

TESTIMONY OF DEPARTMENT OF HOUSING PRESERVATION AND
DEVELOPMENT TO THE COUNCIL'S HOUSING AND BUILDINGS AND STATE
AND FEDERAL LEGISLATION COMMITTEES ON THE 2008 HOUSING AND
VACANCY SURVEY (HVS) AND THE CONTINUATION OF RENT CONTROL
AND RENT STABILIZATION IN
NEW YORK CITY
MONDAY - MARCH 16, 2009

GOOD MORNING CHAIRMAN DILAN, CHAIRWOMAN BAEZ AND MEMBERS
OF THE HOUSING AND BUILDINGS AND THE STATE AND FEDERAL
LEGISLATION COMMITTEES. I AM MARC JAHR, ACTING COMMISSIONER OF
THE DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT (HPD)
AND SITTING NEXT TO ME ARE JOSEPH ROSENBERG, DEPUTY
COMMISSIONER OF INTERGOVERNMENTAL RELATIONS AND ELYZABETH
GAUMER, DIRECTOR OF HOUSING POLICY RESEARCH.

I APPRECIATE THE OPPORTUNITY TO APPEAR BEFORE YOU TODAY TO
TESTIFY IN STRONG SUPPORT OF RESOLUTION NO. 1815 AND INTRO NO.
923. THESE TWO IMPORTANT MEASURES WOULD CONSTITUTE THE LOCAL
DETERMINATION AS TO THE CONTINUATION OF A HOUSING EMERGENCY
IN THE CITY OF NEW YORK AND WOULD PERMIT THE EXTENSION OF THE
RENT CONTROL AND RENT STABILIZATION LAWS IN OUR CITY FOR
ANOTHER THREE YEARS. THIS LOCAL DETERMINATION IS REQUIRED BY
STATE LAW TO BE MADE BY THE CITY ON OR BEFORE APRIL 1ST.

FOR THE CONTINUATION OF RENT CONTROL, THE LOCAL LEGISLATIVE
BODY MUST PASS A RESOLUTION 30 TO 60 DAYS AFTER SUBMISSION OF

THE HOUSING AND VACANCY SURVEY FINDINGS. HPD SUBMITTED THE HVS FINDINGS TO SPEAKER QUINN ON FEBRUARY 10TH AND PROPOSED RESO 1815 IS BEFORE THIS COMMITTEE TODAY.

AS NOTED, FOR THE ORDERLY CONTINUATION OF RENT STABILIZATION, THE COUNCIL MUST ENACT A BILL (INTRO 923) BEFORE APRIL 1ST.

THE PURPOSE OF MY TESTIMONY TODAY IS TO PRESENT THE INITIAL FINDINGS OF THE 2008 NEW YORK CITY HOUSING AND VACANCY SURVEY OR "HVS." THIS SURVEY OF THE CITY'S HOUSING STOCK HAS BEEN CARRIED OUT REGULARLY ON FOURTEEN SEPARATE OCCASIONS OVER A 43 YEAR PERIOD, STARTING IN 1965 AND THE METHODOLOGY HAS REMAINED CONSTANT SINCE THAT TIME, ALLOWING US TO MAKE VALID HISTORICAL COMPARISONS AMONG SETS OF DATA.

TO PROVIDE THE BASIS FOR THE COUNCIL'S DECLARATION OF AN EMERGENCY, THE LOCAL EMERGENCY HOUSING RENT CONTROL ACT (SECTION 8603 OF THE UNCONSOLIDATED LAWS) AND THE EMERGENCY TENANT PROTECTION ACT OF 1974 (SECTION 8623 OF THE UNCONSOLIDATED LAWS) REQUIRE THE CITY TO CONDUCT A SURVEY OF OUR HOUSING STOCK EVERY THREE YEARS. SINCE 1965, THE CITY HAS RETAINED THE UNITED STATES CENSUS BUREAU TO CONDUCT THE HVS. THE SURVEY IS USED TO DETERMINE, AMONG OTHER THINGS, THE RENTAL VACANCY RATE, THE SUPPLY OF HOUSING ACCOMMODATIONS, THE CONDITION OF SUCH ACCOMMODATIONS AND THE NEED FOR CONTINUING THE REGULATION OF RENTS IN NEW YORK CITY.

ACCORDING TO THE 2008 HVS, WHICH WAS CONDUCTED BETWEEN FEBRUARY AND JUNE 2008, THE VACANCY RATE IN RENTAL APARTMENTS IN THE CITY WAS 2.88 %, WELL BELOW THE 5% VACANCY RATE THRESHOLD SET FORTH IN STATE AND CITY LAWS AS THE CONDITION FOR DETERMINING THAT A HOUSING EMERGENCY CONTINUES TO EXIST IN NEW YORK CITY.

SOME HIGHLIGHTS OF THE SURVEY THAT I WOULD LIKE TO SHARE WITH YOU ARE:

1. THE NUMBER OF HOUSING UNITS IN NEW YORK CITY WAS 3.33 MILLION IN 2008, THE LARGEST HOUSING STOCK IN NEW YORK SINCE THE FIRST SURVEY WAS CONDUCTED IN 1965. BETWEEN 2005 AND 2008, THE HOUSING INVENTORY INCREASED BY 68,000 UNITS OR 2.1%, THE LARGEST INCREASE IN A COMPARABLE PERIOD SINCE THE SURVEY WAS INITIATED 43 YEARS AGO. WE BELIEVE THIS WAS NOT ONLY A FUNCTION OF THE ROBUST ECONOMY BUT ALSO OF THE CITY'S SOUND, AGGRESSIVE AND AMBITIOUS HOUSING POLICY.
2. EVERY BOROUGH SAW AN INCREASE IN HOUSING INVENTORY SINCE THE LAST SURVEY WAS CONDUCTED IN 2005. AGAIN, THIS FINDING SIGNIFIES THAT THE STRENGTH OF THE MARKET AND THE CITY'S HOUSING EFFORT HAVE BENEFITED ALL THE BOROUGHES

NOT SIMPLY ONE OR ANOTHER OF THE BOROUGHES. ALL OF NEW YORK'S RESIDENTS HAVE BENEFITED FROM THIS DEVELOPMENT.

3. NEW YORKERS' SATISFACTION WITH THEIR NEIGHBORHOODS AND OVERALL BUILDING CONDITIONS WERE THE BEST SINCE THE SURVEY BEGAN TO MEASURE THEM. THIS IS PARTICULARLY HEARTENING BECAUSE IT MEANS THAT NOT ONLY HAVE THOUSANDS OF ADDITIONAL HOUSING UNITS BEEN PRODUCED, BUT THAT THE CITY'S POLICIES HAVE CONTRIBUTED TO THE QUALITY OF LIFE OUR CITY'S RESIDENTS HAVE EXPERIENCED IN THE NEIGHBORHOODS. MOREOVER, IT SIGNIFIES THAT, BEYOND DEVELOPMENT, HPD'S CODE ENFORCEMENT ACTIVITIES AND OTHER CORE FUNCTIONS HAVE CONTRIBUTED TO ENSURING THAT THE CITY'S EXISTING HOUSING STOCK IS WELL-MAINTAINED.

I WOULD LIKE TO ADD SOME TEXTURE TO THE FIRST TWO HIGHLIGHTS. UPON BREAKING DOWN THE UNITS INTO RENTAL AND OWNER CATEGORIES, THE NUMBER OF RENTAL UNITS, OCCUPIED AND VACANT, WAS 2,145,000 OR 64.4 % OF THE CITY'S HOUSING INVENTORY IN 2008. THE RENTAL HOUSING INVENTORY INCREASED BY 52,000, OR BY 2.5 % BETWEEN 2005 AND 2008. THE TOTAL NUMBER OF OWNER UNITS WAS 1,046,000 AN INCREASE OF 14,000, OR BY 1.4% BETWEEN 2005 AND 2008. THE INCREASE IN BOTH THE RENTAL AND OWNERSHIP STOCK OF UNITS CAN BE ATTRIBUTED, IN PART, TO THE MAYOR'S NEW HOUSING

MARKETPLACE PLAN WHICH REACHED THE HALFWAY MARK OF 82,000 UNITS IN OCTOBER 2008. IT IS THE LARGEST MUNICIPAL HOUSING PLAN IN THE NATION'S HISTORY.

ALTHOUGH THE TOTAL NUMBER OF RENTAL UNITS BOTH OCCUPIED AND VACANT INCREASED BY 52,000 BETWEEN 2005 AND 2008, THE NUMBER OF RENT STABILIZED UNITS DECREASED FROM 1.044 MILLION IN 2005 TO 1.027 MILLION IN 2008, A LOSS OF APPROXIMATELY 16,800 UNITS OR 1.6%. SOME OF THIS IS DUE TO CONVERSION OF RENTAL UNITS TO OWNERSHIP UNITS, ANOTHER PART TO EXPIRING TAX BENEFITS AND SOME CERTAINLY IS DUE TO STATE DEREGULATION LAWS.

WITH THIS IN MIND, HOWEVER, IT IS IMPORTANT TO NOTE THAT THE ADMINISTRATION CURRENTLY HAS 17,291 UNITS BEING NEWLY CONSTRUCTED, 75% OF WHICH WILL BE RENT REGULATED UPON COMPLETION OVER THE NEXT SEVERAL MONTHS. THE REASON THEY ARE NOT CURRENTLY COUNTED IN THE 2008 HOUSING VACANCY SURVEY IS THAT THEY WERE NOT AVAILABLE FOR RENT DUE TO NOT HAVING A CERTIFICATE OF OCCUPANCY.

THE 25% BALANCE OF UNITS ARE NOT RENT REGULATED BECAUSE THEY ARE HOME OWNERSHIP UNITS OR RENTAL UNITS IN HOMES AND BUILDINGS THAT HAVE FEWER THAN 6 UNITS, AND ARE THEREFORE NOT GOVERNED BY STATE RENT REGULATION LAWS.

THE HOUSING INVENTORY INCREASED IN EVERY BOROUGH BETWEEN 2005 AND 2008. MORE THAN SIXTY PERCENT (61.8%) OF THE CITY-WIDE INCREASES WERE IN MANHATTAN AND BROOKLYN WITH QUEENS AND THE BRONX EACH GAINING ABOUT 15% OF THE CITY-WIDE INCREASE. STATEN ISLAND GAINED APPROXIMATELY 7% OF THE 68,000 TOTAL UNIT INCREASE. SPECIFICALLY, THE NUMBER OF TOTAL HOUSING UNITS IN MANHATTAN INCREASED BY 23,900, WHILE THE INCREASE IN BROOKLYN WAS 18,000. THE BRONX'S HOUSING STOCK INCREASED BY 10,600, QUEENS BY 10,700 AND STATEN ISLAND BY 4,600.

AS I MENTIONED PREVIOUSLY, THE HVS REPORTS THAT PHYSICAL BUILDING AND NEIGHBORHOOD CONDITIONS IN THE CITY ARE THE BEST SINCE THE HVS STARTED COVERING COMPARABLE CONDITONS IN THE 1960'S AND 1970'S. THE NUMBER OF RENTER OCCUPIED UNITS WITHOUT ANY HEATING BREAKDOWNS OF ANY KIND INCREASED FROM 82.3% IN 2005 TO 85.2% IN 2008. THE PROPORTION OF RENTER HOUSHOLDS NEAR BUILDINGS WITH BROKEN OR BOARDED UP WINDOWS ON THE STREET DECLINED FROM 6.3% IN 2005 TO 5.1% IN 2008. IN CONTRAST THIS PERCENTAGE WAS 11.4% IN 1996, ALMOST TWICE AS HIGH.

IN 2008, THE PROPORTION OF RENTER HOUSEHOLDS THAT RATED THE QUALITY OF THEIR NEIGHBORHOOD'S RESIDENTIAL STRUCTURES AS "GOOD" OR "EXCELLENT" WAS 71.8% THIS WAS THE BEST SHOWING IN THE THIRTY YEAR PERIOD SINCE HVS BEGAN TO MEASURE SUCH OPINION

IN 1978. AS AN INDICATION OF HOW FAR WE'VE COME, THE 1978 PERCENTAGE FOR THIS CATEGORY WAS 56.2%.

ALMOST ALL OF THE HOUSING UNITS IN OUR CITY WERE IN STRUCTURALLY GOOD BUILDINGS. THE DILAPIDATION RATE OF RENTER OCCUPIED UNITS IN 2008 WAS 0.6, THE LOWEST NUMBER IN THE HISTORY OF THE HVS. BACK IN 1965 THE RENTAL DILAPIDATION RATE WAS ROUGHLY 7 TIMES AS HIGH--4.3%.

ONE OF THE REASONS WHY HOUSING AND NEIGHBORHOOD CONDITIONS ONCE AGAIN IMPROVED IN THE CITY IS DUE IN LARGE PART TO THE CONTINUING SUCCESSFUL PARTNERSHIP BETWEEN THE CITY COUNCIL AND THE ADMINISTRATION IN DEVISING PROGRAMS AND LAWS DESIGNED TO ENSURE THAT OUR NEIGHBORHOODS CONTINUE TO THRIVE. EDUCATIONAL SEMINARS CONDUCTED BY HPD IN CONJUNCTION WITH INDIVIDUAL COUNCILMEMBERS, SUCH AS OWNER'S NIGHT, CONTINUE TO PROVIDE YOUR CONSTITUENTS WITH WAYS OF ACCESSING LOW INTEREST REHABILITATION LOANS THAT CAN BE INDISPENSIBLE IN UPGRADING AND REPLACING AGED BOILER SYSTEMS, DETERIORATED ROOFS AND OTHER BUILDING SYSTEMS. IT ALSO PROVIDES HOMEOWNERS, TENANTS AND SUPERINTENDENTS WITH INFORMATION ON HPD'S HOUSING EDUCATION CLASSES, HOW TO CORRECT A HOUSING CODE VIOLATION AND HPD'S OTHER PRESERVATION PROGRAMS.

ANOTHER JOINT VENTURE IS THE ALTERNATIVE ENFORCEMENT PROGRAM WHICH WAS PASSED BY THE COUNCIL AS LOCAL LAW 29 IN 2007 AND LAUNCHED IN NOVEMBER OF THAT YEAR. IT ADDRESSES THE PHYSICAL DETERIORATION OF THE MOST DISTRESSED MULTIPLE DWELLINGS IN NEW YORK CITY BY COMPELLING THE OWNER TO MAKE EFFECTIVE REPAIRS OR HAVE THE CITY DO SO IN A MORE COMPREHENSIVE FASHION. THE LAW REQUIRES THE CITY TO IDENTIFY 200 BUILDINGS EVERY YEAR WITH THE WORST HOUSING CODE VIOLATIONS AND TARGETS THEM FOR AGGRESSIVE INSPECTION AND COMPREHENSIVE REPAIRS.

THE TENANT HARASSMENT LAW, OR LOCAL LAW 7, WHICH WAS SIGNED ON MARCH 13, 2008, CREATES A CAUSE OF ACTION IN HOUSING COURT FOR TENANT HARASSMENT CASES, WHERE NONE PREVIOUSLY EXISTED. OVER 350 CLAIMS HAVE BEEN FILED IN HOUSING COURT SINCE THIS LAW WAS IMPLEMENTED.

ALL OF THESE MEASURES ARE DESIGNED TO PRESERVE THE QUALITY OF EXISTING HOUSING UNITS AND THE INTEGRITY OF THE SYSTEM OF RENT REGULATION.

NOW, I WOULD LIKE TO PROVIDE SOME INFORMATION ON THE VACANCY RATES OF RENTAL UNITS. AS I PREVIOUSLY INDICATED, THE VACANCY RATE IN 2008 WAS 2.88% AS COMPARED TO 3.09% IN 2005. DESPITE THE

GROWTH IN THE NUMBER OF HOUSING UNITS AND THE CITY'S EFFORTS, THE MARKET TIGHTENED FURTHER, EVIDENCE THAT NEW YORK REMAINED A POWERFUL MAGNET ABLE TO RETAIN EXISTING RESIDENTS AND ATTRACT NEW ONES.

THE VACANCY RATE FOR LOW RENT UNITS IN 2008 WITH MONTHLY ASKING RENTS OF LESS THAN \$500 WAS 0.56%. THE VACANCY RATE FOR UNITS BETWEEN \$500 TO \$799 WAS 1.47%.

THE VACANCY RATE FOR RENTAL UNITS BETWEEN \$800-\$999 WAS 2.09%, WHILE THE RATE FOR UNITS BETWEEN \$1,000 AND \$1,249 WAS 3.92%. ONLY ONCE RENTS ARE OVER \$1,250 DOES THE VACANCY RATE EXCEED 4%, FOR UNITS RENTING BETWEEN \$1,250 AND \$1,749, THE VACANCY RATE WAS 4.47%, AND FOR UNITS RENTING BETWEEN \$1,750 AND \$2,499, THE RATE WAS 4.03%. ONLY APARTMENTS RENTING FOR \$2,500 OR MORE HAD A VACANCY RATE IN EXCESS OF 5%--FOR THOSE UNITS, THE VACANCY RATE IN 2008 WAS 7.18%

AS YOU KNOW, THE STATE RENT STABILIZATION LAWS DO NOT EXPIRE UNTIL 2011, BUT LOCALLY WE ARE WORKING WITH THE COUNCIL TO ENSURE THAT BOTH RENT STABILIZATION AND RENT CONTROL WILL BE EXTENDED IN OUR CITY BEYOND THE EXPIRATION DATE OF MARCH 31, 2009. THAT IS WHY WE THANK YOU FOR PLACING INTRO. NO. 923 AND

RESOLUTION NO.1815 ON TODAY'S HEARING AND URGE ITS SPEEDY
PASSAGE.

BOTH HOUSES OF THE STATE LEGISLATURE AND GOVERNOR HAVE
RIGHTFULLY INDICATED THAT IN THIS DIRE FISCAL CLIMATE THE
PRIORITY IN ALBANY IS PASSAGE OF A STATE BUDGET AND THEY ARE
FOCUSED ON THAT.

IN THE MEANTIME, WE REMAIN FOCUSED AND LOOK FORWARD TO OUR
CONTINUED WORK WITH THE COUNCIL ON THE ADMINISTRATION'S \$7.5
BILLION NEW HOUSING MARKETPLACE PLAN WHICH WILL CREATE
AFFORDABLE HOUSING FOR OVER 500,000 NEW YORKERS.

IN CONCLUSION, THE HOUSING AND VACANCY SURVEY IS A CRUCIAL
STUDY THAT PROVIDES INSIGHT INTO MANY HOUSING CONDITIONS
THROUGHOUT OUR CITY. ALTHOUGH THE 2008 HVS DATA INDICATE
SIGNIFICANT IMPROVEMENTS IN HOUSING AND NEIGHBORHOOD
CONDITIONS AND AN INCREASE IN HOUSING INVENTORY, THEY ALSO
SHOWS A CONTINUING SERIOUS SHORTAGE OF RENTAL HOUSING IN OUR
CITY. GIVEN THIS SHORTAGE, THE STANDARDS OF CONTINUING RENT
CONTROL AND RENT STABILIZATION IN NEW YORK CITY HAVE BEEN MET
AND JUSTIFY THE EXTENSION OF BOTH RENT CONTROL AND RENT
STABILIZATION FOR AN ADDITIONAL THREE YEARS. WE THEREFORE

URGE THE COUNCIL TO ADOPT RESO 1815 AND PASS INTRO NO. 923 AS
SOON AS POSSIBLE.

