

COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH
COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT
CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDINGS
JOINTLY WITH
COMMITTEE ON FIRE AND EMERGENCY
MANAGEMENT

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April 3, 2025
Start: 10:28 a.m.
Recess: 1:02 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Pierina Ana Sanchez, Chairperson
of the Committee on Housing and
Buildings

Joann Ariola, Chairperson of the
Committee on Fire and Emergency
Management

COUNCIL MEMBERS OF THE COMMITTEE ON HOUSING AND
BUILDINGS:

Shaun Abreu
Alexa Avilés
Oswald Feliz
Crystal Hudson
Lincoln Restler

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COUNCIL MEMBERS OF THE COMMITTEE ON FIRE AND
EMERGENCY MANAGEMENT:

Carmen N. De La Rosa
Oswald Feliz
Kevin C. Riley
Susan Zhuang

OTHER COUNCIL MEMBERS ATTENDING:

Jennifer Gutiérrez

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A P P E A R A N C E S

John Esposito, Chief of the Department of the New
York City Fire Department

Jamell Isidor, Assistant Commissioner for
Administrative Policy and Enforcement at the New
York City Department of Buildings

Yegal Shamash, Deputy Commissioner for
Enforcement at the New York City Department of
Buildings

Guillermo Patino, Deputy Commissioner for Policy
and Legal Affairs at the New York City Department
of Buildings

AnnMarie Santiago, Deputy Commissioner for
Enforcement and Neighborhood Services at New York
City Department of Housing Preservation and
Development

Yong Ju Kim, Assistant Commissioner for Emergency
Housing Services at New York City Department of
Housing Preservation and Development

Yolanda Richardson, tenant of 2910 Wallace Avenue

Kelly Rolon, tenant of 2910 Wallace Avenue

Vanessa Perkins, tenant of 2910 Wallace Avenue

Ricadine Verdiner Bernard, tenant of 29010
Wallace Avenue

A P P E A R A N C E S (CONTINUED)

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Monica Mercola, Staff Attorney with the Legal Aid Society's Housing Justice Unit Group Advocacy Team

Jessica Bellinder, Supervising Attorney in the Bronx Neighborhood Office Group Advocacy Team of the Legal Aid Society

Gabriel Fantacone, Civic Engagement Organizer at Churches United for Fair Housing

Marcus Jackson, Aging-Friendly Community Organizer for Encore Community Services

Lacey Tauber, representing Brooklyn Borough President Antonio Reynoso

Melissa Orlanda, Tenants of 4309 4309 47th Avenue

Christopher Leon Johnson, self

Sharon Brown, Rose of Sharon Enterprises

Andrew Sokolof Diaz, Co-Founder and Co-President of 89th Street Tenants Unidos Association in Jackson Heights, Queens

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SERGEANT-AT-ARMS: Check, check. This is a
microphone check for the Committee on Housing and
Building joint with Fire and Emergency, located in
the Chambers, recorded on April 3rd, 2025, by Pat
Kurzyna. Check, check.

SERGEANT-AT-ARMS: Good morning, good
morning. Welcome to the New York City Council hearing
on the Committee on Housing and Building joint with
Fire and Emergency Management.

At this time, please silence all
electronics and do not approach the dais. I repeat,
please do not approach the dais.

If you have any questions or concerns,
please contact the Sergeant, and we will kindly
assist you.

Thank you for your cooperation.

Chairs, you may begin.

CO-CHAIRPERSON SANCHEZ: [GAVEL] Good
morning. I am Council Member Pierina Sanchez, Chair
of the Committee on Housing and Buildings. Today,
we're holding a hearing jointly with the Committee on
Fire and Emergency Management on Residential
Displacement After Emergencies. First, we will hear
from Chair Ariola.

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3 CO-CHAIRPERSON ARIOLA: Thank you, Chair.

4 Good afternoon. I am Minority Leader, Council Member
5 Joann Ariola, and I am Chairperson of the Committee
6 on Fire and Emergency Management. I want to thank my
7 Co-Chair Sanchez for holding this hearing today, and
8 also would like to thank the representatives of the
9 Administration and members of the public who are here
10 today to listen and discuss this topic, accompanying
11 legislation.

12 At today's hearing, we have one
13 overarching goal, figure out what can be done for
14 those who are displaced from their homes following a
15 devastating emergency. There have been numerous
16 instances over the past few years where our city has
17 experienced these types of crippling events, one from
18 the deadly Twin Parks fire in the Bronx to horrific
19 residential flash flooding events in Queens that
20 displaced dozens of families. Today, we are here to
21 examine and assess the overall nature of how the
22 City's numerous agencies communicate and coordinate
23 with each other during emergencies that result in New
24 Yorkers needing care and temporary shelter.

25 Particularly, the Committee would like to
examine on-the-ground coordination of City agencies

during and after emergencies that involve
displacement of individuals, as well as how the City
coordinates with non-profits, such as the American
Red Cross, during emergencies.

In addition to the oversight portion of
the hearing, my Committee will be hearing
Introduction 751 introduced by Council Member
Gutiérrez, and of which I am a co-sponsor. Intro. 751
would require the FDNY in consultation with NYCEM and
other relevant agencies to develop a Residential Fire
Emergency Response Guide for residents affected or
displaced by a fire. This guide would serve as a
resource to educate fire-displaced residents of
potential next steps to take following a residential
fire. The guide would also provide information on
city, state, and federal agencies and organizations
that provide aid to individuals affected or displaced
by a residential fire. I look forward to hearing the
testimony from the Administration as well as members
of the public, and I'd like to ask Council Member
Gutiérrez at this point if she'd like to speak on her
bill.

COUNCIL MEMBER GUTIÉRREZ: Thank you. Can
I go? No. Go. Okay, we just put a pin in that. I

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think we need a few more minutes. That's why I said,
okay.

I will now turn the mic over to Chair
Sanchez.

CO-CHAIRPERSON SANCHEZ: Thank you, Chair
Ariola, and I will turn it over to Council Member
Gutiérrez followed by Council Member Riley.

To set the context, on January 10th, the
most recent major fires of this year, a five-alarm
fire ripped through 2910 Wallace Avenue in Council
Member Riley's District, displacing 250 residents in
almost 90 households. On January 15th of this year,
just five days later, down the street from me,
another major fire displaced nearly 200 residents in
over 70 apartments at 3030 Heath. And of course, the
beginning of our term in this Council was marked by
the horrific fire on January 9, 2022, on which 17
lives were tragically lost at Twin Parks Northwest.

In 2024, there were 20,000 structural
fires, and NYCEM reported to our Committee, the
Housing and Buildings Committee, that 2,000 of these
fires were all-hands fires, 130 of these were two-
alarm, 40 were three-alarm, 15 were four-alarm, and
10 were five-alarm. But I'd like to note for the

public that the number of alarms, which corresponds to the number of engines that are responding and the number of ladders that are responding to a fire, do not coincide with displacement. Displacement can occur in any kind of fire. All gratitude to our first responders, who, like they do every single time, jump in harm's way and prevent greater loss of life, and all of our agencies who show up when there is tragedy to try to set in motion all of the items that need to happen.

In our April 2024 hearing, today, and in our work as leaders of the City of New York, we must seek solutions that also address the why. We talked about the why at last year's hearing. We know that stovetops are the number one cause of fire, and lithium-ion batteries are an increasing contributing factor to fires in our city. But as Chair Ariola has stated, today we want to highlight our City's fire and emergency response infrastructure for displaced survivors. Our City has a robust set of policies and programs, including Red Cross-coordinated services, in the time period immediately preceding a displacement event, including hotel accommodations and, in some instances, financial assistance. HPD

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operates longer-term shelters for displaced families and individuals, and agencies including Emergency Management, DOB, DOHMH, Department of Health, Fire, and others coordinate work on an ongoing basis to achieve tenant relocations, building and unit repairs, and tenant services. While these services are unique among major cities, there is room for improvement, from communication to displaced residents, to sheltering issues, protection of personal property, building access, and overall transparency and enforcement around repairs needed and timelines. These tragedies highlight again and again the need for a more robust education and tenant rights following the complex response that the City has to fires and displacement. Traditionally, responding to such emergencies has been a joint effort among the local, state, and federal level. But in today's climate, where nothing is guaranteed, it's incumbent upon us as a City to work toward easing the financial and emotional weight on displaced residents and ensuring such residents are afforded immediate assistance in times of crisis.

To that end, we'll be considering a number of pieces of legislation. Intro. 749 by

Council Member Gutierrez, as Chair Ariola has mentioned, would... excuse me, I'm sorry, my notes are a little... would create an office that would function as a central support to city residents who have been displaced from their homes following a residential fire or other natural disaster. I want to take a moment to express my unhappiness, my disappointment, that NYCEM is not here, the Office of Emergency Management. They declined to join us at the hearing, whereas this bill would create an office within their agency. It's disappointing that they're not here to speak on their bill today.

Intro. 750, also by Council Member Gutiérrez, would require the respondent to a DOB notice of violation to correct major and lesser violations within 30 days from the date of the order and correct immediately hazardous violations forthwith. This bill would also remove DOB's rulemaking authority to adjust correction timelines. And I know Council Member Gutiérrez will speak on this, but the purpose of many of these bills here and the reason why I am also supporting Council Member Gutiérrez's package of legislation, is because there are landlords in the City of New York that weaponize

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fires, they weaponize tragedies as opportunities for displacement for speculative purposes, and we want to limit that and effectuate repairs where we can.

Intro. 751 would require FDNY in consultation with the New York City Office of Emergency Management and other relevant agencies to develop a residential fire emergency response guide for residents affected or displaced by a fire.

Resolution 307 by Council Member Riley calls upon the New York State Legislature to pass and the Governor to sign legislation that limits the duration of time for which a landlord can collect payment from loss of rent insurance coverage without conducting meaningful repairs. Again, you need to show your work, you need to show that you're trying to get people back into their homes.

And Resolution 802 by Council Member Won calls upon the New York State Legislature to pass and the Governor to sign Senate Bill 3886, Assembly 5427, in relation to protecting tenants displaced due to a fire.

I'd like to thank my Chief-of-Staff, Maria Villalobos; Director of Land Use Policy and Budget, Ben Ratner, Gerard Fernandez, Carla

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Dominguez, and the Housing and Buildings Committee Staff, Austin Maloney, to my left, Jose Conde, Andrew Bourne, Dirk Spencer, Jack Storey, and Reese Hirota for all your work today, as well as my Co-Chair, Chair Ariola, and the team members of the Fire and Emergency Management Committee for all your work to prepare for this hearing.

I am joined today by Council Member Gutierrez, Riley, and De La Rosa and Abreu. Thank you for joining today, oh, and Hudson, sorry, you were hidden behind our Counsel.

And with that, I'd like to turn it to Council Member Gutierrez followed by Council Member Riley to speak on their bills.

COUNCIL MEMBER GUTIERREZ: Thank you so much, Chair Sanchez and Ariola, for hearing these bills.

The bills before us, known collectively as the Back Home Act that I authored in partnership with Council Member Krishnan and so many of my colleagues that are sponsors, represent a comprehensive and long overdue legislative response to the crisis that so many New Yorkers face after being displaced from their homes due to fires,

floods, or other emergencies. This isn't hypothetical. This is a devastating reality for thousands of tenants and small property owners every year, and too often they are left completely alone to navigate it. We've heard heartbreaking stories from families forced to sleep on relatives' couches, leave the city, or find other temporary solutions unsure of their rights, their timelines, or whether they'll ever be able to return home. We've met small landlords stuck in a web of bureaucracy trying to do the right thing but with no support or clarity from the City. What happens after a fire is not just an insurance issue, it's a housing matter, it's a health matter, and it's an equity matter. These challenges don't fall evenly. Race, income, immigration status, and household composition all shape how quickly or if someone gets back home.

This legislative package is designed to meet that reality head-on. It addresses the gaps, the inefficiencies, and the silence that often follows the sirens. The Back Home Act is rooted in the lived experiences of displaced New Yorkers. It offers structure where there's been chaos, accountability, where there's been confusion, and support where

there's been none. It's a reflection of our belief that no New Yorker should be left to navigate the aftermath of a disaster alone. We can and must do better, and this is where it begins. And I just want to say that my District experienced yet another fire a couple months ago while I was out on maternity leave. I don't know if those tenants will be here today, but I really would love for the Administration to listen because I know everyone does their individual job and does the best that they can, but there's a lot that government can be doing, that we can be doing, to fill those gaps. And what these folks want is a sense of orientation, and they just don't have that.

And I also just want to double down on Chair Sanchez's disappointment about not having NYCEM here to join us to discuss whether or not they support the bill. It would have been really vital to have their voice and their concerns expressed here today. Thank you, Chairs.

CO-CHAIRPERSON SANCHEZ: Thank you,
Council Member. Council Member Riley.

COUNCIL MEMBER RILEY: Thank you, Chair Sanchez, and thank you, Chair Ariola. Good morning to the Administration.

Across New York City, we've seen how devastating fires can be, families losing their homes in the instant and forced into uncertainty with negligent landlords failing to take proper responsibility for supporting displaced tenants. Together with Council Member Won and Chair Sanchez, we're calling on the New York State Legislature to pass and the Governor to sign State Senate Bill 3886, which is sponsored by our colleagues in the Senate, Senator Michael Gianaris, and Assembly Bill 5427, sponsored by our colleagues in the Assembly, Assemblymember Claire Valdez. This legislation ensures families are protected when landlords fail in their duties.

When unsafe conditions cause a fire, it's the tenants who suffer while landlords evade responsibilities or neglect timely repairs. Resolution 802 ensures that when landlords are found at fault, they, not displaced tenants or the City, covers the cost of temporary housing. This is not about punishing responsible landlords. It's about

ensuring accountability when negligent landlords
cause harm. Displacement should not result in
permanent instability, yet too many tenants are
trapped in a cycle of waiting months or even years
for repairs with no clear timeline. This is a reality
faced by residents in my District, such as those
affected by the residents that our Chair just
mentioned, the fire that took place at 2910 Wallace
Avenue, and by many across our city. This legislation
incentivizes landlords to act swiftly so tenants can
return to their homes as soon as possible.

I appreciate my Colleagues who supported
this bill and looking forward to hearing from the
Administration. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you so
much, Council Members and Chair.

With that, I'll turn it over to our
Committee Counsel to administer the oath.

COMMITTEE COUNSEL MALONEY: Please raise
your right hand.

Do you affirm to tell the truth, the
whole truth, and nothing but the truth, and to answer
all Council Member questions honestly?

ADMINISTRATION: (INAUDIBLE)

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3 COMMITTEE COUNSEL MALONEY: Thank you. You
4 may begin.

5 CHIEF ESPOSITO: Good morning, Chairs
6 Ariola and Sanchez and Committee Members. My name is
7 John Esposito, and I am the Chief of the Department
8 of the New York City Fire Department.

