COMMITTEE OF NY

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2278 Res. No. _____

in favor in opposition

Date: 09/13/21

(PLEASE PRINT)

Name: CHARLIE SAMBOY

Address: _____

I represent: N.Y. Building Congress

Address: 1040 Ave. of the Americas

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: 9/13/2021

(PLEASE PRINT)

Name: MURRAY COX

Address: 52 COURTNEY AVE NEWBURGH NY 12550

I represent: INDE AIRBNB

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: 9/13/2021

(PLEASE PRINT)

Name: Julie Samuels

Address: _____

I represent: Tech: NYC

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____
 in favor in opposition

Date: 9 13 21

(PLEASE PRINT)

Name: SKIP KAROL

Address: 418 37ST BROOKLYN NY 11232

I represent: SELF

Address: 418 37ST

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____
 in favor in opposition

Date: 9/13/2021

(PLEASE PRINT)

Name: Esteban Giron

Address: 951 Carroll St (off Brooklyn NY)

I represent: Crown Heights Tenant Union

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Alex Yong

Address: 271 West 47th Street Apt 15D

I represent: Myself/himself

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. 2309 Res. No. _____

in favor in opposition

Date: EP 13 2021

(PLEASE PRINT)

Name: ALFRED ROACH

Address: 440 W. 47 ST #5F NY 10036

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2039 Res. No. _____

in favor in opposition

Date: 9/13/21

(PLEASE PRINT)

Name: Vivian Abuelo

Address: 729 W 186 ST #3C, NYC 10033

I represent: Westside Neighborhood Alliance (WSNA)

Address: 772 10th Ave, NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: 9/13/2021

(PLEASE PRINT)

Name: Michael McKee

Address: 233 West 21st Street (4D) NYC 10011

I represent: Tenants Political Action Committee

Address: 277 Broadway (1410) NYC 10007

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ROLANDO GUZMAN

Address: 306 UNION AVE, BK, NY

I represent: ST NICKS ALLIANCE

Address: 2 KINGSLAND AVE, BK NY 11211

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309-2021 Res. No. _____

in favor in opposition

Date: 9/13/2021

(PLEASE PRINT)

Name: Christopher LeBron

Address: 321 W 47th Street

I represent: West 47th Street Tenants Association

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: Adelia Ramos de Almeida

Address: 215 W 194 Street

I represent: Myself illegal hotel

Address: 215 W 194th Street NYC 10025

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. 2309 Res. No. _____

in favor in opposition

Date: 9/13/21

(PLEASE PRINT)

Name: John Mudd

Address: 331 W 38 ST

I represent: MIDTOWN SOUTH COMMUNITY COUNCIL

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. T2021-768 Res. No. _____

in favor in opposition

Date: 9/13/21

(PLEASE PRINT)

Name: Joseph Gordon

Address: 5 Hammer Square

I represent: Community Housing Improvement Program

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. T. 2021-788 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: LUCY BLOCK

Address: _____

I represent: ANHD

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. 1817 2377 Res. No. _____
 in favor in opposition

Date: 9-13-21

(PLEASE PRINT)

Name: RYAN MONELL

Address: 570 LEXINGTON, NY 10022

I represent: REBNY

Address: 11

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2278 Res. No. _____
 in favor in opposition

Date: 9/13

(PLEASE PRINT)

Name: DONALD RAWSHTE

Address: RAWSHTE @ Stearny-com

I represent: BTEA

Address: 1325 Ave Amer-can 10th Fl 10019

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2278A Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Felice Farber

Address: 60 E. 42nd St

I represent: General Contractors Assoc.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2309 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kayla M. Beck

Address: 340 West 54th Street, 7F
NY, NY 10019

I represent: self

Address: _____

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

THE COUNCIL *opposition to Council*
THE CITY OF NEW YORK *plan to open*
42-218

Appearance Card

I intend to appear and speak on Int. No. 72021-7888 Res. No. _____

in favor in opposition

Date: 9/13/2021

(PLEASE PRINT)

Name: SHAWN RUFFY

Address: 1115 4th Avenue
Bureau of NY 10011

I represent: _____

Address: _____

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