THANK YOU.

WE ARE NOW AVAILABLE TO ANSWER ANY QUESTIONS YOU MAY HAVE.

Selected Initial Findings of the 2008 New York City Housing and Vacancy Survey

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New York City Department of Housing Preservation and Development
February 10, 2009

Below are the initial findings of the 2008 New York City Housing and Vacancy Survey (HVS).

All findings of this report are based on data from the 2008 and previous HVSs, which are sample surveys. They are, thus, subject to sampling and non-sampling errors. For this reason, it is generally appropriate to qualify such findings by noting that they are “estimates” of the true values of the variables, which are unknown. For example, we should refer to the rental vacancy rate as the “estimated rental vacancy rate.” However, it is not practical to do so in this report, since repeated use of the word “estimate” for so many figures would make the report unreasonably cumbersome.¹

A. Housing Inventory

1. The City’s total inventory of residential units was 3,329,000 in 2008, the largest housing stock in the forty-three-year period since the first HVS was conducted in 1965. New York City’s housing stock increased by 68,000 units, or by 2.1 percent, between 2005 and 2008, the largest increase in a comparable three-year period in the history of the HVS. The change in the number of housing units between 2002 and 2005 was 52,000 (Table 1).²
2. The number of rental units, occupied and vacant together, was 2,145,000, or 64.4 percent of the City’s housing inventory, in 2008. The rental housing inventory increased by 52,000 units, or by 2.5 percent, between 2005 and 2008 (Table 1).
3. The number of occupied rental units increased by 55,000, or by 2.7 percent, from 2,028,000 in 2005 to 2,083,000 in 2008, while the number of vacant units available for rent changed little: it was 62,000 in 2008 and 65,000 in 2005 (Table 1).
4. The number of owner units, occupied and vacant together, was 1,046,000, or 31.4 percent of the housing inventory in the City, in 2008. The number of owner units increased by 14,000, or by 1.4 percent, between 2005 and 2008 (Table 1).

5. The number of occupied owner units increased by 9,000, or by 0.9 percent, from 1,010,000 in 2005 to 1,019,000 in 2008, while the number of vacant owner units available for sale increased slightly, from 21,000 to 27,000, in the three-year period (Table 1).
6. The number of vacant units not available for sale or rent changed little in the three-year period: it was 138,000 in 2008 and 137,000 in 2005 (Table 1).
7. The housing inventory increased in every borough in the City between 2005 and 2008. More than 60 percent of the city-wide increase in the three years occurred in Manhattan (24,000 units, or 35.2 percent of the 68,000-unit city-wide increase) and Brooklyn (18,000 units, or 26.6 percent of the increase). Another 21,000 units, or about 30 percent of the city-wide increase, was evenly divided between two boroughs, Queens and the Bronx. The remaining 5,000-unit increase occurred in Staten Island (Table 2).
8. Rent-controlled units numbered 40,000, or 1.9 percent of the 2,083,000 occupied rental units, in 2008. The number of rent-controlled units in 2005 was 43,000 (Tables 1 and 3).
9. There were 1,027,000 rent-stabilized units (occupied and vacant), comprising 47.9 percent of the rental stock in 2008. The number of rent-stabilized units decreased by 17,000, or by 1.6 percent, in the three years between 2005 and 2008. The number of rent-stabilized units could be increased through the Section 421-a program, the J-51 program, Mitchell-Lama buyouts, and others, while it could be reduced through high rent/vacancy decontrol, coop and condo conversions, high rent/high income decontrol, substantial rehabilitation, and others. According to the Rent Guidelines Board's report on changes to rent-stabilized units in the City, the rent-stabilized stock decreased by about 18,000 units in the three years from 2005 through 2007³ (Table 3).
10. The number of rent-stabilized units in buildings built in or before 1947 decreased by 22,000, while the number of stabilized units in buildings built after 1947 increased slightly by 5,000 in the three years (Table 3).
11. The number of private non-regulated units increased by 68,000 or 9.8 percent in the three years ("private non-regulated units" are units that were never rent controlled or rent stabilized, units that were decontrolled, including those in buildings with five or fewer units, and unregulated rental units in cooperative or condominium buildings) (Table 3).
12. The homeownership rate for the City as a whole was 32.9 percent in 2008—that is, almost one in three households in the City was an owner

household. The rate was 33.3 percent in 2005. The home ownership rate is the proportion of the total occupied units (owner and renter units together) that are owner-occupied units. Between 2005 and 2008 the number of owner-occupied units increased by 9,000. However, during the same period, the number of all occupied units increased by 64,000, including 55,000 renter-occupied units. As a result, the home ownership rate remained basically the same between 2005 and 2008 (Table 4).

13. The homeownership rate in Staten Island was 68.0 percent, the highest among the five boroughs, followed by 45.8 percent in Queens. The ownership rates for the Bronx, Brooklyn, and Manhattan were lower than the city-wide rate: 22.2 percent, 28.3 percent, and 24.0 percent respectively (Table 4).

B. Rental Vacancies and Vacancy Rates

1. The vacancy rate for units available for rent in the City during the period between February and June of 2008 was **2.88** percent. It was 3.09 percent during a similar period in 2005. **The 2008 rental vacancy rate is significantly lower than 5.0 percent and, thus, meets the legal definition of a housing emergency in the City (Table 5).**

Since the first HVS in 1965, the Census Bureau has applied the same definition and equation, without exception, in estimating the rental vacancy rate in New York City, using data from the HVS as specified in the following:

Number of Vacant, Non-Dilapidated Units Available for Rent

Number of Vacant, Non-Dilapidated Units Available for Rent	+	Number of Renter-Occupied Units, Dilapidated and Non-Dilapidated
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Starting with the first HVS in 1965, the Census Bureau has treated dilapidated vacant units as unavailable for rent and has excluded them in counting the number of vacant units available for rent and, thus, in estimating the rental vacancy rate. On the other hand, in counting the number of occupied rental units, the Census Bureau has counted all occupied rental units, whether or not they are dilapidated.

The rental vacancy rate of 2.88 percent in 2008 was estimated using data from the 2008 HVS in each item in the above equation, as follows:

$$(61,762) / (61,762 + 2,082,890) \times 100 = 2.88\%$$

The result of the 2008 HVS shows that the standard error of estimate of the rental vacancy rate of 2.88 percent is 0.16 percent. This means that if a census of every housing unit in the City had been taken, using exactly the same procedures as in the HVS, the chances are 95 times out of 100 that the net rental vacancy rate from the census would vary from the rental vacancy rate of 2.88 percent by no more than 2 standard errors (0.16×1.96), or by 0.31 percent. That is, given the 2008 rental vacancy rate of 2.88 percent, the chances are 95 out of 100 that the actual vacancy rate was between 3.19 percent and 2.57 percent ($2.88\% \pm 1.96 \times 0.16$).

2. Between 2005 and 2008, the rental vacancy rate in Manhattan decreased significantly from 3.79 percent to 2.70 percent. The rates in the Bronx and Queens were 3.07 percent and 3.32 percent in 2008 while they were 2.63 percent and 2.82 percent respectively in 2005. The rate in Brooklyn was 2.34 percent in 2008 while it was 2.78 percent in 2005. The number of vacant units for rent in Staten Island was too small to report a rental vacancy rate (Table 5).
3. The vacancy rate for rent-stabilized units was 2.14 percent in 2008, while it was 2.68 percent in 2005 (Table 6).
4. The vacancy rate for private non-regulated units was 4.70 percent in 2008, while it was 4.11 percent in 2005 (Table 6). ("Private non-regulated units" consist of units that were never rent-controlled or rent-stabilized; units that were decontrolled, including those in buildings with five or fewer units; and unregulated units in cooperative or condominium buildings.)
5. In general, as in 2005, vacancy rates for low-rent units were extremely low, while rates for high-rent units were extremely high. The vacancy rate in 2008 for units with monthly asking rents of less than \$500 was based on too few units to report. The vacancy rate for units with asking rent levels between \$500 and \$799 was just 1.47 percent; it was 2.09 percent for units with a rent level of \$800-\$999 (Table 7).
6. The vacancy rate for units with an asking rent level between \$1,000 and \$1,249 was 3.92 percent. Vacancy rates for the \$1,250-\$1,749 level and the \$1,750-\$2,499 level were still less than 5 percent: 4.47 percent and 4.03 percent respectively. However, the rate for the \$2,500-and-over level was 7.18 percent (Table 7).
7. The number of vacant units not available for sale or rent was 138,000 in 2008, while it was 137,000 in 2005. Of these, the number undergoing (29,000 units) or awaiting (19,000 units) renovation was 48,000, or 35.1 percent. It should be noted that the 48,000 units undergoing or awaiting renovation should become available for occupancy before long (Table 8).

8. On the other hand, the number of unavailable units in the category of occasional, seasonal, or recreational use was 37,000 in 2008. Of units in this category, 58 percent were in cooperative or condominium buildings; and 80 percent of these units in cooperative or condominium buildings were located in Manhattan (Table 8).

C. Household Incomes

(Note that incomes are reported for 2007, while housing data are for 2008.)

1. The median income for all households (renters and owners combined) in current dollars grew by 12.5 percent, from \$40,000 to \$45,000 between 2004 and 2007. However, during the three year period, the annual average Consumer Price Index (CPI) grew by 10.8 percent. Consequently, the real income (inflation-adjusted by changing 2004 dollars to 2007 dollars) for all households increased slightly by 1.6 percent in the three years (Table 9).
2. The median income of renter households in 2007 was \$36,000, increased by \$4,000 or 12.5 percent from 2004. Renters' real income inched up only by 1.4 percent in the three years (Table 9).
3. The median income of homeowners was \$70,000 in 2007, an increase of \$5,000 or 7.7 percent from 2004. However, homeowners' real income decreased slightly by 2.8 percent in the three years (Table 9).
4. The median income of households in rent-controlled units was \$24,000 in 2007, down by 2.4 percent from 2004, when these households' real income was \$24,600 (Table 10).
5. The median income of households in rent-stabilized units was \$36,000 in 2007, a slight increase by 1.4 percent from 2004 when it was \$35,500, after inflation adjustment (Table 10).
6. The median income of households in private non-regulated units was \$50,000 in 2007, a 7.5-percent increase from 2004, after inflation adjustment. [Private non-regulated units were either never rent controlled or rent stabilized, or were decontrolled (including those in buildings with five or fewer units), or were unregulated units in cooperative or condominium buildings] (Table 10).

D. Contract Rents and Gross Rents

1. The median monthly contract rent, which excludes tenant payments for fuel and utilities, increased by 11.8 percent, from \$850 in 2005 to \$950 in

2008. However, during the three-year period between April 2005 and April 2008, the Consumer Price Index (CPI) increased by 10.0 percent. As a result the median contract rent increased by 1.6 percent, after adjusting for inflation (changing April 2005 rent into April 2008 dollars), in the three years (Table 11).

2. The median monthly gross rent, which includes utility payments, increased by 14.6 percent, from \$920 in 2005 to \$1054 in 2008. However, the inflation-adjusted increase in median gross rent was 4.2 percent. The noticeably higher increase in gross rent compared to contract rent was caused by a considerably higher increase in the costs of fuel and utilities in the three years⁴ (Table 11).
3. The median monthly contract rent of rent-controlled units was \$721 in 2008, a substantial 19-percent increase from 2005, when it was \$606 after adjusting for inflation (Table 12).

The rent of a rent-controlled unit can be increased up to 7.5 percent in each year, as long as the rent does not exceed the Maximum Base Rent (MBR). According to the Office of Rent Administration of the New York State Division of Housing and Community Renewal (DHCR), for the 2004/2005 and 2006/2007 MBR cycles, the MBR Standard Adjustment Factor increased by 17.2 percent and 8.2 percent, respectively, which are much higher than those in previous MBR cycles.⁵

In addition, owners of rent-controlled units can increase rent with DHCR's approval of a Major Capital Improvement whenever they do major rehabilitation or renovation work in their buildings that contain rent-controlled units. Fuel Cost Adjustments can also be granted on an annual basis.

Thus, the state DHCR's approval between 2004 and 2008 of increased MBR Standard Adjustment Factors, Major Capital Improvements and Fuel Cost Adjustments, among other things, could be major sources of the 19-percent real increase in rent for rent-controlled units between 2005 and 2008.

4. The median monthly contract rent of rent-stabilized units was \$925 in 2008, little changed from 2005, when it was \$929 after inflation adjustment (Table 12).
5. The median monthly contract rent of private non-regulated units was \$1,200 in 2008, a 9.1-percent increase, after adjusting for inflation, from 2005, when it was \$1,100. (Private non-regulated units consist of units that were never rent controlled or rent stabilized, units that were

decontrolled, including those in buildings with five or fewer units, and unregulated units in cooperative or condominium buildings) (Table 12).

6. In April 2008 dollars, the number of units with monthly contract rents of less than \$500 decreased by 5.4 percent. The number of units with monthly contract rents between \$500 and \$799 and between \$800 and \$999 also decreased, by 8.7 percent and by 5.9 percent respectively between 2005 and 2008 (Table 13).
7. On the other hand, the number of units with monthly contract rents between \$1,000 and \$1,499 and monthly contract rents of \$1,500 or more increased by 11.9 percent and 24.5 percent respectively in April 2008 dollars (Table 13).
8. In April 2008 dollars, the number of units with monthly contract rents of less than \$1,000 decreased by 6.9 percent, or by about 80,000 units, while the number of units with monthly contract rents of \$1,000 or more increased by 16.6 percent, or by about 137,000 units, between 2005 and 2008 (Table 13).
9. The pattern of changes in the gross rent distribution between 2005 and 2008 appears to be similar (Table 14).

E. Rent/Income Ratios

1. The median gross rent/income ratio (a composite measure of the proportion of household income tenants spend for gross rent) was 31.5 percent in 2008, little changed from 2005, when it was 31.2 percent (Table 15). (Rent data are for the survey year of 2008, while income data are for 2007. Gross rent is the contract rent plus any charges for fuel or utilities paid separately from rent by the tenants.)
2. The median contract rent/income ratio was 28.8 percent in 2008, as it was three years earlier in 2005 (Table 15). (Contract rent excludes separate tenant payments for fuel and utilities.)
3. Of all renter households in the City, 29.4 percent paid more than 50 percent of their income for gross rent. The proportion was 28.8 percent in 2005. On the other hand, 25.8 percent of renter households paid more than 50 percent of their income for contract rent in 2008, as in 2005 (Table 15).
4. The 2008 gross rent/income ratio of households in rent-controlled units was 35.5 percent, the highest of all major rent-regulation statuses, as it was in 2005. The median gross rent/income ratio of households in rent-

controlled units increased by 2 percentage points between 2005 and 2008 (Table 16).

5. The median gross rent/income ratio of households in rent-stabilized units was 31.6 percent in 2008, little changed from 2005, when it was 31.9 percent. For households in pre-1947 rent-stabilized units, the ratio was 31.7 percent, little changed from 2005, when it was 32.2 percent. On the other hand, for households in post-1947 rent-stabilized units, the 2008 ratio was 31.5 percent, a little increase of 1-percentage-point over 2005 (Table 16).
6. The median gross rent/income ratio of households in private non-regulated units was 31.9 percent in 2008, as it was in 2005 (Table 16).

F. Housing and Neighborhood Conditions

1. Building condition was the best ever recorded.

Almost all housing units in the City were in structurally good buildings. Of all occupied units (renter and owner units together), a mere 0.5 percent were in dilapidated buildings in 2008, as was the case in 2005. The dilapidation rate remained at an all-time low for the forty-three-year period since 1965 (Table 17).

The dilapidation rate for renter-occupied units was 0.6 percent in 2008, still the best ever recorded. It was 0.7 percent in 2005 (Table 17). Building conditions in the City have improved tremendously since 1965. The rental dilapidation rate was 4.3 percent in 1965, 3.4 percent in 1984, and 1.3 percent in 1996.

2. Housing maintenance condition remained very good.

The proportion of renter-occupied units with five or more of the seven maintenance deficiencies was only 4.4 percent in 2008, still one of the lowest recorded since such conditions were first measured in 1991 (Table 17). The rate was 7.7 percent in 1991 and 4.9 percent in 2005. The proportion of renter occupied units with no heating breakdowns further improved from 2005 when it was 82.3 percent to 85.2 percent in 2008 (Table 17).

3. Neighborhood conditions in the City were the best in the 30-year-period since 1978, when the HVS started measuring neighborhood conditions.
 - a. The proportion of renter households near buildings with broken or boarded-up windows on the same street was a mere 5.1 percent in 2008, a 1.2-percentage-point improvement from 2005, and the best

since the HVS started to measure neighborhood conditions (Table 17). Neighborhood quality has improved tremendously since 1978, when the proportion of renter households near boarded-up buildings was 25.4 percent. It was 17.3 percent in 1987, 11.4 percent in 1996, and 6.3 percent in 2005.

- b. The proportion of renter households that rated the quality of their neighborhood's residential structures as "good" or "excellent" was 71.8 percent in 2008, while it was 71.3 percent in 2005, and still the best in the thirty-year period since the HVS began to measure household opinion of neighborhood quality in 1978 (Table 17). Renter households' ratings of the quality of their neighborhood have improved remarkably since 1978, when the rating of "good" or "excellent" was only 56.2 percent, and 1987, when it was 63.1 percent.

TECHNICAL NOTES

1. Since the HVS is a sample survey, the reader of this report should be provided with the standard errors of data included in the report, as measures of statistical reliability. This has, for the most part, not been done in this or previous reports, since such a practice would more than double the already large number of statistics presented and would, thus, make the report more difficult for readers to use and understand. Consequently, the standard error has only been provided for the 2008 net rental vacancy rate, as in previous reports, because of its statutory importance.

In regard to other data, as has been done in the last several reports, the practice of limiting the use of numbers and percentages that are very small has again been adopted in this report. Numbers, such as the number of housing units or households, that are less than 4,000 are not reported in the tables; and numbers between 4,000 and 4,999 are qualified by warning the reader to interpret them with caution. Dollar figures, such as rents and incomes, based on a small number of cases are treated following the same guidelines. Similarly, percentages in which the numerator is less than 3,000 are not reported; and percentages in which the numerator is between 3,000 and 3,999 are qualified by warning the reader to interpret them with caution.

2. The change in the City's housing stock between 1999 and 2002 is **not** comparable with the change between 2005 and 2008, since the samples for the 2002 and 1999 HVSs were drawn from two different sample frames. The Census Bureau drew the 2002 HVS sample from the 2000 decennial census, with updating for newly constructed units that received Certificates of Occupancy, while the Census Bureau selected the 1999 HVS sample from the 1990 census and updated it. The weighting for the 2002 HVS sample used estimates based on the Census 2000. On the other hand, the weighting for the 1999 HVS used estimates based on the 1990 census. Therefore, it is difficult to compare data from the 2002 HVS with data from the 1999 and previous HVSs.
3. According to the Rent Guidelines Board's report on "Changes to the Rent-Stabilized Housing Stock in New York City in 2007" (June 3, 2008), 23,735 units were added to the rent-stabilized stock (page 10), while 42,223 units were subtracted from the stock (page 12) in the three years from 2005 through 2007. As a result, there was a net decrease of 18,488 in the number of rent-stabilized units in the three years.
4. According to the Rent Guidelines Board, the cost for heating rent stabilized buildings increased at an annual average rate of 20 percent from May 2005 through April 2008 (New York City Rent Guidelines Board, *Housing NYC: Rents, Markets and Trends 2008*, p. 102 and 103).