9 Introduction 751 would require the Fire
10 Department to develop a residential guide to be
11 distributed to residents affected by fire. The guide
12 must include a summary of relevant agencies and their
13 roles, best practices concerning renter's insurance,
14 and suspending utilities for residential tenants
15 displaced by fire, information on any city, state, or
16 federal organizations that provide emergency housing
17 assistance disaggregated by borough, information on
18 any city, state, or federal organizations or agencies
19 that provide emergency aid to individuals, landlord
20 duties and tenant protections following a fire, and
21 information pertaining to inspections. Under this
22 bill, responding firefighters are required to
23 distribute the guide. The guide would also be
24 distributed to tenants on location of all post-fire
25 inspections.

The Fire Department has serious concerns about this bill. Operationally, it would add significant burdens to firefighters during a critical period when they must focus on two urgent responsibilities. Depending on the nature of the fire, firefighters must either immediately undertake decontamination process to clean themselves and their gear or make themselves available to respond to the next emergency. Slowing down either of these processes increases the risk to the firefighters and to the member of the community who experience the next fire.

The bill also presents logistical concerns. Given the requirement, each guide would be several pages long. It is unclear how firefighters would transport great volumes of paper guides to and from each fire and how the guides would be stored and distributed without becoming contaminated or damaged. The Fire Department is also not in a position to keep up-to-date information about the many categories of information required by the legislation, most of which are outside the scope of the responsibilities of the Fire Department. These concerns are also true for Section D of the bill, which would require fire

inspectors to transport and distribute the guide at
each inspection following a fire.

We understand that the Council would like
to provide resources to residents in the aftermath of
a fire. However, doing so by placing the burden on
the first responders fighting the fire is not
workable.

I would like now to pass it to my
colleague from the Department of Buildings, who will
discuss Intro. 750.

ASSISTANT COMMISSIONER ISIDOR: Good
morning, Chair Sanchez and Ariola and Committee
Members. My name is Jamell Isidor. I'm Assistant
Commissioner for Administrative Policy and
Enforcement. I'm joined by my colleagues, Yigal
Shamash, Deputy Commissioner for Enforcement;
Guillermo Patino, Deputy Commissioner for Policy and
Legal Affairs; and Frank McCarton, Assistant
Commissioner for Emergency Services with the New York
City Department of Buildings.

Introduction 750 would require all major
and minor violations issued by the Department of
Buildings, DOB, which pertain to non-urgent
conditions, to be corrected within 30 days. In recent

years, DOB amended its rules to allow these violations to be corrected within 60 days, giving property owners more time to make repairs and avoid penalties following an OATH hearing. The established timeframes account for administrative processes, due process considerations, and the time required for property owners to hire professionals and obtain permits for corrective action. The proposed change would negatively impact small businesses and owners of one- or two-family homes who may lack the capital to complete repairs within 30 days. Requiring corrections within 30 days would also increase DOB's workload, particularly for staff handling permit reviews, certificate approvals, and OATH violation hearings. Violation information, including correction dates, is already publicly available on the DOB profile information page and through New York City Open Data. Therefore, the information being sought is already readily available.

The bill would also require applicants seeking a demolition permit from DOB subsequent to a vacate order issued by HPD to demonstrate the steps they've taken to correct any violating conditions. That may include submitting financial statements,

estimates, and invoices to DOB as part of an application for a demolition permit. DOB does not see the need for such documentation as part of a demolition application. DOB is open to further discussion to better understand this provision's intent and to explore potential solutions.

Now I'd like to pass it over to my colleagues from HPD to talk about the Certificate of No Harassment and Introduction 817.

DEPUTY COMMISSIONER SANTIAGO: Good morning, Chair Sanchez and Ariola and Committee Members. My name is AnnMarie Santiago, Deputy Commissioner for Enforcement and Neighborhood Services at HPD, and I am joined by my colleague Yong Ju Kim, Assistant Commissioner for Emergency Housing Services.

Regarding the changes to the Certificate of No Harassment pilot program and the criteria for an automatic denial of such certification, a report from HPD on the program and its effectiveness is due to the City Council in November 2025, and the program will require reauthorization in 2026 by the City Council. We would like to assess the impact of the change recommended by Intro. 750 during this period

and, if appropriate, make any changes to the program during the reauthorization.

On initial assessment, we have some legal concerns that including administrative orders as criteria upon which to deny the certificate, a finding of harassment, unlawful eviction, or arson, which are the current criteria, are determined after due process is given to the owner, and so the Department can use these previous findings as a basis for the denial of the certificate without additional investigation or review. The agency's administrative issuance of an order to correct does not have the same due process history, which could be problematic in terms of the owner's rights to challenging the finding. In addition, in the context of the pilot program, permitting a denial of the CONH without a hearing at OATH for the issuance of an AEP administrative order to correct specifically is contradictory to the intent of the program. Existing criteria involving the addition of buildings in AEP to the pilot list is fashioned to qualify the building for the pilot after the building has been discharged to avoid any added delays or

administrative hurdles to the owner completing the
work required under the order.

Regarding Intro. 817, we will not be able
to take a stance on that piece of legislation today.
The Administration is still reviewing and will work
with Council on clear followups after the hearing.

Thank you for the opportunity to testify
today. I, along with my colleagues from FDNY and DOB,
look forward to answering your questions.

CO-CHAIRPERSON SANCHEZ: Thank you. Is
there an Administration representative that is going
to read NYCEM's testimony? Matt? It's always Matt
from City Hall.

Okay. I just, again, you know, I think
this points, and this is not against any of the
agencies who are obviously who are present, but it
just points to a little bit of chaos that is going on
in City Hall that we can't get all the agencies who
have matters before the Council to show up to a
hearing and speak on their own bills. That is
disappointing and just really not a good look for our
City.

I'm going to, Chair, if it's okay with
you, I'll ask, I just want to ask one question.

CO-CHAIRPERSON ARIOLA: Sure.

CO-CHAIRPERSON SANCHEZ: Turn it to you
and our Colleagues before I come back for a second
round. So, well, two questions.

On Intro. 751, good to see you, Chief
Esposito. Understanding, of course, the concerns
around fire personnel themselves, firefighters
themselves issuing this information and carrying this
information, was there a conversation in the
background within the Administration, your sister
agencies, about who could provide such information to
the Council or to the public?

CHIEF ESPOSITO: Well, I think that that
guide is a good idea. I don't see it as being in the
purview of the Fire Department handing out that. We
don't have it. I wasn't part of discussions about who
would be the right party for that.

CO-CHAIRPERSON SANCHEZ: Okay. HPD, was
there any conversation about HPD personnel or
possibly ARC being asked to carry this information
and hand it out?

DEPUTY COMMISSIONER SANTIAGO: Thank you
for the question, Chair. As you know, ARC does
already distribute a lot of information to tenants

when they respond to fires. Part of what they distribute now is the guide that Council Member Gutiérrez had put together some time ago and most of the information that is being requested under that bill is part of that guide currently. So, that is being handed out. And as you also know, but for the other Members of the Committee who may not, we worked with Council Member Avilés last year as per her bill to also work on a separate guide specifically for folks who are being displaced, which also was enhanced in conversation with the Council Member to include some of the information that is required under this new bill as well.

CO-CHAIRPERSON SANCHEZ: Great. And just for the public, can you remind us, when does ARC respond to a scene? Is there a contract that is governing HPD's relationship with ARC and ARC's work on the ground? And is the practice of distributing Council Member Gutiérrez's guide, is that a matter of policy that just changes internally or is that in relation to something else?

DEPUTY COMMISSIONER SANTIAGO: Certainly. So, the Department of Housing Preservation has a contract with the American Red Cross to respond to

fires. It is also part of their mission to do so and they do so across the country. But in coordination under this contract, they provide additional services. So, they respond, they are on the listen for fires through the Fire Department and they respond whenever there is believed to be a displacement. I don't believe they respond to like commercial fires and brush fires, but they respond to residential fires offering services, including immediate emergency housing, as we've discussed. They do provide lots of information in addition to Council Member Gutiérrez's guide to the tenants, to the residents, which also includes information on referrals to other City agencies. They provide, you know, financial assistance very short term for clients. Some of this is done pursuant to our contract and some of it is done as part of their internal mission.

CO-CHAIRPERSON SANCHEZ: Thank you. What is the size of the contract that HPD has with ARC, and would you be able to share that contract with the Council?

DEPUTY COMMISSIONER SANTIAGO: I believe we would be able to share it. Let me just see if I

have here. It's a five-year contract with a one-year renewal option. I don't have the exact amount of the contract, but we can certainly provide that to the Council.

CO-CHAIRPERSON SANCHEZ: Okay. Thank you so much. That was my first question, just clarity on 751.

Second question is related to vacate orders. So, contributing to the confusion and honestly the exasperation that residents feel on the ground is unclarity about who is responsible for what. So, can you share with us the breakdown of when is it that Department of Buildings issues a vacate order, when is it that HPD issues a vacate order, and how many vacate orders by agency has been issued, for instance, in the last year?

DEPUTY COMMISSIONER SANTIAGO: I guess I can start. So, for HPD, generally our vacate orders are issued for maintenance issues such as fire damage, fire damaged walls, water damage caused by putting out the fire, and lack of essential services, right? So sometimes electricity is affected most seriously by fire, whether the fire happens in that area of the building or not. If a roof is missing and

there's obviously damage inside the building, those issues or if significant amount of windows and doors are broken in addition to fire damage within apartments, HPD vacate orders would be issued.

In Calendar Year 2024, HPD issued overall 615 vacate orders. 334 of those were related to fire. Of those, 35 were full vacates, meaning the full building was vacated, and 299 were partial, meaning it could be as little as one unit or, you know, some number of units in the building.

CO-CHAIRPERSON SANCHEZ: Thank you. Thank you so much.

And Buildings?

DEPUTY COMMISSIONER SHAMASH: From the Department of Building standpoint, we issue vacates when conditions observed are imminently perilous, dangerous, or detrimental to life, public safety. And our Building Code has six specific instances where we would issue a vacate, dangerous structural conditions, dangerous façade conditions, inadequate fire protection, inadequate egress, improper storage of hazardous, combustible, or toxic materials, or defective or unlawful gas work.

In terms of number of vacates, in
Calendar Year 2024, we issued 1,856 vacates. Of
those, we have partially lifted 39, completely lifted
289. The breakdown for partial versus full, right now
we currently have 485 full vacates in place and 1,030
partial vacates in place. Again, for Calendar Year
2024.

DEPUTY COMMISSIONER SANTIAGO: And Council
Member, I'm sorry, if I can add one additional thing.
When we respond to a fire, our first option is to not
vacate, right? The agency tries to do everything it
can to ensure that conditions are restored as quickly
as possible in order to avoid a vacate. So, if the
only issue, for example, is no electric to the
building, working in coordination with NYCEM and
other agencies on the ground, DOB, Con Edison, or
National Grid, the goal is to enable people to stay
if the rest of the conditions are such that they
don't pose an immediate threat.

CO-CHAIRPERSON SANCHEZ: Thank you, Deputy
Commissioner.

DOB, how many of these open vacates,
partial or full, how many of these are related to a
fire?

DEPUTY COMMISSIONER SHAMASH: I don't have
that breakdown, but I can certainly get it for you.

CO-CHAIRPERSON SANCHEZ: Thank you. And
just to round out a question on the immediate
aftermath, Fire is in there, looking out for the
health and safety of people and looking at the
structure then Buildings and HPD are coming in. How
about in terms of the safety of the property, how is
that coordinated, right? So once a fire has placed
the building under control or the property under
control, who is responsible for ensuring that the
property owner protects their property, boards up the
windows, has security if necessary, all of that?

DEPUTY COMMISSIONER SHAMASH: Sure. In
terms of securing the property, until the owner can
hire a contractor to seal the property, typically
NYPD will remain on site in terms of a presence. If
the owner is not available for implementing the seal
of the property, the Department of Buildings will
issue an immediate emergency declaration to have the
property sealed.

CO-CHAIRPERSON SANCHEZ: And then HPD does
the emergency work to seal the property?

DEPUTY COMMISSIONER SHAMASH: Correct.

CO-CHAIRPERSON SANCHEZ: Thank you. Okay.
Thank you for those responses.

I'll turn it over to Chair Ariola.

CO-CHAIRPERSON ARIOLA: Thank you, Chair.

So, I would like to just note that NYCEM did send in testimony, agency testimony, but the agency does not fully address the oversight topic, which is part of the main topic here today so I'm also disappointed because this is the Committee on Fire and Emergency Management, and I hope the Administration is here listening. And when this Committee meets, the agencies that answer to this Committee should come, whether or not they believe they have the proper answers or it is pertaining to them. Because when we want to see who's going to be on the ground putting out, especially with Council Member Gutiérrez's bill, 751, it's like who's going to be giving out the outreach? It would be NYCEM, and that's something that we need to know. Because if I ask each and every one of you, how are you going to deal with outreach for displaced families, you know what you're going to say? Well, we'll work in conjunction with NYCEM and the Red Cross. And so I will certainly be in touch with Commissioner Zach

Ischol on the fact that he ignored this, this invitation, and didn't even send one person who would answer a question for us.

That being said, Fire Department. FDNY procedures, what are your procedures for evacuating the scene of a structural fire?

CHIEF ESPOSITO: So, depending on the size and type of the building and the building construction and the severity of the fire, we may evacuate part of the building or the entire building. But during firefighting operations, the Fire Department would have control of that building for the safety of all the residents and the public, keep them out, keep them away. Once the fire is out and under control, we would slowly turn that building back to the owner, the representative, again, depending on the size and type of the building. If we have issues with structural stability that were fire damage, we would notify DOB and eventually hand the building over either back to the owner or the NYPD.

CO-CHAIRPERSON ARIOLA: Okay. And in what circumstances is the entire building evacuated? What would be a circumstance?

CHIEF ESPOSITO: So, you know, it's highly dependent on the construction of the building. So, a smaller private dwelling, clearly we would evacuate. If we had a fire in there, evacuate the entire building. The fire that we've spoken about, the Fifth Alarm on Wallace in the Bronx in January, the size of that building and the size of the fire, we evacuated that entire building. But it's also possible that we could have a fire on the sixth floor of a six-story building and only evacuate that sixth floor and leave the other residents in. It depends on the severity of the fire, the amount of damage, the amount of water that's used. And in high-rise buildings that are fireproof or fire-protected construction, we may only evacuate individual apartments or a floor or two where the fire is and the fire above.

CO-CHAIRPERSON ARIOLA: All right. And when a building is evacuated due to structural fire, who monitors the access to the scene and prevents unauthorized access to the building? Does the Fire Department have designated personnel at the scene of the fires to engage with the crowd for control efforts or does that then go to another agency?

CHIEF ESPOSITO: So, during a fire, depending on the number of people, we set up, you know, set up the tape, you know, restricted area. And if it's a large number or there are issues, we would notify the Police Department to, you know, to come and enforce the, you know, the restricted area.

CO-CHAIRPERSON ARIOLA: And is that the same for DOB? Is that your process?

DEPUTY COMMISSIONER SHAMASH: Typically, the Department of Buildings doesn't get involved when the building is being actively fought by FDNY. Once the fire is extinguished, then we will take over if there are structural issues with the building or egress issues with the building. If the owner is there...

CO-CHAIRPERSON ARIOLA: I was talking about after evacuation. Yeah, I know you're certainly not going to put the fire out. But certainly after evacuation, how does it work from there? Is there someone on site? Is there someone...

DEPUTY COMMISSIONER SHAMASH: Yes.

CO-CHAIRPERSON ARIOLA: That you leave behind so that there isn't illegal access to the building where the people would be unsafe?

DEPUTY COMMISSIONER SHAMASH: So, once we're called to the fire, we have an emergency response team that operates 24/7 and will respond to FDNY or NYCEM's referral. If the building is accessible, again, depending on the amount of damage, most buildings we can access. Sometimes we can't, though. If we can access, we will do an inspection. We will determine if any of those six conditions that I mentioned with regards to a vacate is present. We will implement the vacate order as necessary.

In terms of security for the building, if the owner is present, we will ask them to secure the building. If necessary, hire their own private security in order to secure the building.

CO-CHAIRPERSON ARIOLA: Okay. Great. And HPD buildings, what is your process?

DEPUTY COMMISSIONER SANTIAGO: Thank you, Council Member. Generally, we're at the tail end of this so we're really just following through with whatever the other Departments have already done in terms of that security issue.

CO-CHAIRPERSON ARIOLA: And if you could just walk me through the coordination, you know, among all of your agencies, from Fire Department,

then kick it to the Buildings Department, and then at the tail end we get HPD so how does that work?

CHIEF ESPOSITO: And again, depending on the size of the building and the significance of the fire, but I'll use the Wallace Avenue fire as an example again. So, we were on scene for hours, you know, with that fire. And as the fire starts to become under control, we will have an interagency meeting at the scene, in the street. All the partner agencies will be represented, and we'll come up with the game plan of how the Fire Department is then going to turn the scene over to whether it's DOB or if our fire marshals need to investigate. And then for the next several days, we'll have meetings right there in the street a couple of times a day with HPD, with DOB, with NYCEM, and come up with our plan.

On a smaller fire, again taking a private dwelling, that just may be something right there with the owner of the building where we give control back over to the owner. And generally there's less of a need to, you know, to have Buildings or HPD there to control the scene, or even the Police Department.

CO-CHAIRPERSON ARIOLA: Yes. I've seen the coordination on the ground, and it really is a great

coordination. And it really does then bring me back to my disappointment that NYCEM isn't here, because they were not just supposed to be here as part of the Administration to like or not like the bills. This is an oversight hearing, and it's extremely disrespectful that they're not here because they are part of the on-the-ground team.

To what extent is access to apartments limited once the fire happens? We had a fire in my own District recently, high-rise co-op, two sister buildings, one went on fire. It was a complete vacate. And then, so how long after the complete vacate would, are people permitted to go back in and salvage whatever they can from the apartments?

DEPUTY COMMISSIONER SHAMASH: It wholly depends on the amount of damage that occurs in a building. But again, going back to the Wallace Avenue fire that's been referenced, that building had almost a complete roof collapse, and the sixth floor, because of that, was inaccessible. However, we were able to get tenants on the lower floors. The owner of the building implemented their own security. They were able to identify which tenants belonged in which units. We had the owner also have a professional

engineer on site during that escort process to make sure that the tenants were safe. And of course, the security was escorting them as well. But again, these were implemented by the owner per our direction.

CO-CHAIRPERSON ARIOLA: Thank you.

DEPUTY COMMISSIONER SHAMASH: And that's for retrieval of belongings, specifically after a fire. If we can get the folks in to get their immediate needs, whether that's medication, pets, we will certainly assist in any way we can.

For Wallace Avenue, we had our Assistant Commissioner, Frank McCarton, there numerous days after the fire. We had our forensic engineers there as well. We were instrumental in implementing some pet rescues, having folks go in and retrieve the belongings as quickly as possible. But on the sixth floor where the roof collapsed, that took a significant amount more time, especially because of the asbestos materials from the roof.

CO-CHAIRPERSON ARIOLA: Right. And understandable. And thank you for that comprehensive answer. I appreciate it.

Does HPD, DOB or FDNY inform rent-regulated tenants that they should contact DHCR for a

rent reduction when a vacate order is issued to their
unit or building?

DEPUTY COMMISSIONER SANTIAGO: Thank you.
Absolutely, HPD does. The American Red Cross does
initially when someone comes in for emergency
housing, but also when someone contacts our emergency
housing services and they're registering for our
services, we give them the form to file or we direct
them to the website. You can file on the website, I
believe, for HCR, and this is certainly something
that we highly encourage.

DEPUTY COMMISSIONER SHAMASH: I would just
add to add in, we have information for tenants, a
vacant order that was put together by HPD and DOB,
and that's specifically one of the questions on the
flyer.

CO-CHAIRPERSON ARIOLA: Perfect.

DEPUTY COMMISSIONER SANTIAGO: And that
was via Council Member Avilés' bill...

DEPUTY COMMISSIONER SHAMASH: Correct.

DEPUTY COMMISSIONER SANTIAGO: From last
year.

CO-CHAIRPERSON ARIOLA: At this point, I
would just like to see if any of my Colleagues have
questions.

Okay. Council Member Gutiérrez, Riley,
and then Avilés.

And we have been joined by Council Member
Zhuang. Thank you.

COUNCIL MEMBER GUTIÉRREZ: Thank you so
much, Chair Ariola, and thank you so much for your
emphasis on the importance of having NYCEM here.
Emergency is literally in the title of their agency,
and so it's crucial that we have everybody here.

So, I just want to also thank you all for
being here and engaging. I know from your testimony
there are a ton of reservations, but thank you for
being here and being a part of the conversation.

Chief, can I ask, and I understood your
sentiment in the testimony, I would love to get to a
place where together we can collaborate and figure
out what is the best way to distribute information.
The guide for me is something that worked in District
34, right? We had a number of back-to-back fires. We
see spikes every fall into winter. And it's very hard
as a Council Member to get in communication with

tenants, with victims, unless we show up to the scene of the fire, which is not necessarily safe all the time, and so the guide really came from a former staff member of mine who experienced a traumatic fire, and she was kind of picking up the pieces by herself and said, like, we should do something here, and it's been very useful. We distributed to all Council offices. Every time there is a fire in my District, we're able to post it. If people reach out to us, we can distribute it. We had multiple conversations with Red Cross. They've also made a commitment to distribute it in the District. We want to see something more citywide because we do feel it's vital. We've heard from tenants who said, thank you, I didn't know where to go. So, I guess my question to you is in being mindful of everything you laid out in your testimony about what it takes, the cleaning up after, what is the best way to get information, maybe not a physical piece of paper, to whatever tenants are still around? A lot of them obviously are not able to stick around. But what is, in your opinion, the best way to give even something as small as a business card? When does that happen?

It doesn't need to be FDNY, but when could that happen?

CHIEF ESPOSITO: The idea of the guide, I think, is a very good idea. As we were preparing for this, I was thinking of, if I had a fire in my house, all of those questions you raised, I don't know the answer to. You know, what's available to you and the insurance and what government agencies. My hesitation is requiring that the Fire Department distribute it with all the equipment and everything we have on our rig. So, a suggestion is, and more and more, we're getting away from paper and everything being digital. So, if there were a website that was maintained that everybody could go there and find all of this information. Most of the time we're seeing people with their phones and everything is a QR code or a website or some sort of application or even an app for a phone that would give us all of this information, you know, is, in my mind, a suggestion.

COUNCIL MEMBER GUTIÉRREZ: So, it's just a matter of, I guess, the time that FDNY is there and kind of the steps afterwards. I mean, there is an online component of this, obviously. As a Tech Chair, it would be silly for me to say, let's just all do

physical paper. But I think there are instances where maybe people do not have access, don't have a smartphone, don't have access to anything afterwards, and prefer having a physical piece of paper to be able to point to, and so I would love to just think a little bit more about kind of how we can produce that, and I appreciate the remark on the fire guide. It really was a labor of love and will continue to evolve, but it really came from victims in my own neighborhood. Average New Yorkers do not know who DOB is, who HPD is. I've heard from victims that oftentimes the most information they were able to get at the scene was from FDNY alone. They don't know who DOB is. Maybe they left by the time HPD came. Maybe they weren't there when Red Cross was there. They ran out. And so FDNY is kind of that agency that in a fire, I think, for victims and tenants, that's who they know was there, and so that's kind of where that connection was made so I just appreciate you being open to the conversation and we'll keep talking.

CHIEF ESPOSITO: Yeah. I think we can discuss further and come up with some ideas.

COUNCIL MEMBER GUTIÉRREZ: Thank you.

Chair, can I just ask one more question? I know I'm
like 30 seconds out.

I wanted to ask a question to DOB
regarding demolition applications. Can you just share
with me what, you know, you said the financial
documents weren't necessary for an approval, correct,
of a demolition permit?

DEPUTY COMMISSIONER SHAMASH: Correct.

COUNCIL MEMBER GUTIÉRREZ: Can you share
with me what you do need to approve a demolition
permit?

DEPUTY COMMISSIONER SHAMASH: In a normal
demolition application, so not an emergency
situation, the first step is to submit an application
to the Department, which includes the specific plans
on how the demo is executed, the demolition is
executed, floor by floor, area by area, very specific
plans with very specific sequences. We have a team of
plan examiners that reviews that application and
those plans. Once those plans are approved, then the
contractor for the owner needs to pull the permit.
Included in there is specific items required that are
necessary for pulling that permit from road and

abatement to utility cutoffs to ACP-5s and making
sure that asbestos abatement has been completed.
There's a long list of items required depending on
the situation.

COUNCIL MEMBER GUTIÉRREZ: Sure. Thank
you. And I'm sorry to interrupt. Is there a flag or
something when an applicant is seeking a demolition
permit while there already being a vacate order in
place?

DEPUTY COMMISSIONER SHAMASH: We have a
flag on our property profile, a building information
system, anytime we have a vacate order, whether
that's partial or full so that's publicly available
right on the building information page that we have.

COUNCIL MEMBER GUTIÉRREZ: Okay. So, part
of the intention of this bill, and Chair Sanchez
mentioned it, it's not every landlord is a bad
landlord. I work with landlords in my District that
do want to bring tenants back and are also frustrated
by the bureaucracy, but there are some landlords
whose intention is not to bring tenants back, and so
we've seen a high percentage of these instances where
landlords are sitting on these vacate orders, making
no attempt to remediate, and then ultimately asking

for demolitions. And you know, once that's in place, there's no pathway for these tenants so what we're asking for is for greater barriers in these instances where they have to demonstrate that the demolition is absolutely, absolutely necessary and that they're demonstrating that they've tried, that they've been trying to make arrears. And I know, and again, I've spoken to landlords. I know that that is a small percentage that that does happen, but our concern is it often makes it so that some of these landlords are sitting on their hands, waiting, making very little effort, and don't have to demonstrate that and can just ask for a demolition because they're building experience to fire and there's a vacate order.

DEPUTY COMMISSIONER SHAMASH: Understood and be happy to work with you on that.

COUNCIL MEMBER GUTIÉRREZ: Thank you. I have another question, but I'll wait for round two. Thank you so much, Chairs.

CO-CHAIRPERSON SANCHEZ: And apologies if I missed it. I just wanted to follow up on Council Member Gutiérrez's last question. Are there special protocols or considerations that DOB takes into

account when the building has regulated units in it
in terms of a demolition request?

I'd like to welcome back my co-pilot to
the hearing. She was with us at the budget hearing.

We'll just need to swear you in, Deputy
Commissioner.

COMMITTEE COUNSEL MALONEY: Please raise
your right hand.

Do you affirm to tell the truth, the
whole truth, and nothing but the truth, and to answer
all Council Member questions honestly?

DEPUTY COMMISSIONER PATINO: I do.

COMMITTEE COUNSEL MALONEY: Thank you.

DEPUTY COMMISSIONER PATINO: I just wanted
to speak a little bit to what Council Member
Gutiérrez was raising. So, one of the concerns with
the legislation is that our permits are as-of-right
so we don't have discretion whether to issue them or
not. So just because it was a fire, that wouldn't be
a reason for us to withhold a permit. But then
speaking to the Chair's last question, there isn't
specific protocols at DOB, but to the extent a
building with rent-regulated units in it is going to
be demolished, then they need State DHCR approval.

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2 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 49

3 CO-CHAIRPERSON SANCHEZ: Got it. And does
4 Department of Buildings ensure that DHCR approval has
5 been secured before?

6 DEPUTY COMMISSIONER PATINO: That we do
7 check for, yeah.

8 CO-CHAIRPERSON SANCHEZ: Okay. And do you
9 have an understanding of what DHCR considers in their
10 approval?

11 DEPUTY COMMISSIONER PATINO: I can get
12 back to you with that, yeah.

13 CO-CHAIRPERSON SANCHEZ: Okay. Thank you.
14 I'd now like to call Council Member
15 Riley.

16 COUNCIL MEMBER RILEY: Thank you, Chair
17 Sanchez.

18 First, I want to start with HPD. HPD,
19 could you tell us how many violations did 2910
20 Wallace Avenue have prior to that fire?

21 DEPUTY COMMISSIONER SANTIAGO: Thank you
22 for the question, Council Member. We didn't come with
23 any specific building information today, but
24 certainly we can provide that.

25 COUNCIL MEMBER RILEY: Give an estimate.
Was it a lot?

DEPUTY COMMISSIONER SANTIAGO: I don't
believe it was a high number of violations.

COUNCIL MEMBER RILEY: Okay.

DEPUTY COMMISSIONER SANTIAGO: My
recollection.

COUNCIL MEMBER RILEY: Okay. It was fairly
a good amount of violations that residents have been
complaining about for years. I, fortunately, got this
part in my District last year, and residents said
that they were complaining for over a decade
regarding this building so it was a lot of
violations, which led to the displacement of some
tenants who are here joining us today that took their
time out to join us to make sure that they testify.

So how would HPD's operation change if
Reso. 802 and the underlying State legislations were
enacted?

DEPUTY COMMISSIONER SANTIAGO: I don't
believe that we're prepared to comment on Resolutions
at hearings, Council Member, but certainly the
Administration can circle back with you.

COUNCIL MEMBER RILEY: So you don't have
no feelings?

DEPUTY COMMISSIONER SANTIAGO: I do not.

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2 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 51

3 COUNCIL MEMBER RILEY: You don't think
4 landlords should be responsible if they are
5 responsible for negligence, that they should take
6 care of displaced tenants?