5. Upon application by the owner, the Maximum Base Rent for a rent controlled unit is increased in two-year cycles by the Standard Adjustment Factor (SAF), calculated from multiple cost components. According to the Office of Rent Administration of the New York State Division of Housing and Community Renewal (DHCR), for the 2002/2003, 2004/2005, and 2006/2007 cycles, the Standard Adjustment Factor increased by 10.5 percent, 17.2 percent, and 8.2 percent, respectively, compared to 3.0 percent, 3.8 percent and 4.3 percent in the previous three MBR cycles. These large recent increases in the MBR would allow up to a 7.5-percent rent increase in the collectible rent for each year, as long as the rent does not exceed the MBR. During the three cycles, DHCR granted 25,012 MBR applications: 8,907 (2002/2003), 8,468 (2004/2005), and 7,637 (2006/2007).

Table 1
Housing Inventory
New York City 2005 and 2008

<u>Housing Inventory</u>	<u>2005</u>	<u>2008</u>	<u>Change 2005-2008</u>	
			<u>Number</u>	<u>Percent</u>
Total housing units	3,260,856	3,328,648	+67,792	+2.1%
Total rental units	2,092,363	2,144,652	+52,289	+2.5
Occupied	2,027,626	2,082,890	+55,264	+2.7
Vacant, available for rent	64,737	61,762	(a)	(a)
Total owner units	1,031,780	1,045,953	+14,173	+1.4
Occupied	1,010,370	1,019,365	+8,995	+0.9
Vacant, available for sale	21,410	26,588	+5,178	+24.2
Vacant units, not available for sale or rent	136,712	138,043	(a)	(a)

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Note:

(a) Too few units to report.

Table 2
Total Housing Units by Borough
New York City 2005 and 2008

<u>Boroughs</u>	<u>2005</u>	<u>2008</u>	<u>Change 2005-2008</u>	
			<u>Number</u>	<u>Percent</u>
All	3,260,856	3,328,648	+67,792	+2.1%
Bronx(b)	499,029	509,632	+10,603	+2.1
Brooklyn	944,731	962,741	+18,010	+1.9
Manhattan(b)	815,265	839,134	+23,869	+2.9
Queens	828,001	838,670	+10,669	+1.3
Staten Island	173,830	178,471	+4,641 ^(a)	+2.7

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Note:

- (a) Since the number of units difference is small, interpret with caution.
- (b) Marble Hill in the Bronx.

Table 3
Rental Housing Inventory by Rent Regulation Status
New York City 2005 and 2008

<u>Rent Regulation Status</u>	<u>2005</u>	<u>2008</u>	<u>Change 2005 - 2008</u>	
			<u>Number</u>	<u>Percent</u>
Total rental units (occupied and vacant available)	2,092,363	2,144,652	+52,289	+2.5%
Rent controlled	43,317	40,480	(c)	(c)
Rent stabilized	1,043,677	1,026,839	-16,838	-1.6
Pre-1947 stabilized	747,332	725,337	-21,995	-2.9
Post-1947 stabilized	296,345	301,503	+5,158	+1.7
Private non-regulated^(a)	697,363	765,399	+68,036	+9.8
All other renter units^(b)	308,007	311,934	(c)	+1.3(d)

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) "Private non-regulated" consists of units which were never rent controlled or rent stabilized, units which were decontrolled, including those in buildings with five or fewer units, and unregulated rentals in cooperative or condominium buildings.
- (b) Includes Public Housing, Mitchell-Lama, *In Rem*, HUD regulated, Article 4, Loft Board.
- (c) Too few units to report.
- (d) Since the number of units is small, interpret with caution.

Table 4
Number of Owner-Occupied Units and Ownership Rate by Borough
New York City 2005 and 2008

<u>Borough</u>	<u>Number of Owner-Occupied Units</u>		<u>Ownership Rate</u>	
	<u>2005</u>	<u>2008</u>	<u>2005</u>	<u>2008</u>
All	1,010,370	1,019,365	33.3%	32.9%
Bronx^(a)	104,400	106,699	22.1	22.2
Brooklyn	255,955	255,629	29.2	28.3
Manhattan^(a)	174,179	182,824	23.6	24.0
Queens	365,040	362,211	46.4	45.8
Staten Island	110,795	112,002	67.7	68.0

Sources: U.S. Bureau of the Census, 2005 and 2008 and New York City Housing and Vacancy Surveys.
 Note:

(a) Marble Hill in the Bronx

Table 5
Vacant Units Available for Rent by Borough
New York City 2005 and 2008

<u>Borough</u>	<u>Vacant Units Available for Rent</u>		<u>Net Vacancy Rate^(a)</u>	
	<u>2005</u>	<u>2008</u>	<u>2005</u>	<u>2008</u>
Total	64,737	61,762	3.09%	2.88%
Bronx ^(b)	9,952	11,836	2.63	3.07
Brooklyn	17,759	15,530	2.78	2.34
Manhattan ^(b)	22,198	16,110	3.79	2.70
Queens	12,239	14,707	2.82	3.32
Staten Island	(c)	(c)	(c)	6.37 (d)

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) The vacancy rate is calculated by dividing vacant available for rent units that are not dilapidated by the sum of vacant available for rent units that are not dilapidated and renter-occupied units. The standard error of the vacancy rate for all renter units in the city in 2008 was 0.16 percent.
- (b) Marble Hill included in The Bronx.
- (c) The New York City Housing and Vacancy Survey is a sample survey. The number of vacant units available for rent in this category is too small to report.
- (d) The number of vacant units available for rent in this category is small, interpret with caution.

Table 6
Rent Stabilized and Non-Regulated Vacant Units and Vacancy Rates
New York City 2005 and 2008

<u>Rent Regulation Status</u>	<u>Vacant Units</u>	
	<u>2005</u>	<u>2008</u>
All Vacant for Rent Units	64,737	61,762
Rent Stabilized Units	28,022	22,002
Pre-1947 Stabilized	21,261	17,067
Post-1947 Stabilized	6,761	4,935 ^(d)
Private Non-Regulated Units	28,652	35,962
All Other Renter Units ^(b)	8,063	(c)
	<u>Net Vacancy Rate^(a)</u>	
	<u>2005</u>	<u>2008</u>
All Rental Units	3.09%	2.88%
Rent Stabilized Units	2.68	2.14
Pre-1947 Stabilized	2.84	2.35
Post-1947 Stabilized	2.28	1.64
Private Non-Regulated Units	4.11	4.70
All Other Renter Units ^(b)	2.62	(c)

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.
Notes:

- (a) The vacancy rate is calculated by dividing vacant available for rent units that are not dilapidated by the sum of vacant available for rent units that are not dilapidated and renter-occupied units.
- (b) Includes Public Housing, Mitchell-Lama, *In Rem*, HUD regulated, Article 4, Loft Board.
- (c) Too few units to report.
- (d) The number of vacant units available for rent in this category is small; interpret with caution.

Table 7
Number of Vacant Units Available for Rent and Net Vacancy Rate
by Monthly Rent Level in 2008 Dollars
New York City 2005 and 2008

<u>Monthly Rent^(b) Level</u>	<u>Vacant Units Available for Rent</u>		<u>Net Vacancy Rate^(a) (Percent)</u>	
<u>Monthly Rent Level</u>	<u>2005</u>	<u>2008</u>	<u>2005</u>	<u>2008</u>
Total	64,737	61,762	3.09%	2.88
Less than \$500	(c)	(c)	1.16 ^(d)	(c)
\$500 to \$799	10,481	6,241	2.23	1.47
\$800 to \$999	14,294	8,589	3.23	2.09
\$1,000 to \$1,249	12,583	16,105	3.67	3.92
\$1,250 to \$1,749	9,716	14,960	3.27	4.47
\$1,750+ to \$2,499	6,613	5,696	4.92	4.03
\$2,500 or more	7,782	8,690	8.83	7.18

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) The vacancy rate is calculated by dividing vacant available for rent units that are not dilapidated by the sum of vacant available for rent units that are not dilapidated and renter-occupied units.
- (b) Asking rents for vacant units and contract rents for occupied units. Asking rent is the amount of rent asked for vacant units by owners. Contract rent is the amount tenants agree to pay owners for the units they occupy, as contracted between the tenant and the owner in the lease; it includes fuel and utilities if they are provided by the owner without additional, separate charges to the tenant. The ratio of the April 2008 over the April 2005 Consumer Price Index values (CPI-U) for New York-Northeast New Jersey-Long Island (233.8/212.5) was used to convert nominal 2005 rents into rents measured in 2008 dollars.
- (c) Too few units to report.
- (d) The number of vacant units available for rent in this category is small; interpret with caution.

Table 8
Number of Vacant Units Unavailable for Rent or Sale
by Reason for Unavailability
New York City 2005 and 2008

<u>Reason Unavailable</u>	<u>2005</u>		<u>2008</u>		<u>Percent Change 2005-2008</u>
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	
Total	136,712	100%	138,043	100%	(a)
Dilapidated	(a)	(a)	5,773	4.2	(a)
Rented, Not Yet Occupied	8,853	6.5	8,274	6.0	(a)
Sold, Not Yet Occupied	7,348	5.4	6,756	4.9	(a)
Undergoing Renovation	31,432	23.1	29,039	21.2	(a)
Awaiting Renovation	16,376	12.0	19,032	13.9	(a)
Held for Occasional, Seasonal or Recreational Use	37,357	27.5	36,788	26.8	(a)
Used/Converted to Non-Residential Use	(a)	(a)	(a)	(a)	(a)
In Legal Dispute	10,155	7.5	14,539	10.6	+43.2
Awaiting Conversion/ Being Converted to Coop/Condo	(a)	(a)	(a)	(a)	(a)
Held Pending Sale of Building	(a)	(a)	(a)	(a)	(a)
Owner's Personal Problems (age, illness, etc.)	9,595	7.1	9,422	6.9	(a)
Held for Planned Demolition	(a)	(a)	(a)	(a)	(a)
Held for Other Reasons	7,017	5.2	(a)	(a)	-62.6
Reason not reported	(a)	(a)	(a)	(a)	(a)

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes: (a) Too few units to report.

Table 9
Median Household Incomes
New York City 2004 and 2007

	<u>2004</u>	<u>2007</u>	<u>Percent Change</u> <u>2004-2007</u>
<u>In current dollars</u>			
All households	\$40,000	\$45,000	+12.5%
All renters	\$32,000	\$36,000	+12.5
All owners	\$65,000	\$70,000	+7.7
CPI [®]	204.8	226.9	+10.8
<u>In 2007 dollars^(b)</u>			
All households	\$44,300	\$45,000	+1.6
All renters	\$35,500	\$36,000	+1.4
All owners	\$72,000	\$70,000	-2.8

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) The Consumer Price Index for All Urban Consumers for New York-Northeast New Jersey-Long Island, yearly average, Bureau of Labor Statistics, U.S. Department of Labor.
- (b) Inflation-adjusted figures are rounded to nearest hundred. Percent change calculation based on rounded numbers. Income data are for the year before the survey.

Table 10
Median Renter Household Incomes by Rent Regulation Status
New York City 2004 and 2007
(Constant 2007 dollars^a)

<u>Rent Regulation Status</u>	<u>2004</u>	<u>2007</u>	<u>Percent Change</u> <u>2004-2007^(c)</u>
All Renters	\$35,500	\$36,000	+1.4%
Rent Controlled	\$24,600	\$24,000	-2.4
Rent Stabilized	\$35,500	\$36,000	+1.4
Pre-1947 Stabilized	\$35,500	\$35,000	-1.4
Post-1947-Stabilized	\$38,600	\$38,000	-1.6
Private non-regulated ^(b)	\$46,500	\$50,000	+7.5

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) According to the Consumer Price Index for All Urban Consumers for New York-Northeast New Jersey-Long Island, yearly average, Bureau of Labor Statistics, U.S. Department of Labor. Income data are for the year before the survey.
- (b) "Private non-regulated" consists of units which were never rent controlled or rent stabilized, units which were decontrolled, including those in buildings with five or fewer units, and unregulated rentals in cooperative or condominium buildings.
- (c) Income figures rounded to nearest hundred; percent change based on rounded numbers.

Table 11
Median Rents, All Renter-Occupied Units
New York City 2005 and 2008

<u>In current dollars</u>	<u>2005</u>	<u>2008</u>	<u>Percent Change</u> <u>2005-2008</u>
Median gross rent ^(a)	\$920	\$1,054	+14.6%
Median contract rent ^(b)	\$850	\$950	+11.8%
CPI ^(c)	212.5	233.8	+10.0%
 <u>In April 2008 dollars</u>			
Median gross rent	\$1,012	\$1,054	+4.2%
Median contract rent	\$935	\$950	+1.6%

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) Gross rent is the contract rent plus any additional charges for fuel and utilities paid separately by the tenant.
- (b) Contract rent is the amount tenants agree to pay owners for the units they occupy, as contracted between the tenant and the owner in the lease; it includes fuel and utilities if they are provided by the owner without additional, separate charges to the tenant.
- (c) Consumer Price Index for all Urban Consumers for New York-Northeast New Jersey-Long Island, April of each year, Bureau of Labor Statistics, U.S. Department of Labor.

Table 12
Median Contract Rent by Rent Regulation Status
New York City 2005 and 2008
(Constant April 2008 dollars^a)

	<u>2005</u>	<u>2008</u>	<u>Percentage Change</u> <u>2005 - 2008</u>
All Renters	\$935	\$950	+1.6%
Rent Controlled	\$606	\$721	+19.0
Rent Stabilized	\$929	\$925	-0.4
Pre-1947 Stabilized	\$891	\$900	+1.0
Post-1947-Stabilized	\$989	\$980	-0.9
Private non-regulated^(b)	\$1,100	\$1,200	+9.1

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) According to the Consumer Price Index for All Urban Consumers for New York-Northeast New Jersey-Long Island, April of each year, Bureau of Labor Statistics, U.S. Department of Labor.
- (b) "Private non-regulated" consists of units that were never rent-controlled or rent-stabilized, units that were decontrolled (including those in buildings with five or fewer units), and unregulated rentals in cooperative or condominium buildings.

Table 13
Monthly Contract Rent in Renter Occupied Housing
New York City 2005 and 2008
(Constant April 2008 Dollars^a)

Monthly Contract rent April 2008 Dollars	2005		2008		Percent Change 2005-2008
	Number	Percent	Number	Percent	
Total	2,027,626	100.0%	2,082,890	100.0%	+2.7%
Less than \$500	277,869	14.0	262,735	12.8	-5.4
Less than \$400	201,363	10.1	191,056	9.3	-5.1
\$400-\$499	76,506	3.8	71,679	3.5	-6.3
\$500-\$799	458,925	23.1	419,139	20.5	-8.7
\$500-\$599	110,800	5.6	109,043	5.3	(b)
\$600-\$699	158,915	8.0	146,527	7.2	-7.8
\$700-\$799	189,210	9.5	163,568	8.0	-13.6
\$800-\$999	428,024	21.5	402,660	19.7	-5.9
\$800-\$899	208,610	10.5	187,324	9.2	-10.2
\$900-\$999	219,415	11.0	215,336	10.5	-1.9
\$1,000 - \$1,499	518,019	26.0	579,918	28.3	+11.9
\$1,000-\$1,249	330,191	16.6	395,076	19.3	+19.7
\$1,250-\$1,499	187,828	9.4	184,842	9.0	(b)
\$1,500+	307,474	15.4	382,796	18.7	+24.5
\$1,500-\$1,749	99,376	5.0	134,877	6.6	+35.7
\$1,750 - \$1,999	68,041	3.4	60,781	3.0	-10.7
\$2,000+	140,057	7.0	187,138	9.1	+33.6
Not Reported/No rent	37,315		35,644		

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) Constant 2008 dollars are derived by multiplying 2005 rents by the ratio of the April 2008 CPI over the April 2005 CPI (233.8/212.5). Consumer Price Index for All Urban Consumers (CPI-U) for New York-Northeast New Jersey-Long Island, Bureau of Labor Statistics, U.S. Department of Labor.
- (b) Too few units change to report.

Table 14
Monthly Gross Rent in Renter Occupied Housing
New York City 2005 and 2008
(Constant April 2008 Dollars^a)

Monthly Gross rent April 2008 Dollars	2005		2008		Percent Change 2005-2008
	Number	Percent	Number	Percent	
Total	2,027,626	100.0%	2,082,890	100.0%	+2.7%
Less than \$500	235,971	11.9	223,947	10.9%	-5.1%
Less than \$400	176,648	8.9	159,415	7.8%	-9.8%
\$400-\$499	59,323	3.0	64,532	3.2%	+8.8%
\$500-\$799	352,709	17.7	327,248	16.0%	-7.2%
\$500-\$599	85,726	4.3	84,741	4.1%	(b)
\$600-\$699	118,320	5.9	109,857	5.4%	-7.2%
\$700-\$799	148,664	7.5	132,650	6.5%	-10.8%
\$800-\$999	380,865	19.1	354,491	17.3%	-6.9%
\$800-\$899	180,322	9.1	167,220	8.2%	-7.3%
\$900-\$999	200,543	10.1	187,271	9.1%	-6.6%
\$1,000 - \$1,499	650,658	32.7	695,688	34.0%	+6.9%
\$1,000-\$1,249	421,476	21.2	426,448	20.8%	+1.2%
\$1,250-\$1,499	229,182	11.5	269,240	13.2%	+17.5%
\$1,500+	370,107	18.6	445,872	21.8%	+20.5%
\$1,500-\$1,749	130,665	6.6	155,291	7.6%	+18.8%
\$1,750 - \$1,999	74,344	3.7	82,981	4.1%	+11.6%
\$2,000+	165,098	8.3	207,601	10.1%	+25.7%
Not Reported/No rent	37,315		35,644		

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) Constant 2008 dollars are derived by multiplying 2005 rents by the ratio of the April 2008 CPI over the April 2005 CPI (233.8/212.5). Consumer Price Index for All Urban Consumers (CPI-U) for New York-Northeast New Jersey-Long Island, Bureau of Labor Statistics, U.S. Department of Labor.
- (b) Too few units change to report.

Table 15
Median Gross Rent/Income Ratios and Median Contract Rent/Income Ratios
New York City 2005 and 2008

	<u>2005</u>	<u>2008</u>
Median Contract Rent/Income Ratio (proportion of income that household pay for contract rent) ^(a)	28.8%	28.8%
Proportion of households paying more than 50 percent of their household income for contract rent	25.8%	25.8%
Median Gross Rent/Income Ratio (proportion of income that households pay for gross rent) ^(b)	31.2%	31.5%
Proportion of households paying more than 50 percent of their household income for gross rent	28.8%	29.4%

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) Contract rent is the amount tenants agree to pay owners for the units they occupy, as contracted between the tenant and the owner in the lease; it includes fuel and utilities if they are provided by the owner without additional, separate charges to the tenant.
- (b) Gross rent is the contract rent plus any additional charges for fuel and utilities paid separately by the tenant.