7 DEPUTY COMMISSIONER SANTIAGO: HPD doesn't
8 determine negligence, and I'm not sure if that is...

9 COUNCIL MEMBER RILEY: Does anybody on
10 this panel determine negligence? No?

11 DEPUTY COMMISSIONER SANTIAGO: Not in
12 relation to fires.

13 COUNCIL MEMBER RILEY: All right.

14 DEPUTY COMMISSIONER SANTIAGO: We don't
15 make a determination about... we don't do the
16 investigation on fires.

17 COUNCIL MEMBER RILEY: It's not
18 (INAUDIBLE), yeah.

19 Okay. DOB, does DOB currently require
20 landlords to notify displaced tenants once repairs
21 are completed?

22 DEPUTY COMMISSIONER SHAMASH: The question
23 was whether the owner of the building notifies the
24 tenants?

25 COUNCIL MEMBER RILEY: Yes, currently.

3 DEPUTY COMMISSIONER SHAMASH: We don't
4 have any requirements to that effect.

5 COUNCIL MEMBER RILEY: So, would you
6 support provisions of Reso. 802?

7 ASSISTANT COMMISSIONER ISIDOR: We're not
8 prepared to comment on resolutions.

9 COUNCIL MEMBER RILEY: Okay. Okay. It's
10 really disheartening. I've been dealing with this
11 fire, for those who don't know. Wallace Avenue fire
12 took place in January. We have tenants who are still
13 displaced now. We had a meeting with the developer
14 who was Park Cash, and they haven't been doing a good
15 job with notifying the tenants of any repairs, and
16 tenants are currently, right now, disabled, not able
17 to go inside the building, according to them. They're
18 misplaced, certain of the tenants' properties. So,
19 there's a lot going on within the Wallace Avenue
20 fire. So, I understand you guys don't have the
21 opportunity or the capacity to discuss resolutions,
22 but these are real issues that are going on with real
23 people that are actually here today so I think it's
24 very important for us to continue this conversation
25 and see how we can actually help them because

currently, as of today, we haven't been helping them
to the magnitude that we should be.

So, Chair, thank you so much for the
opportunity for questions, but it doesn't look like
anyone has any answers.

CO-CHAIRPERSON SANCHEZ: Thank you. Thank
you, Council Member Riley.

I just want to follow up on Council
Member Riley's question. So, yes, you know, State
laws, and you don't want to comment on the
resolution, but you can comment on your existing
practices, right? We have here, from HPD's own
website, HPD is authorized to seek reimbursement for
relocation services provided to displaced tenants
when the underlying conditions necessitating the
relocation were caused by negligent or intentional
acts of the building owners. So, who determines those
negligent or intentional acts, if they were negligent
or intentional?

DEPUTY COMMISSIONER SANTIAGO: And, again,
you know, it would have to be a determination. I'm
not sure if it's a Fire Department investigation, if
it's a Police Department investigation. HPD is not,

you know, we don't make a determination on the cause of fire. That's not part of our agency's role.

CO-CHAIRPERSON SANCHEZ: So how often, if ever, it sounds like maybe never, but how often does HPD seek reimbursement or has HPD sought reimbursement for relocation services?

DEPUTY COMMISSIONER SANTIAGO: We do in terms of when, for example, HPD issues a habitability vacate, a vacate around not fire, again, because we don't determine the cause of a fire. But if the cause of the vacate is, you know, the owner is not providing electric, the owner has not provided heat, the owner is not providing water, the owner has allowed the condition of the building to be such that, you know, the walls are crumbling, we do issue a small number relative to other vacates, but we do issue vacates on that issue regularly, and we do issue vacates for illegal occupancy, which is also something that we determine.

DEPUTY COMMISSIONER SANTIAGO: Thank you. That makes sense.

Chief, in the Fire Department, does the fire, do the fire marshals look into culpability or negligence in their investigation?

CHIEF ESPOSITO: The fire marshals are tasked with determining the cause and origin of the fire. I don't believe that they then go the next step and determine whether that's negligent or intentional or make some sort of, you know, notification. But they are able to start that step, find the cause of it, and I would imagine that then that puts something else in motion.

CO-CHAIRPERSON SANCHEZ: Thank you. Thank you, Chief.

And back to HPD, do you have numbers for how many, you know, how often HPD has gone to recoup expenses that HPD incurred because of an owner who was found to be at cause?

DEPUTY COMMISSIONER SANTIAGO: We can certainly provide that information to you. I don't have that today, Council Member.

Excuse me, just also in reference to 2910, I know that our intergovernmental office continues to be in touch with elected officials who have been working with the tenants. We continue to try and be in touch with the tenants. A lot of tenants continue to call our emergency housing services. The owner is continuing to work on asbestos

and the roof issues at the building, and we will
continue to continue that dialogue with those
parties.

CO-CHAIRPERSON SANCHEZ: Thank you. Thank
you, Deputy Commissioner. And thank you for being
here when you don't feel well, and you're still here
and you're still present. I appreciate you.

Council Member Avilés, I'll turn it to
you, and then back to Council Member Gutiérrez for a
second round.

COUNCIL MEMBER AVILÉS: Thank you so much.

CO-CHAIRPERSON SANCHEZ: And I just want
to acknowledge that Council Member Feliz is here.

COUNCIL MEMBER AVILÉS: Thank you so much,
Chairs. Good afternoon, everyone. Thank you for being
here.

In terms of, I guess, along the lines of
the questioning that you've just engaged in,
obviously this issue of prolonging repairs, we're not
doing any repairs at all on a building that has been
vacated. What we're seeing is pretty long periods of
time where the City is paying for people to be in
emergency shelter. It seems to be that that number
continues to increase. So, what kind of guardrails,

and forgive me if you had this in your testimony,
because I was not here for the earlier portion, but
what kind of guardrails are being put into place to
ensure that landlords are engaging in, in, like,
reasonable good faith repair efforts on their
buildings to get tenants back because the City is
paying an exorbitant amount. And, unfortunately, I
have a good deal of landlords who, in my first year,
I'm in year four, I don't think any of those tenants
have been able to return.

DEPUTY COMMISSIONER SANTIAGO: Thank you,
Council Member. I will speak for HPD, excuse me,
specifically to HPD vacates. With relation to fire,
after HPD issues a vacate, in most buildings where
six units or more have been vacated, HPD does follow
up with inspections, follows up with the owner to
ensure that things are moving forward. In some cases,
we do initiate litigation on properties. That
litigation does take time, unfortunately. For
example, we do have litigation against 1420 Noble
Avenue, which is a previous large fire in the Bronx,
also, where the entire building is still vacated. We
have received one round of civil penalties, but that
case continues against that property owner. We have

had cases where we've brought litigation and tenants have returned. There was one down in Lower Manhattan, and we can certainly provide you with some examples. We work as hard as we can to return tenants to their previous housing. We can't do that in all cases. There are a lot of vacates where there's just one unit or two units, and it's impossible for HPD to follow up on all of them. But certainly, if you have examples of buildings where you have a number of tenants who were vacated, especially if those tenants are receiving emergency housing services, so they're housed through our agency's housing, we do follow up with those for that very reason. Our goal is to get households, families back into their homes.

COUNCIL MEMBER AVILÉS: And what is the threshold that's being used to decide whether or not you're going to litigate an issue?

DEPUTY COMMISSIONER SANTIAGO: Generally, it's the responsiveness of the owner and the numbers of households that we're serving.

COUNCIL MEMBER AVILÉS: How do you determine responsiveness? It feels like that could be all over the place.

DEPUTY COMMISSIONER SANTIAGO: We have community coordinators who reach out to owners. We do inspections at buildings to see if work is moving forward or not. And again, if there are specific examples, we can see if that is a building that we are monitoring.

COUNCIL MEMBER AVILÉS: And how long, as you said, it takes time, obviously, everything with courts take time. What are we talking about in terms of how long before HPD would start a litigation process?

DEPUTY COMMISSIONER SANTIAGO: It depends on, again, how quickly the owner is moving, how much damage there is to the building, whether the owner is claiming complicating factors, insurance issues, whether they filed with the Department of Buildings to show that they're moving forward. It really depends on the extent of the damage and what was necessary.

COUNCIL MEMBER AVILÉS: Great. I'll follow up with you. Thank you.

In terms of DOB, what kind of guardrails are... I'm sorry, I'm looking at you, but I meant you. Both of y'all. What kind of guardrails are you

putting in place to ensure landlords are actually responding and making good faith efforts? And this notion of notification is a serious one. People get dispersed. They move out of emergency housing. They're couch surfing and never get notified that they can return to their places. So, if you could talk to me about notification and also what guardrails DOB is putting into place.

DEPUTY COMMISSIONER SHAMASH: In terms of follow-up after a fire, we will issue Commissioner's Orders or DOB violations with specific timeframes on when those repairs need to be implemented, when they need to hire a registered design professional, or RDP, when they need to submit the applications to us for the repairs, timeframes on the permits, and then timeframe for the repairs.

Specifically, I know we're referencing 2910 Wallace. We implemented those DOB orders. The owner hired their own security, hired their own professionals. We were there for weeks at a time, making sure that the owner was in good faith, doing what they could to get the tenants back in to retrieve belongings. We continue working with the owner's professionals and making sure that the

applications are meeting our requirements and having those conversations and making sure that the work is proceeding per the Commissioner's Orders that we issued.

ASSISTANT COMMISSIONER ISIDOR: And I'll add, just similar to HPD, if we do not receive any contact from such owners after a DOB order is sent, then we could follow up with enforcement action, whether that be an OATH violation for failure to comply, a criminal court summons, or in conjunction with the Law Department, some sort of affirmative litigation.

COUNCIL MEMBER FARÍAS: Thank you. Thank you. You know, I follow rules.

Thank you so much. I just had a couple of followups. Can I ask, and this is for everybody, because the intent of the portal is to not just provide orientation for tenants, but for homeowners who are also, like, in many ways, falling to predatory practices to be able to get a response from, like, DEP or DOB, for example. I had a homeowner who experienced a very traumatic fire a year and a half ago, and I've been meeting with them, and they desperately want to get their tenants back

in the building, but have had to hire like legal representation that they don't love just because they can't get responses from agencies. So can I just get a sense from every agency that's here, after a fire, after, let's say, there's a vacate order, tenants have been removed from the dwelling, is there communication between the agencies, and is there, like, a central location where you all know, okay, FDNY has spoken to DOB or is there something that exists for you to know how other agencies are speaking about this particular fire? And would that be helpful?

CHIEF ESPOSITO: For the Fire Department, we have access to DOB's BIS so we're able to see...

COUNCIL MEMBER FARÍAS: That they've been in the building.

CHIEF ESPOSITO: We're able to see the DOB actions on it, but generally after a fire, the Fire Department doesn't issue the vacate. Generally, it's a structural stability issue. If there's a vacate, DOB will issue it. Once the fire marshal investigation, if there is one, is complete, that usually finishes the Fire Department's involvement.

COUNCIL MEMBER FARÍAS: You don't have to
come back?

CHIEF ESPOSITO: We generally, after maybe
a day, generally we would not be back once the
investigation is complete.

COUNCIL MEMBER FARÍAS: And then for DOB
and HPD, for example, do you all need to keep
talking?

DEPUTY COMMISSIONER SHAMASH: In terms of
Department of Buildings, we work with the owners,
professionals, whether that's an architect or an
engineer, professional engineer, making sure the
applications for the repairs are coming in and making
sure that they are proceeding with the work. If not,
we could go with enhanced enforcements like the
Assistant Commissioner said.

COUNCIL MEMBER FARÍAS: And in that
exchange, at any point, are tenants trying to
communicate with DOB about whether or not the
timeline, the status, and can you make that
information available to the tenants?

DEPUTY COMMISSIONER SHAMASH: We have a
specific office for Office of Tenant Advocate. They
have communications with tenants very specifically.

And if there's any questions on the process or how to lift the vacate or how to deal with any of those situations, that office is specifically there for tenants.

COUNCIL MEMBER FARÍAS: And that office, if a tenant is wondering if they could go back into their apartment or just curious if their landlord is present, that information can be shared by this particular unit?

DEPUTY COMMISSIONER SHAMASH: Correct.

COUNCIL MEMBER FARÍAS: Okay. And then what about HPD?

DEPUTY COMMISSIONER SANTIAGO: So, I have two kind of answers to your question. One is tenants, going back to homeowners first, information about how to have the vacate rescinded is available on our website. When we post the vacate, there is a QR code there that will take either a tenant or an owner to the same page, which is our vacate page, and it will list out who they can contact to find out more information about how to lift the vacate. Our vacates are online, so an owner can see what the reasons for the vacate were. Recently, we've made an update to our website. So, for those of you who use HPD online,

you put in the building address and you can bring up a whole lot of HPD information about a building. One piece of information you can look at is the vacate and the vacate order itself. Recently, we modified that because there are occasions where we do partial rescinds. So, we would issue a vacate for six units in the building, for example, out of 20. Three of those units would be restored to habitability and three are still being worked on. We now post information to say the vacate has been rescinded for these three units. These three units still have a vacate that's fully accessible to owners and tenants.

COUNCIL MEMBER FARÍAS: And that's updated on the website, but is there direct communication with the tenants of that building?

DEPUTY COMMISSIONER SANTIAGO: If we have information to connect with them, right? Part of what we try to do is encourage, at the very start, encourage tenants to register with emergency housing services, whether they need housing or not. Because if we have contact information for them, we will attempt to reach out to them. A lot of times they don't register with us and there's no way for us to communicate with those tenants.

COUNCIL MEMBER FARÍAS: My final question.

Do you all think having one central location, and there's other agencies that I think can also be involved in a fire that are not here. DEP, I know is one of them. I get calls oftentimes from homeowners that need assistance to get the water turned off. You know, is having a central location, a portal, helpful in the way that you all communicate to one another to assist the tenants and the homeowners and just assist the job that you are all doing? Is something like a portal helpful to that in an instance of an emergency and a fire? Obviously, every situation is different. There could be other agencies that are not here today, but is that something that you all would support?

DEPUTY COMMISSIONER SANTIAGO: I think personally, I think a portal is very hard to coordinate. The different agencies work at different paces. We have different milestones that we're trying to meet. We have different staff that may be speaking with an owner or a tenant. I think in terms of HPD and DOB, who's our most common, you know, there are most commonly cases where both an HPD and a DOB vacate are issued, is that our HPD staff know to

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check Department of Buildings, to see if there's an open vacate and advise an owner or a tenant that they also need to be aware of that vacate and to tell them you need to file your plans and permits with DOB based on whatever's on that vacate. So, I think our communication with owners and tenants is fairly straightforward and easiest if it's directly with the party. Again, we would reach out to tenants if we had contact information.

COUNCIL MEMBER FARÍAS: But tenants and homeowners alike have to know to seek that information as opposed to having it all live in one location.

DEPUTY COMMISSIONER SANTIAGO: Understood.

COUNCIL MEMBER FARÍAS: Okay. Thank you so much. Thank you, Chairs. I appreciate it.

CO-CHAIRPERSON SANCHEZ: Sure.

COUNCIL MEMBER AVILÉS: Just a quick followup to that. You know, that moment where you lose people where they're in trauma and they don't wait around for something. Is there a way that you could compel the landlord? Landlords are collecting rent from somebody. They have the contact information. Is there a way to compel that we make

sure we get who's living in those buildings to make sure we don't lose them in this kind of moment of trauma, or that they're not at home and they come back later and nobody's there, right? Have the agencies considered that as another way to make sure that we get access to the tenants who were in those buildings?

DEPUTY COMMISSIONER SANTIAGO: I think one of the things that we've done, and I believe Buildings has as well, is the vacate order itself now does have a QR code that takes them to that pamphlet that we worked with your office on, and that does provide them, hopefully, all of the contact information they need in order to, even if in that moment of trauma, they didn't register with DHS, they didn't take ARC information, brings them back to that place where they can start that process. In larger fires, especially, we do ask the owners for tenant information. So, I think we make sure that all of the households are accounted for, that anyone registering for services knows, that we know that they are, maybe come to us for services. But sometimes not everybody in the household is on that.

COUNCIL MEMBER AVILÉS: Sure, sure. I know that I'm sure that's a real problem, and I have a specific instance of that in my District where there was a fire.

But in terms of, when you say larger, is there a threshold limit that we're talking about? Is it 50 units?

DEPUTY COMMISSIONER SANTIAGO: I would have to get back to you, Council Member, if there's a hard threshold there.

COUNCIL MEMBER AVILÉS: Thank you, thank you, Chairs.

DEPUTY COMMISSIONER SANTIAGO: Great. Thank you. My Co-Chair just stepped out for a moment.

Okay, I have a lot of questions. Now that my Colleagues, you're good? Sure, sure. Now that my Colleagues are done.

I just want to pick up where we left off on negligence and seeking reimbursements. Deputy Commissioner for HPD, can you walk us through what is HPD's process when you do determine that you can seek reimbursement? How do you go about that? Is that through the courts? Is that through an agency request?

3 DEPUTY COMMISSIONER SANTIAGO: Recent
4 legislation, and I couldn't tell you what year,
5 enables us to bill it through the Department of
6 Finance. In the past, it was through the court where
7 there would be a filing once all expenses had been
8 incurred.

9 CO-CHAIRPERSON SANCHEZ: Thank you. And
10 that was City legislation?

11 DEPUTY COMMISSIONER SANTIAGO: I believe
12 so, yes.

13 CO-CHAIRPERSON SANCHEZ: Cool. I didn't
14 know we could do that. Okay, but then again, that is
15 when HPD is determining that the owner is at fault
16 for the vacate, not in anything to do with
17 determining who's at cause for the fire, but
18 specifically the vacate order.

19 DEPUTY COMMISSIONER SANTIAGO: That's
20 correct. And the basis for, in some cases, the vacate
21 order is the fire.

22 CO-CHAIRPERSON SANCHEZ: Okay. Thank you.
23 Now focusing on the resident experience. I mean, you
24 know that we have all, I feel like you guys are
25 family at this point. We've been through maybe 20
fires in District 14, not to mention all of the

others. Just a couple of weeks ago, we had a fire on Burnside and we're all on the ground together. That small person shadowing you all and asking many questions, and thank you for all the answers. But focusing in on the resident experience, can we start there? Residents are on the sidewalk. It is a fire that is resulting in displacement. Can you walk us through, for the American Red Cross, HPD, you mentioned a little bit about some of the resources that are offered, but in what instances are hotels offered and for how long? In what cases are those hotel stays extended? And in what cases is financial assistance provided?

DEPUTY COMMISSIONER SANTIAGO: Sure. Thank you, Council Member. Often on the ground of a large event, Emergency Management is also present and helps coordinate ARC and their response, determining whether or not we can service everyone at the site of the event or whether other locations might be needed to handle that. The American Red Cross will immediately offer emergency housing if the household has nowhere to go. Their process is to find hotels, commercial hotels, basically, that have availability. Obviously, these are unpredictable events and there's

no telling on any given day what that availability might be at any of the hotels that they partner with. So, they do their best to find locations. Within two to three days, the expectation, after ARC has communicated again, not just at the site, but has done additional outreach to the household, is that they begin the registration process with HPD's Emergency Housing Services, and that is really to register the basic amount of proof, if you want to call it that, that a family needs to provide, that they were living at the building and we work with the household to determine what that is. It could be an ID card. It could be a letter from the school. It could be any number of online bills that people pay understanding that they may not have access.

CO-CHAIRPERSON SANCHEZ: Thank you. How many hotels does HPD contract with across the city, let's say per borough, to be able to offer these emergency hotel stays?

DEPUTY COMMISSIONER SANTIAGO: HPD does not contract with any hotels.

CO-CHAIRPERSON SANCHEZ: Okay. And ARC does not contract with the hotels. This is an on-as-needed basis.

CO-CHAIRPERSON SANCHEZ: So what determines, for instance, and I know Council Member Riley can relate to this, there have been so many fires where we have constituents sent to Staten Island, sent to Brooklyn, knowing that there are existing hotels in the borough, maybe they're full, maybe they have space. In many instances, residents will come to us and say, well, I want to stay here, and they call them, they have space. What determines whether or not they're placed in such hotels?

DEPUTY COMMISSIONER SANTIAGO: And this is really, you know, ARC doesn't have relationship with every hotel. Not every hotel is interested in participating in this program. This is ARC's relationship with these facilities and their availability of location.

CO-CHAIRPERSON SANCHEZ: So, there's nothing statutory, contractual, that is limiting where residents can be placed, displaced people can be placed?

DEPUTY COMMISSIONER SANTIAGO: That first emergency housing, a few days, is really the goal is to get temporary location for the families, for the

household to stay. And ARC do their very best to do that as quickly and efficiently as possible.

CO-CHAIRPERSON SANCHEZ: Okay. I have specifically been told we have no hotels in the Bronx, and so I just want to make sure that I'm understanding correctly from you, Deputy Commissioner, that there are no hotels to be had. These are just relationships and calls that ARC makes trying to get hotels to accept displaced residents in their facilities.

DEPUTY COMMISSIONER SANTIAGO: Yeah. That is correct.

CO-CHAIRPERSON SANCHEZ: Okay, okay. And so if a Council Member or other community folks are able to help locate for that immediate aftermath, if we're able to help locate a hotel that is willing to take the resident, then ARC is able to?

DEPUTY COMMISSIONER SANTIAGO: I think we would need to circle back with the American Red Cross because they have certain protocols about locations that they can use. They have to arrange for billing and payment so I'm not sure that it's as simple as what you are suggesting, but we can certainly circle back with the American Red Cross about that.

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3 CO-CHAIRPERSON SANCHEZ: Thank you. And
4 how does billing and payment work for those hotels?

5 DEPUTY COMMISSIONER SANTIAGO: That,
6 again, that's a matter between the ARC and the hotel.
7 I don't believe, right?

8 CO-CHAIRPERSON SANCHEZ: We'll just have
9 to swear you in. Sure.

10 DEPUTY COMMISSIONER SANTIAGO: I'll just
11 have to ask Assistant Commissioner Kim to join me for
12 this.

13 CO-CHAIRPERSON SANCHEZ: Hello, Assistant
14 Commissioner Kim.

15 ASSISTANT COMMISSIONER KIM: Hello.

16 COMMITTEE COUNSEL MALONEY: Please raise
17 your right hand.

18 Do you affirm to tell the truth, the
19 whole truth, and nothing but the truth, and to answer
20 all Council Member questions honestly?

21 ASSISTANT COMMISSIONER KIM: Yes, I do.

22 COMMITTEE COUNSEL MALONEY: Thank you.

23 ASSISTANT COMMISSIONER KIM: Could you
24 repeat the question again?
25

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3 CO-CHAIRPERSON SANCHEZ: How does billing
4 and payment work for the hotels that are providing
5 residents with a place to stay?

6 ASSISTANT COMMISSIONER KIM: So ARC, they
7 will send us a bill. So, the contract works as a
8 reimbursement so they'll send us a bill for the
9 hoteling that was used to provide sheltering for the
10 households.

11 CO-CHAIRPERSON SANCHEZ: And then HPD pays
12 ARC, ARC pays the hotel?

13 ASSISTANT COMMISSIONER KIM: Correct.

14 CO-CHAIRPERSON SANCHEZ: How timely are
15 these payments from HPD to ARC?

16 ASSISTANT COMMISSIONER KIM: We do use
17 like the PASSPort system for all billing and payments
18 so we follow the regular contracting and procurement
19 rules.

20 CO-CHAIRPERSON SANCHEZ: Are there any
21 current delays in payments owed to ARC?

22 ASSISTANT COMMISSIONER KIM: I would have
23 to look into that, but I'm not aware of any.

24 CO-CHAIRPERSON SANCHEZ: Okay. Thank you.
25 Okay. So, continuing the resident experience, they
have now spoken with, they've registered with ARC.

They have been placed in a hotel. Day two is here, and they're being told they have to leave. What is their experience? Who are they speaking to at Emergency Housing Services? What are the roles of the staff at EHS?

DEPUTY COMMISSIONER SANTIAGO: Thank you. So, they shouldn't be being told that they have to leave. They should be being advised by the American Red Cross to contact the Emergency Housing Services to register for additional services, right, beyond that initial period. Again, once the household contacts us, our goal is to work with them to get the documentation we need to show that they're eligible for services, and our team works very extensively with households to try and obtain that documentation. And I went through some of the examples of the type of documentation we can accept.

CO-CHAIRPERSON SANCHEZ: What are the titles and roles of the Emergency Housing staff? Are these social workers? Are these case managers? What are their titles?

DEPUTY COMMISSIONER SANTIAGO: At this point, they're intake specialists, right? They're

really just trying to qualify the family. They're not
doing case management at that moment.

CO-CHAIRPERSON SANCHEZ: And can you give
us a rundown of what they are trying to qualify the
families for?

DEPUTY COMMISSIONER SANTIAGO: Again, just
to confirm that they are a household from that
location, that was residing at that location.

CO-CHAIRPERSON SANCHEZ: Sure. Thank you.
So, what services or connections does EHS staff
provide for these families?

DEPUTY COMMISSIONER SANTIAGO: Once the
intake is complete and the family is then going to be
assigned to either a family living center or if
they're an adult household to one of our single room
occupancy locations. Once the family moves to that
setting, whichever it is, then they receive a
different suite of services, right? So the family
living centers include more family-oriented services,
includes Department of Education. There are
caseworkers at those locations to assist the
families. The adult households obviously don't need
that Department of Education component. They are
assigned a caseworker that works for HPD at the

2 family living centers. The caseworkers work for the
3 family living center. The family living center is a
4 contracted organization, non-profit that has their
5 own staff to assist the families.

6 CO-CHAIRPERSON SANCHEZ: So, these are not
7 facilities that are owned or managed by the City?
8 They're facilities that you contract non-profits to
9 run?

10 DEPUTY COMMISSIONER SANTIAGO: Yes. We own
11 one property, but we do not run the facilities. We
12 contract and are actually in the process of renewing
13 contracts for those facilities now.

14 CO-CHAIRPERSON SANCHEZ: Got it. What are
15 some examples of the providers that run these
16 facilities?

17 DEPUTY COMMISSIONER SANTIAGO: HELP USA.

18 CO-CHAIRPERSON SANCHEZ: I thought you
19 said help.

20 DEPUTY COMMISSIONER SANTIAGO: No, I'm
21 sorry.

22 CO-CHAIRPERSON SANCHEZ: (INAUDIBLE)
23 Assistant Commissioner Kim.

24 DEPUTY COMMISSIONER SANTIAGO: I'm sorry
25 about that. HELP USA runs one facility. Acacia runs a

facility. And the West Harlem Group Assistance runs a facility.

CO-CHAIRPERSON SANCHEZ: Sorry, what was that last one?

DEPUTY COMMISSIONER SANTIAGO: West Harlem Group Assistance.

CO-CHAIRPERSON SANCHEZ: Thank you. To follow up on Council Member Avilés' question, HPD asks for tenant information from the landlord in larger fires. I know you said you don't have that information today. I just want to make sure that you provide us with what is that threshold. But a follow-up question is, why not always ask for resident information?

ASSISTANT COMMISSIONER KIM: Well, the households would have to initiate that they want to register with HPD and request services. In many cases, some households are not seeking services from HPD. So, they would first receive assistance from the Red Cross and, if they want to register with HPD, they would call the hotline.

CO-CHAIRPERSON SANCHEZ: But that's inconsistent. That's saying that HPD is only going to speak with families who want services, and yet you do

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request all information in cases of large fires.

That's inconsistent. So why don't we just always ask?

DEPUTY COMMISSIONER SANTIAGO: I think in the larger fires, it's really a matter of the practicality of coordinating everybody on the ground and getting the families to move through very quickly to know that they were residing at the building. We don't have that kind of presence at every fire.

CO-CHAIRPERSON SANCHEZ: Okay. But you are present at every fire where there is a vacate issue?

DEPUTY COMMISSIONER SANTIAGO: At the point we issue the vacate, but HPD doesn't respond to the fire. So, HPD may be going to issue the vacate the next day or two days later. We don't respond, for example, to one- and two-family home fires... (CROSS-TALK)

CO-CHAIRPERSON SANCHEZ: . Because our first responders do.

DEPUTY COMMISSIONER SANTIAGO: For the most part.

CO-CHAIRPERSON SANCHEZ: So why doesn't HPD ask for information for units where they've issued a vacate?

DEPUTY COMMISSIONER SANTIAGO: I can go back and talk with our Special Enforcement Unit about whether or not that is the case. It's not to my knowledge at this time.

CO-CHAIRPERSON SANCHEZ: Okay. I, of course, am getting at with this line of questioning that you should ask, right? You should be able to have this information in as least burdensome a way to tenants as possible because, you know, leaving it to residents who don't know what HPD is, don't know that you exist, don't know that ARC is a possibility, don't know who issues what, it's just another barrier to getting back on their feet after they've been displaced.

DEPUTY COMMISSIONER SANTIAGO: Understood. And again, ARC does respond to every fire so they are leaving information for the tenant. If the tenant isn't home when they go, they do leave a sticker to ask the tenant to contact them so at some point in the process, all tenants affected by these fires should be aware that ARC is the front door, really, to the services that we provide.

CO-CHAIRPERSON SANCHEZ: Got it. Thank you. Now, a couple of numbers questions. Emergency

housing service shelters hosted more than 476 single adults and 500 families in Fiscal Year 2024, including 300 families with children. These stays lasted on average 592 days for single adults and 337 days for families with children. This is the long haul. This is information that we obtained through City Limits and City Limits obtained from you all because there's no information, really, on emergency housing services work on HPD's website. There's only two sentences that describe the program and so there's just a large gap here in information. So, you spoke about the process for a displaced household, but in terms of the numbers, and this might be DOB and HPD tag teaming the answer to this question, how many units, how many households, say, in Fiscal Year 2024, had vacate orders issued and needed, or could not stay in their homes versus how many were served by ARC versus how many eventually were housed within EHS shelters. Our goal is to understand the gap between how many folks are facing displacement versus receiving ARC services, receiving EHS services.

DEPUTY COMMISSIONER SANTIAGO: Okay. I'm going to start with the website issue, Council Member. So, recently, Emergency Housing Services was

placed into my portfolio. I was not aware even that there was an Emergency Housing Services page because there is a page on vacates that has much more information about Emergency Housing Services, and so we appreciate you bringing that to our attention so we can combine or redistribute the information on those web pages to make that more clear to the public.

In terms of the vacates to the households that come into ARC to the rescinds, I think it's very difficult to draw that line directly. I can certainly tell you in terms of HPD vacates, and I don't know if we're just still talking about just fires or we're talking about all, but we can certainly provide you with information on how many vacates. I believe our Open Data provides information on HPD vacates, including the number of units vacated and the general reason for the vacate, so we can certainly break that down for you.