Table 16
Median Gross Rent/Income Ratios by Rent Regulation Status
New York City 2005 and 2008

<u>Rent Regulation Status</u>	<u>2005</u>	<u>2008</u>
All	31.2%	31.5%
Rent Controlled	33.5%	35.5%
Rent Stabilized	31.9%	31.6%
Pre-1947 Stabilized	32.2%	31.7%
Post-1947-Stabilized	30.5%	31.5%
Private non-regulated^(a)	31.9%	31.9%

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Notes:

- (a) "Private non-regulated" consists of units that were never rent controlled or rent stabilized, units that were decontrolled (including those in buildings with five or fewer units), and unregulated rentals in cooperative or condominium buildings.

Table 17
Housing and Neighborhood Conditions
New York City 2005 and 2008

<u>Residential Building Conditions</u>	<u>2005</u>	<u>2008</u>
All Occupied Units (renter and owner units) in dilapidated buildings	15,418 0.5%	14,952 0.5%
Renter-occupied units in dilapidated buildings	13,806 0.7%	11,835 0.6%
Renter-occupied units in buildings with no building defects	1,671,542 90.9%	1,681,005 89.9%
 <u>Housing Unit Maintenance Conditions</u>		
Renter-occupied units with 5 or more of 7 maintenance deficiencies ^(a)	75,529 4.9%	59,933 4.4%
Renter-occupied units with no maintenance deficiencies ^(a)	674,522 43.9%	624,442 45.7%
Renter-occupied units with heating breakdowns (4 or more times)	111,726 6.8%	82,381 5.7%
Renter-occupied units with no heating breakdowns	1,353,878 82.3%	1,228,324 85.2%
 <u>Neighborhood Conditions</u>		
Renter household opinion of good/excellent neighborhood quality	1,191,700 71.3%	1,043,587 71.8%
Renter household opinion of poor neighborhood quality	76,703 4.6%	77,895 5.4%
Renter households with any buildings with broken or boarded-up windows on same street	125,760 6.3%	102,408 5.1%

Sources: U.S. Bureau of the Census, 2005 and 2008 New York City Housing and Vacancy Surveys.

Note: (a) Maintenance deficiencies include: 1) additional heating required in winter; 2) heating breakdown; 3) cracks or holes in interior walls, ceilings, or floors; 4) presence of rodents; 5) presence of broken plaster or peeling paint; 6) toilet breakdown; 7) water leakage into unit.



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

FOR THE RECORD

SCOTT M. STRINGER
BOROUGH PRESIDENT

**Manhattan Borough President Scott M. Stringer
Testimony Before the New York City Council
Joint Committee on Housing and Buildings
March 16, 2009**

Thank you Chairman Baez and Chairman Dilan for convening this important hearing. I'm pleased to see the high value that the City Council is placing on the renewal of rent-regulations, the repeal of the Urstadt law and the termination of vacancy control. Over the years, New York City's affordable housing stock has been allowed to slowly wither away. Since 1994 an estimated 173,353 units have been pushed out of affordability and converted to market rates. As this has occurred, increases in working class wages have remained flat and unemployment rates have reached staggering new highs. The financial pressure being felt by the populations in need of affordable housing in this city continue to increase, and in all likelihood these pressures will get worse before they improve. In that context, I'd like to briefly explain my support for the measures in front of the Council today.

Not since decades ago when rent regulation was first instituted has it been so clear that New York City faces an acute housing emergency. The combination of New York City's prohibitively low vacancy rate – which stands at 3.4% for all rental units citywide according to the most recent data from the U.S. Census Bureau – together with the declining long-term economic outlook, has spawned an even direr situation than in previous years. It is obvious to me that rent regulations must not be allowed to sunset on April 1, 2009.

The consequences of failing to renew these crucial elements of the housing code would be too grave to imagine for the thousands of tenants whose livelihoods depend on access to rent regulated housing. When a community's ability to house it's economic, social and cultural base is diminished, so too are its vitality and prospects for long-term neighborhood stability. I urge all members of the City Council to vote for the two emergency provisions that will extend both the rent-control and rent-stabilized programs through 2012.

Furthermore, I'd like to use this opportunity to strongly endorse the home rule messages calling for the repeal of the Urstadt law and an end to vacancy decontrol.

The Urstadt law, which fetters the city's ability to manage its own rent and eviction rules is antiquated and has long been unnecessary. We've learned the hard way that general state regulations are inefficient in intervening in New York City's unique housing market, thus, it makes sense that the State of New York relinquish power over city housing code to the Mayor and the City Council. It is senseless for the city to lack independent authority over its housing code and have to seek the blessing of far away legislators that have no stake in, and in some cases no familiarity with, the complexities and nuances of our affordable housing laws.

Even more important than repealing the Urstadt law is the termination of vacancy decontrol. Vacancy decontrol makes up the largest category of subtractions from the City's stock of rent-stabilized units. As rents for rent-stabilized units incrementally rise each year, the \$2,000 threshold seems lower and lower, making destabilization on vacancy an imminent reality for large numbers of apartments. Additionally, ending vacancy decontrol would be a lynchpin that would render untenable the predatory business models used to de-regulate affordable housing units that we've seen proliferate over the last several years in large multi-family complexes.

I want to once more thank the City Council for taking up these important issues and pledge my assistance and support.

New York City AIDS Housing Network



(718) 802-9540 ☎ 718-228-2477 (fax) ☎ info@nycahn.org ☎ www.nycahn.org ☎ 80A Fourth Ave | Brooklyn, NY 11217

OPPOSE BUDGET CUTS FOR HIV/AIDS SUPPORTIVE HOUSING PROGRAMS

Background: Mayor Bloomberg's budget proposal would make two major cuts to HIV/AIDS housing programs for low-income people living with HIV/AIDS (PLWHAs). The first would eliminate case management in supportive housing programs, which could force some programs to close. The second would eliminate a program that helps homeless PLWHAs transition to permanent housing. These highly cost-effective programs save NYC money by reducing homelessness and improving the health of low-income PLWHAs.

Who would be affected & how the stimulus money could close the budget gap:

- Congregate and Scatter Site 1 (SS1) housing programs contracted by HASA and their tenants. There are nearly 5,000 current and planned HASA-contracted supportive housing units for low-income PLWHAs. **We recommend using FMAP funding to restore the PEG for HASA-contracted supportive housing case management given the program's central focus on promoting access to healthcare.**
- Homeless PLWHAs receiving supportive services and housing placement assistance through the Scatter Site 2 (SS2) program, also contracted to community-based organizations through HASA. **We recommend using federal Homelessness Prevention Funding (being programmed through ESG) to restore the PEG for Scatter Site 2 in order to ensure continued resources for transitioning homeless PLWHAs into permanent housing.**

Why we need City Council to protect supportive housing funded by HASA:

- **Housing = Healthcare and Prevention:** Research proves that housing is the foundation for access to healthcare, long-term survival and more effective HIV prevention efforts. Supportive housing saves money in the long-term by reducing emergency shelter and health care costs, and reducing HIV transmission.
- **Homelessness is already rising among people with AIDS:** The number of HASA clients living in commercial SROs or 'welfare hotels' increased nearly 25% between November 07 and November 08.
- **HASA clients in supportive housing have complex medical needs:** About 80% of people with AIDS surveyed for the NYC HIV/AIDS Housing Needs Assessment reported a history of co-occurring mental health and substance use issues. Supportive housing helps people remain linked to care and taking away from it will raise public costs, including ER visits and detoxification.
- **HIV/AIDS disproportionately affect low-income communities of color:** 80% of new AIDS diagnoses are among African Americans and Latinos, and the poorest neighborhoods have the highest rates of AIDS deaths.

FOR MORE INFORMATION: Contact Jeremy Saunders, NYCAHN Community Organizer, at (917) 676-8041 and jeremy@nycahn.org.

William Johnson

FOR THE RECORD



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*Rent Regulated Housing
Public Hearing
City Hall
New York, New York
March 16, 2009*

Urban Justice Center - Community Development Project

Testimony before the Housing and Buildings Committee

Good morning. My name is Harvey Epstein; I am the Project Director of the Community Development Project at the Urban Justice Center. The Urban Justice Center is a project-based umbrella legal services and advocacy organization serving New York City residents. In the past 25 years, the Urban Justice Center has provided direct legal assistance, systemic advocacy and community education to low and moderate income rent regulated tenants in New York City. The Community Development Project (CDP) of the Urban Justice Center formed in September 2001 to provide legal, technical, research and policy assistance to grassroots community groups engaged in a wide range of community development efforts throughout New York City. Our work is informed by the belief that real and lasting change in low-income, urban neighborhoods is often rooted in the empowerment of grassroots, community institutions.

The bills and resolutions currently pending before the New York City Council are important steps to strengthening the rent laws for New York and protecting the most vulnerable residents of our City. Rent Regulated tenants are on the average, low income working poor New Yorkers who need government to protect their interests. These bills before you today advance that goal. Each bill and resolution has a particular value and all should be supported and passed by the Assembly.

923 –Gonzalez. (continuation of the rent laws based); It is clear that the system of rent regulation protects the most vulnerable New York City residents. Rent regulated tenants are low income, on average earning below \$30,000 a year. For the most part, they are the backbone of New York, our working poor families. Without these protections, these families will have no place to live and be priced out of New York. In addition, tenants will be intimidated from organizing, asserting their rights, as we see with market rate tenants throughout the city. This law must be renewed and expanded to protect more tenants. I applaud the council for taking this step. Please pass this bill.

Reso 1815 – It is obvious that with such low vacancy rates that rent regulation must continue. Tenants rely on the system of rent protections and this resolution asserts that the emergency rent control laws continue to exist. This is evident on any analysis of the real estate market in New York City.

SLR 1 – We must send a message to Albany that the Council believes the changes that occurred in the rent laws in 1997 were misguided and that these apartments must be re-regulated for the protection of all New York City rent regulated tenants. This is a key step in righting the wrongs of 1997

SLR 2- Vacancy decontrol must end. It is the cause of harassment, intimidation, and destabilization of communities. The Council must tell Albany again, we need these apartments regulated to protect the working poor families of New York. That is what the rent laws do, and we should not be fooled by the RSA or small property owner's argument that it protects the rich. Almost exclusively, the rent laws protect those who it intends to protect, working class New York residents. Please pass this package of bills and resolutions.

So why these bills are important?

First, passing these bills and resolutions into law will effectively protect the stock of rent regulated housing. It is evident that prior to the change in rent laws in 1997, landlords raised rents but did not have the economic interest to increase rents to remove them from rent regulation. Now they do. We can change that and protect the long term interests of rent regulated tenants and preserve this housing stock.

The primary loss of rent regulated housing through vacancy decontrol provisions. The \$2,000 threshold that triggers vacancy decontrol has not been adjusted since the provision was initially established. The most effective method to reduce the loss of rent regulated units is to repeal vacancy decontrol. This will still allow landlords to obtain rent increases, but protect new tenants with eviction protections and guideline increases set forth under rent regulation.

I do not believe that a program designed to re-regulate deregulated units will have any negative affect the current housing market. Property owners set forth value based on existing rent rolls. A bill that allows a re-regulation of rents does not affect the overall value of a property; it just allows tenants to be in a position to protect their tenancies. This program should have minimal effect on regulatory agencies since they have traditionally regulated those units.

The majority of rent regulated housing is located in New York City; however a provision of rent regulation laws prohibits the City from passing local laws that would strengthen rent regulation provisions beyond state law. Please tell Albany you want the power to strengthen the rent laws by passing these resolutions today.

Thank you for introducing these bills today and giving me the opportunity to testify on this important issue.



RICHARD N. GOTTFRIED
75TH ASSEMBLY DISTRICT

CHAIR
COMMITTEE ON HEALTH

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Renew the Rent Laws in New York City

Testimony by Assembly Member Richard N. Gottfried
Before the New York City Council
Committee on Housing and Buildings
Monday, March 16, 2009

My name is Richard N. Gottfried. I represent the 75th Assembly District in Manhattan, which includes the neighborhoods of Chelsea, Clinton, Murray Hill, Midtown, and part of the Upper West Side. My district has one of the highest concentrations of rent-regulated apartments in New York City.

I regret that the legislative session in Albany makes it impossible for me to be here in person to speak to you on an issue of great importance to me: New York's rent laws.

I urge the City Council to pass Introduction 923 and Resolution 1815, which will renew the rent laws in New York City by declaring a housing emergency and, by doing so, will continue to protect over one million tenants. I also urge the Council to approve resolutions supporting state legislation to repeal the Urstadt Law and restore the City's ability to strengthen the rent laws (A. 1688, Lopez; S. 749, Krueger), and to repeal vacancy decontrol (A. 2005, Rosenthal; S. 2237-A, Stewart-Cousins).

Preserving our rent laws is not just a pocketbook issue. Rent regulations protect the homes and neighborhoods of millions of New Yorkers.

All New Yorkers -- including those who don't live in rent-regulated apartments -- benefit from the family and community stability the rent laws provide.

It's an issue that can be hard for non-New Yorkers to understand. In some other communities, a rented apartment is often little more than transient housing -- a place where a student, or someone new in town or a young couple waiting to get settled might live. Moving out at the end of a lease may be no big deal for them.

But in the New York metropolitan area, most tenants consider their apartment and their neighborhood to be their home. They've lived there for years, and want and expect to live there for years to come.

The rent laws guarantee them the right to renew their tenancy and thus keep their homes. And the right to renew a lease can only work if there is a reasonable limit on how much the landlord can raise the rent.

Without rent laws, a landlord can throw a family out of its home for almost any reason or for no reason. Having to move can mean your children lose their school and friends, you lose your neighborhood, you bear the physical and financial burdens of moving.

A landlord with that kind of power and leverage has an open invitation to rent gouge or to punish a tenant who complains.

The law ought to help people protect and stabilize their homes and families. That's what New York's rent laws do.

The rent laws don't interfere with a property owner's legitimate rights. Rent regulation gives them substantial rent increases every one or two years and entitles them to a fair return on their investment. Tenants can be evicted for violating the lease or violating the law.

The rent laws also do not discourage investment in new housing, because new housing is exempt from the regulations and has been for 35 years.

Some advocate ending the rent laws but say they would try to protect the elderly, disabled and poor people. But secure homes and neighborhoods means more than that. All tenants deserve protection, including working people and their families, too.

Thank you for giving me the opportunity to speak on this very important topic.

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**TESTIMONY OF LEGAL SERVICES NYC AND THE LEGAL
AID SOCIETY AT THE CITY COUNCIL JOINT HEARING OF
THE HOUSING AND BUILDINGS COMMITTEE AND THE
COMMITTEE ON STATE AND FEDERAL LEGISLATION ON
INTRO. NO. 923, RES. NO. 1815 AND STATE
LEGISLATION RESOLUTIONS CONCERNING REPEAL OF
THE URSATDT LAW AND VACANCY DECONTROL**

MARCH 16, 2009

The Legal Aid Society and Legal Services NYC welcome the opportunity to give testimony before the New York City Council Housing and Buildings Committee and the Committee on State and Federal Legislation. We urge the City Council to pass Intro. No. 923 and Res. No 1815. The renewal of rent stabilization is critical to the preservation of affordable housing in New York City. We also urge the Council to pass the State Legislative Resolutions supporting bills that would restore home rule to the city to regulate rents and repeal deregulation of rent-stabilized apartments renting for \$2000 or more upon vacancy.

Legal Services NYC

Along with our partner The Legal Aid Society, Legal Services NYC is one of the two powerhouse frontline law firms for low income people throughout New York City. With 18 community-based offices and numerous outreach sites located throughout each of the city's five boroughs, Legal Services NYC has a singular overriding mission: to provide expert legal assistance that improves the lives and communities of low income New Yorkers.

Legal Services NYC annually provides legal assistance to thousands of low income clients throughout New York City. Our services include a strategic combination of specialized law units, legal helplines, impact litigation, and pro bono private attorney efforts. These services are bolstered by Legal Services NYC's central office, which provides expert litigation and advocacy support and training; leadership in the development and management of innovative city-wide projects and Task Forces; and essential financial and administrative services. Historically, Legal Services NYC's key priority areas have included housing, government benefits and family law; in recent years, Legal Services NYC has vastly expanded services in areas of need critical to our client base, including unemployment, language access, disability, education, immigration, bankruptcy, consumer issues and foreclosure prevention. A hallmark of Legal Services NYC is its ability to create innovative projects and community based initiatives that provide essential services for clients, critical resources for lawyers, advocates and lawmakers throughout New York City and State, that serve as models for legal services programs across the country.

The Legal Aid Society

The Legal Aid Society is the oldest and largest program in the nation providing direct legal services to low income families and individuals. The mission of the Society's Civil Practice is to improve the lives of low income New Yorkers by helping vulnerable families and individuals to obtain and maintain the basic necessities of life — housing, health care, food and subsistence income or self-sufficiency. The Society's legal assistance focuses on enhancing individual, family and community stability by resolving a full range of legal problems in the areas of immigration, domestic violence and family law, employment, housing and public benefits, foreclosure prevention, elder law, tax, community economic development, health law and consumer law.

The Society achieves its mission in a number of ways. Through a network of 10 neighborhood and courthouse-based offices in all five boroughs and 23 city-wide and special projects, the Civil Practice provides free direct legal assistance in thousands of matters annually. Overall, combining individual representation with law reform litigation, advocacy and neighborhood initiatives, the Society successfully provides as many low-income New Yorkers as possible with access to justice. In addition to direct legal services, the Society provides extensive back-up support and technical assistance for community organizations in all five boroughs of the City providing services in low-income communities, "know your rights" trainings for community residents, and community education sessions on complex legal issues affecting low-income communities. When it is the most efficient and cost-effective way to help clients, the Society provides legal representation to groups of clients with common legal problems, including those referred by elected officials. Finally, the Society also operates an

extensive pro bono program through which over 1,000 volunteers participate to provide more than 50,000 hours of legal assistance to low income New Yorkers annually.

Support Intro. No. 923 and Res. No. 1815—Rent Stabilization plays an essential role in preserving affordable housing and must be renewed.

The renewal of the Rent Stabilization Law is essential for low-income New Yorkers. Contrary to certain myths, rent-stabilized tenants are primarily of low and moderate income. 42% of poor and near-poor households live in rent-regulated housing and 43% of tenants in regulated housing are poor or near-poor.¹

In addition to regulating rent increases, the Rent Stabilization Law provides crucial tenure protections that tenants in unregulated private housing lack. These protections include the right to lease renewal, succession rights for remaining family members, eviction restricted to causes specified in the law, all of which provide tenants with the security that allows them to work and thrive in these challenging times. Rent-stabilized tenants also have an enforcement system in the courts and the State Division of Housing and Community Renewal. Finally, in an increasingly segregated city, rent stabilization preserves some racial and economic integration in gentrifying neighborhoods.

Support State Legislative Resolution Urging Passage of S. 749 and A. 1688—Allow New York City control over its housing.

We also urge you to support the State Legislation Resolution urging repeal of the Urstadt Law, which prevents New York City from enacting rent regulation laws more strict than those passed by the State Legislature. The Urstadt Law unfairly takes away from the City Council (and thus the voters of the City) the power to decide what is best for New York City and its residents. S. 749 and A. 1688 would allow New York City to protect its own citizens and its housing stock. We urge the City Council to pass the resolution urging enactment of this legislation.

¹ Thomas J. Waters and Victor Bach, Community Service Society, *Making the Rent: Who's at Risk*, May 2008, pp.

**Support State Legislative Resolution Urging Passage of S. 2237-A and A. 2005--
Repeal vacancy decontrol of rent-regulated apartments in order to preserve
affordable housing.**

In 1993, the State amended the rent regulation laws to permit landlords to deregulate an apartment when the rent is \$2000 and the apartment is empty. Since that time, it has been the goal of landlords to increase the rent of apartments to over \$2000 and to empty apartments. Often, landlords accomplish this by committing massive fraud and by harassing their tenants until they leave. Once a landlord empties an apartment, he can take advantage of lax oversight and opportunities in the law to significantly raise rents. First, a landlord can claim he has made improvements to the apartment, which result in a permanent increase to the legal regulated rent of one-fortieth of the costs of the improvements. Given that, thanks to the Rent Regulation Reform Act of 1997, no approval by the New York State Division of Housing and Community Renewal (DHCR) is required to ensure that these improvements have actually been made and that the alleged costs are accurate, landlords often exaggerate the costs and illegally raise the rent. Furthermore, thanks to the Rent Regulation Reform Act of 1997, they can take an automatic twenty percent vacancy allowance. The combination of these increases often results in a rent of \$2000 or more a month. Since there is no government review of the process by which the apartment is deregulated, the landlord must only claim the rent is \$2000 or more, and the apartment is deregulated. It does not matter whether the market will bear a \$2000 rent: the next tenant loses all the crucial tenure protections provided by rent stabilization, such as a right to a lease renewal and the prohibition against eviction for causes other than those explicitly stated in the Rent Stabilization Law and Code. It has become easier and easier to reach the magic number of \$2000. It is essential that this incentive be removed from the system. Vacancy decontrol has led to tenant harassment, landlord fraud, displacement of tenants and destabilization of neighborhoods. Repealing vacancy decontrol is the first step towards protecting our shrinking affordable housing stock. We strongly urge that the City Council pass this resolution supporting the repeal of vacancy decontrol.

Background: Rent Regulation and the Housing Crisis **Declining Affordability and Availability of Housing**

In the face of fewer rental opportunities and higher prices, New York City renters are suffering from a growing disparity between what they can afford and their actual rent. Unfortunately, the trend towards declining rent affordability is only going to accelerate in the near future as the economy continues its deep decline into recession. The number of applications for public assistance and the number of food stamp recipients grew in early 2007.² The United States is in the midst of the worst financial crisis and the bleakest economic outlook since the Great Depression.³ According to the Mayor's Executive Budget for FY 2008, "sluggish GDP growth and the housing slowdown are expected to result in slower job growth in City. The Fiscal Policy Institute predicts that by the end of 2009, New York City's unemployment rate will hit 9%.⁴

In this climate of economic uncertainty, half of all households residing in rental housing pay more than 31.5 percent of their income in gross rent (the standard of affordability for housing is 30 percent of income for rent).⁵ An individual would have to work an astonishing 142 hours per week at minimum wage or receive a wage increase to \$25.35 per hour, or \$52,720 a

² *The New York Times*, April 13, 2007, "Rent Board Statistics Show Ups, Downs and Betweens," Janny Scott.

³ *Reuters*, January 16, 2009, "Fed's Evans: U.S. in midst of serious recession," Kristina Cooke, *Bloomberg*, January 16, 2009, "U.S. Industrial Production Fell 2% In December, Led by Autos," Courtney Schlisserman, *Reuters*, January 16, 2009, "In U.S. Recession, Poverty Strikes Middle Class" Lucia Mutikani, *CNNMoney*, January 14, 2009, "Economic Report: U.S. Retail Sales Plunge 2.7% in December." *Reuters*, January 15, 2009 "Job Market, Factory Activity Remain Weak," Burton Frierson, Fergal O'Brien; *The City of New York Executive Budget Fiscal Year 2008, Budget Summary* 8.

⁴ Fiscal Policy Institute, *New York City Unemployment in 2009 – the Emerging Crisis*, December 11, 2008, 1.

⁵ Dr. Moon Wha Lee, *Initial Selected Findings of the 2008 New York City Housing and Vacancy Survey (HVS)*, 7.

year, in order to afford an average two-bedroom apartment in New York City.⁶

Availability of affordable housing is rapidly diminishing. The most recent (2008) Housing and Vacancy Survey (HVS) revealed a citywide vacancy rate of only 2.88 percent,⁷ significantly worse than the 5.0 percent threshold that constitutes the legal definition of a housing emergency.⁸ The vacancy rate for rent stabilized units was even more troubling, measuring just 2.14 percent,⁹ while the rate for units with monthly rents of less than \$799 was 1.47 percent.¹⁰ In 2006 alone, there was a total loss of 13,974 rent stabilized units and net loss of 6,022 units, bringing the total loss of rent stabilized apartments in the past 12 years to nearly 160,000.¹¹ From 2007 to 2008, the number of rent stabilized apartments in New York decreased 4 percent to 836,004.¹²

There has been a decline in all types of affordable housing. Housing starts under the 421-a Affordable Housing Program declined 33.7 percent during 2007. Also, the number of conversions of single room occupancy buildings remains high.¹³ Furthermore, the steady decrease in Mitchell-Lama units has accelerated over the past several years, with at least 22,000 units leaving the program between 2003 and 2007.¹⁴ In addition, there has also been a 12 percent loss in project-based Section 8 housing since 1990, leaving only 82,897 subsidized privately-owned apartments remaining in New York City.¹⁵ Of these, over 13,000 are immediately threatened by removal from their subsidy programs or foreclosure due to

⁶ NYC Rent Guidelines Board, *2008 Income and Affordability Study*, 7.

⁷ Dr. Moon Wha Lee, *Initial Selected Findings of the 2008 New York City Housing and Vacancy Survey (HVS)*, 4.

⁸ Dr. Moon Wha Lee, *Selected Findings of the 2005 New York City Housing and Vacancy Survey (HVS)*, 2.

⁹ Dr. Moon Wha Lee, *Initial Selected Findings of the 2008 New York City Housing and Vacancy Survey (HVS)*, 4.

¹⁰ Dr. Moon Wha Lee, *Initial Selected Findings of the 2008 New York City Housing and Vacancy Survey (HVS)*, 4.

¹¹ NYC Rent Guidelines Board, *Changes to the Rent Stabilized Housing Stock in New York City in 2006*, 6-7, 10.

¹² *Daily News*, June 4, 2008, "Stabilized Apartments Down. Frets Up." Adam Lisberg, 7 (quoting the Division of Housing and Community Renewal).

¹³ NYC Rent Guidelines Board, *2008 Housing Supply Report*, 9.

¹⁴ NYC Rent Guidelines Board, *2008 Housing Supply Report*, 9.

deterioration.¹⁶ Meanwhile, the waiting list for Section 8 housing vouchers increased from 100,000 in 2007 to 158,000 in the first part of 2008.¹⁷ Moreover, funding for the 80/20 affordable housing program¹⁸ will decrease significantly from 2008 through at least 2010.¹⁹ Mayor Bloomberg recently announced that he was pushing back the deadline to complete his housing plan.²⁰ This delay is caused by the recession which is stifling the financing of low-cost housing.²¹ The combination of market forces and governmental decisions detailed above has worked together to have a “devastating effect...on low- and moderate-income residents of New York...”²² The rising number of vacant units unavailable for rent,²³ the fact that housing expansion has not kept pace with population growth,²⁴ and the increase in rental housing affected by foreclosure proceedings, have all contributed to the scarcity of available affordable housing.²⁵

Housing-Related Hardships on the Rise

The rate of housing-related hardships²⁶ among low-income renters has been increasing in recent years.²⁷ New Yorkers are increasingly relying on unconventional living arrangements.²⁸ High housing cost burdens and concentrated poverty also cause a range of more serious social

¹⁵ Tom Waters and Victor Bach, Community Service Society, *Closing the Door 2008: Subsidized Housing Losses in a Weakened Market*, September 2008.

¹⁶ Tom Waters and Victor Bach, Community Service Society, *Closing the Door 2008: Subsidized Housing Losses in a Weakened Market*, September 2008 May 2007

¹⁷ NYC Rent Guidelines Board, *2008 Income and Affordability Study*, 8.

¹⁸ Buildings where 80 percent of apartments are market-rate and 20% are affordable to low-income households.

¹⁹ NYC Rent Guidelines Board, *2008 Housing Supply Report*, 9.

²⁰ *New York Times*, January 5, 2009, “New York Housing Plan is Delayed,” Manny Fernandez

²¹ *New York Times*, January 5, 2009, “New York Housing Plan is Delayed,” Manny Fernandez

²² *Tenant*, May 2007, “‘Reluctant’ Judge Voids Law Protecting Mitchell-Lama, Section 8 Tenants,” Steven Wishnia.

²³ Dr. Moon Wha Lee, *Initial Selected Findings of the 2008 New York City Housing and Vacancy Survey (HVS)*, 4.

²⁴ Margary Austin Turner, *Current Rental Housing Market Challenges and the Need for a New Federal Policy Response: Statement before the Committee on Appropriations, Subcommittee on Transportation, HUD, and Related Agencies, US House of Representatives*, 2.

²⁵ Center for an Urban Future, *Cause for Distress*, February 2007, 1.

²⁶ These hardships include the “lesser” hardships of rent/mortgage arrears and utility cut-offs and the “severe” hardships of doubling up and using shelter.

²⁷ Victor Bach & Tom Waters, Community Service Society, *Making the Rent, May 2008*, 24.

harms, including higher crime rates, poorer nutrition and health, higher financial burdens for local governments, greater educational failure, higher teenage pregnancy rates, more costly basic consumer goods, and greater difficulty maintaining steady jobs.²⁹ In addition, those suffering from high housing cost burdens are more likely to be evicted and more likely to experience homelessness.³⁰ Non-payment proceedings that resulted in an eviction/possession ruling increased to 20.3 percent in 2007, the highest level in ten years.³¹ Over half of households with children (54 percent) experienced housing hardship in 2007, compared to 30 percent among adult households.³² Furthermore, over a quarter of those with children (27 percent) experienced multiple hardships compared to 15 percent of adult households.³³ In addition, the hardship rates among near-poor families with children have surpassed the high hardship rates among poor families.³⁴ The percentage of near-poor families with children who experienced housing-related financial stresses soared to 51 percent in 2006-2007 from 16 percent in 2003-2004, compared to 45 percent in 2006-2007 for poor families with children.³⁵

Effect of Stagnant Low-Income Wages and Rising Fuel Prices on Residents

Median wages have not kept up with living costs, creating enormous pressure on households to meet the cost of necessities other than rent.³⁶ Median wages increased 0.1 percent

²⁸ *The New York Times*, May 10, 2007, "Paying the Rent in New York: 4 Roommates (or a Trust Fund)," Christine Haughney.

²⁹ Margary Austin Turner, *Current Rental Housing Market Challenges and the Need for a New Federal Policy Response: Statement before the Committee on Appropriations, Subcommittee on Transportation, HUD, and Related Agencies, US House of Representatives*, 5; Douglas Rice and Barbara Sard, Center on Budget and Policy Priorities, *The Effects of the Federal Budget Squeeze on Low-Income Housing Assistance*, 2.

³⁰ Douglas Rice and Barbara Sard, Center on Budget and Policy Priorities, February 1, 2007, *The Effects of the Federal Budget Squeeze on Low-Income Housing Assistance*, 2.

³¹ NYC Rent Guidelines Board, *2008 Income and Affordability Study*, 11.

³² Victor Bach & Tom Waters, Community Service Society, *Making the Rent, May 2008*, 30.

³³ Victor Bach & Tom Waters, Community Service Society, *Making the Rent, May 2008*, 30.

³⁴ Victor Bach & Tom Waters, Community Service Society, *Making the Rent, May 2008*, 25.

³⁵ Victor Bach & Tom Waters, Community Service Society, *Making the Rent, May 2008*, 26.

³⁶ *Gotham Gazette*, October 22, 2007, "Paying the Price for Living in New York," Courtney Gross.

between 2000 and 2006, while prices for consumer goods have risen almost 21 percent since 2000.³⁷ Wages for high-end earners increased steadily from 2000 through 2006 statewide, but wages for low-end earners have stagnated.³⁸ Most importantly for consideration by the City Council, rent stabilized tenants in New York faced an 8.6 percent decrease in household income between 2002 and 2005, a much larger decline than that experienced by non-rent stabilized tenants.³⁹ In addition, utility costs increased by an average of 8.2% in 2007.⁴⁰ In April 2008, Con Edison implemented its biggest one-time increase, a \$425 million increase in rates.⁴¹ Commuting costs have also increased, the Metropolitan Transportation Authority implementing its most recent fare increase in March of 2008.⁴² The number of New Yorkers having difficulty affording food has drastically increased to approximately four million, a twenty six percent increase from 2007.⁴³ The cost of food increased by 15% between 2003 and 2007 and increased an additional 7% between January and October of 2008.⁴⁴

Growing Problem of Homeless Families

The scarcity of affordable housing, the rising rents, and the increasing cost of living have contributed to an alarming growth in the number of homeless New Yorkers. The number of families in shelters increased by 13% in the final six months of last year, making 2008 the worst year for family homelessness since the city began reporting such data more than twenty five

³⁷ *Gotham Gazette*, October 22, 2007, "Paying the Price for Living in New York," Courtney Gross.

³⁸ *Gotham Gazette*, October 22, 2007, "Paying the Price for Living in New York," Courtney Gross.

³⁹ NYC Rent Guidelines Board, *2007 Income and Affordability Study*, 1, 5, 6.

⁴⁰ NYC Rent Guidelines Board, *2008 Income and Affordability Study*, 7. This percentage assumes usage of 300 kWh and supply via Con Edison.

⁴¹ *New York Times*, March 20, 2008, "Con Ed Wins Approval for a Big One-Time Increase in Rates for Electric Service," Patrick McGeehan.

⁴² *New York Times*, February 29, 2008 "All About the M.T.A. Fare Increase," Sewell Chan.

⁴³ Food Bank for New York City, *NYC Hunger Experience 2008 Update: Food Poverty Soars as Recession Hits Home*, 1.

⁴⁴ Food Bank for New York City, *NYC Hunger Experience 2008 Update: Food Poverty Soars as Recession Hits*

years ago.⁴⁵ Currently there are nearly 16,000 children who bed down each night in New York City's municipal shelter system.⁴⁶ Families make up 80% of the homeless population in New York City shelters.⁴⁷ While the percentage of families entering the shelter system increased 10.7%, 6.9% fewer homeless families were relocated from shelter to permanent housing.⁴⁸ In October of 2007, the City began denying emergency shelter to re-applicant homeless families.⁴⁹ The growing homelessness problem has massive implications beyond the uprooting and devastation of individual lives, as the city must pay \$36,000 per year for each family living in a shelter.⁵⁰

Increased Displacement Pressure from Landlords Despite Profits

In rent stabilized buildings, from 2005 to 2006, while operating costs increased by 4.1 percent, rental income increased by 5.6 percent and total income rose by 5.5 percent.⁵¹ In 2006, the Price Index of Operating Costs (which measures the cost of goods and services used to operate and maintain New York City apartments) rose by the smallest percentage in four years.⁵² Meanwhile, rent revenues grew faster than average operating costs.⁵³ Therefore, the net operating income grew by 8.8%.⁵⁴ In addition, the number of distressed properties fell 0.3

Home, 1.

⁴⁵ Coalition for the Homeless, *State of the Homeless 2008*, 5.

Patrick Markee, Coalition for the Homeless, *Number of Homeless Families in New York City Reaches Highest Point Since Modern Homelessness Began*, 1.

⁴⁷ Coalition for the Homeless, *State of the Homeless 2008*, 10.

⁴⁸ Coalition for the Homeless, *State of the Homeless 2008*, 15.

⁴⁹ Coalition for the Homeless, *State of the Homeless 2008*, 26.

⁵⁰ Coalition for the Homeless, http://www.coalitionforthehomeless.org/advocacy/policy_briefs.html

⁵¹ NYC Rent Guidelines Board, 2008 Income and Expense Study, 3.

⁵² NYC Rent Guidelines Board, *2007 Price Index of Operating Costs*, 1; NYC Rent Guidelines Board, *2006 Price Index of Operating Costs*, 1; NYC Rent Guidelines Board, *2005 Price Index of Operating Costs*, 1; NYC Rent Guidelines Board, *2004 Price Index of Operating Costs*, 1.

⁵³ NYC Rent Guidelines Board, 2008 Income and Expense Study, 13.

⁵⁴ NYC Rent Guidelines Board, 2008 Income and Expense Study, 13.

percentage points from 2005 to 2006.

Despite landlords' solid profit margin, landlords continue to apply pressure in an effort to displace tenants. Both harassment and rent overcharge complaints to the Division of Housing and Community Renewal (DHCR) increased substantially in 2008: harassment complaints were up 31 percent to 344 and rent overcharge complaints were up 20 percent to 1,038.⁵⁵ In addition, fear of displacement runs high; a third of black and Hispanic renters, 22 percent of white and 25 percent of Asian renters express concern that they will be forced out of their neighborhoods over the next two years.⁵⁶

Who Lives in Rent Regulated Housing?

Rent stabilization primarily serves low-income people, people of color, and immigrants.⁵⁷

- The median household income for rent-stabilized tenants is \$34,000 a year, compared to \$42,000 for the city as a whole, \$44,000 for unregulated tenants, and \$66,000 for homeowners.
- 21 percent of rent-stabilized tenants are poor, and 22 percent have incomes from 100 to 200 percent of the federal poverty line.
- 60 percent of rent-stabilized tenants have household incomes below the New York City median of \$42,000 a year.
- 22 percent of rent-stabilized tenants are black, 32 percent are Latino, and 8 percent are Asian.
- 55 percent of rent-stabilized tenants are immigrants or born in Puerto Rico.

Furthermore, low rent apartments are predominantly occupied by low-income tenants.⁵⁸

- The median household income for tenants in rent-stabilized apartments with rents below \$600 a month is \$20,000 a year.
- 32 percent of rent-stabilized tenants with rents below \$600 a month are poor, and 27 percent have incomes from 100 to 200 percent of the federal poverty line.

⁵⁵ *Daily News*, June 4, 2008, "Stabilized Apartments Down, Frets Up," Adam Lisberg, 7 (quoting Leslie Torres, Deputy Commissioner for Rent Administration).

⁵⁶ Victor Bach & Tom Waters, Community Service Society, *Making the Rent Summary, May 2008*, iii.