And then in terms of emergency housing services, the number of households that come in from fires versus other types of vacates. That will take us a little time to put together, but that's information that can be available.

CO-CHAIRPERSON SANCHEZ: Okay. Thank you.

I know I get an email. ARC is amazing. They send us a lot of information after every fire where they're present and they tell us how many families were served so it'd be great to have all that information in one place.

Where are HPD emergency housing shelters?

DEPUTY COMMISSIONER SANTIAGO: So, our family living centers are in the Bronx, Manhattan, and Brooklyn. And we have single room occupancy availability in the Bronx, Manhattan, and Queens.

CO-CHAIRPERSON SANCHEZ: And what determines where families are placed who need longer term support?

DEPUTY COMMISSIONER SANTIAGO: There are a number of factors that go into that. Certainly, we try to consider the location that the family is coming from, but there are certain special needs or the size of the family or other extenuating circumstances that may require one over the other as an option.

CO-CHAIRPERSON SANCHEZ: Thank you. What are the funding sources for emergency housing services?

3 DEPUTY COMMISSIONER SANTIAGO: I believe
4 we have a number of funding sources, right? We do
5 receive some federal funding through CDBG. We receive
6 some City tax levy as well for that. And for I think
7 the one facility that we do own, we do receive some
8 capital for repairs there.

9 CO-CHAIRPERSON SANCHEZ: City capital?

10 DEPUTY COMMISSIONER SANTIAGO: I believe
11 so.

12 CO-CHAIRPERSON SANCHEZ: How much federal
13 funding is...

14 DEPUTY COMMISSIONER SANTIAGO: I don't
15 know that we brought that breakdown, but we can
16 certainly provide that.

17 CO-CHAIRPERSON SANCHEZ: And how many
18 facilities? I'm sorry if I...

19 DEPUTY COMMISSIONER SANTIAGO: Again, we
20 have three family living centers.

21 CO-CHAIRPERSON SANCHEZ: And how many
22 SROs?

23 DEPUTY COMMISSIONER SANTIAGO: 14. Those
24 are not ours, right? Those are privately owned
25 property.

CO-CHAIRPERSON SANCHEZ: Okay. What is
Emergency Housing Services? Because you mentioned
there are case managers. What is their relationship
to Department of Building and HPD enforcement staff?
Are they receiving information about vacates, curing
of conditions, when people can go back home?

DEPUTY COMMISSIONER SANTIAGO: Excuse me,
one second. When an HPD vacate is rescinded, HPD's
Special Enforcement Unit does notify EHS that the
apartment or the unit is ready to be reoccupied so
that does happen. We notify the owner that we're
notifying the tenant. We notify EHS, again, if the
tenant is receiving EHS services, and EHS notifies
the tenant.

CO-CHAIRPERSON SANCHEZ: Does HPD or DOB
require the owner to prove that they have told the
communicated this information to tenants when they
can go back home?

DEPUTY COMMISSIONER SANTIAGO: HPD does
notify the owner that they are required to do that,
and generally we hear directly from the tenant if
they are not being allowed to go back home, and we
did recently have a case where we needed to work with
the owner to ensure that the tenant was restored.

CO-CHAIRPERSON SANCHEZ: But is there any way in which HPD or Department of Buildings is confirming with the owner, did you tell them, did you tell them they can go back home?

DEPUTY COMMISSIONER SANTIAGO: I will check with our Special Enforcement Unit if we receive some kind of confirmation back from the landlord.

CO-CHAIRPERSON SANCHEZ: DOB?

DEPUTY COMMISSIONER SHAMASH: I don't think there's any specific requirement, but again, we do have the Office of Tenant Advocate. If the tenants reach out, we will gladly give them the information, or it's publicly available, again, on our BIS page.

CO-CHAIRPERSON SANCHEZ: Okay. Because this is something that I've heard time and again from residents. We didn't know we could go back in. We don't know what's going on. There's just a general amount of concern around not having the information that would help them stabilize themselves again.

A quick followup on the numbers that you shared around vacate orders for HPD and DOB. Do you have the number of units associated with those vacate orders? Not just property numbers?

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3 DEPUTY COMMISSIONER SANTIAGO: For HPD,
4 fire-only vacates, we have approximately 11... I'm
5 sorry. For Calendar Year 2024, I gave you the
6 numbers, right? We had 341 units affected by full-
7 fire vacates and 721 units affected by partials.

8 CO-CHAIRPERSON SANCHEZ: Got it. And
9 Department of Buildings, you mentioned 1,656 vacates,
10 39 partially lifted, 289 completely lifted, 45 full
11 vacates, and 130 partials that are still active. Are
12 those property numbers or unit numbers?

13 DEPUTY COMMISSIONER SHAMASH: Those are
14 property numbers or number of buildings.

15 CO-CHAIRPERSON SANCHEZ: Okay. And do you
16 have the number of units affected?

17 DEPUTY COMMISSIONER SHAMASH: I don't have
18 it here. I think we could determine that number. Some
19 of our vacates are not related to occupancy or number
20 of units. A lot of our vacates are for rear yards,
21 side yards that do not impact occupancy. We can also
22 break down how many of those vacates are for fires,
23 but I believe the large majority of our vacates are
24 for actually compromised egress related to illegal
25 occupancy.

CO-CHAIRPERSON SANCHEZ: Got it. Okay.

Thank you.

I should have asked this when I was asking about what information is told to residents about whether they can go back in. Before you rescind a vacate order, that would be a moment in time in which you could require that the landlord or the owner prove to you that they've communicated to residents, but that question is not asked in the rescinding of vacate orders in either agency?

DEPUTY COMMISSIONER SANTIAGO: I don't know that we would ask that before the rescind because we wouldn't want the landlord to notify the tenant before the rescind. We would want the landlord to notify the tenant at the time of the rescind or after the rescind is issued. So again, I can go back and I'll speak with our Special Enforcement Unit about that exact communication and how that happens, and we can provide that information to you.

CO-CHAIRPERSON SANCHEZ: Yeah. Look, 10 years of working with HPD, I'm not trying to put it on your lap or your responsibility, but for both agencies, it would be helpful if there was a way that

we were confirming that the landlords and the owners
are telling the residents what they need to know.

Okay. In relation to Intro. 750, DOB, you
testified regarding your concerns about changing the
amount of time that landlords have to correct
violations for more than six months. Can you tell us
how many DOB-issued violations remain uncorrected for
more than six months? And what enforcement actions
are currently used by the agency? And then I just
have one more.

ASSISTANT COMMISSIONER ISIDOR: Sure. A
couple of things to unpack there, but speaking of
just the major and the lesser violations, we have
three categories or three classifications for
summonses. One of them is Class 1, which is
immediately hazardous, must be corrected forthwith.
So, the Class 2 and Class 3 are major hazards, some
threat to public safety. So for 2023, we issued Class
2 violations, 24,749, and of those that were not
dismissed, which are 22,831, approximately 46 percent
were corrected within six months. And in 2024, which
is still not over, so we're still counting that
number, 29,367 were issued; of those, 27,826 were not
dismissed, and about 37.8 percent have been corrected

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within the first six months, but we're still, again,
we're not six months from December yet or November.
For Class 3 violations issued in 2023, which are the
most low-level types of charges, we issued 2,076
summonses, 1,840 were not dismissed, and
approximately 42.83 percent were corrected within six
months, and in 2024, we issued 2,346, about 2,100
were not dismissed, and approximately 34.79 were
corrected within six months.

CO-CHAIRPERSON SANCHEZ: Did you share the
numbers for Class 1?

ASSISTANT COMMISSIONER ISIDOR: For Class
1s, I do have that number. This legislation would
impact 2s and 3s, which is why I focused on that, but
for Class 1s, let me see here.

CO-CHAIRPERSON SANCHEZ: Class 1s are
already required to be corrected within?

ASSISTANT COMMISSIONER ISIDOR: Within 30
days.

CO-CHAIRPERSON SANCHEZ: 30 days, yep.

ASSISTANT COMMISSIONER ISIDOR: Or
actually, forthwith, so immediately, so it should
really be the second day, but after 30 days,
respondents could be subject to an additional civil

penalty for failure to correct. For Class 1s in 2023, let me just make sure, total summonses excluding dismissals were at 14,229, and about 48 percent were corrected within six months. And for 2024, we have 17,926 excluding dismissals, and about 41.83 percent were corrected within six months, which, again, still not done with the full count since we're still waiting for November and December.

CO-CHAIRPERSON SANCHEZ: I'm a layperson, but it seems to me like, over all Classes, it sounds like consistently half are corrected within six months. What is the agency's position on this rate?

ASSISTANT COMMISSIONER ISIDOR: I don't think we have a position, per se. We do what we can in order to get correction as quickly as possible, but whether that number is a success or not, ideally, we would love it for it to be corrected earlier, but we understand that respondents do have to take some time in order to file the permits, get the right contractors, and file that certificate of correction and get it approved.

CO-CHAIRPERSON SANCHEZ: Okay. My last question, I'd like to acknowledge that we've been joined by Council Member Restler.

On Intro. 817, HPD, does the City have any information on how many New Yorkers have renter's insurance? Is this something that's asked in the housing vacancy survey?

DEPUTY COMMISSIONER SANTIAGO: Not to my knowledge. Again, I'm not the expert on the housing vacancy survey.

CO-CHAIRPERSON SANCHEZ: It should be. It's really important. That concludes my questions.

Council Member Restler with questions.

COUNCIL MEMBER RESTLER: Thank you very much, Chair. Always good to see you.

Just a couple questions. I think in the spirit of some of these bills, especially I want to just recognize the leadership of Council Member Gutiérrez in leading on a really smart and important package here. When we have fires in our District, it's incredibly challenging to get in contact with the constituents who are impacted, provide support, and engage, and I just wonder, Deputy Commissioner Santiago, if you have advice for us or others on what recommendations would you share with our offices for how we can provide the best assistance in real time to constituents who are displaced by fire?

DEPUTY COMMISSIONER SANTIAGO: That is a good question, Council Member, that I have to admit that I have not given much thought to previously. Certainly, something we can go back and think about in terms of what support Council Members can provide. I know that at major events, many of you actually show up at the event and offer the services that your office has available for your constituents. We can't all be everywhere for every fire, and that's really the challenge.

COUNCIL MEMBER RESTLER: I think that's exactly it. Chair Sanchez, excuse me, has had a number of tragedies in her District over these three-plus years in office, and how she has shown up on the ground day after day for people who have been impacted has been really inspiring and I think a model for what Council leadership should look like, Council representation, I should say, should look like. But it is hard to be in all places at all times, and when fires occur at 3 o'clock in the morning, sometimes we don't even know about it until people have already been relocated. Sometimes people take advantage of Red Cross services and there's opportunities for connections there, but we have

abilities to set up GoFundMes to maximize resources and support from our communities. We may even have housing solutions that we can help identify if we are in direct communication and contact. And it's like very much catch as catch can, and we don't have a good mechanism for facilitating those referrals or relationships so that we can step in and then championing the needs of our constituents who have been impacted. And I think, you know, we all wish we could be Pierina Sanchez, but I think that Council Members really do want to step in in those moments of crisis, you know, as well as and effectively as she has done to be there, and I think if there were ways that agencies could really set us up to give, create those warm handoffs for us, I don't know if others want to jump in here to help. You know, I know that you think about the world, Deputy Commissioner Santiago, from the perspective of tenants and, you know, making sure that they have access to the resources and support that they need. But if others want to jump in with any suggestions for what we could or should do or how you can better activate Council Members to support constituents in need, I

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would welcome any suggestions that you all would like
to share or if you'd like to come back to us.

DEPUTY COMMISSIONER SANTIAGO: Thank you.

DEPUTY COMMISSIONER SHAMASH: We can
certainly come back to you and have that discussion,
absolutely.

COUNCIL MEMBER RESTLER: Because I think
that, I don't know if they're privacy issues or what,
but I feel like having a part of our protocol be
sharing of contact information with Council Offices
for people who have been displaced by fire in our
District or displaced by emergency in our District
should be a standard protocol and let us jump in and
help so I think it can often be really frustrating to
navigate City agencies and City bureaucracy and
especially when you've lost your own identification
or different pieces of critical information. You need
us, right? I mean, that's what we do well is that we
force City agencies to listen and act and move, but
we can only do that if we're actually in direct
communication with the people who are impacted so I
hope that there are ways that we can improve that
coordination because I don't think it's as good as it
should be. And like I said, I think Chair Sanchez has

been the model and done a terrific job. Council Member Gutiérrez also has done a terrific job, but I think it's hard and it shouldn't be as hard to make happen so I'll leave it there. But thank you very much for the opportunity, Chair Sanchez.

CO-CHAIRPERSON SANCHEZ: Thank you so much, Council Member Restler. And yeah, just to reiterate, you know, what ends up happening, especially in the bigger fires, as you know, is residents get asked the same question over and over and over. They register with ARC then they get asked their contact information from us and then, you know, they go and register with EHS, right, and so just like when we all do case management and case services, being able to minimize that and just be more efficient for folks who just potentially lost everything would go a long way.

So, that concludes our questions. I once again, you know, want to, you know, just express the disappointment that NYCEM isn't here, not to knock the great work that they do because they are on the ground when there are three alarm fires and above and many, many other kinds of emergencies, and when we call, they also come and they help with coordination.

But being able to hear from them how they coordinate on the ground with all of the agencies, if DEP, if there's asbestos suspected to be present, they get DEP involved. They do a lot of work on the ground, and it's helpful to have that perspective. It would have been helpful to have that perspective here. And so on Council Member Gutiérrez's bill, 749, creating the Office of Residential Displacement Remediation, we didn't get a firm answer today on the Administration's perspective, but I certainly will be following up along with Council Member Gutiérrez to make sure that we understand where that function could live and should live so that folks are able to get the best information possible when they've gone through this life-changing event.

CO-CHAIRPERSON ARIOLA: I want to thank you all for coming and for your answers and agreeing to get back to us with any answers to our questions that you did not have with you today. We appreciate that.

I'd also like to thank the Fire and Emergency Management Committee Staff, our Counsel, Josh Kingsley; our Senior Analyst, William Hongach, the Legislative Division, and my amazing Chief-of-

Staff, Phyllis Inserillo. Also, it is a pleasure to joint host a hearing with you, Council Member, and for the Council Members who did come today to ask very important questions. Thank you so much. You are dismissed.

CO-CHAIRPERSON SANCHEZ: Thank you again to the members of the Administration. We will now open the hearing for public testimony.

I remind members of the public that this is a formal government proceeding and that decorum should be observed at all times. As such, members of the public shall remain silent at all times.

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

If you wish to speak at today's hearing, please fill out an appearance card with the Sergeant-at-Arms and wait to be recognized. When recognized, you will have two minutes to speak on today's hearing topic of Residential Displacement After Emergencies,

including the following legislation, Intro. Numbers
749, 750, 751, 817, and Resolution Numbers 307 and
802.