⁵⁷ Email from Tom Waters, Community Service Society, to David Robinson, June 13, 2008.

⁵⁸ Email from Tom Waters, Community Service Society, to David Robinson, June 13, 2008.

- 81 percent of rent-stabilized tenants with rents below \$600 a month have household incomes below the New York City median of \$42,000 a year.
- The median household income for rent-stabilized tenants with rents below \$1,200 a month is \$30,000 a year.
- 23 percent of rent-stabilized tenants with rents below \$1,200 a month are poor, and 25 percent have incomes from 100 to 200 percent of the federal poverty line.
- 66 percent of rent-stabilized tenants with rents below \$1,200 a month have household incomes below the New York City median of \$42,000 a year.
-

Conclusion

Legal Services NYC and The Legal Aid Society strongly urge renewal of the rent laws, as well as support for repealing the Urstadt Law and repealing vacancy decontrol. We therefore urge passage of each of Intro No. 923, Res. No. 1815, and the two State Legislation Resolutions that are before the City Council today.

Respectfully submitted,

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**Testimony of Tom Waters
Housing Policy Analyst, Community Service Society**

**Hearing
New York City Council
Committee on Housing and Buildings
Committee on State and Federal Legislation**

March 16, 2009

Thank you for this opportunity to comment on the city's vitally important rent control and rent stabilization laws. The Community Service Society is an independent nonprofit organization that addresses some of the most urgent problems facing low-wage workers and their communities here in New York City, including the effects of the city's chronic housing shortage.

Rent-regulated housing is the single most important component of the city's housing stock for low-wage workers. Well over a million low-income people (those with incomes below twice the poverty line) live in rent-regulated housing. That is far more than live in public and subsidized housing combined. Rent regulation is an absolutely vital protection for these tenants, because none of them can afford the going rate for a vacant apartment in any neighborhood of the city. A family of three with an income at twice the poverty rate earns \$35,200 a year, and can therefore afford a rent of \$880 a month, using the generally recognized affordability standard of 30 percent of income. In what neighborhood would that get you a two-bedroom apartment? When we talk about strengthening and preserving rent-regulation, we are talking about the homes of over a million people who, without rent regulation, would have nowhere to go.

Last week, the U.S. Census Bureau released data from the 2008 New York City Housing and Vacancy Survey, which enables you to make the determination that we are still in a housing emergency. It also enables us to take a close look at how the city's housing shortage is affecting tenants and neighborhoods – bringing the picture up to date as of last spring when the survey was conducted.

The survey found that 22 percent of rent-stabilized tenants are poor and 21 percent are near-poor; that is, they have incomes between one and two times the poverty threshold. Another 27 percent have incomes from two to four times the poverty threshold. The survey also found that 22 percent of rent-stabilized tenants are black, 32 percent are Latino, 9 percent are Asian, and 53 percent of tenant households are headed by an immigrant or a person born in Puerto Rico. That adds up to a group of tenants who are considerably poorer, less white, and more likely to be immigrants than the city at large.

Our economy has now entered a severe recession, which is sure to have dire consequences for the city's low-wage working households. But the Housing and Vacancy Survey was conducted before the economic crisis hit home, and therefore it indicates the effects of the housing shortage on tenants during the economic good times – and the picture is not pretty. Low income tenants did not benefit from the economic boom, because housing costs more than negated their advances in income.

My colleague Victor Bach and I documented this trend from 1996 to 2005 in the CSS report, “Making the Rent: Who’s At Risk,” published last year, and I have now updated part of our analysis to 2008. For poor households, incomes went up significantly from 1996 to 2005. But rents went up even faster, so that residual income per person (that is, income minus rent, divided by household size) was basically flat. Then, from 2005 to 2008, poor people’s residual income per person fell sharply, from \$146 to \$133 per month in inflation-adjusted dollars. Essentially, all of the benefits of poor people’s rising incomes for more than a decade have gone to landlords, while the poor people themselves slipped further behind. For near-poor households, incomes rose more slowly, with the result that their residual incomes, after rent, actually slid backward by 12 percent from 1996 to 2005 and by another 2.5 percent – from \$435 to \$424 inflation-adjusted dollars per month – in the past three years.

For the city’s million or so poor and near-poor tenant households, the economic good times weren’t so good. Their standard of living declined. That is why we are seeing an increase in housing hardships from being behind in rent payments to having utilities cut off, to doubling up with another household, to staying in homeless shelters. In “Making the Rent: Who’s At Risk,” we found that the lesser hardships (falling behind in rent and having utilities cut off) held steady for poor people from 2002 to 2007, but the severe hardships (doubling up and staying in shelters) rose substantially for poor people, and both lesser and severe hardships rose substantially for near-poor people. In 2007, nearly half of low-income tenants in the private rental market experienced at least one housing hardship in the previous year: 48 percent among the poor and 44 percent among the near-poor.

It is sometimes claimed that the explosion of luxury-oriented development in the city in the last decade has produced benefits for low-income New Yorkers that compensates for the rising rents that have come with all of that development. But the evidence of the Housing and Vacancy Survey does not support that claim. Whatever benefits low-income have received have been more than wiped out by rent increases.

Now that incomes are likely to fall in the recession, the situation will become even more dire. Poor households will be hard hit by the increase in unemployment, while near-poor households will be hit by cuts in wages and hours. There have been some reports that rents have gone down at the high end of the market, but there is no sign that rents are going to go down for low-wage workers. In fact, I believe that they will continue to go up. All over the city's low-income neighborhoods, when a family that makes \$20,000 or \$30,000 a year moves out of an apartment where they paid 40 percent of income in rent, another family with the same income moves in and starts paying 60 percent of income in rent. That is not going to stop now. Rents will increase even as incomes collapse. These are the ingredients for a disaster.

Rent regulation provides valuable relief from the hardships caused by excessive rents, but the evidence of the Housing and Vacancy Survey is that conditions are getting worse for regulated and unregulated tenants alike. This is due in large part to the weakening of the rent regulation system over the past 15 years – especially vacancy decontrol, along with the excessive increases allowed on vacancy, and the abuse of so-called preferential rents. This is allowing the going rents to rise extremely rapidly throughout the city, but especially in Upper Manhattan, Brownstone Brooklyn, North Brooklyn, and Northwest Queens. In those neighborhoods – most of which have traditionally housed large communities of low-wage workers – tenants who moved into private-market apartments in the years 2004 to 2007 are paying a median rent more than 62 percent higher than those tenants who moved in prior to 2001. This rapid movement means that we will soon see the deregulation of every apartment that becomes vacant in those neighborhoods – just as we already see in Manhattan below Harlem.

This erosion of affordability is a major reason why we see increasing hardships among regulated and unregulated tenants alike. That is why I urge the City Council to not only extend rent control and rent stabilization, but also to pass your resolutions calling on the state legislature to end vacancy decontrol and restore home rule to New York City for rent regulation.



RENT STABILIZATION ASSOCIATION • 123 William Street • New York, NY 10038

**Testimony of the Rent Stabilization Association
Joint Hearing of the Committees on
Housing and Buildings and
State and Federal Relations
Regarding the Extension and Expansion of Rent Regulations**

Today, the Members of the two City Council Committees must choose whether to continue the failed programs designed to address yesterday's problems, or to seek new approaches to help address the economic crisis we face today.

Extending and expanding the existing web of rent regulations will have dire economic consequences for the City, while failing to address housing affordability. On the other hand, continued and expanded deregulation will generate economic benefits for the City and its residents, including increased tax revenue which could be used for housing assistance targeted to the truly needy.

In order to extend rent regulations, the City Council must determine that a housing emergency exists. But the evidence presented to the Council argues that these are the best of times for the City's housing stock.

According to the 2008 Housing and Vacancy Survey (HVS), the City's housing stock has grown to 3.3 million units, the largest in the 43-year period since the survey was first conducted in 1965. All five boroughs saw an increase in housing between 2005 and 2008. The Mayor's Office notes that it has started construction on more than 46,000 affordable housing units, which are not reflected in the HVS, most of which will be rent regulated.

And housing conditions have never been better. Residents' satisfaction ratings for their neighborhoods and buildings were the highest ever recorded—a reflection of the increased investment property owners have made in their buildings.

Even New York's chronic homeless problem has eased substantially, with the Mayor's most recent survey showing that the number of street homeless has been reduced by half over the last four years. Of course, New York remains the only city in the country required to provide housing to anyone in need.

With all the good news in the City's housing market, where is the housing emergency? It resides solely in the fact that the City's overall rental housing vacancy rate was measured at 2.88 percent in 2008. The rental vacancy rate is a necessary, but not sufficient, condition to declare a housing emergency.

Other factors need to be considered including the many reasons why the vacancy rate has never exceeded 5 percent and never will based on the way it is calculated.

The rental vacancy rate includes housing such as New York City Housing Authority units and other income-restricted units which are not available to the general public and which always have a very low vacancy rate.

And the vacancy rate calculation excludes 138,043 units which are vacant and unavailable rent, twice as much as the 64,737 units vacant and available for rent. The vacant unavailable group included 48,071 units undergoing renovation and which will soon be available for rent or sale, as well as 36,788 units which are held for occasional use.

If the Council were serious about increasing the supply of housing, it could simply ban rent regulated status for pied-a-terres and the vacancy rate would instantly approach 5%. If the units being renovated were considered available for rent, the vacancy rate would jump above 5%. This should indicate how fragile and inappropriate the reliance on a simple vacancy rate is for determining a housing emergency.

The Council should also take note that there are wide variances from the overall vacancy rate of 2.88%. Geographically, large portions of the City have vacancy rates in excess of 5%. And in terms of rent level, lower rent units have lower vacancy rates while higher rent units have higher vacancy rates. Therefore, the vacancy rate for apartments renting for \$1,400 per month or more is well in excess of 5 percent.

There is no justification for maintaining rent regulations for high-rent apartments, whose rents are dropping in the current environment and which are affordable only to relatively wealthy households who are not the intended beneficiaries of the rent regulations laws. We urge the Council not to extend the rent laws to cover high-rent apartments where no housing emergency exists.

We also urge the Council Members not to act on two other resolutions which are before you. One of these supports the repeal of the current high-rent/high-income deregulation provisions.

Since 1993, moderate deregulation provisions have stimulated billions of dollars in investment to upgrade our aged and deteriorating housing stock, without affecting a single in-place tenant. This investment, in turn, has generated jobs for low and moderate income City residents as well as increased real estate taxes to support the City's budget and the delivery of essential municipal services.

Any repeal of the current vacancy decontrol provisions would threaten the inflow of housing investment dollars and multiplier effects at a time when the current economic crisis has made the City's budget and economy more reliant on the real estate industry than ever before. A vote for this resolution is a vote against the City's best interests.

Another resolution before the Council calls for the authority to write the rent laws to be shifted from the State Legislature to the City Council. The current rent laws apply equally, state-wide. Allowing New York City to write its own rent laws could result in vastly different rules for owners operating in the City as well as the adjoining counties. This would be further disincentive to housing investment. In addition, it would require the City to take over administration of the rent laws, adding hundreds of employees and millions of dollars to the City's budget at a time when the City is cutting back on essential services.

It would seem that the City's interests are already well protected in Albany where the Governor, the Assembly Speaker, and the Senate Majority Leader, as well as a majority of the legislators in the Assembly and Senate, and a majority of the members of their Housing Committees, all represent New York City. The Council should only approve this resolution if it intends a vote of no-confidence in our elected officials in Albany.

The RSA thanks you for your consideration of these matters.

**Brooklyn Borough President Marty Markowitz Testimony
to the joint hearing of the New York City Council's Housing and Buildings Committee and the
State and Federal Legislation Committee.**

Monday, March 16, 2009

I WANT TO BEGIN BY THANKING THE COUNCIL AND SPEAKER QUINN FOR INVITING ME TO ADDRESS WHAT CONTINUES TO BE THE MOST CRITICAL ISSUE IN BROOKLYN: AFFORDABLE HOUSING.

I KNOW WE CAN ALL AGREE THAT IT IS ABSOLUTELY ESSENTIAL THAT WE DO ALL WE CAN TO ENSURE THAT NEW YORK CITY IS A PLACE FOR ALL INCOME LEVELS.

AT THIS POINT, OTHER THAN PUBLIC HOUSING OR MITHCELL-LAMA HOUSING, THE ONLY AFFORDABLE HOUSING IN NEW YORK CITY IS FOR THOSE RESIDENTS FORTUNATE ENOUGH TO BE IN RENT-CONTROLLED OR RENT-STABILIZED APARTMENTS.

THE ONLY WAY TO MAINTAIN NEW YORK CITY AS AN INCOME-DIVERSE CITY IS TO PRESERVE AND GUARANTEE RENT PROTECTION.

AT THE BARE MINIMUM, WE MUST RENEW THESE RENT REGULATIONS—WITHOUT QUESTION—AND, IN MY OPINION, MAKE THEM PERMANENT, WITHOUT ANY SUNSET PROVISION.

AT A TIME WHEN THOUSANDS OF RESIDENTS ARE LOSING THEIR JOBS THROUGHOUT THE CITY, TO REMOVE RENT CONTROL AND STABILIZATION WOULD BE NOTHING SHORT OF DISASTROUS.

FOR THOSE FORTUNATE ENOUGH TO LIVE IN RENT CONTROLLED OR STABILIZED HOUSING, IT IS THE ONE BIT OF ECONOMIC SECURITY THAT THEY HAVE.

ACCORDING TO A COALITION FOR THE HOMELESS REPORT THAT CAME OUT LAST WEEK, MORE THAN 500,000 RENTER HOUSEHOLDS PAID MORE THAN HALF THEIR INCOME FOR HOUSING—THAT'S 27% OF ALL CITY RENTERS.

AND BY THE WAY, THAT INCLUDES ME — I'M A DECONTROLLED TENANT, AND HALF OF MY TAKE-HOME PAY GOES TOWARD PAYING RENT.

WE CAN ALL BE CERTAIN THAT AS THE ECONOMIC SITUATION DETERIORATES OVER THE FORESEEABLE FUTURE, THOSE NUMBERS WILL CONTINUE TO GROW.

BUT I WANT TO BE CLEAR — EVEN IF THE ECONOMIC SITUATION WAS ROSY RIGHT NOW, MY POSITION ON THIS ISSUE WOULD BE NO DIFFERENT.

EVEN IN THE BEST OF TIMES, AFFORDABLE HOUSING IS A HUGE CHALLENGE FOR NEW YORK CITY RESIDENTS.

IF I WOULD HAVE TOLD YOU TEN YEARS AGO THAT TENANTS IN THE MIDDLE OF QUEENS OR BROOKLYN WOULD SOON BE PAYING \$2000 OR MORE FOR A ONE-BEDROOM APARTMENT, YOU WOULD HAVE SAID, “MARTY, WHAT ARE YOU SMOKING OR DRINKING?”

HEY, THERE WAS A TIME, NOT TOO LONG AGO, WHEN IF YOU PAID \$1500 FOR A ONE-BEDROOM APARTMENT, EVERYONE ASSUMED YOU WERE A MILLIONAIRE.

NOWADAYS, NOBODY BATS AN EYE.

.TODAY, EVERY SAVVY LANDLORD KNOWS EXACTLY WHAT TO DO.

THEY GUT THE APARTMENTS, THEY PUT IN NEW CEILINGS, NEW CABINETS, NEW APPLIANCES, NEW BATHROOMS — FOR ONE PURPOSE AND ONE PURPOSE ONLY —

TO GET THE VACANCY ALLOWANCES, THE RENTAL GUIDELINES ALLOWANCES, TO AMOTIZE THE COST OF QUOTE-UNQUOTE “IMPROVEMENTS —

SO THEY CAN REACH THE “PROMISED LAND” OF A \$2000 RENT — AT WHICH POINT THE RENT BECOME DECONTROLLED.

EVERY TIME THEY DO THIS, ANOTHER APARTMENT LEAVES THE REALM OF AFFORDABILITY.

AND LET’S NOT FORGET — EVERY TIME A TENANT IN A RENT STABILIZED APARTMENT DIES, THAT’S ANOTHER DECONTROLLED UNIT.

AND IN 2009, THE INCREASING AMOUNT OF RENT CONTROLLED AND RENT STABILIZED APARTMENTS HITTING THAT \$2000 THRESHOLD—WHEN ALL TENANT PROTECTION DISAPPEARS—IS A CRISIS IMPACTING EVERY BOROUGH AND EVERY NEIGHBORHOOD IN THE CITY.

IN THIS ECONOMIC CRISIS, THIS PUTS OUR ENTIRE CITY IN JEOPARDY.

THERE CAN BE NO QUESTION — LEGISLATORS MUST REMOVE THIS LOOPHOLE.

THE FUTURE OF NEW YORK CITY DEPENDS ON IT BEING A PLACE THAT LOW-AND MODERATE-INCOME RESIDENTS CAN CALL HOME.

WE'RE TALKING ABOUT NURSES, CLERKS, TEACHERS, FIREFIGHTERS, POLICE OFFICERS, CONSTRUCTION WORKERS — THE BACKBONE OF NEW YORK, THE SOUL OF THE CITY!

BELIEVE ME — THE LAST THING ANY OF US WANTS TO SEE IS THE CONTINUED EXODUS OF NEW YORK CITY'S MIDDLE CLASS.

I NEVER WANT TO SEE A NEW YORK THAT IS HOME ONLY TO THE VERY RICH AND THE VERY POOR.

BUT IF WE ARE NOT CAREFUL, THAT'S EXACTLY WHAT WE'LL HAVE.

THERE WILL BE TWO CITIES — A WEALTHY NEW YORK AND A HOMELESS NEW YORK.

AS FAR AS THE URSTADT LAW IS CONCERNED, WE NEED TO REPEAL IT.

I WAS A STATE SENATOR FOR 23 YEARS, AND I ALWAYS THOUGHT IT WAS OUTRAGEOUS THAT A DECISION THAT SHOULD BE MADE LOCALLY WAS INSTEAD BEING MADE BY UPSTATE LEGISLATORS.

THEY HAVE NO UNDERSTANDING WHATSOEVER OF THE REALITIES OF HOUSING IN OUR CITY.

FOR THE TYPE OF HOME YOU CAN GET FOR \$250,000 UPSTATE — WELL, LET'S JUST SAY THAT IN BROOKLYN YOU'D BE LUCKY TO BUY A WALK-IN CLOSET FOR \$250,000.

HAVING THESE DECISIONS MADE IN ALBANY BENEFITS NOBODY EXCEPT THE REAL ESTATE INDUSTRY AND ITS LOBBYISTS.

THE ONLY REASON THE URSTADT LAW EXISTS IS BECAUSE REAL ESTATE INTERESTS BELIEVE THAT THEIR AGENDA WILL BE PROTECTED BETTER IN ALBANY THAN IN NEW YORK CITY.

BUT WHO HERE WOULD DISAGREE WITH ME THAT THE STATE LEGISLATURE CAN'T HOLD A CANDLE TO THE RESPONSIVENESS OF CITY GOVERNMENT?

FORTUNATELY, NOW THAT THE DEMOCRATS CONTROL THE SENATE, WE'VE TAKEN IMPORTANT STEPS TO RECTIFY THAT SITUATION.