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

I will now call the first panel. Monica
Mercola, Legal Aid Society. Jessica Bellinder,
Yolanda Richardson at 2910 Wallace Avenue, Vanessa
Perkins, same. Kelly Rolon, same, Ricardine Verdiner
Bernard. And I just want to especially thank the
residents at 2910 Wallace for being here today while
you're in the thick of it, this having happened so
recently to you. We're here for you, and thank you
for joining us.

You may begin when ready. Just press the
button.

YOLANDA RICHARDSON: Okay. Good morning,
everyone. My name is Yolanda Richardson, and I am a
tenant of 2910 Wallace Avenue and part of the Tenant

Association as a lead. My family and I have lived there for 25 years in that building, and we are displaced and lost everything, and thank you for this opportunity to share my concerns. I sat here today, and I came with a written statement, but I almost feel like it's out of the window at this point because I listened to a lot of what was said here between the Fire Department, the DOB, and HPD, and I'm disheartened because as much as I'd like to think we're getting the type of help that we should be getting, we are not. I'm a taxpayer, and because I don't meet the threshold of what a low income is, I don't get help, you know. They mentioned that the Fire Department was there in the building, and they had helped everyone to facilitate getting their things. We did that. We got together, 2910 Wallace Avenue Tenant Association, and put together a WhatsApp of the tenants that we were able to get and created a WhatsApp so that we can put together a list of all the people who were able to go in and get their things, and we did that. I think it was the second or third day of the fire, we were in that building helping the tenants get their things. Alongside, after the fact, the fire investigators,

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Mark, Tony, and Lou, who were there, we came with our list and showed them to help them do the job that they were there after the fact to start helping tenants get their things so there was a large collaboration between all of us.

We do not have HPD in the hotels with us. We stayed at the Residence Inn Hotel, Radio Hotel, and another hotel further downtown, and I, myself, stayed two months in that hotel. No one from HPD had come there to help us in any capacity. The Red Cross turned our situation over to the HPD (TIMER CHIME) after the fact. I know my time is up, but I think all Departments should be talking. Across the board, fires are happening to everyone. It is full circle, and we all need the type of help that we need to get to be able to afford the cost of living that is happening right now when we are displaced and can't afford it. We're from rent-stabilized buildings, and we're forced into this entity that we didn't ask to be here today, but we're here, and everybody needs to be talking to each other so that we can get the right type of help that we need, because we're not getting it. Thank you.

KELLY ROLON: Can you hear me? Good morning. My name is Kelly Rolon. I want to thank you for the opportunity to actually hear us out today. Thank you for taking the time to allow us to attend this meeting. I will piggyback off of everything that Ms. Richardson said. I'm part of the Tenant Association. We basically did our own roundup to get the people to do what they needed to do as far as trying to get some of their belongings. The Fire Department, I believe the first two days and the Police were there once the fire happened. The apartments were open. We were robbed. There was vandalism. There was nobody there to protect that. We believe that a lot of the inside people, super and his tenants and helpers took part of that. If it wasn't for us to make a police report, our items would not be retrieved or even found or thought of.

As far as the programs, I give big praises to Red Cross. They were the only ones that really stepped up. They got us in, registered, got us in a hotel. I know you have a three- to five-day window. Some of us had three months, two months, two weeks myself. Once you were linked with HPD, the rule is if you have a pet, you are not allowed to stay in

1 their shelter. There are a lot of tenants who are
2 misplaced because they're undocumented. The landlord
3 did not receive a list or give a list of the people.
4 Some people got scared. They accepted their deposits
5 back or were told by the landlord, I'll get you a
6 place all in conclusion to make sure that we do not
7 sign anything for lawsuit. These people were scared.
8 They had no place to go. You won't get everybody as
9 part of it, the whole lawsuit.
10

11 As far as the HPD helping, like I said,
12 you get a link giving you HRA, Home Base, Help Us,
13 which if you're a working tenant, you don't get any
14 assistance. We don't qualify because we don't meet
15 that income. You're on your own basically to find
16 shelter. They do not follow up with us. We had to
17 reach out consistently to speak to the workers there
18 to see if they can help us as any type of way, but
19 it's not being done so everybody is really still
20 misplaced. I'm staying with (TIMER CHIME) friends. My
21 time is almost up, but we don't have the actual help
22 that we need so we're asking that they could be a
23 little bit more diligent in helping us.

24 CO-CHAIRPERSON SANCHEZ: Yeah. Thank you.
25 I just want to take a moment to just like snap my

fingers and just agree because the constituents of my District have been through this and it's been me, literally me with a little pen and paper trying to figure out, who lives here, who doesn't, how are we going to coordinate getting things so applauding your leadership and being able to coordinate that. My client, that's my baby, I'm going to go grab her and try to calm her down, but I'm listening. I'm technically on maternity leave so I'm listening on Zoom as well, and so please excuse me that I'm not physically here, but Chair Ariola is and please continue.

VANESSA PERKINS: Hello, my name is Vanessa. I've been in the building for 40 years. I never thought I'd leave the building, but piggyback on what my constituents here have said. The help that we should be getting, we're not getting. We find that people come from other places and they come and they get all the help. They get the vouchers, they get to this, they get to that. I'm retired for 14 years. I can't begin to pay rent for 2,400 dollars, 3,400 dollars. It's impossible. What are we going to do? They sit here and they say that they do this, they do that, HPD does this. You don't do anything for us.

1 You say I make too much money. I'm retired. How much
2 money can I be making? I can't get any assistance.
3 Now me and my daughter are displaced. She's one
4 place. I'm at another place. We have all these new
5 buildings. Why can't we be put in the buildings? Why
6 can't we get a voucher so that we can afford to be in
7 the building? This isn't fair. It's not right. And
8 something needs to be done now.
9

10 RICARDINE VERDINER BERNARD: Good morning,
11 everyone. Before I start my testimony, I just want to
12 say on record that what the Deputy Commissioner of
13 HPD and the Fire Chief have said, some things weren't
14 our experience. It didn't happen. But my name is
15 Ricardine Verdinia Bernard. I am a tenant leader and
16 have been living in 2910 Wallace since I was seven so
17 that means I've been there for 32 years. Let me start
18 off by saying there aren't enough words in my lexicon
19 to express what my family and I experienced on
20 January 10th and, since that day, our lives have been
21 upside down. The need of support and comfort has been
22 something we have been searching for, yet is nowhere
23 to be found. It is absent. We are lost, we are hurt,
24 and we are angry. Nonetheless, we are confused about
25 what has been bestowed on us. Because during the

weeks of the fire, I've learned the harsh reality that there is no real support for working class. My husband and I work so hard to provide for our family, but because we make a certain amount, we don't qualify for many assistance programs. Although we are in the family living center, we are still homeless. We are struggling, and the system has no safety net for people like us. It appears that fire victims fall through the cracks of bureaucracy, and 2910 Wallace had many, multiple complaints and violations, specifically nine violations that day. We begged for repairs, and we were ignored. 3-1-1 was called. Then HPD was contacted for recurrent issues, and nothing was resolved. It was just a Band-Aid over a deep wound. Slumlords are notorious for intentional negligence, and they get away with murder. The housing business is the only business that you can get rewarded for providing poor service. So, I stand before the City Council, and I urge the City to act against slumlords before more lives are lost and more families are being displaced. So, I am proposing the following. No more allowing slumlords to cover up the problems before inspections. Unannounced mandatory safety inspections of all rental properties (TIMER

CHIME) owned by landlords with prior violations. An immediate seize of properties owned by slumlords who repeatedly neglect complaints and inhabitable conditions. A tenant ownership program that allows residents to take control of abandoned or neglected buildings. Criminal charges for slumlords whose negligence leads to fires, collapses, and other desires. And lastly, and most importantly, emergency housing assistance for working-class families that are displaced. We aren't asking for handouts. We are simply asking for justice. Safe housing is a basic right, not a privilege reserved for the wealthy. Thank you, City Council, and may God continue to bless us all.

CO-CHAIRPERSON SANCHEZ: Thank you. I just want to take a moment to thank you, Ricardine, because not only are you a tenant leader in your own building and you're coming to us with real points of action, which I'm excited to talk to you about because we are trying to accomplish some of those things that you mentioned in your list, but you're also a leader in my section of the Bronx, and I really appreciate the work that you do at Good Shepherd Services, and someone like you who's giving

so much to so many parts of the Bronx, it's an example for all of us, the way that we need to be able to support you so I look forward to working with all of you and all the families that are impacted by fires each year, because the city can and should do better.

RICARDINE VERDINER BERNARD: I appreciate you, too. Thank you.

MONICA MERCOLA: Hello. My name is Monica Mercola, and I am a Staff Attorney with the Legal Aid Society's Housing Justice Unit Group Advocacy Team, where I help represent and advocate for displaced residents. The Legal Aid Society has been assisting displaced residents for decades, and through its work, I and others have seen the successes and the pitfalls of the process. The residents who have testified and will continue to testify today will share with you how they have felt abandoned, how they have had to navigate losing their possessions, their homes, and sometimes their livelihoods, how this system, more often than not, has failed them. As mentioned, you have heard and will continue to hear from residents about their personal hardships and their experiences of displacement after a disaster.

The Legal Aid Society has worked with hundreds of similarly affected residents, and we have heard from almost every single client the same concerns.

While our written testimony goes into greater detail, I would like to highlight three practical things that residents want from their government. First, a navigator. Someone to connect them with the emergency and social services available who will stick with them and help them problem solve until they are able to move back into their homes or other permanent housing. Second, clear and concise public notices of when actions will be taken with respect to repairs to their homes and the ability to return. And lastly, third, enforcement. To ensure that their buildings and property are safely secured for when they are finally able to (TIMER CHIME) retrieve their possessions and a clear process for being able to collect their belongings when it is safe to do so. Emergencies by nature are unforeseen. And during these times, our government has the opportunity and ability to help. This package of bills is the first step. But more work needs to be done. The Legal Aid Society supports these bills with amendments and looks forward to working with the City

Council to further provide meaningful support to
displaced residents. Thank you.

CO-CHAIRPERSON SANCHEZ: THANK YOU.

JESSICA BELLINDER: My name is Jessica
Bellinder. I'm a Supervising Attorney in the Bronx
Neighborhood Office of the Legal Aid Society for our
Group Advocacy Team there, and I've worked with the
Council Member and her staff, and I have to echo what
your Colleague said earlier, there are very few
Council Members who are able to connect with their
residents as thoroughly and as quickly as your team
does, and it has really helped us to represent
tenants in the Bronx. One of the things that was
mentioned with respect to the sharing of tenant
information that we think is important, in order for
all of the work that we do to try to get buildings
back into a livable order, that work is lost or is
not as valuable if the tenants who originally lived
there cannot move back and haven't been able to
preserve their rights to those units. And so what we
would like to see, in addition to the legislation
that's proposed, is some waiver early on in the
document collection process, whether it's with ARC or
with HPD or some other entity, that allows the

sharing of that information not only with the City Council Members, but also with legal services providers. Because one of the things that we are able to do is ensure that tenants know their rights, ensure that they're able to exert those rights and protect their interests in returning, especially to their rent-stabilized tenancies. And in today's market, they often cannot replace the homes that they've lost, and so being able to return to those homes is paramount.

CO-CHAIRPERSON SANCHEZ: Thank you and thank you so much to the Legal Aid Society for all the ways that you were there for New Yorkers when these things happened. I know for us, the building collapsed. How many fires have we had? There's a District 14 resident over... I don't know if she's going to be able to testify, but from the Davidson Avenue fire two years ago, and it's just incredible the way... I think that of all of the work that we're talking about here, the work that you do to get folks' rent reductions, to make sure that people know their rights, that is some of the most helpful work that helps people get back on their feet so thank you, Legal Aid. And thank you, Nicole, for still

being here from HPD and the agencies. I certainly want to talk about this. You know, if there are privacy concerns, etc., but how can we, one, make sure that the agencies are collecting contact information, landlords have it. they collect rent, right? How can we make sure that we get that most efficiently? And then, two, how can we, you know, legally and, you know, with all the compliance that we would need to do, how can we make sure to share that with our legal service providers and our elected officials and folks that just want to help, right, because there's many that want to help. I know I was bombarded, you know, with many of the emergencies that we've had because my office, you know, we have these pink hats and we put on our pink hats and we go and talk to everybody when an emergency happens, and then those pink hats and that, you know, we scribble it down and then we put it into spreadsheets and then we're able to share with others, but it shouldn't have to be that way. That's so inefficient, right? So, yeah, I just want to thank you so much for everything that you do, and thank you for sharing your stories because this is the foundation of how we effectuate change. Thank you.

I want to call the next panel, and I want to thank Chair Ariola and shout out to all the moms. We are the best at multitasking.

The next panel is Melissa Orlando from the tenants of 4309 47th Avenue, Lacey Tauber from the Brooklyn Borough President's Office, Gabriel Fantacone, Churches United for Fair Housing, Asher Wilhem, and Marcus Jackson from Encore Community Services.

Serious multitasking. Okay. You may begin when ready.

GABRIEL FANTACONE: Good morning. My name is Gabriel Fantacone, and I'm a Civic Engagement Organizer at Churches United for Fair Housing. We represent a broad coalition of 25,000 members through our 40 church partners in Brooklyn and Queens, and we are committed to building comprehensive housing justice for working New Yorkers. CUFH is proud to stand in support of the Back Home Act as the legislation reflects our core values of dignity, justice, and safety for tenants facing displacement and increasingly volatile housing conditions across our city. Tenants in New York City live at an ever-increased risk of harm, trauma, and displacement from

a range of disasters and emergencies. In just the past few years, we've witnessed the devastating effects of hurricanes, winter freezes, and numerous human-caused fires, such as the recent brushfires in Prospect Park and the tragic residential fires that have rocked communities in the Bronx. Meanwhile, affordability is plummeting and tenant protections are being eroded with waves of evictions impacting our members again and again. These harms are deeply interconnected. Tenants, especially those living in unsafe housing conditions, too often receive too little support or protection from landlords or housing authorities. This cannot continue. That is why we are here today to reaffirm our belief in strong protections for all tenants and in the security needed to confront a future where emergencies of all kinds, natural, structural, or human-caused, are becoming more frequent and more severe. The Back Home Act is a vital step towards ensuring that our City's commitment to affordable housing includes robust emergency protections and enshrines the right to return home after a disaster. Tenants deserve to know that they won't be permanently displaced after tragedy strikes. We often

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hear stories of the routine exploitation faced by
CUFH's tenant members, many of whom are immigrants or
people of color who are left to navigate disaster
recovery alone. Despite their essential contributions
to our city, these tenants struggle to support their
families and lack the safety nets needed to recover
from crises, and the Back Home Act is essential
because it ensures that City agencies are equipped
with the tools to protect tenants during and after
emergencies and to prevent landlords from using
moments of crisis to profit from others'
vulnerability. This is the legislation that working
New Yorkers need to seriously address the
intersections of housing justice and emergency
preparedness, and we especially recognize the
vulnerable position that immigrant tenants are in
being targeted by federal enforcement and predatory
landlords. This bill ensures that these tenants are
included in vital protections and that they have the
right to fair, safe, and congenial (TIMER CHIME)
housing, even in the face of disaster. Sorry, I know
my time is up. CUFH commends the Committees on
Housing and Fire for bringing forward this important
bill. We urge the swift passage of the Back Home Act,

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that's Intros 607-609, 749-751, 817, Reso. 307, so
that we can establish permanent protections for
tenants against disasters, displacement, and
injustice. Thank you for your time and your continued
commitment to the well-being of ordinary working New
Yorkers.