A NUMBER OF TENANT-FRIENDLY BILLS HAVE PASSED THE ASSEMBLY AND ARE ON THEIR WAY TO THE SENATE.

AT THE MOMENT THE VACANCY RATE IN NEW YORK CITY IS LESS THAN 3 PERCENT.

WE NEED STRICT RENTAL REGULATION LAWS, BECAUSE WITH A VACANCY RATE THAT LOW, THERE IS NO COMPETITION

—
AND WITHOUT COMPETITION, WE CANNOT HAVE A BALANCED MARKET.

AND IT IS MY HOPE THAT WE CAN NOT ONLY REPEAL THE URSTADT LAW, BUT THAT WE CAN ALSO RE-STABILIZE ALL UNITS THAT HAVE BECOME DECONTROLLED.

SOME WOULD ARGUE THAT YOU SHOULD RAISE THE STABILIZATION LIMIT TO \$2,500.

I SAY GO FARTHER — IT IS MY BELIEF THAT ALL RENTALS UNDER \$3,000 SHOULD BE STABILIZED.

NOBODY COULD ARGUE THAT THAT AT THIS LEVEL THE RENTS WOULD BE ARTIFICIALLY LOW.

AND THIS WOULD GIVE MIDDLE-INCOME TENANTS THE CONFIDENCE THAT THE AFFORDABILITY OF THEIR HOMES WAS ASSURED.

AND SO I SAY TO SENATE MAJORITY LEADER MALCOLM SMITH — AND SENATORS PEDRO ESPADA, RUBEN DIAZ, DANIEL SQUADRON, RUTH HASSELL-THOMPSON, AND CARL KRUGER

THIS IS YOUR SHINING MOMENT — TO BRING IT HOME FOR THE TENANT FAMILIES OF NEW YORK CITY.

Testimony by West Side Neighborhood Alliance Member Terry Bocanelli

Presented to the New York City Council, March 16, 2009

RE: Passing Resolutions to Repeal Vacancy Decontrol and Home Rule for New York City

My name is Terry Bocanelli and I live at 38 W. 31st Street, apartment 311 in Manhattan. I am a rent stabilized SRO tenant and have lived in my apartment since 1993. I am a member of the West Side Neighborhood Alliance and work with Housing Conservation Coordinators to repeal vacancy decontrol.

My 348 unit single-room-occupancy building was bought about four years ago during the New York housing boom. When the new building owners, Alfred & Emil Sabet, took over they looked to make quick profits through evicting many of my Chinese and Korean neighbors and began converting their former SROs homes into luxury apartments.

On many mornings, I have seen my evicted neighbors' belongings strewn on the street in front of the building. Mattresses, book shelves, sheets, pots and pans, cabinets, night stands, lamps, dressers and other personal items littered the streetscape. Their life's humble accumulations left in the gutter in haste by the tenants or indifferently tossed to the curb by the landlord. A few days later you'd see immigrant workers in the hallways with their tools, plaster buckets and building materials in my neighbors' former apartments. A curious phenomenon: low-wage-immigrant workers renovating apartments where other immigrants lived in order for higher paying tenants to move in.

My landlord was obviously renovating the SROs into luxury apartments because vacancy decontrol gives him a economic incentive to aggressively evict the working class rent regulated tenants in favor of higher paying market tenants. Vacancy decontrol – the process by which a landlord can deregulate affordable rent-stabilized apartments if the rent can legally go over \$2,000 per month or more and there's a vacancy –either an eviction or the tenant voluntarily leaves.

We need to repeal vacancy decontrol.

I am part of the Real Rent Reform campaign to push our state senators to support the bill to repeal vacancy decontrol.

And you know what? I should not have to travel to Albany to get changes in the rent laws. New York City should have home rule over our rent laws. We need our state legislature to restore home rule over the rent laws to New York City.

I urge you to pass resolutions to repeal vacancy decontrol and restore home rule. Thank you for time and the opportunity to testify.

TENANTS & NEIGHBORS

THE STATEWIDE CENTER OF POWER FOR TENANTS

Testimony of Maggie Russell-Ciardi
Executive Director, NY State Tenants & Neighbors Coalition at
March 16, 2009 City Council Hearing on
SLR 1, SLR 2, Intro No. 923, and Res. No. 1815

My name is Maggie Russell-Ciardi and I am the Executive Director of the NY State Tenants & Neighbors Coalition, a statewide membership organization with a base of approximately 20,000 tenants, tenant associations, and community based organizations. Thank you for the opportunity to testify today.

Rent regulation exists because there is a housing emergency in New York City. When the law was passed, New York City residents and elected officials determined that there was a "serious public emergency in the housing of a considerable number of people in New York City, and that this emergency necessitated the intervention of governments in order to prevent speculative, unwarranted, and abnormal increases in rents."

One would hope that the main factor in making the determination about whether the rent laws should be renewed is whether or not a housing emergency continues to exist; that if the data demonstrates that there continue to be an extremely low percentage of the rental stock vacant and available to rent, rent regulations would continue.

But, increasingly, the question I am hearing people is not whether the housing emergency that necessitates rent regulation still exists. The question we are hearing more and more in the media and, regrettably, even from some public officials, is whether, even though we face a housing crisis that so severe it is almost impossible to ignore, is whether or not rent regulation should exist at all. This is extremely worrisome and so is to this question to which I want to direct my testimony. I'll respond to the question of whether rent regulation should exist with several questions of my own.

First, do we as a city value our economic diversity? The people who live in rent regulated housing are largely people with low and moderate incomes. The average household income in rent regulated apartments is about \$32,000 (and has been at the same level for the past ten years, so has actually been declining in real terms.) About 24% have incomes below the federal poverty level, and another 6 percent had incomes below 125% of the federal poverty level. Many rent regulated tenants are already paying more than the 30% of income generally recognized as affordable. Without rent regulation, many of these people not be able to continue to live in our city.

Second, do we as a city value the racial and ethnic diversity of our communities? People who live in rent regulated housing are over 60% people of color. And they are approximately 40% immigrants. Without rent regulation, many of these people would be displaced from their homes and communities.



Thirdly, do we want the tenants who live in New York City to live in decent conditions, in stable communities? Rent regulation affords tenants important protections, such as the right to receive basic services and repairs and the protection from baseless eviction. Tenants in unregulated apartments don't have many of these important protections.

Tenants & Neighbors believes that preserving our economic and racial diversity, and ensuring that tenants live in decent, adequate conditions in stable communities, is of the utmost importance, and so we must renew our rent laws. We also believe that it is not enough to renew our rent laws; in order to ensure that our city continues to be diverse and sustainable, we need to strengthen those laws.

It is to the great credit of the New York City Council that today we are taking up not only the question of whether we need to renew our rent laws, but whether we want to send a message to Albany that our rent laws need to be even stronger than they currently are.

In spite of the rent regulation system we have in place, tenants throughout the city are still suffering. Vacancy decontrol, which allows landlords to deregulate apartments and convert them to market rate of luxury housing when the legal regulated rent reaches \$2000 or more and the apartment becomes vacant, is creating an incentive for landlords to harass tenants until they vacate their apartments, resulting in the loss of an estimated 15,000 affordable apartments every year. This is leading to the displacement of low and moderate income people from their homes and communities.

And, to make matters worse, predatory equity investors have been coming into the city specifically to take advantage of the weaknesses in the rent laws, buying up our affordable housing stock at wildly speculative prices, putting the tenants in those buildings at risk of displacement and, in many cases, putting entire developments at risk of financial failure and foreclosure.

At the same time that landlords have deregulated apartments through the vacancy decontrol provision, rents have been skyrocketing in unregulated apartments, so high that the people who have been harassed out of their rent regulated apartment or who can't find an affordable rent regulated apartment to rent are having to split the cost of rent cost with others and live in dangerously overcrowded conditions. And tenants in these apartments don't have the protections that tenants are afforded in rent regulated housing, are more vulnerable, and so are less willing to speak up when the rights they do have are violated.

The weaknesses in the rent laws are not just affected tenants who live in affordable housing, they are leading to destabilization of entire communities and leading to a deterioration of conditions in both the rent regulated and unregulated housing stock. The City Council has taken many important steps to protect tenants from the irresponsible behavior that vacancy decontrol creates an incentive for, such as tenant harassment.



But this is not enough. As long as there is a threshold at which apartments can be deregulated, there will be an incentive to get the rents to that threshold as fast as possible, using any means possible. We need to address this problem at its root, and so we need all of our local elected officials to help us by calling on our elected officials in Albany to repeal vacancy decontrol.



**Testimony Before the New York City Council Committees on
Housing and Buildings, and State and Federal Legislation
Hearing on Intro 923, Res. 1815, and SLR 1 and 2 (the renewal
of the city's rent regulations, and resolutions calling on the
state to repeal vacancy decontrol and the Urstadt Law) on
March 16, 2009**

**By Louise Seeley, Executive Director,
The City-Wide Task Force on Housing Court
125 Maiden Lane, New York, NY 10038; 212-962-4266**

My name is Louise Seeley and I am the Executive Director of the City-Wide Task Force on Housing Court. I want to thank this committee for giving me the opportunity to testify today.

The City-Wide Task Force on Housing Court provides support and legal information to tenants and landlords without attorneys from information tables in the city's seven housing courts and through a telephone hotline. We also maintain the hotline for the Emergency Rent Coalition, a group of charities that offer back rent or mortgage assistance to tenants and homeowners facing eviction.

Our Housing Court table staff provide assistance to over 30,000 New Yorkers a year; and close to 10,000 callers a year get information about housing court procedures, advice on how to find money for rent arrears, and how to avoid eviction and homelessness. Through workshops and trainings, we reach thousands more with information and direction on Housing Court process and procedures.

Much of our work involves trying to get help for tenants who are being taken to housing court for nonpayment of rent – most of these tenants are low or moderate income, have had a temporary loss of income or emergency, and are in imminent danger of being put out of their homes by a city marshal. When we screen people for rent arrears assistance, or give information to tenants to help them avoid eviction, we look to see if they have a stable housing situation and that they have future ability to pay rent. For many of the low income tenants we assist, rent stabilization saves their homes – it provides housing they

can afford going forward. If with the help of charities they can come up with the back rent, the landlord has to keep them.

From our perspective, rent stabilization is one of most effective homelessness prevention programs in the city. We urge the Council to support all four measures being discussed at this hearing. We also urge the Council to do everything within its power to repeal vacancy decontrol. Tenants who live in unregulated apartments do not have the right to a lease renewal. Because the landlord can move to evict these tenants without cause many tenants are fearful of complaining or exerting their rights. We regularly speak to tenants who live in apartments that were allegedly decontrolled as a result of vacancy decontrol. We inform them that they can challenge whether the apartment was properly taken out of rent stabilization, but we also warn them that if the apartment is indeed deregulated their landlord may refuse to renew their lease. While there are some protections against retaliatory evictions the protections are not very strong and some tenants are too fearful to take the risk. The market tenants at Stuyvesant town and Peter Cooper Village who took on Tishman Speyer should be commended for their bravery. If they lose their fight to regulate their apartments Tishman Speyer does not have to renew their tenancies. Tenants should not have to choose between exerting their rights and risking their homes.

Renew and strengthen New York's rent stabilization laws and push Albany to repeal vacancy decontrol now.

Testimony of Aida Rivera

44 Morgan Ave. Brooklyn, NY

To The City Council Committee on Housing

Hearing on Rent Regulation

Good Morning, Chairman Dilan and members of the Housing Committee.

My name is Aida Rivera. I live at 44 Morgan Avenue in Williamsburg Brooklyn. I have lived in East Williamsburg my whole life. I'm here to ask you to support the repeal of vacancy decontrol and the reform of rent regulation to protect people like me and neighborhoods like ours.

For the last few years I've been fighting, in court and out, to stay in my apartment. I'm on disability and if I had to leave my apartment I certainly couldn't stay in the neighborhood. I don't know what I'd do. I'm paying \$416.00 in rent (with my DRIE subsidy) and vacant, rent-stabilized apartments are renting for \$1500 and up. My mom, a rent controlled senior, lives just two blocks away and depends on me to help take care of her since she had several strokes

Vacancy Decontrol clearly encourages owners to get people out of their apartments so they can collect these higher rents. I've seen many of my

neighbors forced out, legally and illegally. *[Aida can add some examples here if she wants.]* That's why I joined UNO, United Neighbors Organization, to help them know and fight for their rights and to encourage legislators like you to change the laws to help protect us.

Please support the end of vacancy decontrol and stronger rent laws to protect us!

Thank you.

Kim Powell Buyers & Renters United To Save Harlem, Inc harlembursh@yahoo.com,
917-692-6809 260 West 35th Street, New York, NY

On **Monday, March 16, 2009, at 10 a.m. in the Council Chambers at City Hall**, the Council will hold a hearing on a package of legislation designed to preserve and protect our City's affordable housing supply, including:

- two bills extending the rent-stabilization and rent-control laws; and
- two resolutions calling on Albany to end vacancy decontrol and repeal the state's Urstadt law, returning control over rent regulations to the City Council.

Extending the RS and RC law is paramount to our effort as private individuals and public official to assist this State and our Nation's leader in restoring accountability.

The economic condition that our nation faces is not the result of a the single act of an individual or institution but a collective failure of the many to insure and promote accountability and with the hope and desire to restore and preserve integrity within our system of governance.

While financial institutions, insurance companies and the auto industry has been accused of running a Ponzi scheme, landlords, real estate investors and our body governing forces are no less liable for the catastrophic casualties that have befallen on this State and this City.

Wholesale eviction practices by private investment firms backed by so-called predatory equity lenders whom have brought large numbers of rr apartments (90, 000) and then seek to maximize profits by driving out long-term tenants, deregulating units, and renting to higher-paying tenants has not only been the result of greed but the failure of our government to govern rather than be governed.

Loss of affordable housing –sub sized housing units in the major state and federal program programs are in serious decline and are scare relative to demand. Btw 1990 and 2007, 27% of the city's ML and project-based Section units were lost with an additional 18% threatened (Tom Waters: Community Service Society Report 2007)

Loss of rent-regulated units- high rent dereg and higher vacancy allowances had led to the loss btw 2003-2008 of over 117,000 regulated apartment-14% of the total stock.

The shortage of rent-regulated units is furthered compounded by the flagrant disregard of landlords who seize on the one hand to take advantage of the J-51 program and while buying up property wholesale and de-regulating units

Putting the entire city in a quandary as it tries to clean up the mess at the expense of the New York City taxpayer dollars. As a taxpayer myself, and a professional person, I dread the upheaval battle that awaits this City as a result of the Appellant court's recent decision .But yet... I applaud the jurist that had the tenaciousness to see the unmitigated

gall of the few to suggest that they could ride the backs of the taxpaying city at the expense of the working class poor... all for the sake or for a moment of glory and fame
SHAME ON YOU!

As statesman, and local representatives, true you have a duty to govern but at the end of the day you become governed by the very process or thing that you put in place or failed to put in place. So let's not mask our own hopes and fears.....and responsibilities by suggesting that we are not a part of the problem, and yet in a circuitous way, have the ability to become a part of the resolution.

As homeowner and renters yourselves you leave the communities that you say you serve complexed by your failure...willful or otherwise, to see the unequivocal responsibilities you have to restore order to the housing market.

Calling on your help and support to end vacancy decontrol and repealing the Urstad law by returning control over rent regulation laws back to City Council could only produce the following outcomes:

Accountability by allowing for the

- Direct use of more resources toward eviction protection of tenants
- Advocate efforts among legal and nonprofit organizations should coordinate to save project-based subsidized housing, rent regulated housing threatened by predatory equity firms
- Legal service providers should support and advance advocacy efforts designed to achieve policy and statutory changes---to strengthen rr laws, est. right to counsel, est. low income assistance programs

Let me further remind you that as statesman and local representative, you are also going to be straddled with the task of handling and resolving to find way to also deal with the

Foreclosure crisis is driven by predatory and risky lending practices, primarily in the sub prime mortgage market which purports to serve borrowers with lower credit ratings.

When sub prime mortgage lenders, backed by Wall Street investors, entered low income communities of color and aggressively sold abusive refinance mortgages that stripped borrowers of home equity through excessive closing costs, mortgage broker fees and kickbacks, and prepayment and penalties, and put homeowners at risk of foreclosure with inflated interest rates and unaffordable monthly payments, this caused a greater influx of City residents now looking for refuge in the affordable rental market as they tried to not only make ends meet but pay back debt that properly should be the responsibilities of senseless arrogance of the people and institution that perpetuated these.

Predatory lenders targeted and lenders targeted elderly homeowners and racial and ethnic grp minority homeowners and communities. Some borrowers were victimized by fraudulent and predatory practices are also vulnerable to deed theft and mortgage rescue scams.

In summary it is the condition of our economy and the circumstances that brought forth this catastrophic disaster that should allow you as City Council persons to being, without hesitation, to put the power of the people back into the hands of local government and begin the process of holding the many landlord and real estate investors accountable to the people and the process. NO MORE OF THE PAY-O-LA PLAN!

Thank you

~~Mayor Bloomberg recent remark in response the limitation lifted by the Obama administration, as they seek to provide food stamp assistance to the needy and unemployment that the restriction should remain intact as it would gave food recipient a sense of dignity of job and if they want help they should help themselves is to suggest to the majority of people in need of assistance desire to be useless and lack in self worth.~~



Gray Panthers, NYC Network
244 Madison Ave. #396, New York, NY 10016
Tel: 212-799-7572, www.graypanthersNYC.org

My name is Anne Emerman. I'm testifying in support of the two City Council bills extending rent stabilization and rent-control laws, and the two City Council resolutions calling upon Albany, the State Senate specifically, to pass laws introduced by Senators Liz Krueger and Andrea Stewart-Cousins to repeal vacancy decontrol and the Urstadt law, thus returning rent regulation control to the City Council. The public affordable housing emergency continues.

I'm here speaking as a Board member of Gray Panthers NYC Network, age and youth working together to restore fairness, justice and peace in our communities, and as a Steering Committee member since 1973 of the Kips Bay Tenants Association, a complex built in the 1960's with federal funds as affordable housing for the hospital workers, social workers, nurses, therapists, lab technicians of Bellevue and the VA Hospital, later NYU Medical Center. Kips Bay Towers is since 1980 a luxury condominium. Its 126 rent stabilized tenants, mostly seniors, have to spend time fighting "MCI upgrades" that are so far rejected by DHCR, fighting challenges to have their units seized for landlord personal use, and jumping through hoops to get apartment repairs, and worrying always whether the next Rent Guidelines Board (RGB) increases would force a daily diet of rice & beans or macaroni and cheese.

I was also a part of a Steering Committee whose first meeting took place the end of November 2008, and which launched the East Side Housing Coalition. Its first public meeting took place February 22nd and over 500 tenants showed, indicating fear of losing their homes, and perhaps also hope that a new Democratic State Senate will pass the ten tenant protection bills already passed by the Assembly in January. The group is also determined to help bring about reform of the RGB, that annual farce that with its so-called five "independent" members annually favors landlords' demands for huge rent increases. I'm including with this testimony a City Limits article on that meeting, and the Program.