CO-CHAIRPERSON SANCHEZ: Thank you so much
to you and your organization.

MARCUS JACKSON: Good morning, members of
the Committee. My name is Marcus Jackson, and I serve
as the Aging-Friendly Community Organizer for Encore
Community Services. I thank you for the opportunity
to speak on today's topic. We wanted to address
homebound clients, older adults who are stuck
homebound, and the food insecurity that they face
today. Encore operates one of the largest home-
delivered meal programs, with more than 750,000 meals
annually to older adults who are homebound, medically
fragile, and often entirely alone. For many, the
meals we deliver is their only source of daily
nutrition. The City currently only funds one meal a
day for five days a week. This leaves thousands of
older adults hungry over the weekends and
undernourished every day. We are urging the Council

to expand meal funding to provide three meals per day, seven days per week, to older adults throughout the city who need it. We also need reimbursement rates that actually cover providers' real costs. Food prices, labor, and delivery expenses have all increased, but funding hasn't. Without action, providers like Encore will be forced to make impossible decisions about what we can and can't afford to deliver. Finally, nutrition is only one piece. Our financial case managers help older adults apply for SNAP, manage healthcare bills, and access rent relief. They're essential to preventing hunger before it starts. Expanding funding for financial case management must be a part of the City's hunger response. Encore has been serving older adults for nearly 50 years, and we know what it takes to prevent hunger and help homebound clients who are stuck and in need. It starts with fully funding programs at work. I appreciate your time for today, and I really hope the Committee takes this seriously. Thank you.

LACEY TAUBER: Good afternoon, Chairs, and thank you for holding this hearing. My name is Lacey Tauber, and I'm here representing Brooklyn Borough President Antonio Reynoso to support the Back Home

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Act as proposed by Council Member Gutiérrez. Borough President Reynoso preceded Council Member Gutiérrez in representing Williamsburg, Bushwick, and Ridgewood and understands firsthand why this issue is so important to her District. During his time in the Council, and as Borough President, BP Reynoso and his staff have assisted numerous families who have tragically been displaced from their homes by emergencies, especially fires. However, as you heard, this experience isn't unique to that District. As of March 4th, the last day that HPD released its monthly data, more than 2,000 New Yorkers from all over the city were living in the various emergency shelters after being displaced. This experience can be massively disruptive for families. In addition to losing all or most of their possessions, these families are often dealing with being displaced to other neighborhoods, away from jobs, schools, doctors, and support systems. They're often forced to navigate complex and unfamiliar bureaucracies to access City services. Too often, their landlords don't give them a clear timeline for when they can return, and emergency shelter stays are limited. With our city's housing vacancy rate at the lowest it's

been since the 1960s and limited affordable housing opportunities available, families who can't find permanent housing they can afford will likely end up in the already overcrowded shelter system. Worse still, some landlords have intentionally slowed down the process of making repairs, demolished apartments, or made renovations that did not accommodate existing tenants' needs in an attempt to collect insurance payments and/or to displace their tenants permanently, and in turn raise the rent. I'm going to skip for time comments on the specific legislation, but just add that BP Reynoso supports the other bills in the Back Home Act as well, sponsored by Council Member Krishnan, that's 607, 608, and 609, and urges the Council to pass them quickly.

And just a final note that unfortunately due to climate change, the city is experiencing more frequent drought conditions that can lead to fire danger as well as increased coastal and stormwater flooding, so these problems are (TIMER CHIME) not going to go away. Passing the Back Home Act is one of the ways we can prepare for this while protecting tenants and holding landlords accountable. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you.

2 MELISSA ORLANDO: Before I begin, I'm a
3 tenant and I would like to just say that what I've
4 heard from other tenants, our experience across the
5 board, every borough of the city has been the same, I
6 think, no matter whether it's a rent-stabilized
7 building or not, income levels, we're all
8 experiencing the same thing with the landlords.

9 So good afternoon. Thank you for the
10 opportunity to speak today. I'm here in support of
11 Resolution 802 introduced by my Council Member Julie
12 Won along with Council Members Sanchez, Riley, and
13 others. Thank you. My name is Melissa Orlando, and on
14 December 20, 2023, I lost my home at 4309 47th
15 Avenue, Sunnyside, Queens, in a five-alarm fire
16 started by a negligent contractor hired by A and E
17 Real Estate. The contractor caused the fire through
18 the use of a blowtorch to remove paint from a door
19 frame in a vacant apartment in our building. This was
20 cited in the fire report, and three criminal
21 summonses were issued almost immediately as a result.
22 I want to also just have on the record thank you to
23 our first responders. That day, nearly 250 people
24 lost their homes. It has been 469 days since the
25 fire. A and E has done nothing to date to repair the

building, which has a full vacate order, or to cover our now compounded living expenses. That is because they're currently not required by law to do anything. As astounding as that is, even when clearly negligent, landlords are not required to provide housing, support, anything. The little that we've received as tenants has been through ongoing negotiation and pressure exerted by all of our elected officials, including Council Member Won and State Senator Michael Gianaris. 4309 was a lively, vibrant community filled with generations of families, as well as new arrivals to Queens, immigrants, elderly people, people with disabilities, hardworking and caring residents, many who had been in the building for decades in rent-stabilized apartments. Imagine the shock of being homeless through no fault of your own and now having to (TIMER CHIME) pay rent that is exorbitant, I'll be quick, many, many times higher than what you had been paying because we know how expensive New York City has become over the past 10 years. Many of my neighbors are still looking for accommodations 469 days later. Some have even resorted to sleeping in the subways. We are all struggling, and if you've never been

through a fire or lost your home for any reason, it is life-altering. Imagine walking around your neighborhood feeling like a stranger, like you have nowhere to go. I was fortunate that I could stay with friends and my son could stay with his father, but that wasn't an option for others, and it should not be this way. Our landlord was negligent. Their contractor burned down our building, and yet they have to do nothing. We know what power the real estate lobby holds in New York, but there has to be a line. Help us to hold negligent landlords accountable and support Resolution 802, which provides, through the State Legislature, that landlords that are negligent should need to pay for housing for displaced residents. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you. Thank you so much, and thank you to each of you for your testimony.

Sorry, I forgot your name. Marcus, I think your testimony was a bit off-topic, but we'll make sure to funnel it to the right Committee.

I'd now like to call Christopher Leon Johnson and Sharon Brown.

CHRISTOPHER LEON JOHNSON: Yeah, hello. My name is Christopher Leon-Johnson. I'm here to support all the bills on the Committee. I'm here to support all the bills on the Committee for this, but they need... Mrs. Gutiérrez needs to, what is it, make at least five days for all the tenants, for the buildings to curate violations for all of them, minimum... I mean not minimum, maximum five days, not 30 days. 30 days is too much for the tenants, because everybody knows they get harassed.

But I want to know why is this little REBNY, little bald-headed REBNY shill, Kevin C. Riley, who's the Chair of the Zoning Committee, is not supporting not one bill on this ticker today. Everybody know why, because he's captive to REBNY. He loves REBNY. He's a real estate tough guy. He tried to tough guy stuff with me on Instagram and Twitter, but I love to say to his face that he's a clown, and he loves taking REBNY's dick up his ass, and that's the truth. He loves taking REBNY's cock up his ass.

CO-CHAIRPERSON SANCHEZ: I'm going to have to cut you off for language.

CHRISTOPHER LEON JOHNSON: He's captive
to... I understand. But it's the truth. For language.
I'm sorry. It's the truth.

CO-CHAIRPERSON SANCHEZ: I'm sorry.
Everybody is entitled to their opinion...

CHRISTOPHER LEON JOHNSON: It's the truth.

CO-CHAIRPERSON SANCHEZ: Including you...

CHRISTOPHER LEON JOHNSON: It's the truth.

CO-CHAIRPERSON SANCHEZ: But we have to
maintain...

CHRISTOPHER LEON JOHNSON: Fuck you, Kevin
Riley.

CO-CHAIRPERSON SANCHEZ: Decorum in the
Council. We have to maintain decorum in the Council.

Thank you. Next.

SHARON BROWN: I'll follow that.

CO-CHAIRPERSON SANCHEZ: Sorry. Apologies,
yes.

SHARON BROWN: My name is Sharon Brown
from Rose of Sharon Enterprises. Before I start,
remember the hostages. Release the hostages. Let
Yahweh's people go.

The fires that were in these buildings
that you guys were speaking about, is it due to the

landlord's negligence because of the lack of repairs,
or is it just fires that were started because some of
the lack of repairs could be a part of the reason
that exacerbated the problem that caused it, like
people had to have heaters or whatever the situation
may be. They need to investigate these landlords who
are intentionally doing malicious evictions.

Malicious eviction is where the landlord allows the
place to be dilapidated and the premises is no longer
viable for the person who lives there, and they
refuse to make the repairs, but they still require
the payments. We cannot have this, and then the
tenants don't have heat, hot water. A lot of them,
either they stay there and risk getting a plug-up
heater where fires and things like that start. I want
to know the data on if you can get it at some time.

Have the fires been caused by the plug-up heaters and
things that people have to resort to? I also
previously stated NYCHA needs to hand in reports to
the City Council to show, and HPD and the different
people that are dealing with this situation, they
need to hand in reports about what they are doing
immediately. When the tenants are saying there's a
problem and the tenants come here and talk about it

2 and HPD testifies, they need to report back directly
3 because they're going (TIMER CHIME) to go around in
4 circles and they're not going to get anything done
5 and keep coming back here for hearings and nothing
6 ever gets done.

7 CO-CHAIRPERSON SANCHEZ: Thank you for
8 your testimony.

9 SHARON BROWN: Okay.

10 CO-CHAIRPERSON SANCHEZ: We will now turn
11 to remote testimony. Once your name is called, a
12 member of our Staff will unmute you and the Sergeant-
13 at-Arms will give you the go-ahead to begin. Please
14 wait for the Sergeant to announce that you may begin
15 before delivering your testimony.

16 Andrew Sokolof Diaz.

17 ANDREW SOKOLOF DIAZ: Hi. Good afternoon.
18 Can you hear me?

19 CO-CHAIRPERSON SANCHEZ: Yes.

20 ANDREW SOKOLOF DIAZ: I'm sorry. Sorry,
21 I'm having a lag. Can you hear me?

22 CO-CHAIRPERSON SANCHEZ: Yes, we can hear
23 you, and now we can see you.

24 ANDREW SOKOLOF DIAZ: Okay. Good
25 afternoon. My name is Andrew Sokolof Diaz. I'm the

Co-Founder and Co-President of 89th Street Tenants Unidos Association in Jackson Heights, Queens. When an eight-alarm fire occurred in my building in April 2021, my wife and our two-month-old baby and dog were displaced and required to live in a hotel far away from home, which was Jackson Heights, Queens. My mother-in-law was also split another way, separating our family, and this happened to over 500 of us in the blink of an eye. We faced enormous financial burdens as a result of our temporary housing. For example, because my wife wasn't able to breastfeed our baby for several weeks due to the stress of the incident, we had to purchase expensive baby formulas for our child. We didn't have a kitchen in the hotel, so we had to eat our daily meals from restaurants, often at fast food chains, or whatever was close and doable. We even had mutual aid groups in our community, and our own tenants' association had to organize daily nutritious meals for several weeks on our own because we needed that. Culturally relevant meals were also very important to our families. While I tried sourcing nutritional foods and meals, particularly for my wife, who was still attempting to nurse, it was really incredibly challenging because

we were in a food desert at this hotel site. HPD couldn't and wouldn't place us in a hotel or anywhere close to the home. Adding to our issues, my car broke down and I had several unexpected expenses, which led me to giving up my vehicle. Other than that, due to the fire, we had to replace our possessions, of course. My wife had to repurchase her maternity clothing, which is way more expensive than regular women's clothing, averaging several hundred dollars that we had to shell out very quickly. We didn't have time to save money. I also had to buy myself new clothes, our baby as well. We lost all our inventory of diapers, all the things that you say about medicines, toys, pillows, bassinets, car seats, which was between 1,000 and 2,000 (TIMER CHIME) bucks.

SERGEANT-AT-ARMS: Your time has expired.
Thank you for your testimony.

ANDREW SOKOLOF DIAZ: (INAUDIBLE) as much as possible but, during the pandemic...

CO-CHAIRPERSON SANCHEZ: Thank you. Thank you, Andrew. We can let him conclude. He's the last panelist. Go ahead.

ANDREW SOKOLOF DIAZ: Thank you, Chair.
Okay. So after this eight-alarm fire, basically what

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we're asking the City Council and the agencies to do,
which is so much more, and you're building on it,
Chair Sanchez and Chair Ariola, is number one, build
additional HPD housing citywide, but especially in
Queens. We have zero HPD family shelters in Queens,
the second most populated borough in the city. Number
two, coordinate an immediate rapid response protocol
for displaced families with their local public
hospitals to coordinate medications and prescriptions
and disability equipment. Third, mitigate
displacement by relocating residents and our animal
companions as close as possible to home and mandate
that the owners foot the bill. Fourth, and I'm almost
done, ensure displaced residents obtain immediate
access to their homes and their units to obtain
identity documents and vital financial documents,
even their money. Fire victims like us are almost
always burglarized and forgotten. Ensure displaced
rent-stabilized tenants and subtenants who are more
vulnerable than us are better protected by having the
agencies really hold the landlords accountable,
especially when they allow their property to
deteriorate. This delays our displacement. Provide
nutritional food assistance on site. Streamline the

DACR 1-dollar rent placeholder process. They make it so hard for us to just get that going. And finally, help us with housing discrimination and direct service deliveries so that we can find housing and stop going through this madness on our own. Extending hotel shelter stays for one month minimum is probably something that really makes sense as opposed to having us go through the violence of losing our hotel stays within three to five days every time this happens. We have a ton of other information that we can share with the Chair and the Committees offline, but we want to thank the Legal Aid Society for representing us and providing us a dignified approach to rebuilding our lives. Thank you so much.

CO-CHAIRPERSON SANCHEZ: Thank you. Thank you so much, Andrew. You are definitely speaking my language on what you went through. And I'm sorry, is your baby four now? Wow. Awesome. Well, thank you. Thank you for sharing your story and for those recommendations. We'll certainly be following up.

Anthony Randolph from 2910 Wallace Avenue. Alex Stein.

No? Okay. If we have inadvertently missed anyone that has registered to testify today and has

2 yet to be called, please use the Zoom raise hand
3 function if you're testifying remotely, and you will
4 be called in the order that your hand has been
5 raised. If you are testifying in person, please come
6 to the dais now.

7 Seeing none, we will now close the
8 hearing.

9 Thank you to the members of the
10 Administration, the members of the public, and the
11 Committee who have joined us today.

12 This hearing is adjourned. [GAVEL]
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C E R T I F I C A T E

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



Date May 4, 2025