STUYVESANT TOWN - PETER COOPER VILLAGE TENANTS ASSOCIATION

A Volunteer Staffed Organization Working to Preserve an Affordable Community

Founded -1971

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FOR THE RECORD

Contact: John Marsh (866-290-9036)

TESTIMONY OF JOHN MARSH, VICE PRESIDENT, STUYVESANT TOWN-PETER COOPER VILLAGE TENANTS ASSOCIATION BEFORE THE CITY COUNCIL HOUSING AND BUILDINGS COMMITTEE, MARCH 16, 2009

Thank you. My name is John Marsh. I am Vice President and Treasurer of the board of the Stuyvesant Town-Peter Cooper Village Tenants Association and a lifelong resident of the community it serves. Our organization is advocate for more than 20,000 tenants in the largest rent-regulated community in New York. I am grateful for the opportunity to testify before this committee on one of the most important issues facing our city—the preservation of affordable housing through strengthened and continued rent protections.

Our tenants association urges this committee and the City Council to not just renew and extend the citywide housing protections, but to also communicate to the State Legislature in the strongest possible language that the repeal of Vacancy Decontrol and return of home rule are absolutely necessary for the social and economic recovery of this City. Rent-regulated housing is the only source of affordable housing in this city for police, firefighters, teachers, nurses, medical technicians, and countless other indispensable workers. Without the affordable housing that rent-regulations guarantee, no plan for the economic recovery of this city can succeed.

I have watched the consequences of deregulation and the destabilization of my own community. The rush by our landlord Tishman Speyer and its predecessor, to take advantage of Vacancy Decontrol is destroying the very fabric and quality of life in one of New York's most sought-after, family-oriented, moderate-income neighborhoods. As many as 36% percent of Stuyvesant Town-Peter Cooper apartments have been lost to vacancy decontrol and it is not just destabilizing rents; it is destabilizing strong communities like my own.

Vacancy Decontrol has led to the illegal sub-division of Stuy Town apartments with pressurized walls not initially permitted by Department of Buildings. Collage students are packing in to units like they are dorms. Units designed for half the capacity are overcrowded; straining building services such as garbage removal, laundry rooms, and in general diminishing the great quality of life this community has so much enjoyed.

The voters of Stuyvesant Town/Peter Cooper Village are awake and closely watching the actions of our present mayor and all mayoral candidates that running this year. The 20,000 plus votes of this community will go to the one that champions the middle class over the rich by demonstrating a true commitment to the preservation of existing affordable housing.



137-139 West 25th Street
12th Floor
New York, NY 10001
(212) 627-2227
www.thenyic.org

Testimony of Ericka Stallings, Housing Advocacy Coordinator for the New York Immigration Coalition

March 16, 2009

My name is Ericka Stallings, I am the housing advocacy coordinator of the New York Immigration Coalition, a policy and advocacy organization with more than 200 member groups throughout New York State that work with immigrants and refugees. I would like to first thank you for allowing our organization to testify at today's hearing as this is an issue that is very important to our membership.

Rent-regulated housing is the most significant source of affordable housing in New York State. This housing stock supports low-, moderate- and middle-income New Yorkers and their communities in New York City and the suburban counties of Nassau, Westchester and Rockland. The rapid deregulation of rent-controlled and -stabilized units due to vacancy decontrol threatens the continued efficacy of this program.

Immigrant New Yorkers, particularly immigrants of color, are disproportionately impacted by the City's increasing lack of decent affordable housing. As incomes stagnate and rents rise, more and more immigrant New Yorkers experience housing hardships. Immigrants make up two-third of New York City's low-wage workforce and subsequently have lower incomes on average. Nearly 82% of low-income immigrants pay more than 30% of their income on rent.

The problem is getting worse as units are decontrolled. Due to the shrinking the pool of affordable housing, our members report that immigrants are finding there is more competition for affordable housing as people who were priced out of their communities move on to others in search of housing they can reasonably afford.

Housing affordability directly impacts housing quality, as a result, many immigrants find themselves in dangerous housing situations. New York's immigrant renters are 62% more likely to live in substandard housing conditions and are three times as likely to live in overcrowded conditions than native-born residents. Many immigrants' housing conditions cause them to worry about their family's health and well being, as high rents prevent them from providing for their families as well as they would like. There are also disturbing health consequences, I've met immigrants in every borough of the City, who have developed asthma, allergies, rashes and other health problems, which they believe are caused by their housing. I know of one South Asian woman in Queens who suffered a miscarriage, which she attributed to her poor living conditions.



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These conditions are the direct result of an inadequate supply of affordable housing in our City. While building more housing is one answer, it isn't the only answer; we must protect the supply of affordable housing that we already have. Although rent regulation is frequently dismissed as an issue for wealthy Manhattan constituents, this is also an issue for low-moderate and middle-income immigrants in all boroughs.

In addition to the impact on affordability, vacancy decontrol fuels abusive landlord practices. The lure of the \$2000 mark, or any threshold for that matter, encourages landlords to harass tenants out of their homes using methods that are often both illegal and unethical.

The New York Immigration Coalition strongly supports the four resolutions under consideration today, as we believe they will go a long way toward improving housing conditions for immigrant New Yorkers. They include extending the City's rent-control and rent-stabilization laws, calling on the state to repeal Vacancy Decontrol and calling on the state to return control over rent laws to New York City, thus ensuring the creation of rent laws which more accurately reflect the needs of New York City's residents.

1. SLR 1 calls on the New York State Legislature to return control over rent laws to New York City (S749/A1688).
2. SLR 2 calls on the New York State Legislature to pass the repeal of vacancy decontrol (S2237-A/A2005).
3. Intro No. 923 extends New York City Rent Stabilization Law for three years to April 1, 2012.
4. Res. No. 1815 extends the city rent control law March 31, 2012.

Thank you.

Respectfully submitted by:

Ericka Stallings

Housing Advocacy Coordinator, New York Immigration Coalition

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TESTIMONY BEFORE THE NYC COUNCIL
Submission by a member of *Tenants and Neighbors*

Elizabeth J. Gardner
Van Buren Hall Tenants' Association
Sunnyside, Queens

March 16, 2009

Hello. My name is Liz Gardner. I am the President of the Van Buren Hall Tenants' Association in Sunnyside, Queens, and a member of Tenants and Neighbors. Thank you all for this opportunity to testify before you.

I would like to tell you a little bit about me and the other tenants in my building.

I graduated from Columbia University. I am a legal secretary and earn in the top ten percent in my field, over \$60,000 per year. Despite this success, I am having trouble keeping my apartment.

My rent-stabilized studio is in one of fourteen buildings that were sold by Bassuk Brothers in 2007 for 118 million dollars.

In each of the last seven years I have received a standard raise, and in each year, the Rent Guidelines Board increase has eaten up all or most of my raise.

Over the last seven years my rent has risen by 26%. I also pay a student loan (\$600 per month) and significant medical bills (approximately \$600/month).

And starting this year I will have to pay an additional \$45 per month because I have lived in my apartment for over six years and do not already pay \$1,000 per month. This is yet another unjust New York rule weighing Voracious Landlord Greed against Preserving Our Communities, and letting Greed win.

Why should I be punished for being a long-term tenant living in my community for more than five years? Why do our politicians keep allowing this?

Unfortunately, because of our failing economy, next year my firm will not give raises to support staff.

And I am not alone. In the last year, seven tenants came to me for help because our new landlord refused to renew their leases based on their preferential rent and instead demanded they pay the so-called "legal" rent. In every case, the increase was at least \$200 and most times \$300 per month.

Ladies and gentlemen, this is should not be legal, and Tenants & Neighbors is supporting legislation in Albany to stop this practice. No one should be able offer a contract with someone for rent at \$900 or \$1000 a month and then the following year demand \$1200 or \$1400 a month. This is how economies fail. This phenomenon forces the ejection of what otherwise

would be the ultimate stabilizing forces in our neighborhoods: Families and other long-term tenants.

Over the last two years in my building ultimately we have lost more than 10% of our neighbors, most of them of lower income and immigrants, because of this policy and *another* rent increase. Since 2007 we have been fighting a Major Capital Improvements (MCI) increase of \$27.05 per room per month. When we investigated the landlord's application we found that it was based on inflated and made-up figures, double- and triple dipping, falsified and non-existent signatures, and actual out-and-out attempts to defraud.

Ladies and Gentlemen, all of the bad behavior by my landlord that I've just spoken about has one goal: To raise the rents as quickly as possible to hit the JACKPOT Vacancy Decontrol Figure of \$2,000.

In this economy, with thousands of New Yorkers losing their jobs and facing double-digit inflation for milk, food, and public transportation; in this economy where so many people's investments and retirement funds have disappeared, we must demand that Greed be silenced once and for all.

So I ask you to vote in our favor on the bills before you today, and to continue to vote for us in the challenging days to come. Let us say goodbye to the vacancy decontrol and Urstadt, and step out on a new path of fairness,

reasonableness, and caring about our neighbors and neighborhoods. After all, it is the people here who make New York great. All the people.

Thank you.



**NEW YORK CITY
CENTRAL LABOR COUNCIL
AFL-CIO**



275 Seventh Avenue, 18th Floor, New York, NY 10001 • Tel: (212) 604-9552 • Fax: (212) 604-9550
E-mail: info@nyccclc.org • www.nyccclc.org

FOR THE RECORD

Testimony of Ed Ott, Executive Director
New York City Central Labor Council, AFL-CIO
Joint hearing of Committee on Housing and Buildings and
Committee on State and Federal Legislation
March 16, 2009

The New York City Central Labor Council supports all four measures on your agenda today. Of course we support Intro 923 and Resolution 1815, which renew the city rent stabilization and rent control laws respectively.

More importantly, we support the two State Legislative Resolutions, Nos. 1 and 2, calling on Albany to repeal Vacancy Decontrol, and to restore full home rule powers to the City Council and Mayor. We are hopeful that these important bills can pass the State Senate in the coming weeks and be signed into law.

We finally have an opportunity to enact significant legislation in Albany to restore tenant protections, to enhance tenant protections, and to preserve the affordable rental housing that we still have. The most important legislation now being considered is the bill that repeals vacancy decontrol, and re-regulates a significant number of apartments that have been lost in the last fifteen years.

This bill, S2237-A and A2005, has already passed the Assembly under the sponsorship of Linda Rosenthal, Speaker Sheldon Silver, James Brennan, Vito Lopez and many others. It is pending in the State Senate, where it is sponsored by Andrea Stewart-Cousins of Westchester and 23 other Senators.

Passing this crucial bill is the single most important step the State Legislature can take to reverse the loss of our rent-regulated housing stock in the downstate metropolitan region.

The overarching purpose of rent regulation is not merely to protect tenants in place, but to preserve the supply of affordable rental housing for future use – for households who will need a home in the next generation.

This essential aspect of rent regulation is lost with vacancy decontrol. Once an apartment is deregulated, it is affordable only to those who can somehow pay market rents – which most people cannot.

For fifteen years we have watched as our scarce supply of affordable rental housing in New York City and suburban counties has shrunk due to vacancy decontrol, which was inserted into state law in 1993 and 1997, and into the New York City rent laws by action of the City Council in 1994.

Vacancy decontrol is the cause of all that we see going wrong in our rental market today: the increase in harassment of tenants; the speculative purchasing and flipping of rent-stabilized and Mitchell-Lama properties at prices that vastly exceed reasonable commercial standards; increased evictions, and increases in aggressive eviction attempts by means such as owner use, non-primary residence, and similar tactics – all of this is because vacancy decontrol is an overwhelming incentive for this bad landlord behavior.

Rent regulation is by far the largest and most important affordable housing program in the state, even though it exists only in downstate: in New York City and Nassau, Westchester and Rockland Counties. It is time that rent protection laws are seen for what they are: an essential municipal service.

We hope that the repeal of vacancy decontrol is only the first step in an overdue restructuring of our entire rent regulation system. Let us not forget that rent stabilization was designed by the real estate industry itself, in collaboration with the administration of Mayor John Lindsay.

So we look forward to the restoration of home rule, and we look forward to working with you to re-design our rent and eviction protection laws.

MME/O:fd

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

11:28 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Linda Eskenas

Address: 227 West 11 St

I represent: NYC NY

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:10 PM

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

in favor in opposition

Date: 3.16.09

(PLEASE PRINT)

Name: Jean Davis

Address: Diviner Apartments; Harlem

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:51

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

in favor in opposition

Date: MARCH 16, 2009

(PLEASE PRINT)

Name: AIDA RIVERA

Address: 59 MORGAN AVE.

I represent: UNITED NEIGHBORLY ORGANIZATION

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:11 PM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Elizabeth Gardner Sunnyside

Address: 47-21 46th St. Apt 5J NY 1104

I represent: Vanbrun Hall Tenants Association &

Address: Tenants + Neighbors

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:50

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

in favor in opposition

Date: 3/16/09

(PLEASE PRINT)

Name: Louise Sealey

Address: 66th Avenue

I represent: City-wide task Force on the Court

Address: 125 Menden Lane 3rd Fl

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

11:10

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

in favor in opposition

Date: MARCH 16, 2009

(PLEASE PRINT)

Name: KIM POWELL (BRUSH)

Address: 706 RIVERSIDE DRIVE

I represent: TENANTS-

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

11:19

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

in favor in opposition

Date: 3/16/09

(PLEASE PRINT)

Name: MARILYN CHARLES - DC 37

Address: 125 Barclay St.

I represent: DC 37.

Address: 125 Barclay St.

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:47

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

in favor in opposition

Date: 3/16/09

Name: Assembly member Gottfried
(PLEASE PRINT)

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:15 AM

I intend to appear and speak on Int. No. SLR 2 Res. No. _____

in favor in opposition

Date: 3/16/09

Name: Kathleen McCafferty
(PLEASE PRINT)

Address: 1966 7th Ave, #3, JNY, NY 10026

I represent: 1966 7th Ave Tenants

Address: 1966 7th Ave, #3, NY, NY 10026

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:49

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

in favor in opposition

Date: March 16, 2009

Name: Jackie Del Valle
(PLEASE PRINT)

Address: Housing Conservation Coordinators

I represent: WSNA

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:12 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Sharick LAIZARRY

Address: 142 East 49th St Apt 4A

I represent: Myself / ~~FA~~

Address: Tam a shareholder

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:12 AM

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

in favor in opposition

Date: 3/16/09

(PLEASE PRINT)

Name: MARTY MARKOWITZ

Address: Brooklyn Boro Hall

I represent: _____

Address: 209 Johnson St

Extension of Rent Reg. 9 NYC 240.3
**THE COUNCIL
THE CITY OF NEW YORK**
Repeal of Vacancy Reg. 240.1

Appearance Card

9:23

I intend to appear and speak on Int. No. _____ Res. No. 10:17 AM

in favor in opposition

Date: 3/16/09

(PLEASE PRINT)

Name: Adele Ponder

Address: 99-44 67th St - Forest Hills 11375

I represent: Various Housing Organizations

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:10 AM

I intend to appear and speak on Int. No. 52237-A Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: SHARON SACHS

Address: 84 WEST BROADWAY, NYC 10007

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:08 AM

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

Date: _____

(PLEASE PRINT)

Name: Howey Epstein

Address: 172 East 47th St NYC

I represent: Wilson Justice Center

Address: 123 Williams Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:06 AM

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

Date: 3/16/09

(PLEASE PRINT)

Name: Kathleen TREAT

Address: 400 W. 43rd St. #33N-NYC 10036

I represent: Hell's Kitchen Neighborhood

Address: Association

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:59 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Joseph Rosenberg, Deputy Comm

Address: 100 GOLD

I represent: HPD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:59 AM

I intend to appear and speak on Int. No. 923 Res. No. 1815

in favor in opposition

Date: 3-16-09

(PLEASE PRINT)

Name: Marc Jahr Acting Commissioner

Address: 100 GOLD ST

I represent: HPD

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:11 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ~~Matt Egan~~

Address: ~~30th St 1st Fl~~

I represent: ~~any of the 105~~ here

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:55 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: FRANK RICCI, JACK FREUND, MITCH

Address: ROSELINA

I represent: RENT STABILIZATION ASSOCI

Address: 123 WILLIAM ST.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:55 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: HEATHER SYDNEY

Address: 1245 PARK AVE - NY 10028

I represent: EASTSIDE TENANTS COUNCIL

Address: 1203 PARK AVE

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:59 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ELIZABETH GAUMERY Director

Address: 1000 GOLD ST POLICY RESEARCH

I represent: 1000 GOLD ST

Address: HPD

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:55 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: David Robinson

Address: _____

I represent: Legal Services NYC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:58 am

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

repeal various
decentist in favor in opposition

Date: 3/16/09

(PLEASE PRINT)

Name: ALLISON TUPPER

Address: 626 W 46th ST - 1

I represent: West Side Neighborhood Alliance

Address: 10th Ave., NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:56 AM

I intend to appear and speak on Int. No. 923 Res. No. 1815

in favor in opposition

Date: 3/16/09

(PLEASE PRINT)

Name: Robert Desir

Address: _____

I represent: Legal Aid Society

Address: 199 Water Street New York NY 10038

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:03 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID ROBINSON

Address: 350 BROADWAY NY NY 10013

I represent: LALDI SERVICES NYC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:00 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: PATRICK SICONOLFI

Address: 377 BROADWAY 3RD FLOOR NY 10013

I represent: COMMUNITY HOUSING IMPROVEMENT PROGRAM

Address: SAME

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

9:59 AM

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: TERRY BOCANELLI

Address: 38 WEST 31ST #311 10001

I represent: WEST SIDE NEIGHBORHOOD

Address: 777 TENTH AVE ALLIANCE

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:01 AM

I intend to appear and speak on Int. No. _____ Res. No. _____
For extending rent in favor in opposition
~~Against Control~~
~~Vernoy Street~~ Date: March 16, 2009

(PLEASE PRINT)

Name: Richard Steiger
Address: 442 E. 20 Street
I represent: _____
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:04 AM

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

(PLEASE PRINT)

Name: MARTIN TREAT
Address: 400 W 43 ST 33N
 represent: CB4
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

10:00 AM

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition
Date: Mar 16, 2009

(PLEASE PRINT)

Name: TOM WATERS
Address: CSS-105 E 22 ST 10010
I represent: Community Service Society
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)
Name: Earline Fisher
Address: 105 W 138th #4C
I represent: Citizen/Voter
Address: TAXPAYER

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)
Name: Micena Russell-Crank
Address: 30x Len St
I represent: Tenants & Neighbors
Address: 236 W 27th, floor 4, NYC 10001

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)
Name: Ann Braga
Address: 115 East W 106th St 3rd Fl
I represent: Community Voices Heard
Address: 115 East 106th St 3rd Fl
NY NY 10029

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: 3/16/09

(PLEASE PRINT)
Name: ERICKA Stallings

Address: _____

I represent: New York Immigration Coalition

Address: 127-139 25th St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: 3/16/09

(PLEASE PRINT)
Name: Maria Velez

Address: _____

I represent: Make the Road - NY

Address: 92-10 Roosevelt Ave. Queens NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: _____

(PLEASE PRINT)
Name: ANNE F. MERMAN

Address: 333 E. 30th St.

I represent: GRAY MATTERS NYC NETWORK

Address: Kids Pay Taxation Assoc